

Briefly

The Minnesota Senate Week in Review

January 19, 1996

1996 Session begins

The Senate opened the 1996 session of the 79th Legislature Tues., Jan. 16 with the adoption of several routine resolutions. Members unanimously approved committee deadlines (Feb. 9, 16, and 23), postage allowances, and reimbursement of expenses for interns. Senators also approved a resolution that appointed Sen. Roger D. Moe (DFL-Erskine) as President Pro tem of the Senate, in place of Sen. Florian Chmielewski (DFL-Sturgeon Lake). Committee assignments were changed to reflect resignations and disciplinary actions imposed on certain members.

Turning to more difficult matters, Sen. Ember Reichgott Junge (DFL-New Hope) reported the findings of the Rules and Administration Subcommittee on Ethical Conduct concerning the charges and complaints brought against Sen. Kevin Chandler (DFL-White Bear Lake) and Sen. Sam Solon (DFL-Duluth).

Reichgott Junge first thanked former Chief Justice Douglas Amdahl and former Chief Justice Robert Sheran for assisting with the investigation. The bi-partisan group, chaired by Reichgott Junge, consisted of Sen. Dennis R. Frederickson (R-New Ulm), Sen. Roy Terwilliger (R-Edina), and Sen. Steven Novak (DFL-New Brighton). The participation of the former justices helped "insure that the process survived all the tests of a judicial process," Reichgott Junge said. "It was respectful, fair, thorough and exhaustive. The public demanded swift and sure action without politics," she added.

The Senate voted for resolutions penalizing Sen. Kevin Chandler (DFL-White Bear Lake), for slapping his estranged wife; and Sen. Sam Solon (DFL-Duluth), for improper use of his Senate telephone account.

The two resolutions, which had passed the Rules and Administration Committee earlier in the day, were sponsored by Sen. Ember Reichgott Junge (DFL-New Hope), co-chair of the committee's Special Subcommittee on Ethical Conduct. The subcommittee held a series of hearings on the ethics complaints against the two Senators.

The sanctions against Chandler, who pleaded guilty in Ramsey County District

Court to hitting his estranged wife during a domestic dispute, passed on a 63-0 vote. The resolution acknowledges his resignation from Senate leadership positions, and called on him to apologize to the Senate for his behavior.

Arguing for the recommended sanctions and against harsher penalties, Subcommittee Co-chair Sen. Dennis Frederickson (R-New Ulm), said that Chandler's actions were a "private and personal" matter, unrelated to his Senate duties. Chandler, addressing the Senate, said he wished to offer his "sincere apologies. I made a terrible mistake," he said, "I'm hopeful some day you'll forgive me."

The resolution against Sen. Solon, who pleaded guilty in Ramsey County District Court to a misdemeanor charge regarding his former wife's use of his Senate phone account in 1992 and 1993, directed him to give up his chairmanship of the Senate Commerce and Consumer Protection Committee, to give up his seat on the Rules and Administration Committee, to again apologize to the Senate, and to reimburse the Senate for all calls.

The vote in favor of the resolution was 57-6, and came after the Senate turned down an amendment by the Senator who filed the ethics complaints, Sen. Thomas Neuville (R-Northfield). Neuville's amendment called for Sen. Solon to resign from the Senate on May 1.

Speaking for his amendment, Neuville said "the purpose of our vote is not to punish Sen. Solon, but to restore dignity and trust to the Senate. We make the laws and the public holds us to a higher standard."

Sen. Steven Novak, (DFL-New Brighton) opposed the Neuville amendment, which was defeated on a 17-48 vote. Novak, who is also a member of the subcommittee, told the Senate the "process has been fair, the circumstances have been fully explained, the penalties fit the situation." He added the sanctions recommended by the Rules and Administration Committee against Sen. Solon were "the most severe ever applied to a sitting Senator."

In his statement to the Senate, Sen. Solon said "I made some misjudgements in my phone privileges. I want to apologize to you, to my constituents, to all

the people of Minnesota."

Ag chair named

Senators met for a brief floor session Thurs., Jan. 18, primarily for purposes of processing bill introductions. One item of business, though, did provoke brief discussion. An amendment to the resolution naming committee chairs and vice chairs was presented for adoption. The amendment names Sen. Roger D. Moe (DFL-Erskine) as chair of the Agriculture and Rural Development Committee and Sen. Phil Riveness as vice chair of the Environment and Natural Resources Committee. The positions were vacant because of recent resignations. Minority Leader Dean Johnson (R-Willmar) spoke briefly against the portion of the amendment naming Moe as chair of the Agriculture and Rural Development Committee. Johnson said that Moe, as Majority Leader and chair of the Rules and Administration Committee, already had many responsibilities. "The reason I am objecting, is not that he is not qualified, but I am concerned that because of all his other responsibilities he will not be able to devote enough attention to agricultural issues," Johnson said. The amendment to the resolution was adopted, however, on a vote of 29-18.

Listserv available

The Minnesota Senate is pleased to offer a service designed to make it easier for the public to get up to the minute information about Senate committee schedules. The Senate Information Systems Department has developed a "listserv" that automatically sends the daily committee schedule to subscribers with Internet e-mail access.

Individuals may subscribe to the Senate listserv at any time and the schedules will be e-mailed on a daily basis. Updated schedule information will also be sent to the listserv mailing list.

To subscribe to the Senate listserv simply send an e-mail message to:

listserv@seenate.leg.state.mn.us

In the message body type the following text:
subscribe sen-schedules

A welcome message with information about how to unsubscribe from the listserv will then be sent to the new subscriber. Subscribers may leave the e-mail mailing list at any time by following the simple instructions.

Committee update

Commerce and Consumer Protection

Committee hears insurance impact

The Senate Commerce and Consumer Protection Committee heard a presentation on the economic impact of the insurance industry in Minnesota at its first meeting of the new session Weds., Jan. 17.

Al Parsons, president of the Insurance Federation of Minnesota, told Senators "we are among the top industries in the state in terms of the number of jobs and top-paying jobs."

Pam Weisenberger, with Minnesota Mutual, led the committee through a series of economic statistics and comparisons. She told the committee the insurance industry employs 64,000 people in Minnesota, has a \$2-billion payroll, and contributes 2.5 percent of the gross state product. She said the average industry salary is \$35,225 compared to a statewide average salary of \$25,711. She noted the industry pays millions of dollars yearly in taxes and fees, and pays out over \$6 billion in benefits. Weisenberger said the industry makes many charitable contributions to Minnesota groups and organizations.

Sen. Carl Kroening (DFL-Mpls.), said he is concerned about high insurance industry profits and poor customer service. Parsons responded by citing efforts, including a toll-free number, to deal with any problems. He said strong industry competition is a moderating factor on profits.

Sen. Cal Larsen (R-Fergus Falls), questioned the concentration of insurance industry employees in the metro area. Referring to the increasing number of people who work from their homes through "telecommuting" with computers, he asked the industry representatives if the industry would consider locating jobs in Greater Minnesota. Sen. Sam Solon (DFL-Woodbury), said he also would like the industry to look to Greater Minnesota as a site for jobs. "It would be very helpful to us to be alerted when your companies are expanding," he said. Committee Chair Leonard Price (DFL-Woodbury), agreed, asking how people can "work together to allow it to happen."

Parsons said the industry is going to expand and will consider Greater Minnesota. "We need a good regulatory environment, which we already have, and good employees to draw an employer. I see a bigger future outside the Twin Cities."

Crime Prevention

Community notification overview

The first meeting of the Senate Crime Prevention Committee, Weds., Jan. 18, chaired by Sen. Allan H. Spear (DFL-Mpls.), was devoted to discussion concerning community notification of the impending release of a sex offender. Chief author, Sen. Randy Kelly (DFL-St. Paul), gave an overview of S.F. 1560. "This is not designed to be punitive," Kelly told members. "It is a regulatory bill."

The legislation contains provisions that establish risk assessment scales for determining

appropriate community notification policies. If the individual is a level I (low risk) offender, the releasing agency may notify law enforcement officials, victims, and witnesses of the individual's offense. Information on a level II (moderate risk) offender may also be disclosed to groups the offender is likely to encounter, including educational institutions, day care facilities and establishments that primarily serve children and women. In the case of a level III offender (high risk), the media may be notified.

Detective Bob Schilling of the Seattle Police Department testified in support of the bill. He stressed the importance of coupling community notification with education. "We've had good community response to the program," said Schilling, who's been in law enforcement for 23 years. The program serves to lessen the anxieties of the community members, he said. "Communities are real concerned when they first learn that this person is going to live in their neighborhood, but once educated, they have a better understanding and tend to relax some."

Schilling pointed out that notification also lessens the anxiety of the offenders. "These offenders know that we're playing fair, that we will not tolerate any retribution, intimidation or harassment displayed against them," Schilling said.

Also on hand to support the bill were Clark Hussey, of the Grant Hussey Foundation, and Patty Wetterling of the Jacob Wetterling Foundation. Hussey told the committee that his son, Grant, was sexually molested and murdered by a man who lived across the street from their home. Emphasizing the importance of education, Hussey said, "Until communities understand the complexity of these issues, we won't be able to deal effectively with these individuals."

Patty Wetterling said that the bill "takes away the veil of secrecy, which we know is a very powerful tool for the sexual offender."

The committee took no action on the measure and will continue discussion of the bill at a later meeting.

Education

Voucher debate begins early

Senators had a few complaints to send to the governor at the opening meeting of the Education Funding Division, chaired by Sen. Lawrence Pogemiller (DFL-Mpls.).

Pogemiller and Sens. Jane Ranum (DFL-Mpls.) and Jane Krentz (DFL-May Township) objected to several recent statements by the governor advocating a school "voucher program," which would offer state money to help pay tuition of low-income private school students.

"I basically believe that the governor's approach over Christmas and his speech last night (the State of the State address) send inappropriate signals with regards to poverty and race," said Pogemiller. "I am not going to sit here as chair of this committee and not talk about that...There is this notion that Minneapolis and St. Paul have a problem because of their diversity. We have got to get a grip. The

problem exists when you have a lack of diversity."

Pogemiller made his remarks to the commissioner of the new Department of Children Families and Learning, Bruce Johnson.

Johnson said it is his understanding that the governor does not intend to focus on the effect of race and poverty on learning, but rather to provide more opportunity to all Minnesota students.

"I don't believe there is any disagreement on that fact that we must do something to save these young people," the commissioner said.

Sen. Gen Olson (R-Minnetrista) will carry the governor's voucher bill this session. Pogemiller, who has promised to grant a hearing on the bill, said he plans to consider the proposal in the context of discussions about class-size reduction, business partnerships, compensatory funding and desegregation.

During the Jan. 17 meeting, the committee also approved S.F. 1884, introduced by Pogemiller, which cleans up legal wording of the bill which created the Department of Children last session.

Later, committee members began review of S.F. 1894, authored by Sen. Kenric Scheevel (R-Preston), which contains the first part of the governor's education policy proposals.

Robert Wedl, the deputy commissioner of the Department of Children, Families and Learning, summed up the bill's intent by saying: "Revenue should follow students and program choices should be expanded."

Among other things, the bill ensures that all state funding -- including Assurance of Mastery money, the cooperative education levy, and up to \$231 per pupil of state referendum equalization -- follows students who use open enrollment options or attend a charter school.

Krentz objected to the idea, saying it would foster animosity between districts and charter schools, and penalize districts willing to take a chance on harboring charter schools within their borders.

Several other provisions of S.F. 1894 affect charter schools. One would remove the right of districts which are closed to open enrollment to vote against charter schools within their borders. In this case, the decision would be made instead by the state Board of Education. The other provides capital revenue to charter schools.

Pogemiller also announced his intention to clear all bills from the finance division by Feb. 9, before Senate deadlines.

"We will not be in special session over the K-12 education bill this year -- I guarantee it," he said.

Governmental Operations and Veterans

DHS transfers reviewed

Discussion of Dept. of Human Services job transfers opened the first meeting of the Senate Governmental Operations and Veterans Committee Weds., Jan. 17. On hand to speak to the committee, chaired by Sen.

James P. Metzen (DFL-South St. Paul), were various agency representatives.

Martha Watson, director of Human Resources from the Dept. of Human Services, told members that there is a lot of confusion regarding the promotion-on-paper practice. "Inaccurate press coverage" has surrounded the recent action of five officials, who took classified civil service jobs for one day and then returned to unclassified appointed positions, Watson said. "There is nothing illegal or unethical about the appointments."

The intent of the practice, which Watson noted is outlined in Minnesota statutes, is "to maintain the rights of individuals to continue state employment." Jobs and job classifications disappear for various reasons, including reorganizations, technical and legislative changes, Watson explained. To retain personnel who have years of valuable experience, it is necessary to guarantee those individuals a comparable salary scale upon re-entry into the civil service system, she argued. "Our commitment needs to be strong if we expect them to make a strong commitment to us," Watson maintained.

Wayne Simoneau, acting commissioner, Dept. of Employee Relations, told the committee that the Office of the Legislative Auditor is currently studying the practice and will issue a report on its findings in late January. He suggested that the committee wait until the auditor's findings are known to discuss the practice. But in light of this year's early committee deadlines, Metzen said that members need to act as quickly as possible.

Sen. Deanna Wiener (DFL-Eagan) asked if there are occurrences of bumped employees being left without a job. Watson acknowledged that the possibility exists, "but it is rare that they hit the streets," she added.

Speaking in defense of the practice, Sen. Dan Stevens (R-Mora) said, "we should allow this because these people are doing a good job and we want to encourage that."

Sen. Linda Runbeck (R-Circle Pines) asked for clarification concerning the individual's seniority accrual while serving in an appointed position. "They continue to accrue seniority as long as they return to the class they've left," Watson explained.

Sen. Lawrence Pogemiller (DFL-Mpls.) spoke against the practice. "It may happen for laudable reasons," he said, "but it fails the common sense test."

Sen. Steven Morse (DFL-Dakota) agreed, and said, "there's got to be a more straight forward way to do this, and we're asking you to come up with something better."

Health Care

Overview presentations delivered

The Health Care Committee held its first hearing of the session Weds., Jan. 17. The committee heard testimony from Human Services Commissioner Maria Gomez, who discussed initiatives of the Minnesota Department of Human Services related to impending federal cuts.

The next witness, George Hoffman, Director of Reports and Forecasts for the Department of Human Services, explained the governor's supplemental budget recommenda-

tions. The recommendations center around lower expenditure forecasts due to savings in MinnCare, AFDC and MA, said Hoffman.

"The forecasting system is full of holes," said Sen. Harold R. Finn (DFL-Cass Lake). "How do I know you're not going to come back next year and say these numbers are off?" Finn asked.

Hoffman responded that the report was merely a forecast. He explained the changes as a product of a high risk year. In FY 95, Hoffman said, the implementation of new system changes disrupted the flow of money and, ultimately, altered the budget. Although the numbers reflect a large change, "the forecast is free from political manipulation," Hoffman said.

Following the Department of Human Services overview, the committee heard a presentation by counties on managed care and the Prepaid Medical Assistance Program (PMAP). Kevin Kelleher, President of the Association of Minnesota Counties (AMC), testified that the AMC would like to have the problems of cost shifting, increases, savings and quality solved before PMAP is expanded to the additional 71 counties in the state. He also advocated direct contracting by counties and development of an alternative approach to the current state centralized contracting procedures. Ruth Krueger, the Legislative Chair and Welfare Director of the Minnesota Association of County Social Service Administrators asked that the committee consider full county control of PMAP programs as part of a broader based community effort.

Final testimony was heard from the Mental Health Director of Monterrey County, California who presented his county's program as a model for carved out behavioral health care in a managed care environment.

Jobs, Energy, and Community Development

Panel discusses reports

The Jobs, Energy and Community Development, chaired by Sen. Steven Novak (DFL-New Brighton), met for the first time this session Weds., Jan. 17, to hear several reports mandated by the Legislature. Members also heard from newly appointed Commissioner Jay Novak, Dept. of Trade and Economic Development. Novak described several departmental recommendations for job creation including easing access to government with one-stop programs to improve access to the marketing and incentive programs, easing applications for licenses and permits and improving access to economic development information. Novak said the administration is also seeking to help business people build their businesses by recommending accelerating the phase-out of the sales tax on replacement equipment and to begin the discussion of reducing the tax on commercial and industrial property. Novak said that funding key economic-development aid programs is also important. He said the recommendations include the removal of tourism barriers relating to "super" motor coaches.

Members also heard overviews of two

reports from Commissioner Kris Sanda, Dept. of Public Service and Commissioner Joel Jacobs, Public Utilities Commission. The first report deals with issues of universal telephone service. The second report studied whether the Dept. of Public Service and the Public Utilities Commission should remain separate or should merge. The latter report concludes that the two-agency regulatory model is working well and that the two agencies have a demonstrated ability to identify and eliminate duplicate costs and efforts.

Judiciary

Child support formula change heard

Members of the Judiciary Subcommittee on Family Law met Weds., Jan. 17, to begin debate on a measure that changes the formula and standards for computing child support under the child support guidelines. The measure, S.F. 760, authored by Sen. Linda Berglin (DFL-Mpls.), also includes sections relating to medical support, changes some definitions and alters provisions relating to imputed income and overtime income. Members, chaired by Sen. Don Betzold (DFL-Fridley), heard testimony and debated various provisions of the bill before deciding that more information was needed prior to taking action. The bill was laid over.

Rules and Administration

Panel approves sanctions

Resolutions recommending sanctions against Sen. Kevin Chandler (DFL-White Bear Lake) and Sen. Sam Solon (DFL-Duluth) dominated discussion at the year's first meeting, Tues., Jan. 16, of the Rules and Administration Committee. The panel, chaired by Sen. Roger Moe (DFL-Erskine), considered the resolutions developed by the Rules and Administration Subcommittee on Ethical Conduct. The subcommittee, chaired by Sen. Ember Reichgott Junge (DFL-New Hope), held several hearings to determine the appropriate sanctions against Chandler, who pled guilty to a misdemeanor for striking his wife in an incident this summer, and Solon, who pled guilty to a misdemeanor for telecommunications fraud for allowing his ex-wife access to his Senate telephone card.

The subcommittee recommendations for Chandler included acknowledgment that his resignation of his leadership positions was appropriate, that his conduct in slapping his wife was criminal and that he be required to apologize to the Senate. Recommendations for Solon included acknowledgment that his conduct in providing the Senate's long-distance telephone access code to his ex-wife was criminal, that his decision to resign as chair of the Commerce and Consumer Protection Committee and as a member of the Rules and Administration Committee was appropriate, that he must make restitution to the Senate for the cost of the calls and that he be required to apologize to the Senate.

Members approved both resolutions. However, prior to the vote on the resolutions Sen. Thomas Neuville (R-Northfield)

1996 Senate Committee Assignments

Agriculture and Rural Development (11)

Chair: Moe, R.D. Vice Chair: Hanson
Office: 208 Telephone: 296-7405

Meets: M,W; 12 noon-2 p.m.; Room 107

Members:

Berg	Morse	Scheevel
Dille	Murphy	Stevens
Lesewski	Sams	Vickerman

Commerce and Consumer Protection (15)

Chair: Price Vice Chair: Wiener
Office: 235 Telephone: 296-4158

Meets: M,W; 12 noon-2 p.m.; Room 112

Members:

Anderson	Hottinger	Limmer	Solon
Belanger	Janezich	Metzen	
Chandler	Kroening	Oliver	
Day	Larson	Samuelson	

Crime Prevention (13)

Chair: Spear Vice Chair: Anderson
Office: 120 Telephone: 296-4191

Meets: M,W, Th; 2-4 p.m.; Room 15

Members:

Beckman	Kelly	Limmer	Neuville
Belanger	Knutson	Marty	Ranum
Cohen	Laidig	Merriam	

Crime Prevention Finance Division (9)

Chair: Beckman
Office: 306 Telephone: 296-5713

Members:

Cohen	Knutson	Merriam	Ranum
Kelly	Laidig	Neuville	Spear

Education (23)

Co-Chair: Pogemiller Co-Vice Chair: Krentz
Co-Chair: Stumpf Co-Vice Chair: Murphy
Office: 235 Telephone: 296-4185

Meets: T, W, Th; 10-12 noon; Room 112

Members:

Beckman	Langseth	Ourada	Robertson
Hanson	Larson	Pappas	Scheevel
Janezich	Moe, R.D.	Price	Solon
Kleis	Neuville	Ranum	Wiener
Knutson	Olson	Reichgott Junge	

Education Funding Division (15)

Chair: Pogemiller Vice Chair: Krentz
Office: 235 Telephone: 296-7809

Members:

Beckman	Langseth	Ranum	Stumpf
Hanson	Larson	Reichgott Junge	
Janezich	Olson	Robertson	
Knutson	Pappas	Scheevel	

Higher Education Division (11)

Chair: Stumpf Vice Chair: Murphy
Office: G-24 Telephone: 296-8660

Members:

Kleis	Neuville	Price
Larson	Ourada	Solon
Moe, R.D.	Pogemiller	Wiener

Environment and Natural Resources (19)

Chair: Lessard Vice Chair: Riveness
Office: 111 Telephone: 296-1113

Meets: T, 2-4 p.m.; F, 10-2 p.m.; Room 107

Members:

Anderson	Frederickson	Mondale	Price
Berg	Johnson, J.B.	Morse	Stevens
Chandler	Laidig	Novak	
Dille	Lesewski	Olson	
Finn	Merriam	Pariseau	

Environment and Natural Resources Finance Division (12)

Chair: Morse
Office: G-24 Telephone: 296-5649

Members:

Berg	Johnson, J.B.	Merriam	Price
Finn	Laidig	Olson	Riveness
Frederickson	Lessard	Pariseau	

Ethics and Campaign Reform (11)

Chair: Marty Vice Chair: Reichgott Junge
Office: G-9 Telephone: 296-8866

Meets: T, Th; 12 noon-2 p.m.; Room 107

Members:

Cohen	Johnson, D.J.	Pariseau
Day	Laidig	Pogemiller
Johnson, D.E.	Moe, R.D.	Sams

Family Services (14)

Chair: Piper Vice Chair: Betzold
Office: G-9 Telephone: 296-9248

Meets: T, Th; 12 noon-2 p.m.; Room 15

Members:

Berglin	Kiscaden	Ourada	Samuelson
Chandler	Kramer	Riveness	Solon
Johnson, J.B.	Krentz	Robertson	Stevens

Finance (21)

Chair: Merriam Vice Chair: Riveness
Office: 122 Telephone: 296-4157

Meets: M, T, W, Th; 4-6 p.m.; Room 123

Members:

Beckman	Johnston	Larson	Samuelson
Cohen	Kelly	Morse	Spear
Frederickson	Kroening	Neuville	Stumpf
Johnson, D.E.	Laidig	Piper	Terwilliger
Johnson, J.B.	Langseth	Ranum	

1996 Senate Committee Assignments

Finance State Government Division (12)

Chair: Cohen

Office: 317

Members:

Frederickson	Kroening	Morse	Terwilliger
Johnston	Langseth	Neuville	
Kelly	Merriam	Piper	

Gaming Regulation (9)

Chair: Berg

Office: 328

Meets: T, W; 8-10 a.m.; Room 107

Members:

Johnson, D.E.	Marty	Neuville	Spear
Lessard	Mondale	Scheevel	

Governmental Operations and Veterans(13)

Chair: Metzen

Office: 303

Meets: T, W, F; 8-10 a.m.; Room 15

Members:

Beckman	Morse	Runbeck	Terwilliger
Kleis	Pogemiller	Stevens	Wiener
Kramer	Riveness	Stumpf	

Health Care (11)

Chair: Berglin

Office: G-9

Meets: T, W, Th; 10 a.m.-12 noon; Room 15

Members:

Betzold	Kramer	Samuelson
Finn	Oliver	Terwilliger
Kiscaden	Piper	Vickerman

Health Care and Family Services Finance Division (12)

Chair: Samuelson

Office: 124

Members:

Telephone: 296-4875

Berglin	Kramer	Sams	Terwilliger
Betzold	Piper	Solon	Vickerman
Kiscaden	Riveness	Stevens	

Jobs, Energy and Community Development (14)

Chair: Novak

Office: 322

Meets: T, W, Th; 10 a.m.-12 noon; Room 107

Members:

Anderson	Dille	Kelly	Limmer
Chandler	Frederickson	Kroening	Metzen
Chmielewski	Johnson, D.J.	Lesewski	Runbeck

Jobs, Energy and Community Development Finance Division (11)

Chair: Kroening

Office: 124

Members:

Telephone: 296-4302

Anderson	Dille	Lesewski	Novak
Chandler	Frederickson	Limmer	
Chmielewski	Johnson, J.B.	Metzen	

Judiciary (13)

Chair: Kelly

Office: 323

Meets: M, W; 12 noon-2 p.m.; Room 15

Members:

Berglin	Flynn	Knutson	Robertson
Cohen	Kiscaden	Krentz	Spear
Finn	Kleis	Reichgott Junge	

Metropolitan and Local Government (16)

Chair: Vickerman

Office: 226

Meets: M, W, Th; 2-4 p.m.; Room 107

Members:

Betzold	Janezich	Oliver	Runbeck
Day	Johnston	Pappas	Wiener
Flynn	Langseth	Pariseau	
Hottinger	Lessard	Robertson	

Rules and Administration (27)

Chair: Moe, R.D.

Office: 208

Meets: On call

Members:

Vice Chair: Reichgott Junge
Telephone: 296-4196

Belanger	Kelly	Metzen	Spear
Berg	Knutson	Neuville	Stumpf
Berglin	Laidig	Novak	Terwilliger
Flynn	Larson	Olson	Vickerman
Frederickson	Lessard	Piper	
Johnson, D.E.	Marty	Pogemiller	
Johnson, D.J.	Merriam	Price	

Taxes and Tax Laws (20)

Chair: Johnson, D.J.

Office: 205

Meets: M, T, W, Th; 4-6 p.m.; Room 15

Members:

Vice Chair: Pappas
Telephone: 296-4839

Belanger	Hottinger	Oliver	Reichgott Junge
Berglin	Marty	Olson	Runbeck
Day	Mondale	Pariseau	Sams
Dille	Murphy	Pogemiller	
Flynn	Novak	Price	

Transportation and Public Transit (14)

Chair: Flynn

Office: 120

Meets: T, W, F; 8-10 a.m.; Room 112

Members:

Vice Chair: Ranum
Telephone: 296-4274

Belanger	Hanson	Langseth	Ourada
Chmielewski	Johnston	Lesewski	Pappas
Day	Krentz	Murphy	Vickerman

Transportation and Public Transit Finance Division (8)

Chair: Langseth

Office: G-24

Members:

Telephone: 296-3205

Belanger	Day	Hanson	Vickerman
Chmielewski	Flynn	Johnston	

Committee update

indicated that he might offer amendments calling for further sanctions once the resolutions were up for debate on the floor. Sen. Gene Merriam (DFL-Coon Rapids), arguing for stronger sanctions against Solon, offered an amendment to the resolution concerning Solon specifying that the Senate reprimand Solon received in 1994 is reaffirmed. Members approved the amendment to the resolution.

In debate over the two resolutions, Reichgott Junge said that the investigation "wasn't an easy process, but it was thorough and it was fair." Sen. Dennis Frederickson (R-New Ulm), co-chair of the Ethical Conduct Subcommittee, also indicated that the work of the subcommittee, though arduous, was a cooperative venture.

Committee members also approved a resolution expressing appreciation to former Chief Justice Douglas K. Amdahl and former Chief Justice Robert J. Sheran for their assistance to the Subcommittee on Ethical Conduct.

In other action, members approved several traditional opening day resolutions dealing with postage, interns, deadlines and committee assignments. Under the resolution relating to deadlines, the first deadline for Senate policy committees to hear bills originating in the Senate is Feb. 9; the second deadline for Senate committees to hear bills originating in the other body is Feb. 16; the third deadline for omnibus appropriations bills to be out of policy committees is Feb. 23.

Members also approved changes in committee chairs brought about by resignations. Sen. Randy Kelly (DFL-St. Paul) was named as chair of the Judiciary Committee, Sen. Carol Flynn (DFL-Mpls.) was named chair of the Transportation and Public Transit Committee and Sen. Leonard Price (DFL-Woodbury) was named chair of the Commerce and Consumer Protection Committee. In addition, Price and Kelly were named to the Rules and Administration Committee.

Taxes and Tax Laws

Surplus spending ideas presented

The Taxes and Tax Laws committee, chaired by Sen. Douglas Johnson (DFL-Cook), convened Weds., Jan. 17, and immediately began receiving proposals for the \$824 million budget surplus projected for this biennium.

Senators reviewed the governor's proposed supplemental budget, which would use the surplus to shore up the state budget reserve by \$140 million, create a \$500 million cash-flow account available to schools, and offer \$24.3 million in tax cuts. The proposal also includes \$160 million in new spending to finance school vouchers, school technology and anti-crime initiatives, among other things.

As current law stands, \$15 million of the surplus is directed into the state budget reserve and the rest must be used to buy back the school "property tax recognition shift," an accounting practice that forces school districts to "recognize" money they haven't yet received. This generally causes schools to incur interest costs of short-term borrowing.

The commissioner of the Department of Finance, Laura King, told Senators that the

governor believes the cash-flow account offers more benefit to schools than a one-time cash payment to buy down the property tax recognition shift. Schools could borrow money in the account, interest-free, to prevent them from incurring short-term interest costs due to cash-flow problems. Interest earned on the account will be used for grants to improve K-12 education.

The largest piece of the governor's proposed tax cuts is a program called EdVest, allowing Minnesotans to invest up to \$2,000 per year in a tax-free savings account, similar to an IRA, but reserved for higher education costs. The money can be spent on the investor or the investor's spouse, children or grandchildren. Tax penalties apply if the money is used for any purpose other than higher education. The program is projected to cost \$14.3 million during 1996 and 1997.

Other proposed tax breaks include \$2 million of property tax relief for manufacturing businesses in Minneapolis and St. Paul which employ less than 100 people, \$4.4 million to completely eliminate sales tax on replacement capital equipment, and \$3.6 million to excuse Minnesota businesses from paying tax on income from rentable, moveable items such as airplanes stationed in other states.

Gordon Folkman of the Department of Revenue told Senators that total pay-1996 property taxes declined slightly from last year's estimates, to \$4.2 billion statewide. Taxes declined slightly, 0.2 percent, on homesteads that did not incur a market value increase.

Transportation and Public Transit

Regulation report

The Transportation and Public Transit Committee heard a report on a study of passenger transportation regulation in Minnesota during its first committee meeting Wed., Jan. 17.

Preliminary results of the study were presented to committee members by Marc Cutler, the vice-president of Cambridge Systematics, Inc., a Massachusetts-based transportation consulting company.

Cutler told Senators the deregulation of the transportation industry and the demise of the federal Interstate Commerce Commission have resulted in differing approaches by the states. While some states have moved to deregulate intra-state transportation, Cutler said, Minnesota practices "traditional regulation" of the industry with "micro-management" by the Legislature. As a result, he said, transportation carriers are "regulatory oriented" rather than "entrepreneurial oriented," and spend too much time dealing with government rules.

He says there is little public input in the transportation decision making process in highly regulated states such as Minnesota, which results in a process that exists to serve regulators and the regulated. He said Minnesota will find the job more difficult in the future because of the growing use of various forms of transportation and the differing needs of new carriers and services, trends a regulatory structure can't keep up with. He said a strong demand by carriers to enter the transportation business has led the Legislature to create new

service categories with separate rules and regulations, resulting in regulatory "turmoil."

Cutler told the committee a study of states that have deregulated their intra-state transportation system finds a shift in service toward transit dependent communities; an increase in charter and tour services; no change in rates, service quality, or safety; and an increase in "innovation," or alternative means of transportation. He also said deregulation can result in the abandonment of routes in low-populated areas, and many states that ease regulations often provide subsidies to some carriers.

Committee Chair Carol Flynn (DFL-Mpls) told Cutler she would like to have the report on deregulation costs and benefits completed by early February so the committee has time to respond with legislation, if needed.

The \$100,000 study was commissioned by the Minnesota Department of Transportation. Last session the Senate turned down an appropriation request by the department to pay for such a study. Betsy Parker with the Department's Office of Motor Carrier Services told the committee the department was able to fund the study by reallocating resources. She said the department considered the study an important tool to gather information concerning the options for future regulation of passenger transportation in Minnesota.

Parker also briefed the committee on a Mn-DOT study of regular route passenger services in Minnesota. She said the study, which was designed to gauge service provided by carriers and determine industry attitudes about regulation, found carriers feel burdened by federal requirements concerning drug testing and handicapped access, state rate regulation, the lack of uniform safety standards, and fuel costs in Minnesota. Sen. Keith Langesth (DFL-Glyndon) responded to the fuel finding by comparing Minnesota fuel costs to those in other states and said "there's a perception that we have higher fuel taxes, but there's nothing to it." Committee Chair Flynn agreed, saying "we're dealing with perception, not reality."

WWW page unveiled

The Minnesota Legislature now has a new "home" on the World Wide Web. Beginning Fri., Jan. 19, it will be easier than ever for the public to access the Legislature through the Internet. On Friday, the Legislature unveiled its home page on the World Wide Web, a more user friendly format that anyone can navigate, without computer training. To connect, simply point your web browser at: <http://www.leg.state.mn.us>

Minnesotans can easily access information about members of the Legislature, Senate and House bills, Minnesota Statutes, daily and weekly schedules of committee activity, staff directories, House and Senate journals and much more.

The Minnesota Legislature's World Wide Web page will also have links to other important state and federal government sites.

The Legislature's World Wide Web page is a joint effort of the House of Representatives, the Senate, the Revisor's Office and the Legislative Reference Library.

Preview

The Minnesota Senate Week at a Glance

Monday, January 22

Legislative Commission on Pensions and Retirement

Chair: Rep. Richard Jefferson

8 a.m. Room 15 Capitol

Agenda: Consideration of proposed principles of pension policy. Other business.

The Senate will meet at 11:30 a.m.

Agriculture and Rural Development

Chair: Sen. Roger Moe

12 noon Room 107 Capitol

Agenda: Confirmation hearings: Board of Animal Health, Minnesota Rural Finance Agency, commissioner of the Department of Agriculture. S.F.1801-Stevens: Exempting certain food sellers from the food licensing law. S.F.1940-Dille: Exempting certain food sales from licensing requirements.

Commerce and Consumer Protection Committee

Chair: Sen. Leonard Price

12 noon Room 112 Capitol

Agenda: S.F.1040-Samuelson: Long term care insurance policies sale regulation. S.F.1791-Betzold: Health insurance child-birth and post delivery care benefits regulation. S.F.1815-Wiener: Life and health insurance coverages discrimination prohibition for domestic abuse victims. S.F.2045-Wiener: Exemptions for self-insurance pools established by insurance trusts of the Minnesota service cooperatives.

Joint Crime Prevention Judiciary Subcommittee on Privacy

Chair: Sen. Jane Ranum

12 noon Room 15 Capitol

Agenda: To be announced.

Crime Prevention Committee

Chair: Sen. Allan Spear

2 p.m. Room 15 Capitol

Agenda: S.F.1702-Spear: Liability limit for private nonprofit corrections programs. S.F.1811-Berglin: Eviction from rental housing for illegal drug activity. S.F.1872-Berglin: Community policing training for peace officers. S.F.1903-Riveness: Automobile theft prevention program.

Metropolitan and Local Government Committee

Chair: Sen. Jim Vickerman

2 p.m. Room 107 Capitol

Agenda: S.F.813-Solon: Authorizing bonds for Lake Superior Zoo Gardens improvements. S.F.1821-Frederickson: Authorizing bonds for Sibley County courthouse restoration. S.F.1912-Pariseau: Allowing city of New Market to incur debt. S.F.2004-Mondale: Authorizing bonds for metro public safety radio system.

Joint House Senate Judiciary Committee

Chair: Sen. Randy Kelly

7 p.m. Room 15 Capitol

Agenda: Discussion of Minnesota Free Flow of Information Acts (i.e. Media Shield Laws).

Tuesday, January 23

Transportation and Public Transit Committee

Chair: Sen. Carol Flynn

8 a.m. Room 112 Capitol

Agenda: S.F.1797-Betzold: Suspension of driver's license. S.F.1832-Runbeck: Highway Helper Prohibition. S.F.1839-Betzold: Exempting transfers of motor vehicles to foster children from motor vehicle sales tax. S.F.1909-Scheevel: Amish buggy byway.

Gaming Regulation Committee

Chair: Sen. Charles Berg

8:30 a.m. Room 107 Capitol

Agenda: S.F.1936-Janezich: A bill relating to the state lottery; providing that the director may permit a lottery retailer to sell tickets at more than one location; etc. Lottery budget overview - George Andersen.

Education Funding Division

Chair: Sen. Lawrence Pogemiller

10 a.m. Room 112 Capitol

Agenda: Capital budget recommendations: MN Center for Arts Education, MN Residential Academies for the Deaf and Blind.

Health Care Committee

Chair: Sen. Berglin

10 a.m. Room 15 Capitol

Agenda: Minnesota Managed Care Review, by: Allan Baumgarten. S.F. 1881-Berglin: Asset transfers. S.F. 1719-Solon: Dental hygiene regulation. S.F. 1866-Betzold: TB patients isolation and detention. S.F. 1862-Betzold: Division of Disease Prevention and Control unmarked vehicles. S.F. 842-Betzold: Psychology Board changes. S.F. 1874-Berglin: Utilization Review

Organization to provide patients with notification of its determination.

Crime Prevention Finance Division

Chair: Sen. Tracy Beckman

12 noon Room 112 Capitol

Agenda: Legislative auditor's report. Funding for probation services, Jan. 1996.

Ethics and Campaign Reform Committee

Chair: Sen. John Marty

12 noon Room 107 Capitol

Agenda: S.F.38-Marty: Providing for a unicameral legislature. S.F.80-Merriam: Providing for a unicameral legislature. S.F.1859-Neuville: Legislative reforms.

Family Services Committee

Chair: Sen. Pat Piper

12 noon Room 15 Capitol

Agenda: Continuation of Minnesota Family Investment Program discussion. S.F.1886-Piper: Licensing bill. S.F.1893-Stevens: Department of Human Services Technical Child Support Bill.

Environment and Natural Resources Committee

Chair: Sen. Bob Lessard

2 p.m. Room 107 Capitol

Agenda: To be announced.

Finance Committee

Chair: Sen. Gene Merriam

4 p.m. Room 123 Capitol

Agenda: Presentation on the Brandl Weber Report- John Brandl.

Health Care Committee

Chair: Sen. Linda Berglin

6 p.m. Room 15 Capitol

Agenda: All bills not completed this morning. S.F. 2047-Spear: Criminal history background checks. S.F. 1229-Anderson: Dental amalgam bill.

Education Funding Division

Chair: Sen. Lawrence Pogemiller

7 p.m. Room 112 Capitol

Agenda: To be announced.

Wednesday, January 24

Governmental Operations and Veterans Committee

Chair: Sen. James Metzen

8 a.m. Room 15 Capitol

Agenda: Agenda to be announced.

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Transportation and Public Transit Committee

Chair: Sen. Carol Flynn
8 a.m. Room 112 Capitol
Agenda: To be announced.

Health Care Committee

Chair: Sen. Linda Berglin
10 a.m. Room 15 Capitol
Agenda: Medical Assistance federal cuts working group recommendation bills. S.F. 1879-Berglin: Combines ACG and community based services for elderly waivers. S.F. 1880-Berglin: Expands adult day care services. S.F. 1857-Berglin: Recruiting more family adult foster care. S.F. 1876-Berglin: technical assistance medicare maximization. S.F. 1951-Samuelson: Add provisions to contractual alternative payment demo for nursing homes. S.F. 1939-Berglin: Requires itemized billing statements for MA recipients. S.F. 1856-Berglin: Requires applicants to be offered long term care insurance.

Higher Education Division

Chair: Sen. LeRoy Stumpf
10 a.m. Room 112 Capitol
Agenda: Board of Trustees (MnSCU) update on the accounting system development. Presentation of the entral office organization. Board of Trustees (MnSCU), U of M and Department of Finance progress report on the performance measurement initiatives.

Commerce and Consumer Protection Committee

Chair: Sen. Leonard Price
12 noon Room 15 Capitol

Agenda: Informational hearing on S.F.410-Marty: Prescription drug contract negotiations.

Crime Prevention Committee

Chair: Sen. Allan Spear
2 p.m. Room 15 Capitol
Agenda: S.F.1457-Anderson: Crime prevention initiatives.

Thursday, January 25

The Senate will meet at 9:30 a.m.

Education Funding Division

Chair: Sen. Lawrence Pogemiller
10 a.m. Room 112 Capitol
Agenda: To be announced.

Health Care Committee

Chair: Sen. Linda Berglin
10 a.m. Room 15 Capitol
Agenda: Presentation on HTAC process and update on Postpartum Care Study by: John Gunyou, chair, MN Health Care Commission; Dr. Del Ohrt, chair, HTAC; and Dave Haugen, acting director, MN Health Care Commission. S.F. 2025-Kiscaden: Governor's DHS health care bill.

Ethics and Campaign Reform Committee

Chair: Sen. John Marty
12 noon Room 107 Capitol
Agenda: S.F.1592-Reichgott Junge: Attorney General candidates to be learned in the law; S.F.1908-Marty: Ethical Practices Board legislative recommendations.

Crime Prevention Committee

Chair: Sen. Allan Spear
2 p.m. Room 15 Capitol
Agenda: DWI bills.

Metropolitan and Local Government Committee

Chair: Sen. Jim Vickerman
2 p.m. Room 107 Capitol
Agenda: To be announced.

Education Funding Division

Chair: Sen. Lawrence Pogemiller
7 p.m. Room 112 Capitol
Agenda: To be announced.

Friday, January 26

Environment and Natural Resources Committee

Chair: Sen. Bob Lessard
10 a.m. Room 107 Capitol
Agenda: To be announced.

Briefly

The Minnesota Senate Week in Review

January 26, 1996

Brief floor sessions held

Members of the Senate met for two brief floor sessions Mon., Jan. 22, and Thurs., Jan. 25. The floor sessions were primarily to process bill introductions and facilitate the movement of bills between committees. Members did grant final passage to one measure on the Consent Calendar and preliminary approval to two bills on the General Orders Calendar.

Bills on the Consent Calendar do not appear on General Orders, rather the bills have been considered by one or more committees and determined to be non-controversial. The bills on the Consent Calendar are considered for final passage. S.F. 1846, authored by Sen. Steven Novak (DFL-New Brighton), extends the due date for the Legislative Coordinating Commission Electric Energy Task Force report until July 1, 1996. The measure was granted final passage on the Consent Calendar.

Two bills gained preliminary passage on the General Orders Calendar. Bills on General Orders are considered by the Senate acting as one large committee known as the "Committee of the Whole." Each bill has had two readings and has been reported out of one or more standing committees. S.F. 1925, authored by Sen. Janet Johnson (DFL-North Branch), makes several technical changes to Housing Finance Agency statutes regarding single family housing programs. S.F. 1812, authored by Sen. Linda Berglin (DFL-Mpls.), allows for the securing of vacant buildings through electronic alarms.

Drug pricing bill debated

Supporters and opponents of the Prescription Drug Fair Competition Act had their say at a public hearing before the Commerce and Consumer Protection Committee Weds., Jan. 24.

The legislation under consideration, S.F. 410, gives the commissioner of administration authority to negotiate contract prices for all prescription drugs sold in Minnesota. It also establishes a state drug formulary, or a listing of drugs of proven safety and cost-effectiveness, to be used in negotiating prices. And it mandates the contract price be based on either the average manufacturers price minus 15 percent, the best competitive price, or a negotiated price, whichever is lowest.

Bill sponsor Sen. John Marty (DFL-Roseville) told the committee the

measure "has been the subject of a lot of disinformation and misleading lobbying." He called it a "fair bill, a simple bill, that will deliver lower drug prices to Minnesotans" by abolishing "discriminatory drug pricing."

Another bill supporter, Dr. Glenn Pearson, co-chair of the Minnesota chapter of Physicians for a National Health Program, testified that prescription drug costs are almost three times higher for poor families than they are for high income Minnesotans. He said it makes no sense for lower and middle class Minnesotans to subsidize the well-off.

Dee Jones with the Minnesota Senior Federation told Senators "seniors are often forced to choose between buying drugs, putting food on the table, or paying rent." She said, "all we consumers are asking for is an even playing field."

Michael Scandrett with the Minnesota Council of HMO's spoke in opposition to the legislation. He testified his group agrees with its goals, but argued it tries to address a "national problem that cannot necessarily be solved here in Minnesota." He said the council is concerned with a provision that requires disclosure of discounts and rebates.

David Remes with the Pharmaceutical Research and Manufacturers of America urged the committee to reject the drug price bill, calling it a "form of price control" under which the state could "dictate drug prices." He said it would force drug companies out of the market and lower the funding available for the research and development of new drugs.

No action was taken on the bill. Committee Chair Leonard Price (DFL-Woodbury), said the hearing was for informational purposes only.

Unicameral legislature proposed

The Ethics and Campaign Reform Committee met Tues., Jan 23, to take up legislation to move to a unicameral legislature. The committee, chaired by Sen. John Marty (DFL-Roseville) began its meeting with a bill presented by Sen. Gene Merriam (DFL-Coon Rapids). Merriam's bill, S.F. 80, provides for the submission to the people at the 1996 general election the question: "Shall the Minnesota Constitution be amended to provide that the Minnesota House of Representatives and Senate be combined and a single legislative body be created, beginning in 2003?"

Merriam argues that his bill addressed many of the criticisms of the current process, especially the conference committee structure. Many times, he said, members will pass a bill so that it can be debated in conference committee, or add provisions that will knowingly be removed during conference committee hearings. Merriam said that his strongest arguments for a unicameral legislature include the lowering of costs involved, the increased accountability to the public, the adoption of a straight forward procedure which allows the public greater access to the process and a lessening of the abuses that occur due to the existence of a second body.

Marty agreed that too much time is spent strategizing on how to get bill through committee, leaving little time for issues. Sen. Roger D. Moe (DFL-Erskine), said that Merriam is a CPA, leading him to want everything to be systematic and orderly. The Senate, on the other hand, "reflects different personalities and perspectives," said Moe. Sen. Ember Reichgott Junge (DFL-New Hope) added her support for the bill, saying that a unicameral legislature will force people to negotiate and put their differences aside.

Sen. Thomas Neuville (R-Northfield) presented S.F. 1859 to the committee. The bill specifies that session be held in odd-numbered years only. Neuville discussed conference committee problems, mentioning the use of throw away provisions and the time limits imposed. Provisions are placed in the committee report and members do not even know they have supported them until after a vote, he said. Additionally, "we need a system where every amendment offered means something," said Neuville.

Sen. Gary Laidig (R-Stillwater) moved to lay the bills on the table. The motion was approved.

Editor's note

The e-mail address listed in last week's Briefly for the Senate listserv for committee schedules was incorrect. The following sets forth the corrected instructions. To subscribe to the Senate listserv send an e-mail message to:

listserv@senate.leg.state.mn.us

In the message body type the following text:

subscribe sen-schedules

Committee update

Agriculture and Rural Development

Confirmation hearings proceed

The Senate Agriculture and Rural Development Committee met Mon., Jan. 22, to confirm gubernatorial appointees and discuss a bill that exempts certain food sellers from the licensing law.

"Rural Minnesota and agriculture are in transition," Commissioner of Agriculture Gene Hugoson said, "and the goal of the Dept. is to serve rural Minnesota during these changing times."

Hugoson also pledged to work closely with legislators and other departments to solve the problems farmers currently face. "We'll have a Dept. that's flexible, open and willing to work with you," he assured members.

Chair Roger Moe (DFL-Erskine) asked what plans exist for producer coops. Hugoson said that he supports the value added principle. In addition to ethanol, the Dept. needs to look for other value added opportunities, he said.

Sen. Steven Morse (DFL-Dakota) inquired about the progress of the Dept.'s Management Analysis Division. Hugoson reported that some changes have occurred as a result of MAD. "The Dept. of Ag has more divisions than anyone else in state government," Hugoson told members. But as a result of restructuring, four divisions have been eliminated, he said.

Sen. Kenric Scheevel (R-Preston) raised concerns about the difficulties livestock producers currently face. Hugoson told members that livestock, and particularly dairy farms, top the Dept.'s priority list. "We'll do everything we can to preserve, promote and increase livestock in the state," Hugoson said.

The committee also reviewed the Governor's appointments to the Board of Animal Health. Included in the five names were Sharon Baker, John Howe, Theodore Huisinga, Joni Scheffel and Russel Wirt.

Wayne Marzolf, assistant commissioner of the Dept. of Agriculture, submitted names of individuals appointed to the Minnesota Rural Finance Authority. The list included Marlene Malstrom, Curtis Pietz, Christopher Skaalen, Armin Tesch, and Patrick Thiry.

Members approved all appointees and referred the motion to the full Senate.

Turning to the business of legislation, Sen. Dan Stevens (R-Mora) presented S.F. 1801. Stevens told members that the bill's intent is to balance regulations and food safety. The "common sense" measure exempts food sellers at county fairs or farmers' markets in cities with a population of 15,000 or less from licensing requirements. The exclusion applies only to individuals who sell for 10 days or less

and collect \$500 or less from sales.

Tom Masso, from the Dept. of Agriculture's food inspection division, and Sen. Jim Vickerman (DFL-Tracy) opposed the bill. Vickerman, who told committee members that he contracted hepatitis from contaminated food, said that in the interest of public safety, the measure needed "to be tuned." Masso agreed and urged the committee to add "non potentially hazardous foods" to the bill's language.

Sen. Arlene Lesewski spoke in support of the measure. Most of the vendors are rural people facing economic difficulties she said and the cost of a license would only impose further hardship.

The issue of risk management was voiced by Sen. Charles Berg (DFL-Chokio). "It's hard to protect everybody from everything," Berg said.

Discussion of S.F. 1801 will continue at a later meeting.

Veterinary Practice Act changed

A bill that changes the Veterinary Practice Act, S.F. 1982, was approved by the Agriculture and Rural Development Committee Weds., Jan. 24, and re-referred to the Health Care Committee. Chief author Steve Dille (R-Dassel), himself a veterinarian, told members, "this is the number one priority of the Minnesota Veterinarians Medical Association this year, to get this bill passed."

Dr. Roland Olson, executive director of the Board of Veterinary Medicine, testified in support of the measure. The principle changes include immunity provisions, expansion of the board's licensure authority and a provision that mandates investigation cooperation. Under the bill, a person who is the subject of an investigation is required to fully cooperate with the board's investigation. Additionally, immunity from civil or criminal liability is granted to members and employees of the board, as well as persons submitting a report for investigation. The bill also broadens the board's authority to revoke, suspend or limit a license.

Sen. Charles Berg (DFL-Chokio) raised concerns about the board's expanded authority to discipline the offender. "It seems to me that there is not enough due process here and that this is too restrictive," Berg said.

Dr. Barbara O'Leary, chair of the Minnesota Veterinarian Medical Association spoke in favor of the changes. "We believe the changes will help maintain the high standards of the profession." She told Senators that the association's membership supports the changes and that the legislative committee had unanimously endorsed the proposal.

Committee Chair Roger Moe (DFL-Erskine) pointed out that the changes effect just a minuscule percentage of all veterinarians -- those in violation of the law. "There is no extra reporting or processing of paperwork for 99.5 percent of these people," he added.

S.F. 1801, carried by Sen. Dan Stevens (R-Mora), was approved by members and re-referred to the Finance Committee. The bill exempts certain food sellers at community events from state licensing provisions. The vendor is limited to 10 days of sales per year and may not receive more than \$1,000 in annual gross receipts. An amendment, that limits an individual to selling "not potentially hazardous food" and requires a posted sign stating that the goods are homemade and have not been inspected, was adopted.

Also re-referred to the Finance Committee was S. F. 2071, a bill that changes provisions for procedures governing pesticides, fertilizers and aquatic pest control applicators. "The bill makes changes for clarification and consistency," said author Stevens. Most of the changes are technical, he added.

The measure pushes back the expiration date for greenhouse, nursery stock dealers' and agents' certificates from Nov. 15 to Dec. 31. Furthermore, it changes the penalty for late renewal application to 25 percent of the fee due.

A specific section related to aquatic pest control is established under the measure. The new section separates out the aquatic pest control license from the pest control license section. Finally, the definition of a "mobil mechanical unit" is modified to exclude variable rate technology applicators.

Commerce and Consumer Protection

Maternal benefits bill gains

Legislation affecting health plans that cover maternity benefits was approved by the Commerce and Consumer Protection Committee Mon., Jan., 22.

S.F. 1791, sponsored by Sen. Don Betzold (DFL-Fridley), originally required every health plan covering childbirth to provide a minimum of 48 hours of inpatient care following a vaginal delivery and a minimum of 96 hours of care following a caesarean section, if determined medically necessary by the attending health care provider in consultation with the mother. The committee amended the bill to remove the "medically necessary" condition and revised it to state that any decision to shorten the time of inpatient care to less than the minimums specified must be made by the

mother after consulting with the attending health care providers. Sen. Kevin Chandler (DFL-White Bear Lake) offered the amendment, questioning how the phrase "medically necessary" might be interpreted by physicians and health insurance providers. Amendment supporter Sen. Carl Kroening (DFL-Mpls.) said he wanted to let mothers have the final say, rather than be "consulted with" by a physician. Sen. Ellen Anderson (DFL-St. Paul) agreed, saying physicians who work for health care providers sometimes have "incentives" to dismiss patients early.

Sen. Sam Solon (DFL-Duluth) said while the "intent" of the bill was good, "I can see a lawsuit coming out of this if the woman makes a decision and not the medical staff." Sen. Edward Oliver (R-Deephaven) said he opposed the amendment because it put physicians in a secondary position. Bill sponsor Betzold supported the Chandler amendment, which passed on a nine to five roll call vote.

The bill was approved and referred to the Health Care Committee.

Senators approved a measure, sponsored by Sen. Deanna Wiener (DFL-Eagan), that prohibits a life or health insurance company from discriminating against victims of domestic abuse. Bev Turner with the Minnesota Insurance Federation testified in support of the bill, saying it would allow abuse victims to talk freely with their doctors without having to worry about the information being put on their medical records and affecting their insurance coverage. S.F. 1815 was sent to the Senate floor with the recommendation the full Senate pass it.

The committee, chaired by Sen. Leonard Price (DFL-Woodbury) also approved another bill, S.F. 2045, sponsored by Weiner that exempts self-insurance pools established by insurance trusts of the Minnesota Service Cooperatives from certain Commerce Department regulations. Glen Shaw, director of the Marshall, MN-based Southwest-West Central Service Cooperative testified the change would allow the cooperatives to form a trust and have a "level playing field" with such insurance buyers as cities and school districts, who are already exempt from the regulations. The bill was sent to the Health Committee.

Members also amended, approved, and sent to the full Senate S.F. 1040, sponsored by Sen. Don Samuelson (DFL-Brainerd), which would permit a long term care policy to offer nursing facility services and home care services.

Crime Prevention

Notification bill advances

A bill that permits community notification of the impending release of a

sex offender was approved by the Crime Prevention Committee Thurs., Jan. 18. The measure, S.F. 1560, establishes risk assessment scales for determining appropriate community notification, said chief author Randy Kelly (DFL-St. Paul).

Prior to release, the correctional facility's review committee will assess the likelihood of the individual to reoffend and assign a corresponding risk classification: level I (low risk), level II (moderate risk) or level III (high risk). The level of risk associated with the offender determines the extent of disclosure, upto and including media notification.

Washington County Attorney Richard Arney spoke against the measure. In spite of the bill's intent, "there's got to be a simpler way, a better and more cost effective way" to accomplish this," Arney said.

Sen. Gene Merriam (DFL-Coon Rapids) expressed concerns about the speculative nature of the bill. "It seems to regulate somebody's life on previous misconduct and speculation of future misconduct," Merriam said.

Sen. Warren Limmer (R-Maple Grove) pointed out that media notification applies only to individuals likely to reoffend, high risk offenders. "These are very serious criminals," Limmer said, "and yes, they have served their time, but we still have to live with them."

Bob Meeks, representing the Minnesota School Boards Association, testified in favor of the bill. Meeks said that the bill helps to insure the safety of Minnesota's school children and staff.

Two amendments were adopted by the committee. Sen. Randy Kelly's (DFL-St. Paul) amendment expands the registration statute to include psychopathic personalities; Sen. Richard Cohen's (DFL-St. Paul) amendment temporarily suspends community notification during the offender's judicial review. The committee, chaired by Sen. Allan Spear (DFL-Mpls.), approved the measure and referred the bill to the Data Privacy Subcommittee.

Liability limits set

A bill that assures nonprofit treatment centers the same level of liability that state agencies receive, S.F. 1702, was approved by the Crime Prevention Committee Mon., Jan. 22. "If you want to retain the nonprofits as a partner, you've got to give them liability protection," author and Committee Chair Allan Spear (DFL-Mpls.) said.

Bruce McManus, executive director of Reentry Services, Inc. testified in support of the bill. Private treatment facilities continue to encounter difficulties in obtaining insurance coverage, McManus said. The centers, which receive patients under court or administrative order, are unlikely to accept

certain individuals for fear of liability obligations. If a program participant commits an offense, the nonprofit can be held liable. "One suit could put us out of business," McManus said. "We can't survive a suit."

Tom Zoat, executive director of 180 Degrees, Inc., echoed McManus' concerns. He told members that the shut down of a facility would negatively impact the community. Furthermore, the centers are cost effective alternatives to incarceration, he said. "The savings benefit both the taxpayers and the community."

The committee approved the bill and re-referred it to the Senate Judiciary Committee.

S.F. 1872, carried by Sen. Linda Berglin (DFL-Mpls.), was also approved by the committee and sent to the full Senate. The bill requires peace officers to undergo training in community policing techniques.

Berglin told members that the legislation resulted from work she had done with her community block organization. "They identified some of the problems and came up with some suggestions as to how to fix them," Berglin said.

The measure requires the POST Board to prepare a course on community policing that includes problem-solving techniques, community organization techniques, and techniques for relating to diverse communities, and physically or mentally impaired persons. "There are a number of responses to problems," Berglin said, "and going in to make an arrest might not be the appropriate response."

John Laux, executive director of the POST Board, told members that he has concerns about the implementation of the training. "Community policing is not a program," he said, "it's a philosophy."

Laux told members that during his six years as Chief of the Minneapolis Police Department he promoted the concept of community policing, but met formidable barriers to his efforts. "To instruct 8,500 officers by Aug. 1, 1997 is a difficult and unrealistic time line," he said.

Linda Miller, from the Institute for Community Policing testified in support of the bill. She emphasized that to insure the program's success, it must be supported by middle and upper management ranks. "It is a fundamental change in how services are being delivered," Miller said.

Probation study reviewed

The Crime Prevention Finance Division, chaired by Sen. Tracy Beckman (DFL-Bricelyn) met Tues., Jan. 23, to review the Legislative Auditor's evaluation of probation services funding. The study resulted from 1995 Legislation that charged the Office of the Legislative Auditor to conduct a "weighted workload study, based on uniform workload standards and level of risk of individual

Committee update

offenders." Furthermore, the office was asked to recommend a method of probation funding that could be implemented in FY 1997. Project Manager Joel Alter pointed out the study's results to the division.

There are 42 separately-administrated agencies currently serving the state's 87 counties, Alter said. The nature and scope of the services provided varies considerably, which complicates the task of developing a uniform method of allocating state probation funds. The number of presentence investigations conducted for the courts, the frequency of contacts with offenders and the range of duties for which probation officers are responsible vary from agency to agency, Alter pointed out.

Additionally, agencies use different approaches to evaluate offenders, Alter said. Some agencies use risk-based models to determine the supervision level an offender requires. Others base evaluations on offenses committed and some determine classification by examining the needs of the offender. There is no consensus on which method is the best instrument for classifying offenders, Alter told the committee.

Few Minnesota probation agencies systematically measure and report on the outcomes of their services, Alter told members. For example, while many agencies classify persons on their risk of reoffending, few agencies measure actual rates of recidivism.

The report also found that the use of probation varies from county to county statewide. There were particularly large variations in the use of probation for juveniles and adult misdemeanants, Alter said. Depending on the county, the number of adults on probation per 1,000 residents ranged from 2.9 to 52.4; the broad range reflects differing judicial practices, Alter said.

The study includes plausible short term options for allocating funds in the absence of a uniform offender classification system. The report also recommends that the Legislature clarify the state's probation goals, require service providers to report on outcomes and keep more consistent caseload information, and clarify the respective roles of county probation offices and the Dept. of Corrections.

DePaul Willette, director of the Board of Judicial Standards, presented the Governor's supplemental budget recommendation. The recommendation requests \$100,000 in FY 1996 and \$50,000 in FY 1997 for costs associated with the investigation of a complaint against a judge. Willette told members that without the additional funds, the board will not be able to carry out its mandated responsibilities.

Willette also asked members to review methods used to determine salaries. The division plans to examine the question of salaries at a later meeting.

Two bills advance

The Crime Prevention Committee, chaired by Sen. Allan Spear (DFL-Mpls.) approved two bills Thurs., Jan. 24.

Sen. Ellen Anderson (DFL-St. Paul) presented S.F. 1457, a bill that requires state agencies and departments to develop and implement violence prevention plans. The measure contains initiatives that address the core issues of violence, she said. The bill calls for expansion of the home visiting program, grants for crisis nurseries and broadening parental leave privileges to include school-related activities.

Prevention of child abuse "is the cheapest kind of crime prevention," Anderson told members. Studies confirm that children who are victims of abuse are more likely to become adult perpetrators of abuse, Anderson said. "Focusing on prevention of child abuse is the most cost effective way of addressing violence," she continued, "because we get more bang for our buck."

Several witnesses testified in support of Anderson's bill, including Jessica Toft, policy advocate, Family and Children's Service; Dr. Stuart Hanson, Institute for Research and Education, HealthSystem Minnesota; Casey Johnson, director, Anoka County Crisis Nursery Association; and parents Barbara Galaray and Bonney Gantz.

The committee made changes to the bill before approving it and re-referring it to the Crime Prevention Finance Division. Members deleted sections that mandate insurance benefits and adopted Sen. Jane Ranum's (DFL-Mpls.) amendment that establishes funding for the Higher Education Center on Violence.

S.F. 1903, authored by Sen. Phil Riveness (DFL-Bloomington), was also approved by the committee and re-referred to the Commerce and Consumer Protection Committee. The bill creates an Automobile Theft Prevention Board to plan and implement statewide programs to combat automobile theft. The measure requires insurers to charge a 50 cent fee per vehicle for every six months of coverage.

Dennis Roske, from the Minnesota State Patrol, testified in support of the bill. "Several states already have auto theft authorities and they've drastically reduced the theft rate and the amount of money lost because of this problem." He told members that 15,000 automobiles were stolen statewide in 1995. Of the stolen vehicles, only 66 percent were recovered. "This represents a \$21 million loss to the people of Minnesota," Roske said.

Anderson objected to the imposition of the surcharge. "An additional charge on already exorbitant insurance premiums is unfair," she said.

Riveness told members that insurance companies have lowered rates to reflect the decrease in theft, in certain instances. "The insurance companies, law enforcement and consumers all support this bill," Riveness added.

Sen. Gene Merriam (DFL-Coon Rapids) also questioned the fee. "My concern is not with the program," he said, "it's with one more tax."

Education

Bus restriction lifted

School buses may be able to travel freely between districts next year, due to a decision made by members of the Education Funding Division.

Senators continued discussion of S.F. 1896, authored by Sen. Kenric Scheevel (R-Preston) at the committee's Jan. 18 meeting. The bill was suggested by the Department of Children, Families and Learning.

The department wants to change a law requiring school districts to get permission from another district when traveling inside its boundaries to transport open enrollment students.

Bob Meeks, of the Minnesota School Board Association, said the law has a good purpose. "(The law) keeps school boards talking to work out agreements that work for everyone," he said.

But several Senators didn't support the approval requirement. "The law appears to be a barrier to open enrollment," said Sen. Martha Robertson (R-Minnetonka).

Senators voted against approval of a provision of S.F. 1896 that made it easier for charter schools to locate within the borders of school districts closed to open enrollment.

Sen. Gen Olson (R-Minnetrista) supported the provision, saying school districts usually close open enrollment when their buildings are full. She said it makes sense to force districts operating at capacity to allow local charter schools. "Are school boards essentially holding their own taxpayers hostage to force the building of additional buildings, rather than having a relief valve?" asked Olson.

But Sen. Jane Krentz (DFL-May Township) said if the decision were shifted to the state Board of Education, as the law proposes, charter schools "wouldn't have to make a real effort to try to be part of a community."

At the suggestion of the committee chair, Sen. Lawrence Pogemiller (DFL-Mpls.), the committee set aside several sections of the bill that require all per-pupil funding to follow a student leaving

his or her resident district for another district or a charter school.

A key component of the bill converts all excess operating levy referenda from tax capacity or mills into per-pupil amounts. This sets the stage to allow state equalization dollars -- and possibly local dollars -- to follow a student who leaves his or her home district.

The department also wants Legislators to extend the August, 1996 sunset date for mandates on the number of school days and instruction hours per year. If the repeal goes through, districts will no longer be required to meet any state standard of instruction time, said Tom Melcher of the Department of Children, Families and Learning. "As long as we're providing money based on how many students you're enrolling, we need some definition of what a pupil unit is," said Melcher.

But Pogemiller said he doesn't want to return to state-mandated instruction hours. "We need a different solution than reinstating that -- that would be a major leap backwards," he said.

Senators approved sections of the bill allowing Assurance of Mastery levy money to follow students to new districts and allowing school districts to borrow against capital revenue to purchase school buses. No action was taken on the entire bill.

Bonding plans reviewed

A bonding proposal to spend \$20 million to house after-school programs drew questions from members of the Education Funding Division at their Friday, Jan. 19 meeting.

The "youth initiative" grants in S.F. 2055, authored by Sen. Gary Laidig (R-Stillwater), provide money to repair, upgrade or construct building space for after-school programs. The enrichment or recreation programs, part of the governor's larger anti-crime and education proposals, must be targeted at grades four through eight.

Half the money is dedicated for projects in Minneapolis and St. Paul; the other half for the suburbs and Greater Minnesota. Cities or school districts applying for the funds are required to collaborate with community groups and match up to 50 percent of the funds locally.

Michael Melsted, director of youth development for Minneapolis YMCA, spoke in favor of the idea, saying kids tend to get in trouble in the hours after school but before parents leave work.

Several Senators said there's plenty of space available already. "I'm a little concerned about this kind of money being spent on bricks and mortar," said Sen. Keith Langseth (DFL-Glyndon). "The schools empty out at 3 p.m."

But Sen. Sandy Pappas (DFL-St. Paul) said that in urban areas, schools aren't within walking distance of home for many students -- a feature critical for convenient after-school programs.

Sen. Larry Pogemiller (DFL-Mpls.), the division chair, said eventually the problem of after-school free time needs to be addressed by altering school schedules. "The school day does not fit most family's schedules," said Pogemiller.

Senators did not vote on the youth initiative grants. Later, they will rank all bonding requests before forwarding them to the Finance Committee.

The committee also continued review of S.F. 1896, authored by Sen. Kenric Scheevel (R-Preston), setting aside several more sections relating to open enrollment and charter schools for later consideration.

One section Senators set aside repeals a law prohibiting certain students from attending technical college through post-secondary enrollment options. These students live in metro-area intermediate districts which offer specialized high school technical programs.

Sen. Gen. Olson (R-Minnetrista) supported offering PSEO to technical students, saying, "Are the districts afraid a few more people might attend a technical college and take the (state per-pupil) dollars with them when they go?"

The committee approved a provision allowing a consortium of Chisago, North Branch and Rush City schools to spend \$150,000 on a year-round school pilot program. The money was left over from last year's extended schedule grants.

The bill remains in the committee until members discuss its charter school, open enrollment and funding provisions.

Arts school seeks new building

Senators serving on the Education Finance Committee responded favorably to a request from the Minnesota Center for Arts Education to construct a \$7 million instruction building on their Golden Valley campus.

David O'Fallon, executive director of the public school, presented the proposal at the committee's Tues., Jan. 23, morning meeting. The center draws 250 students from across the state, but O'Fallon says it could enroll 300 with adequate classroom space.

The center used utility savings from last year's mild winter to pay for a long-term architectural master plan for the campus. Portions of their request -- dormitory upgrades, sprinkler systems, and road and sidewalk replacement -- were incorporated in the governor's proposed bonding bill, S.F. 2055, carried by Sen. Gary Laidig (R-Stillwater). Senators voted to approve the bonding request, including the building, for later ranking.

Senators also approved a \$2.2 million bonding request from Minnesota's Residential Academies for the Deaf and Blind at Faribault. The money will be used to demolish a building, upgrade health and safety, increase outdoor lighting and repair cracked sidewalks.

School building accessibility grants comprise another \$2 million of approved S.F. 2055 bonding. The money continues funding for an existing program. State officials estimate more than \$162 million needs to be spent to bring Minnesota schools into compliance with the Americans with Disabilities Act.

In an evening session, members of the division continued review of the youth initiative grants, proposed in S.F. 2055, which allocate \$20 million in bond funds to construction or repairing buildings for after-school programs. Janet Entzel of the Department of Children, Families and Learning, Steven Zachary, director of Minnesota's Office of Diversity, and Lino Lakes prison warden Fred LaFleur testified in favor of the grants.

"The thrust of what we are trying to do is look at people in our community as resources rather than problems," said LaFleur. Money for youth programs now, he said, will save on prison construction later.

"I think we're having a state of emergency in regards to our youth," said Sen. Jane Ranum (DFL-Mpls.).

Senators did not, however, take a vote on whether to approve the youth-initiative grants. Many Senators were concerned about a provision requiring local grant recipients to match 50 percent of the funds.

Also in the evening session, Senators agreed to include S.F. 1916, authored by committee Chair Lawrence Pogemiller (DFL-Mpls.), in the Education Omnibus Bill. The bill provides debt service levy aid to the Royalton school district. The district's voters approved a referendum in November and the school board issued bonds on the understanding, after conversations with the Department of Children, Families and Learning, that the aid was forthcoming. The district's grade-level enrollment was too small to qualify, however. Without the aid, taxes would have increased 80 percent in the district to pay for the new school.

Senators also approved the following bills for inclusion in the omnibus bill: S.F. 2024, authored by Sen. Janet Johnson (DFL-North Branch), and S.F. 1970, authored by Sen. Bob Lessard (DFL-Intl. Falls), both of which authorize fund transfers in the Chisago Lakes and Aitken school districts; S.F. 1830, authored by Sen. Mark Ourada (R-Buffalo), allowing an early school-year start for Buffalo schools; and S.F. 1807, authored by Sen. Charles Berg (DFL-Chokio), reimbursing money to Montevideo schools.

Committee update

Division hears merger update

The Education Committee Higher Education Division got a progress report Weds., Jan. 24, on last year's higher education system merger, which brought together the state university system, community colleges, and technical colleges.

Minnesota State Colleges and Universities (MnSCU) Chancellor Judith Eaton told Senators the new organization is involved in a "major downsizing and reorganization" of the 62 campuses involved. She said the goal is to make the merged system work better and to position it for the 21st century. She said meetings are being held with staff members and labor unions to discuss details of upcoming staff relocations and reductions. She told the committee the colleges will work closely with the affected people to make sure their rights are protected and to minimize the negative impact.

In response to a question from Division Chairman Sen. LeRoy Stumpf (DFL-Thief River Falls), Eaton said the new structure will avoid isolation between the campuses and result in an efficient integration. She said the transition process, including notification of staff revisions, completion of labor agreements, retraining, and the relocation of functions is extremely complex and will take another year.

Vice Chancellor Elisabeth Murry gave committee members a closer look at negotiations with the labor unions representing MnSCU staff and faculty members. She said topics under discussion during the past six months of what she characterized as "bargaining marathons" over employee contracts include layoff notification policy, early retirements, performance pay and bonuses. She said she hopes to complete talks with the remaining two units by the end of the legislative session.

Answering a question from Sen. Roger D. Moe (DFL-Erskine), Murry said the new contracts will result in greater flexibility for the administration and local control for academic policy making. "We don't include language in collective bargaining that will tie a president's hands," she told the division.

Senators also were briefed on development of the new MnSCU accounting system by Interim Vice Chancellor Tom Triplett. He said the goal of the process is an "integrated information system" that will provide data on items such as graduation rates, classroom use, student data, and instructional technology. He told the members a consultant will be brought in to help finish the project, which he expects to have completed within a year. Triplett reported the accounting system is "totally integrated"

on all campuses, and the payroll system is almost totally on line. Stumpf called that a "major step forward, especially for a system this large."

Environment and Natural Resources

Appointments approved

Several gubernatorial appointees to various environmental agencies were recommended for confirmation by the Environment and Natural Resources Committee at its Fri., Jan. 19, meeting. The appointments heard were Carolyn Engebretson to the Environmental Quality Board; Bonita Nelson, Jacqueline Duncanson and Elaine Neitzel to the Pollution Control Agency Board; Merilee Hein and Michael Triggs to the Environmental Trust Fund Citizen's Advisory Committee; Edward A. Garvey as the Office of Environmental Assistance Director and Charles W. Williams as the Pollution Control Agency Commissioner.

The committee, chaired by Sen. Bob Lessard (DFL-Int'l. Falls), received brief statements from most of the appointees and had the opportunity to pose questions to them. Most of the questions concerned the candidates' perspectives on the compatibility of protecting the environment while fostering a healthy business climate. All appointees received unanimous votes on their confirmation recommendations. Sen. Steven Novak (DFL-New Brighton), noting he was the lone dissenting vote five years ago at Commissioner Williams' first confirmation hearing, expressed a desire to second the motion for confirmation made by Sen. Gary Laidig (R-Stillwater). Novak said he wished to indicate the concerns he had earlier about Williams' qualifications were unfounded.

Project XL Reviewed

Two bills were heard by the Environment and Natural Resources Committee at a Tue., Jan. 23, meeting. One advanced while the other was laid over for further consideration.

The first bill, S.F. 1941, gives homeowners with septic systems more time to comply with recent changes in sewage treatment regulations if they want to add on to their homes. The bill's author, Sen. Steve Dille (R-Dassel), said, "I'm doing this so that our citizens don't get mad at us." Many septic systems have been upgraded in recent years to comply with regulations that took effect seven years ago. Under current law, a homeowner who wishes to add a bedroom to their home would have to upgrade their septic system again to comply with more recent standards, and, thus would have to pay for both the home addition and the

sewage system improvement. S.F. 1941 gives the homeowner five years to comply with the new standards. The measure gained committee approval and advanced to the Senate floor.

The second bill, S.F. 1956, implements a pilot project with the dual aim of expediting the regulatory compliance process and reducing the pollution generated by an industrial facility. The measure, also sponsored by Dille, is modeled on a co-operative venture between the Minnesota Pollution Control Agency and 3M. The Environmental Protection Agency is now encouraging this sort of co-operation nationwide under the name Project XL, which stands for eXcellence and Leadership.

The committee heard a presentation on the bill from Lisa Thorvig of the PCA, who is heading Project XL, and endorsements of it from several business and environmental group representatives. The bill was held over for further technical amendments.

Ethics and Campaign Reform

Recall amendment introduced

Sen. John Marty (DFL-Roseville), chair of the Ethics and Campaign Reform Committee called the panel together, Thurs., Jan. 18 to consider a bill proposing an amendment to the state constitution. S.F. 153, authored by Sen. Ember Reichgott Junge (DFL-New Hope) proposes the addition of a recall amendment to the Minnesota Constitution.

Reichgott Junge began her testimony, stating that the bill she was introducing was first introduced in 1994, prior to the recent ethical complaints. Although less than 1 percent of officials would be subject to recall, Reichgott Junge said, the process makes officials more accountable to the public. While recall would never replace the duty of Legislators to provide discipline from within the Legislature, it would include the public in decision making, she said.

The bill introduced by Reichgott Junge is based on county recall law and includes restrictions or limits on the overuse of the recall mechanism. The measure is not applicable if the grounds for recall are based on political disagreements. These types of unnecessary, politically based complaints are not valid and become costly to taxpayers, said Reichgott Junge.

The proposed recall process begins with any registered voter filing a petition to the Secretary of State requesting a removal election and setting forth facts alleging that an elected official committed malfeasance or nonfeasance in the

performance of official duties during the current or any previous term in the office. The petition requires signature by 25 percent of eligible voters who voted for all candidates for the office at the most recent general election. If the signatures are certified, the Secretary of State would forward the request to the Supreme Court. The court must find the individual guilty or not guilty of malfeasance or nonfeasance. The request goes back to the Secretary of State and a re-election follows. The bill does not allow recall during the first or last six months of an official's term.

Debate among committee members centered on the exact definition of malfeasance and nonfeasance. Reichgott Junge defined the terms, as "malfeasance means the willful commission of an unlawful or wrongful act in the performance of a public official's duties, or having reason to believe wrong doing or ethical misconduct. Nonfeasance means the willful failure to perform a specific act which is a required part of the duties of a public official, such as not showing up for meetings and voting, or a violation of public trust."

Sen. Lawrence Pogemiller (DFL-Minneapolis) suggested a concern with the amendment, saying that, at first glance, it appears to give strength to voters and lessen the responsibility of elected officials among their peers. "We should keep the responsibility on us to make judgements as to whether we should be here or not. Voters get their chance at elections," Pogemiller said.

The bill was approved by the committee on voice vote and will be referred to the Rules and Administration Committee.

Family Services

Overview presented

Representatives from the Department of Human Services presented an overview of the Minnesota Family Investment Program, an approach to welfare reform, Thurs., Jan. 18. Assistant Commissioner Deborah Huskins said that MFIP is based on the concept of "total family support."

The seven-county pilot program, which operates in metropolitan, suburban and rural communities, strives to reduce dependence on welfare as families' primary source of income, encourage work and reduce poverty. By consolidating AFDC, Family General Assistance and Food Stamps, a "seamless system" of support is created, Huskins said.

The program "cashes out" food stamps, provides direct child care payments, broadens eligibility for two parent families and increases asset limits. Furthermore, MFIP requires long term welfare recipients to participate in training programs and emphasizes immediate employment.

MFIP supervisor Chuck Johnson highlighted the program's first year findings. Currently there are 55,000 families receiving AFDC in the state, Johnson said. Of those families, 4,400 are participating in MFIP. More than half of single parent recipients -- 59 percent -- reported having worked full-time for at least six months, Johnson said.

Chair Pat Piper (DFL-Austin) raised questions related to sanctions. Sanctions against a recipient take effect if a recipient has been receiving AFDC for 24 months and refuses to meet with a case manager, or is in non-compliance with an educational program, Johnson said.

Attitudinal statistics were also included in the report. Johnson noted that 75 percent believe that they face significant barriers to employment, including lack of child care, transportation and housing. "But MFIP is a program designed to solve some of the problems families face, to remove some of the barriers," Johnson said.

Jean Schermer, a Hennepin County financial worker agreed with Johnson. The program effectively removes "some of what we call the silly rules that keep people from going to work," Schermer said. "Before, we were the government, but now we're seen as being here to help," she added.

Licensing bill discussed

Members of the Family Services Committee devoted most of the Tues., Jan. 23, hearing to a discussion of a bill making numerous changes in human services licensing programs. The bill, S.F. 1886, authored by Committee Chair Pat Piper (DFL-Austin), changes terminology, clarifies definitions, makes changes in the area of background studies and makes several changes to conform with the changes in the Vulnerable Adults Act enacted last year. The measure also authorizes the commissioner to develop a demonstration project for abbreviated inspections of child care centers, mental health centers and clinics, and residential based habilitation services for persons with mental retardation or related conditions. Controversy over the bill arose with an amendment, offered by Sen. Kevin Chandler (DFL-White Bear Lake), designed to ease some requirements for licensing child care centers. Piper suggested that the bill be laid over for further work on the areas of contention.

Committee members also continued their discussion of the Minnesota Family Investment Program. Ken Ebel, director of social services, Sherburne County and Steve Rieger, director of community services, Morrison County, outlined the more successful aspect of the program and gave suggestions for improvements. Ebel said that the program was working well in Sherburne County and that the incentives

portion of the program seemed to be the most valuable in motivating clients. On the other hand, he said those areas of the program stressing case management might not be as valuable as other portions.

Finance

Brandl-Weber report delivered

Members of the Finance Committee, chaired by Sen. Gene Merriam (DFL-Coon Rapids) met Tuesday, Jan. 23, to conclude a presentation of the governor's supplemental budget by Commissioner Laura King, of the Finance Department. King said that the increased revenue forecasted at a growth rate of 5 percent will be absorbed by the growth in the health and human services budget which carries a 67 percent growth rate.

Former Senator John Brandl discussed a report written with former Congressman Vin Weber outlining the fiscal situation of the state. Brandl said that the state is facing a large financial problem due to have impact at the turn of the century. Even if this situation is remedied, Brandl said, the state is facing an additional shortfall in federal funds. Proposed solutions offered by the Brandl-Weber team include a redesign of government and more fiscal restraint.

Brandl suggested areas of improvement in K-12 education, post secondary education, health care, local government and criminal justice. The team supports the voucher system, as well as giving more authority to college and university presidents, requiring local referendums to increase nonschool property taxes, focusing money on prevention of crime and establishing budgets before determining government paid health care benefits.

Gaming Regulation

Retailer bill advances

A bill designed to reduce the paperwork a lottery retailer must file was approved by the Gaming Regulation Committee at its Tue., Jan. 23, meeting. The bill, S.F. 1936, authored by Sen. Jerry Janezich (DFL-Chisholm), allows a retail contractor to sell lottery tickets at more than one location. Current law requires every outlet location to be covered by a separate contract.

The bill allows a business chain to license all of their store locations under a single contract and also lifts the requirement that each location post a bond. Under the measure, the lottery director retains the authority to require specific store locations to enter into separate contracts or post bonds if the director deems it necessary. The director may also prohibit sales at a particular location without canceling the whole contract. Lottery Director George Andersen stated he was in favor of the bill when asked.

Committee update

An amendment, offered by Sen. Bob Lessard (DFL-Int'l. Falls), would have re-established the State Lottery Board which was abolished by the Legislature last year. Sen. Allan Spear (DFL-Mpls.), noting that the adoption of the amendment would require hearings in the Governmental Operations and Veterans and Finance committees, asked Sen. Janezich if he favored it. "No," Janezich said, "the Governmental Operations Committee has been removing a lot of agencies and it would be a very short trip for this bill." Andersen stated he would like to see the board reinstated, but felt adoption of the amendment would threaten passage of Janezich's bill. Lessard withdrew his amendment and the committee unanimously recommended passage of the bill.

Following the bill discussion, Andersen gave a presentation on the Lottery budget and sales trends. He also answered questions from committee members on various aspects of lottery operations.

Governmental Operations and Veterans

Two bills advance

The Governmental Operations and Veterans Committee, chaired by Sen. James Metzen (DFL-St. Paul), approved two bills Weds., Jan. 24.

S.F. 1962, a bill that prohibits related organizations from simultaneously participating in a federated funding campaign for state employees was approved and sent to the full Senate. Carried by Sen. Don Kramer (R-Brooklyn Center), the bill prevents an organization from listing itself more than once on a charitable campaign contribution form.

Catherine Jordon, president of United Arts, testified in support of the measure. "The bill provides fair access, equal access, for all charitable organizations, not just one," she said.

Byron Laher, from the United Way, opposed the bill. "We see multiple listings as a means of better communicating choices with the giving public," he said.

Sen. Phil Riveness (DFL-Bloomington) spoke in favor of the measure. "This [the United Way's multiple listings] is a market strategy to dominate state employee giving," he said. "It violates the spirit of the whole thing."

S.F. 1800, authored by Sen. Dan Stevens (R-Mora), changes procedures for the sale of closed armories. Under the bill, the adjutant general may sell a property to the municipality or county at a price determined by an appraiser. If the municipality or county does not purchase the property, the adjutant general must advertise the property's availability for

three consecutive weeks in an area newspaper. Thereafter, the property may be sold to another bidder.

Gary LeBlanc, from the Dept. of Military Affairs, testified in support of the bill. He told members that although there is no crisis to sell the vacant armories, "the longer they remain empty, the more they decrease in value." Empty buildings deteriorate quickly, he added, and can present potential threats to public health and safety.

Members approved the measure and recommended placement on the Consent Calendar.

Health Care

Universal coverage discussed

David Haugen, the acting director of the Minnesota Health Care Commission testified before the Health Care Committee, Thurs., Jan. 18, detailing the commission's recommendations for universal coverage in Minnesota. Chaired by Sen. Linda Berglin (DFL-Minneapolis), the committee listened to findings and recommendations of the Minnesota Health Care Commission's 28 member independent advisory board.

The recommendations for universal coverage were grouped into four categories including assistance to low income persons and persons with disabilities, insurance reforms, purchasing pools, and personal responsibility. The commission also developed principles for integrating acute and long-term care in Minnesota. According to Haugen, the planning for and delivery of care should be consumer-centered and should take into account an individual's unique goals, preferences, circumstances and needs. Financing the continuum of care should be a shared responsibility divided among out-of-pocket payments, premiums and taxes, he said. Incentives for both health plans and providers should be aligned to encourage integration of the continuum of care and reward both efficiency and desired health and functional outcomes, Haugen said. Finally, Haugen said mechanisms for assuring quality focusing on measurable outcomes should balance the existence of market forces with appropriate public oversight activities.

Berglin presented, S.F. 1881, a bill establishing a variety of restrictions on asset allowances and asset transfers. The bill caps the asset allowance for burial expenses at \$5,000. A five-year look back period is established under the bill during which asset transfers are conclusively presumed to be for the purposes of establishing Medical Assistance eligibility. Additionally, the bill reduces the monthly cap on uncompensated transfers to \$500 from \$1,000, establishes a penalty period

of ineligibility beginning with the date of application and requires the commissioner of human services to approve hardship waivers. Many of the provisions written into the bill include areas that would require a federal waiver of flexibility, said Berglin.

Testimony was heard from Sue Rogers, executive director of the Minnesota Funeral Director's Association. "While we don't oppose the intentions of Sen. Berglin's bill, we are deeply concerned about adding caps to pre-funded funerals," said Rogers. "Its necessary to talk about the need for a cap on the set-aside."

Rogers said that the association supports pre-funded funerals because they take the burden away from families. Funeral directors have not tried to hide money through this mechanism, according to Rogers. She said that excess funds go back to the estate from which the state and county can retrieve them. Rogers said she spoke with George Hoffman of the Minnesota Department of Human Services who told her that taking caps off burial expenses would have a very insignificant effect on the budget.

Testimony was also heard from Julian Zweber, an attorney in St. Paul, who said that S.F. 1881 will affect not only those who currently receive MA, but could affect anyone because it is impossible to predict who will need MA. Zweber said that the bill should not be referred to the Judiciary Committee, but should be dealt with in the policy committee, the Health Care Committee. Berglin offered to hold the bill over until the next committee meeting.

MN managed care update

Committee Chair Sen. Linda Berglin (DFL-Minneapolis) called the Health Care Committee to order, Mon. Jan. 22, to hear a report from Allan Baumgarten, a private consultant who writes the Minnesota Managed Care Review. The review includes information displaying enrollment trends, utilization, effects of mergers and other specific data related to managed care.

Baumgarten discussed the downward trend in HMO enrollment, explaining the trend as a move by employers into self-insured plans. One and a half million citizens in the state of Minnesota are enrolled in self-funded plans organized by large health care companies.

Other figures disclosed by Baumgarten include the HMO premium revenue trend which dropped from a 16.5 percent increase average in 1990 to a 4.2 percent increase average in 1994 and the use of in-patient hospital days within HMOs, a figure that has been on the decline, averaging 6.5 percent, for the

past few years and remaining stable for 1994.

Sen. Sam Solon (DFL-Duluth) outlined S.F. 1719, a bill pertaining to dental hygiene, the expansion of services provided by dental hygienists and other technical changes in statutes related to dental hygienists. A lobbyist for the Minnesota Dental Hygiene Association testified that the bill is basically a house-keeping bill, offering greater protection to the public through changes in licensure requirements. The committee approved S.F. 1719 and forwarded it to the Senate floor.

Berglin returned to S.F. 1881, her bill on asset transfers. She offered an amendment, which was adopted, limiting asset transfers to \$6,000 instead of the previous \$5,000 requirement. The amendment also clarified the limit on transfers to those "under fair market value." The amendment was adopted. Julian Zweber, an attorney, continued his testimony from Thurs., Jan. 18. Zweber said that bill represents the most severe curtailment of eligibility for Medical Assistance (MA) since funding for the program was established. The only people not affected are the very poor and the very wealthy, Zweber said. He said he suggests that a distinction be drawn between gifts to charity and gifts to family members. Additionally, Zweber said that the bill will cause problems to the administration of the MA program in effort to verify eligibility or detect unreported transfers.

Berglin responded that the intention of the bill is to make it clear that Minnesota is not a state that wants people giving away assets that should be used for their own care. The bill does allow for a \$500 monthly giveaway, said Berglin.

Sen. Harold Finn (DFL-Cass Lake) questioned the a provision that specifies that any transfer is "conclusively presumed to have been made for the purpose of establishing or maintaining medical assistance eligibility." Finn said that a conclusive presumption was not necessary. The bill was laid over until the next committee meeting.

Sen. Don Betzold (DFL-Fridley) presented a bill that permits the use of unmarked vehicles by the Division of Disease Prevention and Control of the Department of Health. Betzold's bill, S.F. 1862, requires that unmarked vehicles be registered and display passenger vehicle classification licence plates. The Health Department conducts community outreach programs for individual who often would like to maintain confidentiality regarding their health problems, explained Betzold. The Acting Director of Disease Prevention and Control, Aggie Leitheiser, testified that there exists in current legislation, a list of departments that have access to the unmarked vehicles. The Department of Health is not

on that list. The bill was approved by the committee and recommended for the Consent Calendar.

Betzold also presented a bill that provides for a specific process to isolate and detain persons with active tuberculosis who pose an endangerment to the public health. S.F. 1866 gives the Dept. of Health more authority to require tuberculosis patients to be monitored, said Leitheiser. If patients do not complete and follow through with treatment programs, there is a possibility that the disease can become drug resistant, Leitheiser said. Active, drug-resistant tuberculosis is easily transmitted, she said, and for this reason, it is necessary for the public health that these individuals be required to receive treatment, said Leitheiser.

Finn offered an amendment to relinquish responsibility on the part of counties to pay for the isolation and treatment and move the responsibility to the carrier and state. The amendment was adopted. S.F. 1866 was approved and re-referred to the Judiciary Committee.

The committee returned to Berglin's asset transfer bill, S.F. 1881, and Finn offered an amendment to take out the look back provision and allow for asset transfers that are not related to Medical Assistance eligibility. The bill was laid over.

Background check bill okayed

The Health Care Committee voted the evening of Tues., Jan. 23, to approve a bill, authored by Sen. Allan Spear (DFL-Mpls), designed to expand background checks in nursing homes, home care agencies and boarding care homes. The bill expands current legislation to include employees other than direct contact employees. Spear said the bill, S.F. 2047, not only expanded the successes of the recently implemented background studies system, but also corrects technical mistakes and remedies duplicative checks from separate facilities. The bill was approved by the committee and re-referred to the Crime Prevention Committee.

The committee returned to discussion of S.F. 1881, an asset transfer bill, sponsored by Committee Chair Linda Berglin (DFL-Mpls). Sen. Harold Finn (DFL-Cass Lake) introduced an amendment granting individuals the ability to challenge the conclusive presumption clause for asset transfers. The amendment failed and S.F. 1881 was re-referred to the Judiciary Committee.

Members also discussed another Berglin bill, S.F. 1874, requiring utilization review organizations to provide the enrollee with documentation for determination to certify a procedure as appropriate, reasonable or medically necessary. The committee heard testi-

mony from Jane Legwold, a woman who is confronted with charges of \$10,000 after undergoing a bilateral prophylactic mastectomy. Legwold's surgeon received a letter stating that the utilization review organization did not guarantee benefits or payment. Legwold said the law should require the letter be sent to the patient as well as the surgeon, so that the patient has opportunity to take action.

Sen. Sheila Kiscaden (R-Rochester) said that not all patients want to see review utilization review forms. What they want to know, said Kiscaden, is when they are not covered and how to appeal. The bill was laid aside.

A bill dealing with mercury amalgams, or tooth fillings containing approximately 50 percent mercury, was presented to the committee by author Sen. Ellen Anderson (DFL-St. Paul). Anderson reviewed previously presented testimony regarding the risks of mercury amalgams and summarized S.F. 1229 as requiring dentists to post a sign informing patients of the potential health risk of mercury amalgam use. Testimony was heard from Mary Lucey, an individual who experienced symptoms typical of mercury poisoning until she had all of her fillings removed. The bill was held over.

Committee responds to task force

A working group, organized by Health Care Committee Chair Sen. Linda Berglin (DFL-Mpls), presented its findings to the Health Care Committee Weds., Jan. 24. The recommendations were presented by several of the task force members who explained the group's composition as that of health care providers, advocates and front line workers who could offer innovative suggestions in dealing with pending federal cuts. The group's suggestions focused on maintaining equity, examining lower cost alternatives, examining alternative funding sources and eliminating unnecessary duplication.

Berglin introduced S.F. 1879, a bill to relating to medical assistance. The bill will combine the alternative care program and the home and community-based services waiver for the elderly program. The bill, said Berglin, is a result of recommendations from the working committee. Berglin proposes allowing the Department of Human Services the ability to design the combination. The bill was approved by the committee and sent to the Senate floor.

A bill, authored by Berglin, to appropriate money for grants to counties to recruit and establish more family adult day care providers was carried by Sen. Jim Vickerman (DFL-Tracy). S.F. 1857 appropriates money to expand or upgrade adult day care services outside the Metropolitan Area. It also establishes a health care reform fund for the deposit of

Committee update

savings, collections and paybacks from various health care activities. The bill was approved and re-referred to the Health Care and Family Services Finance Division.

S.F. 1880, a bill to appropriate money to expand or upgrade adult day care services outside the Metropolitan Area was authored by Berglin. The bill establishes a health care reform fund for the deposit of savings, collections, and paybacks from various health care activities. Representatives from the Minnesota Adult Day Care Service Organization testified on the needs and uses of funding. Funding appropriated under the bill can be used for existing services, or the development of new services. The bill was approved by the committee and re-referred to the Health Care and Family Finance Division.

S.F. 1876, authored by Berglin, establishes a technical assistance program to enable providers of home care services to maximize Medicare collections. Berglin said the task force felt that providers were not currently maximizing Medicare collections and that the bill would create a linkage between those agencies who are Medicare certified and those who are not. The bill was approved by the committee and moved to the Health Care and Family Services Finance Division.

Sen. Don Samuelson (DFL-Brainerd) presented S.F. 1951, a bill to modify several provision of the nursing facility alternative payment demonstration project enacted in 1995. Testimony including an explanation of changes was heard from Mariann Wiebusch of Care Providers of Minnesota. The bill was laid over.

Jobs, Energy and Community Development

Energy report deadline extended

Members of the Jobs, Energy and Community Development Committee met Thurs., Jan. 18, to consider four bills. The committee, chaired by Sen. Steven Novak (DFL-New Brighton), advanced all four measures. S.F. 1925, authored by Sen. Janet Johnson (DFL-North Branch), makes technical changes to requirements under single family housing programs. S.F. 1812, carried by Sen. Linda Berglin (DFL-Mpls.), provides for securing vacant buildings. Both measures were sent to the Senate floor.

S.F. 1846, sponsored by Novak, extends the due date for the Electric Energy Task Force report on electric energy policy until July 1, 1996. The measure was recommended for the Consent Calendar. S.F. 1902, authored by Sen. Sandra Pappas (DFL-St. Paul),

changes the name of the Council on Affairs of Spanish Speaking People to the Council on Affairs of Chicano/Latino People. The bill also increases the membership on the Council on Affairs of Chicano/Latino People and the Council on Asian-Pacific Minnesotans. The measure was approved and re-referred to the Governmental Operations and Veterans Committee.

Housing bill okayed

A bill providing funds for community rehabilitation and affordable rental investment programs was approved by members of the Jobs, Energy and Community Development Committee at the Tues., Jan. 23, hearing. S.F. 1991, authored by Sen. Randy Kelly (DFL-St. Paul), appropriates \$12 million for statewide housing programs. Under the bill, \$2 million is for family homeless prevention, \$5 million is for acquiring and removing rental property in order to reduce blight, \$2.5 million is for production and rehabilitation of housing and \$2.5 million is for the affordable rental investment program. An additional \$2.5 million in bonding is earmarked for the Minnesota Housing Finance Agency's local government unit housing account for interest-free loans for a neighborhood land trust program.

Kelly said that one portion of the bill requires a community impact statement before a city may approve construction of new low-income rental housing in a targeted neighborhood. The bill also requires a public hearing and city approval before new low-income rental housing may be built in a targeted neighborhood. The measure was referred to the Jobs, Energy and Community Development Finance Division.

The committee, chaired by Sen. Steven Novak (DFL-New Brighton), also approved a measure allowing an electric co-op and a municipal electric company to enter into a joint venture to provide service. S.F. 2009, authored by Sen. Dean Johnson (R-Willmar), allows the Willmar Municipal Utilities Commission and the Kandiyohi Cooperative Electric Power Association to enter into a joint venture to provide power with the two entities service areas. Mike Nitchells of the Willmar Municipal Utilities Commission spoke for the bill and said that the idea behind the measure was to provide more efficient service at a fair and equitable rate. Members approved the bill and forwarded it to the full Senate.

One-site job centers touted

Minnesota came one step closer to "one-stop service areas" for job-related services when Senators approved S.F. 1932.

The bill, authored by Sen. Arlene Lesewski (R-Marshall), outlines the next steps in the Department of Economic Security's creation of the workforce centers. Seventeen service sites in Minnesota are planned to house job training, dislocated worker, and school-to-work programs. Each site is governed by a workforce council comprised of business, education and labor representatives, as prescribed by the laws accompanying federal job training funding.

Senators at the Weds., Jan. 24, meeting of the Jobs, Energy and Community Development Committee, chaired by Sen. Steven Novak (DFL-New Brighton), re-referred the bill to the Government Operations and Veterans Committee.

Committee members also approved S.F. 1919, a departmental bill carried by Sen. Linda Runbeck (R-Circle Pines), and sent the bill to the floor. But, wary of possible data practices problems, they set aside an amendment to the bill from the Department of Economic Security to allow private vendors to access certain parts of its information data bank. The amendment, said Gary Sorenson of the Department of Economic Security, was intended as a convenience for people applying for loans. If the subject gave written permission to release the information, bank officials could use the vendor service to verify employment within minutes, possibly reducing application costs from \$60 to \$10.

Senators said the idea should be addressed in the context of other data practices issues expected to emerge later this session.

The bill relieves employers put out of business through government property condemnation of charges relating to resulting unemployment claims. It updates Minnesota statutes to conform with a new federal law allowing people to request that state and federal income taxes be withheld from their unemployment benefits. It also clarifies sections of the existing law.

Senators also approved S.F. 1945, authored by Sen. Paula Hanson (DFL-Ham Lake), a bill requiring that workers who install or fix elevators be licensed or supervised by a licensed worker. The bill was re-referred to the Government Operations and Veterans Committee.

Bernie Carey of the Local 9 Elevator union testified in support of the bill, saying it protects "non-sophisticated customers" such as schools and churches who purchase elevators to comply with wheelchair access laws. George Hawkins, executive director of Associated Builders and Contractors testified against the measure, saying, "It's not needed."

Senators also approved S.F. 2051, authored by Sen. Dan Stevens (R-Mora). The bill permits the commissioner of the

Department of Trade and Economic Development to solicit and spend money from lobbyists to finance economic development conferences. Department representative Mark Loftis said the law could save \$10,000 to \$15,000 per year on the expense of these training conferences. Currently, contributions are prohibited from lobbyists to any state official. Senators forwarded the bill to the Ethics and Campaign Reform Committee.

Judiciary

Pawnshop data bill advanced

The Joint Crime Prevention Judiciary Subcommittee on Privacy met Mon. Jan. 22 and advanced a bill to the Judiciary Committee that authorizes public access to data describing property in pawnshop transactions. Authored by Sen. Jane Ranum (DFL-Mpls), co-chair of the joint subcommittee, S.F. 2027 changes current law by allowing pawnshop data collected for crime prevention to be released to the public. The bill does not provide for public access to data that would reveal the identity of persons participating in pawnshop transactions, extending the current private classification of this data and protection of individual rights.

Lieutenant Phillip Hafvenstein, Minneapolis Police Department, License Inspection Unit, testified on behalf of the bill, stating that its approval would enable usage of a new information system being developed for crime prevention. The city of Minneapolis, in cooperation with the cities of St. Paul and Bloomington, is developing an Automated Pawn System (APS), said Hafvenstein, to computerize the collection of pawn and secondhand transaction data. The system allows investigators to obtain data from one community, possibly where items were pawned, to another where items may have been stolen.

"How will this help outside areas? Will you expand the system metro wide?" asked Sen. David Knutson (R-Burnsville). Hafvenstein responded that, if the system worked properly, it could be expanded to serve other areas. To offer the most benefits, he said, victims need to be able to compare their losses against the data held by investigators. This operation, he said, is dependant on the public availability of property data.

The panel also discussed the removal of a sunset provision that grants authority to health care providers to release health records for research purposes without obtaining patient consent. Ranum described S.F. 1966 as a bill to permanently remove the sunset provision, set for June 1, 1996. The provisions had been previously extended in 1994.

The bill extends a provision to release health records to qualified personnel for the purpose of medical or scientific

research if the provider makes a reasonable attempt to determine that the use does not violate any limitations under which the record was collected, that the use is necessary to accomplish the research for which the disclosure is made, and that the recipient has established and maintains safeguards to protect the records from unauthorized disclosure. Further use or release of the records in individually identifiable form is prohibited to persons other than the patient without the patient's consent.

John Kingrey, vice president of the Minnesota Hospital and Health Partnership lent support for the repeal of the sunset provision, explaining the various scenarios in which release of health records without patient consent may be made. Kingrey said that sometimes the data is released for reasons other than medical research such as for law enforcement purposes.

Legislators debated the need for repeal. Sen. Sheila Kiscaden (R-Rochester) said there was a need for such data in epidemiological studies, citing longitudinal factors, familial issues and transmittal factors. Kiscaden said that the benefit of medical research in this case may outweigh the public's rights. She suggested that institutions receiving requests for data should look carefully at the organizations making the requests. She continued her argument by comparing the need for crime investigators to have access to data sources for the public good and the need for research institutes to have similar data access.

Testimony was also heard from Jeanette Fowles, Vice President of Research for Health System Minnesota. "Once a data set is established, it is stripped of all unique identifying characteristics. The linking data is gone," said Fowles. Additionally, said Fowles, providers are extremely sensitive to the release of information. Many have institutional review boards to review requests for data release.

Media shield laws discussed

The Judiciary Committee held a joint hearing with the House Judiciary Committee, Mon., Jan. 22, in order to have a thorough discussion of Minnesota's media shield laws. The joint panel, chaired by Sen. Randy Kelly (DFL-St. Paul) and Wes Skoglund (DFL-Mpls.), reviewed the Minnesota Free Flow of Information Act and heard testimony on issues raised by interpretations of the statute. The media shield laws are the statutes that protect members of the press from having to disclose sources. The issue has been in the spotlight lately because of controversy surrounding the Minnesota Daily. However, because of the ongoing nature of that particular case, no testimony or discussion of the case was heard. Instead,

members participated in a more general philosophical discussion of the statute.

Defamation bill approved

The Judiciary Committee, chaired by Randy Kelly (DFL-St. Paul), met Weds., Jan. 24, to debate S.F. 1500, a bill authored by Sen. John Hottinger (DFL-Mankato) to enact clarification of defamation act. The bill applies to any claim for damages arising out of harm to personal reputation caused by the false content of a publication. Under the bill, a person may maintain an action for defamation, or a publishing of retraction.

Jack Davies, Minnesota Appellate Court Judge, testified in support of the bill, explaining that current common law does not serve the interest of victims of defamation. The philosophy of the bill is that truth is most important. The bill is designed to encourage perpetrators to come forward with corrections. While permitted under current law, retractions are considered an admission of liability. Defamation lawsuits are currently too expensive and too drawn out to provide any benefit to the victims. Under the bill, an immediate retraction is required with the victim controlling how the correction is made.

Sen. Harold Finn (DFL-Cass Lake) said that the press could easily publish defamatory material and then correct it immediately. He said it seemed as though the bill protected the press or the defamers.

Mark Ansinson, attorney for the Minnesota Newspaper Association testified in support of the bill, saying that although the bill would help the news media, the benefits to the general public were also notable. To prove truth, Ansinson said, cases of defamation must now go through a jury. He said he advises newspapers never to publish a retraction unless they are sure they were wrong because law suits will ensue anyway. Under S.F. 1500, there lies a powerful incentive to publish a retraction, said Ansinson.

The committee approved the bill and sent it to the Senate floor.

Kelly introduced a bill on child custody visitation, requiring specificity in visitation orders and providing for the establishment of visitation dispute resolution programs. The bill, S.F. 1996, is intended to provide a way for people to enforce their court ordered visitation without having to go to court and to prevent the denial of visitation before it happens, Kelly said.

Sen. Richard Cohen (DFL-St. Paul) said that the problem is that the Legislature passes laws and judges do not enforce them. There is a great deal of ability on the part of a judge to change the nature of custody, said Cohen. Kelly responded that he believes individuals have an

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obligation to comply with court orders. When compliance is not reached, Kelly said, consequences should be felt.

Testimony was heard from two mothers who were denied visitation. The bill was laid over.

Metropolitan and Local Government

Cities seek bond funds

Duluth will be in line for zoo improvements and Henderson for a heritage center among this year's capital fund expenditures.

The Metropolitan and Local Government Committee, chaired by Sen. Jim Vickerman (DFL-Tracy), approved bills for both requests at its first meeting of the session, Monday, Jan. 22. Senators did not rank the requests, however, because Vickerman believes that job best falls to the Finance Committee. If Senators don't agree that a request is worthy of state funds, said Vickerman, they shouldn't approve the bill at all. "We've never prioritized bonding bills in this committee so I'm not going to do that now," he said.

The city of Henderson wants \$390,000 from the state to restore the former Sibley County Courthouse, built in 1879. The building will be rendered disability-accessible and turned into a "heritage center" honoring Joseph R. Brown. According to Arlene Busse, of the Sibley County Historical Society, Brown was an influential Democratic legislator, fur trader and newspaper editor who, despite a third-grade education, spoke French, Dakota and Ojibwa. Brown chose the spelling of the word "Minnesota" during territorial days and some people believe the earliest draft of the Minnesota Constitution is in his handwriting. "For some reason he has sort of been forgotten," said Busse.

Committee members approved the bill S.F. 1821, allocating bond money to the center. The bill, which was authored by Sen. Dennis Frederickson (R-New Ulm), was re-referred to the Finance Committee.

Committee members also approved S.F. 813, authored by Sens. Sam Solon (DFL-Duluth), Jerry Janeczich (DFL-Chisholm) and Florian Chmielewski (DFL-Sturgeon Lake). The bill allocates \$3.4 million of state bond funds to the city of Duluth to upgrade the Lake Superior Zoological Gardens. Improvements for the last phase of the zoo project include exhibits featuring bald eagles, wolverines and musk oxen, as well as new trails and other attractions. The bill was also re-referred to the Finance Committee.

The committee approved S.F. 1912, authored by Pat Pariseau (R-Farmington),

and referred the bill to the floor. The bill allows the city of New Market to extend its debt ceiling in order to issue bonds for a new combined fire department and city hall. The building will be shared with New Market Township, which is helping pay costs. Voters in the tiny city approved the idea 67 to 42 -- that's people, not percent.

Transportation and Public Transit

Committee considers speed laws

The Senate Transportation and Public Transit Committee heard a recommendation Fri., Jan. 19, that speed limits on some Minnesota roads be raised. The recommendation came from members of a task force formed by MnDOT and the Department of Public Safety to consider speed changes in light of the repeal of the 1974 federal speed limit law.

Hennepin County Sheriff and former State Senator Patrick McGowan, who chaired the Joint Agency Task Force on Speed Limits and Highway Safety, outlined the findings, which include raising the speed limit to 70 miles an hour on rural interstates, and to 65 on urban interstates, other urban freeways, and multi-lane divided highways. McGowan said members decided to leave the speed limit on rural two-lane two-way highways at 55 because of the proportionately high number of fatalities on such roads.

McGowan said the task force also wants the Legislature to strengthen the state seat belt law and repeal a provision that keeps some speeding infractions of up to 10 miles an hour off a driver's record. The task force also calls on the Senate Transportation and Public Transit Committee to initiate research regarding the use of headlights during the daytime.

Sen. Keith Langseth (D-Glyndon), who served on the task force, said he voted for the speed recommendations, but wants them tied to the safety measures. "It's important they go as a package," he said, "I'm not going to support it otherwise. I don't want to see fatalities go up."

Sen. Jim Vickerman (DFL-Tracy) said constituents in his rural district are split over whether or not to raise the speed on two lane roads. Sen. Arlene Lesewski (R-Marshall) said most of those in her southwest Minnesota district she has heard from would like to see the speed on rural roads raised to 60.

Sen. Paula Hanson (DFL-Ham Lake) questioned McGowan about a recommendation to study a system of "graduated drivers licensing." McGowan replied the task force would like the Legislature to consider limiting the permissible driving hours of younger motorists.

Task force member, State Patrol

Chief Col. Michael Chabries, told the committee the patrol wants to insure that drivers obey any higher limits. In response to a question from Chair Carol Flynn (DFL-Mpls.), Chabries said current patrol staffing levels make enforcement difficult, and noted support from the Departments of Public Safety and Transportation for funding to hire 46 additional troopers..

MnDOT Traffic Engineer Mike Robinson gave a history of speed limits in Minnesota, and outlined how the optimum speed is determined.

The committee also heard briefly from Department of Transportation Commissioner James Denn and Department of Public Safety Commissioner Michael Jordan. Both endorsed the speed and safety recommendations of the task force and said they will use the findings to draw up a proposed bill for the Legislature.

Flynn said the Committee will continue consideration of the task force report at a future meeting.

Committee eases license suspension

The Senate Transportation and Public Transit Committee wants to give motorists facing driver's license suspension some breathing room.

Current law allows suspension to take effect immediately after the notice of suspension is mailed. The Committee on Tues., Jan. 23, approved S.F. 1797, which would make it effective 14 days after the mailing. Bill sponsor Sen. Don Betzold (DFL-Fridley), told members the proposal doesn't change or limit the authority of the Department of Public Safety, but will help avoid misunderstandings and give motorists time to take whatever action is required. Betzold offered an amendment, which was adopted, that stipulates the commissioner of the department has the authority to suspend a license immediately if a delay presents a threat to public safety. The bill was sent to the full Senate for consideration.

The committee considered legislation that would allow part of trunk highway No. 52 in Fillmore County to be designated the "Amish Buggy Byway," and directs MnDOT to erect designating signs. S.F. 1909 sponsor Sen. Kenrick Scheevel (R-Preston) said the presence of numerous Amish buggies, along with high speed vehicle traffic, has caused a hazardous situation, and signs are needed to draw attention to the presence of slower-moving non-motorized traffic. He presented a letter from the Canton City Council requesting the designation. The committee approved the bill, with one amendment. The amendment, offered by Sen. Keith Langseth (DFL-Glyndon),

requires the community to reimburse the department for costs incurred, unless the department concludes a significant safety factor is involved. The measure was forwarded to the full Senate.

Senators passed a measure sponsored by Betzold to exempt from the motor vehicle sales tax cars given to foster children from foster parents. Betzold said such tax free transfers are currently permitted between husband and wife and parent and child. S.F. 1839 was referred to the Taxes and Tax Laws Committee.

Members also heard a presentation from MnDOT on the Highway Helper program, which is designed to assist motorists and keep traffic on metro freeways flowing. The presentation was originally scheduled as part of a public hearing on S.F. 1832, which eliminated the program. The request for a hearing was withdrawn by the bill's sponsor, Sen. Linda Runbeck (R-Circle Pines). Committee Chair Sen. Carol Flynn (DFL-Mpls.), said the Senate has received at least 50 calls in support of Highway Helper, which she called an "innovative program that is clearly a star and appreciated by the public."

Committee told: go slow

Two witnesses urged the Transportation and Public Transit Committee to go slow on the speed limit.

The advice came as the committee heard additional testimony Weds. Jan 24, on a report from a task force established by the Departments of Public Safety and Transportation to make recommendations in light of the repeal of the federal speed limit law.

The Joint Agency Task Force called on the Legislature to raise maximum speeds on rural interstates to 70 miles an hour, and to 65 on urban interstates and other urban freeways and multi-lane divided highways.

The 15-member group also urged stricter enforcement of the seat belt law, and repeal of a provision that keeps some speeding violations off driving records.

Task force member and Minnesota Safety Council President Carol Bufton told Senators that while a "case can be made that the number of crashes won't increase" with higher speeds, the "severity of injuries and number of fatalities will."

Also urging the committee to reject the speed recommendations was task force member Sharon Driscoll, with Mothers Against Drunk Driving. She testified speed is a factor in a significant number of drunk driving accidents, and higher speeds will increase deaths and make enforcement more difficult.

Another witness, task force member Lisa Peterson with the Minnesota Trucking Association, supported higher speeds as part of an overall package that includes the safety recommendations. She said the

safety measures might offset the increased risk from higher speeds.

Sen. Steve Murphy (DFL-Red Wing), brought up the potential cost of the recommendations, asking "where are we going to get the money for all those extra troopers to enforce stricter speed laws." Committee Chair Carol Flynn (DFL-Mpls.) said a gas tax increase is a possibility, noting such a bill passed the committee last year.

Also testifying before the committee were Robert Johnson with the Insurance Federation of Minnesota, who predicted faster speeds would lead to higher insurance costs; and Mark Rask, author of "American Autobahn," who told Senators holding speeds back is "actually hindering safety efforts." He said there is an "unposted higher real speed limit," and raising speeds to the "comfort level" at which traffic moves would make drivers more law-abiding, improve safety, and free up troopers.

Sen. Mark Ourada (R-Buffalo), one of two Senators to serve on the task force, said he supports the higher speeds because "what is more important than speed itself is to have people traveling at the same speed. If we set the speed limit at the speed people are driving at," he continued, "that's a much safer condition than having people weaving in and out of lanes."

Referring to the 1974 energy crises that prompted the federal speed limit, Sen. Jane Krentz (DFL-May Township), said "it's sad that people will slow down to save money, but not to save lives." She said she favors enacting the safety measures but not the new speeds, but added most of her constituents would "probably not agree."

Flynn advised the committee that current law gives the commissioner of the Department of Transportation the authority to set speeds, and said if the committee takes no action the "potential exists for the commissioner to change limits."

WWW and gopher

Now there is a new way to get information about the Minnesota Legislature. In a joint effort, the Legislative Reference Library, the Office of the Revisor of Statutes, the Senate and the House of Representatives have established a World Wide Web home page.

The Legislature's home page points to many of the items on the Legislative Gopher. Over time, though, more information will be added to the site. At present, the site contains the texts of House and Senate bills, bill status information, biographical material about members, current daily and weekly schedules, the complete Minnesota Statutes, committee membership lists and more. To access the Legislature's World

Wide Web page, simply point your browser to:

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Most web browsers are capable of accessing gophers, however, gopher clients may not be able to access web sites.

There are several ways to access the Legislative Gopher. For gopher administrators: Point your gopher to URL:gopher://gopher.revisor.leg.state.mn.us:70/1.

This is the root server for the House and Senate Legislative Gopher. For individuals or systems with gopher client software: Point your gopher client to gopher.revisor.leg.state.mn.us (Port 70). For users without gopher client software: Telnet to consultant.micro.umn.edu (the University of Minnesota Gopher), login: gopher. Or, via dial access, 612-626-9600 (also the U of M gopher), access>consultant.micro.umn.edu, login: gopher. Follow this path through the menus: Other Gopher and Information Servers/North America/U.S./Minnesota/Minnesota Legislature.

Users with subscriptions to commercial on-line services should check with your service to see if www and gopher access are supported.

Both the Legislative Gopher and the Legislature's World Wide Web site are dynamic entities and more information items are being added. The Web site and the Legislative Gopher makes an incredible amount of information instantly available to anyone who has computer on-line capabilities.

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Preview

The Minnesota Senate Week at a Glance

Monday, January 29

Joint Crime Prevention Judiciary Subcommittee on Privacy

Chair: Sen. Jane Ranum

8 a.m. Room 15 Capitol

Agenda: S.F. 1819-Hottinger: Release of court, peace officer juvenile records for research purposes. S.F. 1864-Reichgott Junge: Classifying data on members of the Criminal Alert Network. S.F. 1820-Knutson: Peace officer authority to photograph juveniles. S.F. 2254-Betzold: Expungement of certain arrest or conviction records. S.F. 2357-Ranum: Criminal Justice Information Systems.

Legislative Audit Commission

Chair: Rep. Ann H. Rest

10 a.m. Room 5 S.O.B.

Agenda: Receive and discuss the Program Evaluation Division's report on the Department of Human Rights.

Rules and Administration Committee

Chair: Sen. Roger D. Moe

10 a.m. Room 107 Capitol

Agenda: S.F. 153-Reichgott Junge: Constitutional amendment for recall of elected state officers.

The Senate will meet at 11:30 a.m.

Agriculture and Rural Development Committee

Chair: Sen. Roger D. Moe

12 noon Room 107 Capitol

Agenda: S.F. 1799-Hanson: Expanding immunity from liability for certain uses of agricultural chemicals. S.F. 2093-Stevens: Changing penalties for violating the adulterated dairy products law. S.F. 2111-Stumpf: Changing requirements for certain commodity council referenda. S.F. 2301-Sams: Adjusting certain net worth definitions for certain rural finance agency programs. S.F. 2343-Moe: Sales tax exemption for used farm machinery extension.

Commerce and Consumer Protection Committee

Chair: Sen. Leonard Price

12 noon Room 112 Capitol

Agenda: S.F. 1622-Knutson: Fire insurance recovery claims actions failure to provide timely proof of loss regulation. S.F. 1823-Laidig: Stillwater additional on-sale intoxicating liquor license issuance. S.F. 1981-Hottinger: Regulation of enforcement powers of Commerce commissioner. S.F. 2120-Morse: Superfund insurance.

Judiciary Committee

Chair: Sen. Randy Kelly

12 noon Room 15 Capitol

Agenda: S.F. 1881-Berglin: Prearranged funeral plans; Contracts; Trust funds. S.F. 1996-Kelly: Child Custody Visitation (Laid over from 1/24 meeting). S.F. 2076-Betzold: Civil commitment; allowing local mental health authority to consent to voluntary treatment for certain incompetent persons. S.F. 2119-Flynn: Authorizing a third consecutive term for the chief judge of the fourth judicial district. S.F. 2181-Betzold: Civil Commitment; clarifying and reorganizing portions of the commitment act.

Crime Prevention Committee

Chair: Sen. Allan Spear

2 p.m. Room 15 Capitol

Agenda: S.F. 2124-Terwilliger: Coordinated African-American youth crime prevention pilot program. S.F. 2129-Kelly: Minnesota cities grant program. S.F. 2137-Ranum: Juvenile offender monitoring pilot program.

Metropolitan and Local Government Committee

Chair: Sen. Jim Vickerman

2 p.m. Room 107 Capitol

Agenda: S.F. 1852-Johnson, D.J.: Authorizing bonds to remodel a medical facility. S.F. 1964-Vickerman: Allowing cities and towns to require certain information when applying for permits. S.F. 1979-Stevens: Limiting a certain exclusion from net dept for personal property transactions. S.F. 2115-Johnson, D.J.: City of Duluth special service districts.

Family Services Committee

Chair: Sen. Pat Piper

6 p.m. Room 112 Capitol

Agenda: Testimony on S.F. 1883-Samuelson: Public Assistance Programs.

Legislative Commission on Pensions and Retirement

Chair: Rep. Richard Jefferson

6 p.m. Basement Hearing Room S.O.B.

Agenda: Subcommittee recommendations on H.F. 1560-Farrell; S.F. 906-Kelly: St. Paul Police and Fire; Clarification of limit on post benefit reductions; H.F. 1560-Leighton; S.F. 1353-Piper: Austin Fire; Clarification of survivor benefit coverage; H.F. 2097-Greiling: StPTRFA; Deadline for back contributions on certain part-time service. H.F. 932-Jaros; S.F. 363-Solon: Duluth Police and Fire Consolidation Account: Retroactive post-retirement adjustments to 1987. H.F. 1072-Vickerman; S.F. 800-Frederickson: PERA;

Springfield Hospital physicians exempt from coverage. H.F. 1244-Kahn; S.F. 1074-Chandler: St. Paul Police; PERA-P&F for certain ex-St. Paul Police officer. H.F. 1272-Carlson; S.F. 1150-Reichgott Junge: MTRFA; Purchase of service credit by former Minneapolis teachers. H.F. 1287-Rostberg; S.F. Johnson, J.B.: MSRS; Exempt certain MSRS retiree from reemployment annuitant earnings limit. H.F. 1908-Jefferson; S.F. 1694-Kroening: Minneapolis Fire; Recodification. H.F. 2021-Broecker; S.F. 1714-Runbeck: TRA; Retroactive benefits for certain disabilitants. H.F. 2050-Johnson, A.; S.F. 2060-Krentz: Spring Lake Park Fire; Coverage for fire prevention personnel. H.F. 2123-Van Engen; S.F. 1911-Johnson, D.E.: Purchase of service credit by Willmar MSRS member. H.F. 2272-Dauner; S.F. 2103-Langseth: TRA; Exempt interim superintendent from earnings limit. H.F. 2467-Daggett: TRA; Extension of deadline for certain part-time teacher coverage. H.F. 2487-Garcia; S.F. 2035-Riveness: Richfield Fire; Pre-consolidation benefit increase. H.F. 2522-Solberg: Itasca County Hospital; Provide benefits similar to PERA's for privatized public employees.

Tuesday, January 30

Gaming Regulation Committee

Chair: Sen. Charles Berg

8 a.m. Room 107 Capitol

Agenda: S.F. 560-Berg: Taxation; providing for the determination of amount of tax refunds to Indian tribal governments. S.F. 977-Mondale: Gambling; changing the pull-tab and tipboard tax. S.F. 1360-Laidig: Lawful gambling; providing that a city's trade area for purpose of limiting expenditures of net profits may consist of all or part of the city's school district.

Governmental Operations and Veterans Committee

Chair: Sen. James Metzen

8 a.m. Room 15 Capitol

Agenda: S.F. 1299-Pappas: Bilingual communication services; Spanish-speaking affairs council and council on Asian-Pacific Minnesotans coordination with Department of Administration. S.F. 1902-Pappas: Minority councils. S.F. 2097-Lesewski: Department of Economic Security housekeeping bill. S.F. 1806-Marty: Prohibiting transfer of impounded animals for research.

Transportation and Public Transit Committee

Chair: Sen. Carol Flynn

8 a.m. Room 112 Capitol

Agenda: S.F. 1718-Neuville: Junior Driver's License. S.F. 2121-Neuville: Czech Heritage Highway. S.F. 1946-Samuelson: POW/MIA Memorial Highway. S.F. 2012-Beckman: Victory Drive. S.F. 2034-Beckman: Exempting rescue vehicles from registration tax and fees. S.F. 2054-Kelly: Crosswalk Right-of-Way.

Health Care Committee

Chair: Sen. Linda Berglin

10 a.m. Room 15 Capitol

Agenda: S.F. 842-Betzold: Psychology Board change. S.F. 1873-Berglin: Expand MinnesotaCare eligibility. S.F. 1951-Samuelson: Add provisions to contractual alternative payment demonstration for nursing homes. S.F. 1878-Berglin: Exception from rate reductions for a certain facility. S.F. 2061-Berglin: Resolution for A.C.T. S.F. 2316-Berglin: Personal Care Assistant bill.

Higher Education Division

Chair: Sen. LeRoy Stumpf

10 a.m. Room 112 Capitol

Agenda: Discussion with MnSCU and U of M regarding repair and upkeep of buildings. Information on restructuring of U of M hospital.

Jobs, Energy and Community Development Committee

Chair: Sen. Steven Novak

10 a.m. Room 107 Capitol

Agenda: To be announced.

Crime Prevention Finance Division

Chair: Sen. Tracy Beckman

12 noon 112 Capitol

Agenda: Bonding: Five non-prison projects. Supplemental budget.

Ethics and Campaign Reform Committee

Chair: Sen. John Marty

12 noon Room 107 Capitol

Agenda: S.F. 1908-Marty: Ethical Practices Board legislative recommendations. S.F. 1895-Reichgott Junge: Fair campaign practices.

Environment and Natural Resources Committee

Chair: Sen. Bob Lessard

2 p.m. Room 107 Capitol

Agenda: S.F. 2013-Novak: Low-level radioactive waste. S.F. 1861-Johnson, J.B.: Omnibus Game and Fish bill.

Finance State Government Division

Chair: Sen. Richard Cohen

4 p.m. Room 318 Capitol

Agenda: Department of Administration and Finance. Statewide Systems Project. Supplemental Budget.

Health Care & Family Services Finance Division

Chair: Sen. Don Samuelson

4 p.m. Room 123 Capitol

Agenda: Supplemental Budget: Medical Practices Board, Dept. Of Health, Dept. Of Human Services. Capitol Budget: Veterans

Home Board, Dept. of Human Services. DHS Updates on 1995 Legislative Initiatives.

Taxes and Tax Laws Subcommittee on Property Tax

Chair: Sen. John Hottinger

4 p.m. Room 15 Capitol

Agenda: S.F. 1300-Pappas: Detachment of intermediate airport land from cities or school districts. S.F. 2036-Riveness: Providing for deferred assessment of certain improvements. S.F. 2094-Berglin: Reduction of property tax refunds payable to certain recipients of medical assistance. S.F. 2173-Hanson: Clarifying land classified as agricultural to qualify for green acres treatment.

Metropolitan and Local Government Subcommittee on Metropolitan Affairs

Chair: Sen. Ted Mondale

6 p.m. Room 118 Capitol

Agenda: S.F. 2365-Mondale: Modifying levy limit for Met Council. S.F. 2324-Mondale: Adding chief deputy sheriff in unclassified service in Hennepin County. S.F. 2266-Mondale: metropolitan local government planning assistance grant and loan program. S.F. 2156-Mondale: providing for local zoning conformity in certain cases. S.F. 2049-Mondale: special service districts in cities. S.F. 2194-Flynn: Met Council cost allocation system for wastewater services. S.F. 2255-Betzold: vacancies in elected offices of mayor or city council. Additional bills may be added.

Education Funding Division

Chair: Sen. Lawrence Pogemiller

7 p.m. Room 112 Capitol

Agenda: Continuation of Friday's agenda. S.F. 2090-Ranum: Full day kindergarten and first grade preparedness. S.F. 1851-Olson: Education voucher program. S.F. 2057-Merriam: Site decision making options. S.F. 2355-Pogemiller: Graduation requirements to include demonstration of competencies in learning in socio-economically, racially and ethnically diverse environments. S.F. 2359-Pogemiller: Class size and compensatory revenue changes. S.F. 2354-Pogemiller: Staff development requirements. S.F. 2370-Pappas: Establishing school site councils and performance funding. S.F. xxxx-Reichgott-Junge: Transportation choice program.

Wednesday, January 31

Gaming Regulation Committee

Chair: Sen. Charles Berg

8 a.m. Room 107 Capitol

Agenda: S.F. 2038-Berg: Operation of video lottery terminals and pull-tab dispensing devices at licensed racetrack. S.F. 2052-Janezich: Card club activities at racetrack.

Governmental Operations and Veterans Committee

Chair: Sen. James Metzen

8 a.m. Room 15 Capitol

Agenda: Confirmation of appointments to the Minnesota State Arts Board. S.F. 2175-

Metzen: U of M and Fairview hospitals merger employees rights.

Transportation and Public Transit Committee

Chair: Sen. Carol Flynn

8 a.m. Room 112 Capitol

Agenda: S.F. 1947-Ourada: Highway Service Sign Program. S.F. 2053-Vickerman: Medical waivers for truck drivers; S.F. 2146-Murphy: Use of safety cables on trailers. S.F. 2147-Murphy: Truck lengths and combinations. S.F. 1793-Hanson: Single license plate display for 1944-1946. S.F. 1865-Johnston: Motorcycle license plates for Vietnam veterans. S.F. 1813-Belanger: Requirements for accessible parking spaces.

Education Funding Division

Chair: Sen. Lawrence Pogemiller

10 a.m. Room 112 Capitol

Agenda: To be announced.

Health Care Committee

Chair: Sen. Linda Berglin

10 a.m. Room 15 Capitol

Agenda: S.F. 1928-Piper: MDH prioritize complaints. S.F. 1929-Piper: MDH modifies requirements for health care provider ID numbers. S.F. 2130-Berglin: CISN for Long Term Care. S.F. 2264-Samuelson: County PMAP bill. S.F. 1855-Samuelson: Modify Rule 50.

Jobs, Energy and Community Development Committee

Chair: Sen. Steven Novak

10 a.m. Room 107 Capitol

Agenda: To be announced.

Commerce and Consumer Protection Committee

Chair: Sen. Leonard Price

12 noon Room 112 Capitol

Agenda: S.F. 2037-Metzen: Financial institutions bill. Any bills left over from Monday's agenda.

Crime Prevention Committee

Chair: Sen. Allan Spear

2 p.m. Room 15 Capitol

Agenda: S.F. 1918-Belanger: Community crime control and law enforcement grant program. S.F. xxxx-Kelly: Neighborhood juvenile policing initiative. S.F. 2011-Wiener: Criminal vehicular homicide and injury extended to DWI fleeing the scene of an accident. S.F. 2044-Wiener: Domestic assault in the presence of a child. S.F. 2047-Spear: Vulnerable Adults Act criminal background check modifications. S.F. 2066-Knutson: Mandatory minimum penalties for domestic assault. S.F. 2070-Cohen: Hennepin and Ramsey County juvenile violence task forces. S.F. 2136-Ranum: Electronic monitoring in domestic abuse cases. S.F. 2315-Spear: Intensive community supervision transfer from Dept. of Corrections to courts. S.F. 2322-Spear: Domestic abuse penalties and assessments.

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Metropolitan and Local Government Committee

Chair: Sen. Jim Vickerman

2 p.m. Room 107 Capitol

Agenda: S.F. 1843-Neuville: City of Morristown paying electric costs. S.F. 1844-Neuville: Rice County hospital district reorganization. S.F. 2168-Hottinger: City of Mankato use of sales tax. S.F. 2189-Vickerman: Minnesota municipal board housekeeping bill. S.F. 2214-Samuels: City of Baxter PUC members increased. S.F. xxxx-Janezich: Referendum for new sports stadium.

Taxes and Tax Laws Subcommittee on Property Tax

Chair: Sen. John Hottinger

4 p.m. Room 15 Capitol

Agenda: S.F. 1556-Hottinger: Property tax reform constitutional amendment. S.F. 1568-Novak: Property tax reform. S.F. 1684-Reichgott Junge: State funding of education costs constitutional amendment. S.F. 1782-Runbeck: Property tax reform.

Joint House Ways & Means Senate Finance Subcommittee on Claims

Co-chairs: Sen. Randy Kelly, Rep. Edgar Olson
6 p.m. Room 500 S.O.B.

Agenda: Claims against DNR. Grace Hanson vs 4th Judicial District Court. Veterans Bonus bill. Property claims against the Dept. of Corrections. Injury claims against Dept. of Corrections. D.O.C. reimbursement.

Crime Prevention Committee

Chair: Sen. Allan Spear

7 p.m. Room 112 Capitol

Agenda: Continuation of afternoon's agenda.

Thursday, February 1

The Senate will meet at 8:30 a.m.

Health Care Committee

Chair: Sen. Linda Berglin

10 a.m. Room 15 Capitol

Agenda: S.F. 2332-Merriam: Medical Practices bill. S.F. 1939-Berglin: Requires

itemized billing statement for MA recipients.

S.F. 2317-Berglin: Group Residential

Housing. S.F. 1874-Berglin: Utilization

Review Organization to provide patients with notification of its determination. S.F. 2185-

Berglin: Nursing home short stay residents.

S.F. 2020-Berglin: Requesting commissioner

of DHS to seek a federal waiver. S.F. 2025-

Kiscaden: Governor's DHS health care bill.

Higher Education Division

Chair: Sen. LeRoy Stumpf

10 a.m. Room 112 Capitol

Agenda: Status of student financial aid and governor's budget recommendations for Higher Education Services Office. Capital budget recommendations for MnSCU and U of M. Operating budget recommendations for U of M and Board of Trustees (MnSCU).

Jobs, Energy and Community Development Committee

Chair: Sen. Steven Novak

10 a.m. Room 107 Capitol

Agenda: To be announced.

Ethics and Campaign Reform Committee

Chair: Sen. John Marty

12 noon Room 107 Capitol

Agenda: To be announced.

Crime Prevention Committee

Chair: Sen. Allan Spear

2 p.m. Room 15 Capitol

Agenda: S.F. 1824-Laidig: Drivers license suspension, revocation for fleeing a peace officer. S.F. 1968-Beckman: Assault of a firefighter or EMS worker. S.F. 2089-Anderson: Detention of probationers on order of non-CCA community corrections agency directors. S.F. 2134-Betzold: Motor vehicle forfeiture for fleeing a peace officer. S.F. 2385-Spear: Probation administration.

Metropolitan and Local Government Committee

Chair: Sen. Jim Vickerman

2 p.m. Room 107 Capitol

Agenda: To be announced.

Health Care Committee

Chair: Sen. Linda Berglin

6 p.m. Room 15 Capitol

Agenda: Bills left over from morning, Tuesday (January 30th) and Wednesday (January 31st) meetings.

Education Funding Division

Chair: Sen. Lawrence Pogemiller

7 p.m. Room 112 Capitol

Agenda: To be announced.

Friday, February 2

Governmental Operations and Veterans Committee

Chair: Sen. James Metzger

8 a.m. Room 15 Capitol

Agenda: To be announced.

Judiciary Subcommittee on Family Law

Chair: Sen. Don Betzold

8:00 am Room 107 Capitol

Agenda: To be announced.

Transportation and Public Transit Committee

Chair: Sen. Carol Flynn

8 a.m. Room 112 Capitol

Agenda: Report of the Transportation Regulation Board's powers, duties and functions.

Environment and Natural Resources Committee

Chair: Sen. Bob Lessard

10 a.m. Room 107 Capitol

Agenda: S.F. 2088-Lesewski: Authorizing certain incinerators. S.F. 2306-Mondale: Environmental improvement pilot program. S.F. 2113-Lessard: Modifying deer shining. S.F. 2383-Lessard: Quartering of deer. S.F. 2384-Lessard: Forestry bill.

Education Funding Division

Chair: Sen. Lawrence Pogemiller

12 noon Room 112 Capitol

Agenda: To be announced.

Briefly

The Minnesota Senate Week in Review

February 2, 1996

Stadium question approved

"Shall the legislature provide by law for the construction of a stadium in the Metropolitan Area?" So begins the question voters in the seven-county Metro Area may face at the polls next November. On Weds. Jan. 31, members of the Metropolitan and Local Government Committee approved S.F. 2464, calling for a baseball stadium referendum. They re-referred the bill to the Ethics and Campaign Committee.

Jerry Bell, president of the Minnesota Twins, told the committee the team is \$35 million in debt and cannot survive without the revenue a new stadium would generate. Sen. Jerry Janezich (DFL-Chisholm), author of S.F. 2464, urged the committee to remember such "truly great role models" as Twins players Kirby Puckett and Kent Hrbek when judging the value of Major League baseball in Minnesota.

The stadium funds come partly from a special tax on hotel and motel lodging and liquor in the Metro Area. Other revenue includes rent from the Twins, a surcharge on stadium admission, and private contributions. Janezich said he at one point considered a state-wide referendum, but changed his mind after considering who would pay the tax. "The people in the Metro Area live here every day," he said. Results of the referendum will not be binding, because a binding referendum on the issue may be an unconstitutional delegation of legislative power.

Baseball stadiums built recently in Denver and Phoenix cost more than \$200 million, said Henry Savekoul of the Metropolitan Sports Facilities Commission. The commission recommended the referendum after studying the need for a stadium.

John Berglund, representing the Licensed Beverage Association and the Association of Innkeepers, opposed the bill. "I represent tonight the small businesses tackling the multi-million dollar corporation," he said.

Sen. Edward Oliver (R-Deephaven) said it's the obligation of representative government to make decisions on matters such as the baseball stadium. "We did Prairie Island without a referendum," he said.

Although the bill was approved on a divided voice vote, several Senators expressed doubt that the referendum would pass. "It seems to me the public is fairly disgusted with professional sports," said Sen. Ted Mondale (DFL-St. Louis Park).

Overhauling property taxes

Reform was on the agenda at the Tuesday, Jan. 31 meeting of the Property Tax Subcommittee of the Taxes and Tax Laws Committee.

Senators heard, but did not vote on, five bills aimed at overhauling the state's property tax system.

Sen. Linda Runbeck authored two bills, S.F. 1782 and S.F. 242, both of which both change the way properties are classified for tax purposes.

S.F. 1782 establishes three property classes to determine tax capacity. Farmland, timberland, and cabins are taxed at 1 percent; all residential and low-end commercial property at 2 percent; and commercial, industrial and utility property valued at more than \$100,000 at 3 percent. The bill reduces and reapportions Local Government Aid and eliminates HACA and disparity reduction aid to cities.

Runbeck's second bill, S.F. 2423, lowers classification rates of residential properties, apartments, and commercial properties. The bill provides tax relief for homes valued over \$72,000 by eliminating the 2 percent residential classification, Runbeck said. It also establishes a cap on property taxes paid by senior citizens. Seniors pay no more than 6 percent of their income under the bill. "Nobody is a loser under this proposal," said Runbeck.

The bill costs \$404 million annually. Gordon Folkman of the Department of Revenue said he believes this year's revenue surplus could be "a substantial and permanent new revenue base" to finance the bill.

Sen. John Hottinger (DFL-Mankato), chair of the division, also introduced a comprehensive property-tax reform proposal, S.F. 1556. The bill calls for a statewide referendum on whether to amend the Constitution to eliminate most school property taxes.

According to Hottinger, the bill reduces property taxes \$400 million for homeowners and \$217 million for businesses. These funds are recovered by several new sales taxes, including funeral services, auto repair, clothing and residential sewer and water. The bill also establishes a statewide property tax of 0.75 percent of market value to fund schools.

Hottinger's bill also includes a \$217 million "Business Activities Tax" for businesses with profits of over \$500,000. The tax applies to profits earned in Minnesota, and may therefore be paid by multi-state businesses. "Bill Gates and Microsoft, who sell products to people in Minnesota, will be paying more of the tax burden in Minnesota," said Hottinger.

Sen. William Belanger (R-Bloomington) criticized the bill for not reforming classification rates, which he says are confusing and unfair. "Probably half the Tax Committee can't even figure out their own property taxes," he said.

Sen. Ember Reichgott Junge (DFL-New Hope) also authored a bill calling for a constitutional referendum. The bill, S.F. 1684, asks voters in November, 1996, whether the state should fund at least 70 percent of K-12 public school funding. The state now pays about 60 percent of these costs. Reichgott Junge does not propose an alternative source of funds to cover these costs, but said the bill offers a chance to start property-tax reform from a short session.

Sen. Ted Mondale (DFL-St. Louis Park), author of S.F. 2498, said his bill is politically possible to pass this year. The bill requires any increase in property taxes to be levied by market value, rather than tax capacity. This creates a two-tiered system in which new taxes are levied on a strict percentage, so that homes, businesses and other properties pay the same rate.

According to Bill Blazar of the Minnesota Chamber of Commerce, "Under market value, homeowners pay a larger share of every dollar. That's the incentive to spend less."

Video lottery bill fails

Two bills, each proposing additional forms of lawful gambling at Canterbury Park, failed to advance out of the Gaming Regulation Committee at a Wed., Jan. 31, meeting.

The first bill, S.F. 2052, authored by Sen. Jerry Janezich (DFL-Chisholm), allows card playing at the horsetrack. Under the bill, players would play against each other and not the house. However, the bill does allow the house to generate income by charging facility fees and taking a percentage of the wagers, but it would have no stake in the game's outcome. Committee Chair Charles Berg (DFL-Chokio) expressed doubts that the arrangement would generate enough money to keep the track solvent.

The other bill, S.F. 2038, sponsored by Berg, allows video lottery games and pull tab dispensing machines at Canterbury Park. Noting the differences between the two bills, Janezich said, "I felt slots at Canterbury Park probably wouldn't pass on the Senate floor, but this (S.F. 2052) is a modest proposal."

Berg put his bill to a vote first. Sen. Ted Mondale (DFL-St. Louis Park) described the vote as, "the most significant vote by this committee in the last four years," because it was, "an expansion of gambling in this state." Berg disagreed with Mondale's claim that the bill is an expansion of gambling in the state and said, "these forms of gambling are already available at Indian casinos." The roll was called and the bill failed four to five. After announcing the result of the vote, Berg adjourned the meeting without taking a vote on the other bill.

Committee update

Agriculture and Rural Development

Ag bills gain

A bill changing penalties for violating the adulterated dairy products law was one of four bills advanced by Agriculture and Rural Development Committee at a hearing Mon., Jan. 29.

The bill, S.F. 1993, authored by Sen. Dan Stevens (R-Mora), specifies that for the first violation by a milk producer, the dairy plant may collect the value of the truck load of milk from the producer. Further, the measure specifies that if the value is not equal to two days milk production on that farm, the balance of the value must be assessed by the commissioner as a civil penalty payable by the plant or marketing organization on behalf of the responsible producer. A second violation in a 12 month period results in allowing the dairy plant to collect the value of the contaminated truck load of milk and, if the value is not equal to four day's milk production, the commissioner may assess the balance of that value as a civil penalty payable by the plant or marketing organization on behalf of the responsible producer. The measure also specifies that a producer's shipment of milk must be suspended if it is the source of milk containing residues causing a bulk load of milk to test positive in violation of the law.

The bill also authorizes a dairy assistance program and changes standards for milk used for manufacturing purposes. Stevens said that the bill is designed to reduce government regulation of dairy farmers and to lessen problems caused by high insurance rates. The measure was approved and re-referred to the Finance Committee.

The committee, chaired by Sen. Roger D. Moe (DFL-Erskine), also approved a bill allowing the commissioner of agriculture to conduct another referendum on a promotional order for the Minnesota Canola Council after six months elapse from the date the first referendum failed. S.F. 2111, authored by Sen. LeRoy Stumpf (DFL-River Falls), was approved and sent to the Senate floor.

S.F. 2343, authored by Moe, makes permanent the sales tax exemption for used farm machinery. The bill was approved and re-referred to the Taxes and Tax Laws Committee. S.F. 2301, carried by Sen. Dallas Sams (DFL-Staples), provides for an annual adjustment of the net worth eligibility criteria for individuals and partnerships participating in the federal Aggie Bond Loan Program administered by the Rural Finance Authority. The bill was approved and sent to the full Senate.

The panel also began discussion of S.F. 1799, a bill expanding immunity from liability for the use or application of agricultural chemicals as long as the use was in compliance with state law and applicable labeling at the time of application. An amendment, offered by author, Sen. Paula Hanson (DFL-Ham Lake), excepting personal injury claims generated some controversy and failed to gain adoption. Because of time constraints, the bill was laid over for further consideration.

Several bills advance

The Agriculture and Rural Development Committee, chaired by Sen. Roger Moe (DFL-Erskine), approved several bills Weds., Jan. 31.

S.F. 2417, carried by Sen. Dallas Sams (DFL-Staples), increases the total dollars in general obligation bonds that the Rural Finance Authority can issue from \$50 million to \$91 million. Jim Boerboom, from the RFA told members that the \$41 million enables the RFA to better meet its goal of developing the state's agricultural resources by extending credit on farm real estate.

Members approved the bill and re-referred it to the Finance Committee.

Also re-referred to the Finance Committee was S.F. 2205, a bill that changes provisions of the consolidated food licensing law. Authored by Sen. Steven Morse (DFL-Dakota), the measure defines "nonperishable" as food that has a shelf life of more than 90 days, replaces "confection" with the word "candy" and bases the fees for all new food handler licenses on anticipated annual gross sales.

S.F. 2447, a bill that provides funding for expanded potato blight research, was approved and re-referred to the Environment and Natural Resources Finance Division. Author Sams told members that the appropriation needed "to jump start the project" is approximately \$200,000. An amendment that requires matching funds from non-state sources, was adopted.

S.F. 2224, a bill that appropriates \$50,000 for the Passing on the Farm Center, also requires a match of non-state monies. Carried by Sen. Jim Vickerman (DFL-Tracy), the funds positively impact not only the well-being of Minnesota's farm families, but the entire rural economic structure, he said. The committee approved the bill and re-referred it to the Environment and Natural Resources Division.

A bill that grants an individual immunity from cleanup costs related to the use of agricultural chemicals was approved and re-referred to the Environment and Natural Resources Committee. Under the measure, sponsored by Sen. Paula Hanson (DFL-Ham Lake), an individual can not be held liable for damages resulting from agricultural chemical applications, if the individual has used the chemicals in compliance with state law.

Commerce and Consumer Protection

Panel considers cleanup changes

The Commerce and Consumer Protection Committee began consideration Mon. Jan. 29, of a bill that revises Minnesota's Landfill Cleanup Act.

S.F. 2120 sponsor Sen. Steven Morse (DFL-Dakota) said the revisions are based on recommendations from the attorney general's office regarding how the state can increase revenue through enforcement of the act and avoid litigation.

Under the 1994 act, created as an alternative to the federal superfund law, the Pollution Control Agency can initiate the clean up and oversight of mixed municipal

solid waste landfills. Morse said the act establishes a formula to allow for a "global buy-off" of state insurance industry losses from landfills, in order to clean up the sites quickly, and spread the costs fairly.

Morse said the proposed changes allow the state to locate eligible sites, identify policy holders, estimate clean-up costs and make a settlement offer to insurance companies. He said as an incentive to "keep everyone at the table" and reach agreement, the attorney general can step in and "take action on the claims."

Attorney General Hubert H. Humphrey III, testifying in favor of the legislation, called the existing buy out process "flawed," saying there must be a "fair resolution of insurers' obligations," along with an improvement in how the state recovers clean-up costs. He said the bill establishes an insurance resolution process based upon an estimate of an insurer's liability exposure and provides a "more efficient method to resolve liability exposure."

Laura Fogen, an attorney representing the American Insurance Association and the Minnesota Insurance Federation, called the proposals "unrealistic and inflexible." She said the bill gives the state "extra-contractual rights" and "destroys the normal contractual process" between insurance companies and policyholders with a "rigid structure for settlements." She said a voluntary mediation process would be more in the public interest.

No action was taken on S.F. 2120. Committee Chair Leonard Price (DFL-Woodbury), said Senators will hear additional testimony from supporters and opponents at the next meeting.

The committee approved and sent to the full Senate a bill that creates an exemption to a provision of homeowner insurance law that prohibits a policyholder from suing to enforce a fire claim. S.F. 1622 sponsor Sen. David Knutson (R-Burnsville) said the proposal was spurred by a recent mobile home fire in which a claim was denied on the "technicality" that proof of loss be provided within a 60 day period. He said the bill changes the "burden of proof" in such cases.

Senators sent to the floor legislation, proposed by the Dept. Commerce, clarifying the definition of a "cease and desist" order. S.F. 1981 sponsor Sen. John Hottinger (DFL-Mankato) said the bill is a response to a Ramsey County court decision prohibiting the department from obtaining an injunction against a party violating such an order. Pat Peterson with the department, said a Texas company not licensed in Minnesota refused to stop doing business in the state, and an appellate court ruled the department had to prove a violation of state law before an injunction would be issued ordering the firm to cease and desist operations.

Senate S.F. 1823 was approved and sent to the full Senate. The bill grants Stillwater an additional on-sale intoxicating liquor license. Bill sponsor Gary Laidig (R-Stillwater), said the developers of a \$9 million conference center and hotel project in Stillwater need the permit quickly in order to finalize financing and other arrangements.

Landfill cleanup bill delayed

The Commerce and Consumer Protection Committee met Weds., Jan. 31, and sent a bill revising Minnesota's landfill cleanup act to a subcommittee to work out the wording of an amendment to an amendment.

The move came as the committee heard a second day of testimony on S.F. 2120, sponsored by Sen. Steven Morse (DFL-Dakota).

John Lampe, assistant attorney general, spoke in favor of the measure, which is based on recommendations included in a study of the 1994 Landfill Cleanup Act by the attorney general's office. He told members the act's existing voluntary buy-out program has two problems--it probably won't accomplish the Legislature's goal of maximizing new revenues to the state, and many insurance carriers are unlikely to participate under the current terms. He also told the committee the law needs a settlement process that "determines what insurers will pay" should negotiations fail. He said such a "direct action clause" will help reduce the cost of litigation and administration. Lampe called for a broad release of liability at the landfills. He said the revisions to the act contained in the bill under consideration will insure a fair, speedy, and less-costly resolution of all claims.

Chuck Spevack, a Minneapolis attorney who represents insurance companies, spoke in opposition to the measure. He said the bill "transforms into law erroneous conclusions about insurers' contracted obligations, and by doing so it writes them into statute." He called the direct action provision of the bill an "indiscriminate tool of coercion" which will lead to "more litigation, of a more acrimonious nature." He recommended Senators adopt a voluntary mediation process.

Sen. Deanna Wiener (DFL-Eagan), offered an amendment to S.F. 2120 that deletes the direct action provision and modifies language regarding mediation and the allocation of costs among policyholders. Morse said the changes would weaken the state's position, and said he will withdraw the bill if direct action is removed.

Sen. John Hottinger (DFL-Mankato) moved to amend Wiener's amendment to remove the section striking out direct action. The committee, chaired by Sen. Leonard Price (DFL-Woodbury), was unable to agree on the language of the amendment to the amendment, and members approved on a split voice vote to a motion by Sen. Sam Solon (DFL-Duluth) to send the measure to the Commerce and Consumer Protection Committee Subcommittee on Insurance.

Crime Prevention

Two bills advance

The Crime Prevention Committee re-referred two bills to the Crime Prevention Division and laid over a third Thurs., Jan. 25.

S.F. 2064, carried by Chair Allan Spear (DFL-Mpls.), requires the commissioner of public safety to issue gender-coded special registration license plates for certain

vehicles. The measure's intent is to indicate to an officer whether the person who committed the violation, which resulted in the plate impoundment, is a male or a female. Under the measure, law enforcement officials can stop a vehicle bearing a special license plate at any time to ascertain whether the person operating the vehicle is in accordance with applicable law.

Steve Simon, chair of the Criminal Justice DWI Task Force spoke in favor of the bill. Although he acknowledged that there is some concern about the "slippery slope," the overall impact of the proposal would benefit the community as a whole, Simon said.

The bill, which requires a \$6,000 fiscal note, was approved and re-referred to the Crime Prevention Finance Division.

S.F. 2046 was also re-referred to the Finance Division. Carried by Sen. John Marty (DFL-Roseville), the bill amends current law regarding the reissuance of registration plates by distinguishing between violators who had a valid driver's license on the day of the violation and violators who did not. The bill contains a blank appropriation to implement the change.

An amendment, offered by Marty and approved by the committee, specifies that the defense must notify the prosecution prior to the omnibus or pretrial hearing of its intent to admit evidence claiming that the defendant consumed alcohol after the time of an accident.

S.F. 1206, sponsored by Sen. Paula Hanson (DFL-Ham Lake), a bill that prohibits individuals from crossing railroad tracks at points other than public crossings, was laid over.

Mike Curry, chief of security for the Canadian Pacific Rail System, testified in support of the bill. He told members that approximately 500 accidents per year result from individuals walking on or near railroad tracks. "We hope to reduce vandalism, trespassing, and accidents with this proposal," Curry said.

Four bills advance

Several bills were approved by the Crime Prevention Committee, chaired by Sen. Allan Spear (DFL-Mpls.), Mon., Jan. 29. Members approved three bills related to crime prevention programs and one that increases the penalty in criminal vehicular injury from a misdemeanor to a gross misdemeanor.

S.F. 2129, a bill that provides funding for the Minnesota Cities Grants, was approved and re-referred to the Crime Prevention Finance Division. The measure awards grants to first class cities to create and expand curfew enforcement, truancy prevention and pretrial diversion programs. "The bill brings together diverse people in a collaborative way and focuses on the needs of our children," said author Randy Kelly (DFL-St.Paul).

The proposal includes a \$600,000 appropriation to expand the assignment of police officers to middle and junior high schools. "Having police officers in schools increases the sense of safety and encourages children to behave better," said Becky Montgomery, a St. Paul school board member.

A bill that requires the Council on Black Minnesotans to proceed with the planning and implementation of the Martin Luther King non-violent institutional child development pilot program, S.F. 2124, was also approved and re-referred to the Judiciary Committee. Carried by Sen. Roy Terrwilliger (R-Edina), the measure attempts "to deal with increasing violence and offer some solutions."

The bill establishes multi-institutional interdisciplinary community violence prevention programs to serve institutions, including schools, social service agencies, residential treatment facilities and foster homes. A \$360,000 appropriation is requested to pay the council's expenses.

Lester Collins, executive director of the Council on Black Minnesotans testified in support of the bill. He said that children who have witnessed a homicide experience far-reaching effects and that the bill's "holistic approach" addresses those ill-effects.

Sen. Jane Ranum (DFL-Mpls.) raised questions about a privileged information provision. Under the measure, an institution participating in the program is not required to disclose information to a law enforcement agency or court.

Collins said that the provision's intent is to build rapport. "We know that provision is controversial, but we want it to establish trust with the kids," he said.

S.F. 2137, a bill that establishes a juvenile offender monitoring program, was approved and re-referred to the Education Committee. The measure allows upper-division and graduate students, majoring in relevant disciplines, to supervise juveniles referred to the program by peace officers, juvenile courts or juvenile probation officers. "After care is what will make or break a kid's success at rehabilitation," author Ranum said.

A bill that adds a new subdivision to the criminal vehicular homicide and injury statute, carried by Sen. John Marty (DFL-Roseville), was approved and sent to the full Senate. The measure increases the penalty from a misdemeanor to a gross misdemeanor for causing bodily harm while operating a vehicle. Under the bill, an individual found guilty of criminal vehicular operation may be sentenced to one year imprisonment, a \$3,000 fine or both.

DOC Overview presented

Commissioner Frank Wood from the Dept. of Corrections presented an overview of the agency's bonding proposal to the Crime Prevention Committee Tues., Jan. 30. Deputy Commissioner Jim Bruton was also on hand to answer members' questions.

The total requested by the agency for FY 1996 is \$142,883. The governor's recommendation, which is approximately \$34,000 less than the agency's request, totals \$109,303. The committee, chaired by Sen. Tracy Beckman (DFL-Bricelyn), listened while plans for inmate bed expansions, asset preservation, safety improvements and replacement of sewer lines and toilets at various facilities were detailed. The committee plans to continue the review at a later date.

Committee update

Juvenile justice funding approved

The Crime Prevention Committee, chaired by Sen. Allan Spear (DFL-Mpls.), approved funds for a neighborhood juvenile policing initiative Weds. afternoon, Jan. 31. Carried by Sen. Randy Kelly (DFL-St. Paul), S.F. 2465 contains a \$3 million appropriation to cover program expenses, including the cost of hiring additional police officers assigned to juvenile investigations. Members approved the measure and re-referred it to the Crime Prevention Finance Division.

Under the bill, the commissioner of public safety is required to consult with various interested associations before awarding a grant. The measure also stipulates that the local law enforcement agency must demonstrate its need for additional officers and retain the officers for at least three years.

Numerous witnesses testified in support of the bill, including Attorney General Hubert Humphrey III; Ramsey County Sheriff Bob Fletcher; St. Paul Police Chief Albert Finney; Bob Grytdahl, a deputy chief with the Duluth Police Department and Ken Collins from the Minnesota Chiefs of Police Association. "This bill is all about putting more cops on the street and targeting their efforts toward juveniles," Humphrey said. "The program is targeted at youth."

Fletcher told members that the initiative is a proactive bill that "can really make a difference." The age of offenders is dropping dramatically, he said, "and we're not getting to them soon enough. They're getting arrested at young and younger ages."

Several citizens voiced concerns about the initiative, including St. Paul Minister James Mohammed, Elvira Barnes-Wycough from the Council on Black Minnesotans and St. Paul NAACP President Nick Khaliq. "Putting more police on the street doesn't guarantee a decrease in crime," Khaliq told members. "You need to come up with something that nips crime in the bud, not a feel-good program."

Sen. William Belanger's (R-Bloomington) initiative to fund community-based crime control programs, S.F. 1918, was laid over by the committee. The measure includes provisions that increase use of overtime officers, assist community organizations in efforts to prevent crime and establish block clubs.

Bills advance

The Crime Prevention Committee reconvened Weds. evening, Jan. 31, to continue work on bills remaining on the day's agenda.

S.F. 2047, authored by Chair Allan Spear (DFL-Mpls.), expands the applicant background study requirements. Under the bill, background checks are required for all employees of nursing homes, home care agencies and boarding care homes. Jim Loving, from the Dept. of Human Services, was on hand to support the bill and answer questions. Members approved the measure and re-referred it to the Crime Prevention Finance Division.

Also re-referred to the Crime Prevention Finance Division was S.F. 2070, authored by Sen. Richard Cohen (DFL-St. Paul). The measure authorizes funds to Ramsey and Hennepin Counties to establish juvenile

violence task forces. The task force consists of a prosecutor, an investigating officer, a legal assistant and one victim/witness coordinator. Cohen said that last year's bill authorized funds to Ramsey County only.

Ramsey County Attorney Susan Gaetner testified in support of the measure. "We are committed to stemming the violence," Gaetner said, "and this bill will help us do that."

Several measures were approved and sent to the full Senate. S.F. 2011, carried by Sen. Deanna Wiener (DFL-Eagan), specifies that a driver who causes an accident and flees the scene is guilty of criminal vehicular operation. S.F. 2322, authored by Spear, allows a court to prohibit a person from owning a firearm for any period longer than three years or for the remainder of the person's life, if that person used a firearm while violating an order for protection. S.F. 2066, sponsored by Sen. David Knutson (R-Burnsville) requires that a person convicted of a gross misdemeanor domestic assault be sentenced to a minimum of 20 days imprisonment and that at least 96 hours must be served consecutively.

S.F. 2315, a bill authored by Spear that transfers intensive community supervision from the Dept. of Corrections to the courts and S.F. 2136, a measure carried by Sen. Jane Ranum (DFL-Mpls.) that allows courts to use electronic monitoring devices in domestic abuse cases were laid over by the committee.

Education

Technology funding debated

Senators began tackling the problem of technology in the schools at the Thurs., Jan. 25, morning meeting of the Education Finance Division. The problem, they said, is not whether schools should have computers and Internet access, but whether the state should pay for these amenities.

In his supplemental budget, the governor suggests spending \$1 million to create a statewide technology clearing house, \$1 million on technology for after-school programs, \$12 million in hardware grants, and an additional \$8 million for the existing Telecommunications Access Council. These expenditures are outlined in S.F. 1973, authored by Sen. Martha Robertson (R-Minnetonka). Committee members discussed the bill but did not vote on it.

Robertson said the technology clearing-house is designed to serve as a center to collect and distribute donations of new and used computers to the public school system. It will also distribute state technology grants, including the hardware grants established in S.F. 1973. Under the bill, the hardware grants require a 40 percent match by local school districts to purchase items such as computers, monitors, keyboards and modems. Sen. Tracy Beckman (DFL-Bricelyn) pointed out that districts which have already invested in such items won't benefit from the hardware grants.

But Mark Manning, of the Department of Children, Families and Learning, said the hardware grants will help districts that have invested in technology infrastructure, such as fiber optic cabling, and now need funds for the actual computers.

Committee Chair Lawrence Pogemiller (DFL-Mpls.) said he's not sure technology grants make sense for metro districts. "Don't we run the risk that we get the technology there and they don't get class sizes down?" he asked.

Committee members voted not to include two bills in the omnibus education bill: S.F. 1937 and S.F. 1943, both authored by Sen. Jane Krentz (DFL-May Township). S.F. 1943 gives parents the right to purchase an assistive technology device a school district had purchased on behalf of their child. It also prescribes legal methods for school districts to use when purchasing assistive technology devices from one another. Both provisions were designed to ensure students can keep the computers or other assistive devices necessary for their learning if they travel from district to district. The other bill, S.F. 1937, adds promotion of assistive technology to legislative goals regarding technology in the schools. Senators, including Krentz, said the language in the bills did not accomplish proponents' intended purpose. "I think it needs some more work," said Krentz.

Reform proposals offered

A voucher program isn't the only legislative proposal for improving the lot of Minnesota's school children.

Senators heard brief summaries of nine bills, from six authors, all aimed at reforming K-12 education, in an evening meeting of the Education Funding Division, Thurs., Jan. 25.

Committee Chair Lawrence Pogemiller (DFL-Mpls.) wanted the bills presented together as context to the division's discussion of S.F. 1851, the "voucher" bill authored by Sen. Gen Olson (R-Minnetrista). The voucher program provides state money to low-income students who wish to attend private schools. "It's my view that none of these things are magic bullets," said Pogemiller.

A bill from Sen. Gene Merriam, S.F. 2057, radically restructures the flow of education dollars from the state to school districts. The bill sends 95 percent of general education funds and 25 percent of capital funds directly to "site councils" of teachers and principals governing individual school buildings. It also gives students and their parents the right to choose any school within a district.

Testifying on behalf of the bill was Jim Reinertson, CEO of HealthSystem Minnesota and chair of the Business in Partnership with Education Commission. "Our school should be positioned where nothing, absolutely nothing, stands in the way of learning," he said. "Pressure must be brought on the system to produce better results."

Bob Meeks of the Minnesota School Board Association objected to many sections of the bill, saying that reserving only 5 percent of funds for district management is unrealistic. Under the bill, he said, "school boards basically have very little say but 100 percent of the liability."

A similar site-based management bill, S.F. 2370, is authored Sen. Sandra Pappas (DFL-St. Paul). Her bill provides 5 percent of operating funds to school site councils and stipulates that these councils must include

parents and community members.

Sen. Ember Reichgott Junge (DFL-New Hope), who introduced most of the bills establishing charter schools, authored S.F. 2233, expanding charter school law and interdistrict open enrollment. "It tries to remove some of the barriers," she said. Among other things, the bill removes caps on the number of Minnesota charter schools, allows more money to follow students to charter schools or non-resident districts, and renders charter schools eligible for building lease aid. Reichgott Junge also presented to the division an unnumbered bill to institute a transportation voucher system, allowing students to spend transportation funds on public buses or private transit services that meet safety requirements.

Sen. Jane Ranum (DFL-Mpls.) authored S.F. 2090, which funds full-day kindergarten classes for low-income students.

Pogemiller authored three bills: S.F. 2354, reinstating the staff development set-aside and increasing it to 5 percent of each district's general fund by the year 2000; S.F. 2355, adding a requirement to the graduation standards that students must be able to work in racially diverse environments; and S.F. 2359, providing \$500 million a year to reduce class sizes to 17 in grades K-6 and 24 in grades 7-12.

Division members took no action on the bills.

Division updated on education performance

The Education Finance Division held a joint meeting with its counterpart in the other chamber Fri. Jan. 26, to hear a progress report on higher education performance.

Lawmakers were briefed by Ettore Infante, senior vice president for academic affairs at the University of Minnesota; and Judith Eaton, Chancellor, and Dennis Hefner, Vice Chancellor of Minnesota State Colleges and Universities (MnSCU).

The joint meeting, co-chaired by Sen. LeRoy Stumpf (DFL-Thief River Falls), was held so lawmakers in both chambers could hear guest speaker Dennis Jones, president, National Center for Higher Education Management Systems discuss performance measures.

Lawmakers also received from MnSCU officials a draft of suggested changes to the system's performance guidelines. The officials said the changes clarify the criteria language under which the commissioner of finance districutes money from a performance account. The commissioner is directed to release \$1,000 to the board of trustees each time the board achieves one of several goals, such as increase the percentage of budget dedicated to instruction and academic resources, increase the placement rates for graduates, or increase the student retention rate.

Site council bills compared

Two bills before the Education Funding Division are designed to make sure that teachers and principals have a hand in directing education and spending money -- but the difference is in the dollars. Senators reviewed both bills at the division's Tues., Jan. 30 meeting. A site-based management

bill authored by Sen. Gene Merriam (DFL-Coon Rapids), S.F. 2057, sends 95 percent of general fund dollars directly to site councils composed of teachers and administrators at each school. The site councils become responsible for budgeting the money, hiring staff and "purchasing" services from the central district. Merriam's bill also institutes open enrollment within a district, allowing students to chose which site they will attend.

According to its author, Sen. Sandra Pappas (DFL-St. Paul), S.F. 2370 is similar in concept but more moderate in approach. The bill sends just 5 percent of general education dollars to site councils, and leaves the school board responsible for hiring and firing of staff. "We did not want to overwhelm the teachers with minutiae," said Pappas.

Pappas' bill includes "measurable performance aid" of \$5 per pupil for site that demonstrate student improvement through standardized tests. It also specifies that parents and community members serve on the site council and that the site council is not subject to open meetings law.

Sandra Petersen, president of Minnesota Federation of Teachers, prefers the Pappas bill. "This one we certainly could work with," she said. But Mike Latimer of the Minnesota Business Partnership, which supports Merriam's bill, said Pappas' version doesn't give the site council enough clout. "To have accountability you also have to have autonomy," he said.

Senators also examined S.F. 2090, authored by Sen. Jane Ranum (DFL-Mpls.). The bill funds all-day kindergarten for schools with a high percentage of students receiving free or reduced lunch. Jeannette McDonald, a kindergarten teacher in the Duluth public schools, says that students in her full-day program are calmer and get into less trouble.

Costs vary with the number of schools involved. Funding schools with 50 percent or more of their students on free or reduced lunch would cost \$18 million. But, said Ranum, these costs should be compared to bonding costs for new prisons.

The division also received a report from former Sen. John Brandl, co-author of the Brandl-Weber report. Brandl said that due to shifting demographics and a slow economy, Minnesota faces "an unprecedented fiscal crisis." "We're up against the limits of what government can do," said Brandl. The only answer, he said, is to find new ways to drive efficiency through competition and community.

Committee Chair Lawrence Pogemiller (DFL-Mpls.) told division members they can expect their spending target to be no more than \$52 million, which is the governor's proposed spending. About \$22 million of this will be spent on technology initiatives, Pogemiller predicted.

Division briefed on buildings

The Higher Education Division heard estimates Tues., Jan. 30, of how many millions of dollars it will cost for repair and upkeep of buildings at the state's colleges and universities.

The division began consideration of the 1996 bonding bill, which includes a request for \$35.6 million for building maintenance by Minnesota State Colleges and Universities (MnSCU) and \$57 million by the University of Minnesota. The governor's budget calls for \$24 million for each system.

In outlining the requests, Committee Chair LeRoy Stumpf (DFL-Thief River Falls), told members under current law there is no incentive for annual building upkeep, no recognition of the true cost of buildings, and no long-range plan to solve the problem of maintaining buildings. He said using the governor's amount, \$24 million, on a yearly basis, it would take until the year 2072 to eliminate the backlog of repair and betterment items at the University of Minnesota.

Several witnesses called on the state to change the way it funds building maintenance projects. Joe Metro, vice president for operations, Mankato State University, told Senators it is more cost-effective to pay on an annual basis than to use bonds to cover deferred maintenance costs. Sen. Cal Larsen (R-Fergus Falls) said the financial "pot is getting pretty dry" and suggested institutions raise maintenance money through alumni donations and other sources.

Sue Martin, associate vice president of faculties management, University of Minnesota, also called on lawmakers to use general fund dollars for repairs, but said there is "not enough money in this state to solve the facilities maintenance problem." Sen. Leonard Price (DFL-Woodbury) said the state may need a "moratorium on new construction, to concentrate on the rehabilitation of existing facilities." Martin responded some assets are "beyond help--you don't want to invest in them." Noting the university's \$57 million request, Stumpf said the institution needs to determine its academic priorities first, "then we'll know what we need to support."

The committee also got an update on the restructuring of the University of Minnesota Hospital and Clinics from Dr. William Brody, provost of the University's Academic Health Center. Brody outlined the reasons for the decision to merge with the Fairview Health system and integrate the nearby Fairview Riverside Hospital with the University Hospital's Twin City campus. He said the hospital is being hurt by declines in referrals and reimbursement, an increasingly competitive marketplace, and federal government downsizing. He said the system also faces rapid changes in health care delivery which require substantial investments. Brody told the committee the consolidation will increase efficiency, improve patient access, and strengthen financial stability. He also detailed the hospital's \$20 million-two year funding request, which he said is needed for information technology investments and curriculum upgrades.

Bonding requests multiply

The Education Funding Division reviewed several new requests for state bond funds Weds., Jan. 31.

Four school districts planning to consolidate want \$2.2 million to renovate a

Committee update

secondary school. The grant, outlined in S.F. 1261, benefits students who now attend Brewster, Heron Lake-Okabena, Round Lake and Sioux Valley schools. The bill's author, Sen. Jim Vickerman (DFL-Tracy), said the area is undergoing a boom due to new jobs in nearby Worthington. "It's impossible to find housing in the city of Worthington, so the families are finding homes in the smaller towns," said Vickerman.

Senators approved the request, but Committee Chair Lawrence Pogemiller (DFL-Mpls.) said the request is likely to get a low ranking among education bonding requests this year. The division plans to rank all its approved bonding requests before forwarding them to the Finance Committee. Pogemiller said school officials should work over the next year with the Department of Children, Families and Learning to get the request on next year's priority list.

A bill authored by Sen. Florian Chmielewski (DFL-Sturgeon Lake) provides \$2 million in bond funds for renovation of Sandstone Elementary in the East Central School District. According to Superintendent Mike Ruby, the district wants to create a multi-agency family service center, including an Area Learning Center, early childhood programs, city offices, Head Start, child care, a senior center and a community room.

Senators said they were impressed with the collaborative effort, but that the project seemed to fit into the governor's proposed "youth initiative grants." The grants provide \$20 million to renovate or build centers for after-school activities or programs.

The committee approved a motion to modify requirements of the youth initiative grants so that the Sandstone project qualifies. "If we could get centers like this all over the state, I believe our corrections budget would go the other way," said Sen. Tracy Beckman (DFL-Bricelyn).

Senators approved another \$1 million in library accessibility grants provided by S.F. 2055, authored by Sen. Gary Laidig (R-Stillwater). The program requires a dollar-for-dollar match from non-state sources.

The division also approved S.F. 2019, authored by Sen. Gene Merriam (DFL-Coon Rapids), allowing magnet schools to use state grant funds to design, furnish and equip buildings, and S.F. 2479, authored by Sen. Jane Krentz (DFL-May Township), extending technology grants to equipment used for vocational training. "It's beyond the box of what we usually think of as technology," said Krentz. Both bills must be heard by the full Education Committee.

Environment and Natural Resources

MPCA delivers task force report

The Finance Division of the Environment and Natural Resources Committee met Thurs. Jan 25, to hear a blue ribbon task force report presented by the Minnesota Pollution Control Agency. The Blue Ribbon Task Force on Funding Minnesota's Water-Quality Programs was created as part of the Minnesota Legislature's response to a funding shortfall in the Minnesota Pollution

Control Agency's regulatory programs for water quality. The task force's 13 members were chosen to represent industry, municipalities and the environmental community.

Task Force Chair Mike Robertson said, "This is an innovative model for providing the same or even better services despite state and federal cuts. When we started this process we weren't sure what we were going to find. The good news is that we believe we can continue to have a high level of environmental protection without breaking the bank."

Covering areas of program adequacy, program cost and funding, the permit fee system, enforcement fees, toxics information and time reporting, the task force made recommendations which included a controversial flow-based fee system to replace the current system of charging permit fees. Robertson explained that municipalities have problems with the flow-based fee system while environmental agencies support the concept. Many feel strongly that flow-based fees provide the best alternative because fees are related to the amount of pollutant, said Robertson. Patty Burke, division manager of the Minnesota Pollution Control Agency (MPCA) explained that two separate flow-based models were developed to accommodate the special needs of municipal and industrial permittees. Both models are designed to collect the correct amount of fees approved for the program. One of the key differences between them is that the industrial model has a limited load-based factor for mine-pit dischargers. The models will be developed further during MPCA's fee rulemaking in 1996, Burke said.

Canoeing, hunting issues considered

The Environment and Natural Resources considered three bills at a Fri., Jan. 26, meeting. The first, S.F. 1984, authored by Sen. Tracy Beckman (DFL-Bricelyn), adds the Watonwan River to the list of officially designated canoeing and boating routes in the state. Sen. Dennis Frederickson (R-New Ulm) offered an amendment to add the Cottonwood River to the list and Sen. Steve Morse (DFL-Dakota) added the Whitewater River. Sen. Charles Berg then offered an amendment to change the designation of the Pomme de Terre River to only that part in Stevens County. Berg explained that a cattle farmer from upstream the Pomme de Terre River in Swift County had frequent problems with canoers leaving the gate open in a fence across the river. The Frederickson amendment, as amended, was adopted and the bill was recommended to pass.

Sen. Dallas Sams (DFL-Staples) said the next bill, S.F. 1978, is the result of a constituent's experience. The constituent took his son hunting in North Dakota and learned that North Dakota law allows a nonresident under the age of 16 to purchase a resident small game hunting license if their home state allows North Dakota residents to do the same. Unfortunately for the hunter, Sams said, Minnesota law has no such provision. S.F. 1978 gives the DNR commissioner the authority to enter into a reciprocal agreement with North Dakota. In the discussion on the measure, Committee

Chair Bob Lessard (DFL-Int'l. Falls) commented that Colorado had similar provisions in its law. Sen. Harold "Skip" Finn (DFL-Cass Lake) offered an amendment to extend reciprocity to any state, but make the hunting laws of the nonresident's home state apply. Sen. Gary Laidig (R-Stillwater) urged a cautious approach and suggested the amendment language should "allow, but not require, the DNR commissioner to enter into reciprocal agreements." Laidig characterized some western states as not having hunting laws, adding "we won't give them a carte blanche hunting license." Finn's amendment was adopted and the bill was laid over to fold into S.F. 2445, the omnibus hunting bill, scheduled for a later hearing.

The final bill considered by the committee, S.F. 1699, began as a revision to the hunter harassment prohibition, but was used as a vehicle by Berg to make some changes to other areas of law.

The first part of Berg's amendment proposes changes to aquaculture regulations to prevent the importation of fish diseases into Minnesota waters. Another portion of the amendment, dealing with Canada geese, was removed by Morse because of fiscal implications that would divert the bill to the finance division. Other sections dealt with the licensing of off-highway motorcycles and all-terrain vehicles by the DNR, prompting Sen. Leonard Price (DFL-Woodbury) to suggest the Transportation and Public Transit Committee might want to hear the bill. Berg responded that he would remove the language if there was any opposition to it. The amendment was adopted and the bill was sent to the Senate floor.

Low-level radioactive waste bill approved

Minnesota's low-level radioactive waste disposal needs for the next century came closer to being met with the approval of S.F. 2013 by the Environment and Natural Resources Committee at a Tue., Jan. 30, meeting. The bill ratifies changes to a compact Minnesota entered into with five other upper midwestern states in 1983. According to the compact, each of the states (Indiana, Iowa, Minnesota, Missouri, Ohio and Wisconsin), will, in turn, provide a disposal site for about 20 years for all the other compact states. The changes in the compact were sought by the state of Ohio because it has volunteered to host the first site and needed assurances that the other states will remain in the compact group when its facility closes. Originally, Michigan was in the compact group, but withdrew when it was selected to be the first host state.

The compact establishes procedures for opening, operating and closing a disposal facility as well as a timetable for the site development process in future host states. It also addresses liability issues that could arise from cleaning up low-level radioactive waste.

Joe Esker, of the Pollution Control Agency, explained that low-level radioactive waste is generated by industrial, medical, academic, research and government facilities. Most of it is generated by utilities

in the servicing of nuclear power plants even though the nuclear fuel itself is classified as high-level radioactive waste, Esker said. The bill's sponsor, Sen. Steven Novak (DFL-New Brighton), offered an amendment to make some grammatical corrections. The amendment was adopted and the bill sent to the Senate floor.

The committee, chaired by Bob Lessard (DFL-Int'l. Falls), then began working on S.F. 2445, the omnibus game and fish bill, authored by Sen. Janet Johnson (DFL-North Branch). The bill was held over to the next meeting for additional consideration.

Ethics and Campaign Reform

Attorney general bill approved

Members of the Ethics and Campaign Reform Committee agreed that attorney general candidates should be "learned in the law." The committee met Thurs., Jan. 25 to discuss S.F. 1592, a bill requiring more stringent qualifications for attorney general candidates. The bill is a response to the 1994 situation in which a non-attorney won the Independent-Republican primary for attorney general. Sen. Ember Reichgott Junge (DFL-New Hope), author of the bill, said that it is assumed by the public the attorney general candidate is licensed to practice law in Minnesota. Ironically, she said, no such requirement exists in the Minnesota Constitution, although there is a similar provision for judges.

Sen. Gary Laidig (R-Stillwater) said that he didn't understand the problem. "Qualifications should be chosen by the voters," he said. "The attorney general is an administrator. If he were required to appear in court, the bill would make more sense."

Reichgott Junge responded that the attorney general is a legal advisor and holds a top legal office. It is a public expectation that the person in this position will be licensed to practice law, she said. The committee approved the bill and re-referred the measure to the Rules and Administration Committee.

S.F. 1908 was presented to the committee by committee chair, Sen. John Marty (DFL-Roseville). The bill implements most of the 1996 recommendations of the Ethical Practices Board. Responsibility is given to the Board to respond to the concerns and questions regarding the Fair Campaign Practices Act as well as enforce the gift ban for employees of local government. Currently, the board has no oversight regarding these issues and the public has no reference from which to obtain clarifications.

Discussion arose over one section of the bill prohibiting the principal campaign committee from making independent expenditures on behalf of another candidate. Sen. Richard Cohen (DFL-St. Paul) said that he was reluctant to vote on the bill. The committee laid the bill over.

Leave of absence bill heard

Public Employees will no longer be required to take a leave of absence when running for public office under a bill adopted by the Ethics and Campaign Reform Committee. The committee, chaired by

Sen. John Marty (DFL-Roseville), approved S.F. 2267 on Tues., Jan. 30. The bill ends a current regulation that requires a leave of absence without pay and benefits. The bill, authored by Sen. John Hottinger (DFL-Mankato), would not apply to members of the state because the state already has this policy in effect.

The committee took up discussion of S. F. 1789, a bill that provides for recall of mayors. The bill was authored by Sen. Terry Johnston (R-Prior Lake). Johnston showed a video tape of a city council meeting in Savage, MN. The tape showed the mayor of Savage conducting meetings in a very rough and dictatorial style, throwing people out and threatening members, said Johnston. Numerous complaints exist among Savage residents, said Johnston, yet they have no recourse in dealing with the mayor. The bill was approved by the committee and will go to the Senate floor.

The panel continued discussion on S.F. 1908, a bill making changes to laws governing the Ethical Practices Board. Sections of the bill, sponsored by Marty, prohibiting a principal campaign committee from making independent expenditures on behalf of another candidate were again debated. An amendment, offered by Marty, making the gift ban not applicable to gifts given for official purpose to a governmental unit was adopted. Gary Laidig (R-Stillwater) offered an amendment to reinsert deleted language so that a principle campaign committee will be unable to make independent expenditures. The amendment failed, as did a motion to approve the bill.

Sen. Ember Reichgott Junge (DFL-New Hope) presented a bill to combat negativism in campaigns. S.F. 1895 is designed to create incentives to keep campaigns on the issues and to set standards for performance and expectations, said Reichgott Junge. The main provision of the bill requires candidates to pay back all money raised through public funding should a candidate break the Fair Campaign Practices Act. Currently, candidates who break the act may receive a misdemeanor penalty after the election, offering little deterrent to unethical practices. The second part of the bill, a provision requiring candidates to pledge to make a truthful, issues oriented campaign statements if accepting money from the public, generated debate among Senators.

"I'm really offended by this provision," said Sen. Lawrence Pogemiller. "I think its trite and silly to say we'll out go out and pledge. If you were to take a pledge, violate it and lose funds as a result, then it is a different issue."

"If you want results, you have to set standards. This bill sets standards for performance and expectation," countered Reichgott Junge.

Laidig requested substantial examples of the "gutter-level campaigning" to which Reichgott Junge referred. The bill was laid over for more discussion.

Family Services

Welfare reform presented

The Family Services Committee, chaired by Sen. Pat Piper (DFL-Austin), began

review of S.F. 1883, Thurs., Jan. 25. The welfare reform bill, carried by Sen. Don Samuelson (DFL-Brainerd), incorporates provisions from S.F. 1926, also authored by Samuelson.

Deborah Huskins, assistant commissioner from the Dept. of Human Services testified in support of the measure. The proposal contains initiatives that emphasize work, reinforce responsibility and provide family supports, Huskins said.

Under the bill, a recipient who has received public assistance for 24 months is required to either begin working or be subject to sanctions that reduce economic assistance. The measure reduces the amount of cash assistance granted to a family if a caretaker has not resided in the state for 12 months, limits post-secondary education training to 12 months and allows a full-time student to earn up to \$800 per month and save \$2,500 annually for educational or employment needs. The measure also modifies MFIP to make it consistent with the STRIDE program. Changes to STRIDE require both parents to work or look for work if children are six years of age or older. Additionally, it grants families leaving AFDC up to six months of follow-up counseling. The committee took no action on S.F. 1883 and laid the bill over for further review.

S.F. 1882, also carried by Samuelson, was approved by members and re-referred to the Governmental Operations and Veterans Committee. The bill consolidates the oversight of state agencies that address the needs of the deaf, deaf-blind and hard-of-hearing community.

Ann Sherman, from the Minnesota Commission Serving Deaf and Hard-of-Hearing People testified in support of the measure. "We would like to see the three agencies (Dept. of Human Services, the Dept. of Economic Security, and Dept. of Children, Families and Learning) working together cooperatively, rather than providing services in isolation," she said. "The bottom line is that this is not going to cost any money -- it will make more efficient use of state resources and bring a tremendous benefit to the community," Sherman added.

Cathy Carlson, from the DOE, opposed the measure. "Although there is a tremendous need for more collaboration, and the department wants to be a partner in these efforts, we do have concerns about how it will work, and some questions about funding," she said.

S.F. 1893, authored by Sen. Dan Stevens (R-Mora) was approved by Senators and re-referred to the Judiciary Committee. The measure permits businesses to voluntarily report independent contractors to the state for purposes of the work reporting system. It also clarifies that an employer of a parent who is paying child support through income withholding must notify the child support agency when employment ends.

Sen. Phil Riveness (DFL-Bloomington) moved to strike a provision that requires the commissioner of human services to make recommendations to the Legislature if significant changes are made in the area of child support enforcement on the federal level. The amendment was approved and S.F. 1893 was re-referred to the Judiciary Committee.

Committee update

Welfare reform bill stalled

The Family Services Committee listened to public testimony on S.F. 1883 Monday evening, Jan. 29. Chair Pat Piper (DFL-Austin) opened the meeting with an announcement that there would be no vote taken on the welfare reform bill. "We will not make any decisions until the 1997 Session," Piper said. "This has to be a thoughtful and slow process."

Piper's announcement prompted some members to leave the hearing room, including the bill's chief author, Sen. Don Samuelson (DFL-Brainerd).

Numerous witnesses spoke against provisions contained in the bill. Aviva Breen, from the Commission on the Economic Status of Women, Deb Koenechne from the Welfare Rights Committee and several concerned citizens appeared before committee members to comment on the measure.

The bill includes a provision that requires recipients either to begin work or start a job training program after two years of receiving economic assistance. Failure to comply with the provision triggers a reduction in payments. Additionally, S.F. 1883 reduces cash assistance granted to a caretaker who has not resided in the state for one year, changes elements of the STRIDE program and modifies the Minnesota Family Investment Program.

Two bills advance

A bill that reduces the number of in-service training hours from 24 to 12 required for day care providers was approved by the Family Services Committee Tues., Jan. 30. Carried by Chair Pat Piper (DFL-Austin), the bill stipulates that the director and staff of child care centers must complete a number of hours of annual in-service training equal to at least one percent of the hours for which that individual is paid.

Jim Loving, from the Dept. of Human Services was on hand to support the bill and to respond to members' questions. Testifying against the measure was David Allen from Resources for Child Caring. "This is not the time to be reducing the requirement for in-service training of day care teachers," Allen said. A child's preparedness for school is directly linked to the training requirements of day care staff, he said, and Allen urged members to oppose the bill.

Sen. Martha Robertson (R-Minnetonka) raised the issue of the need to balance affordability and quality. "By sustaining a measure that is too strict we inadvertently price ourselves right out of the market," she said.

Members approved the bill, which now proceeds to the full Senate.

S. F. 1989, sponsored by Sen. Janet Johnson (DFL-North Branch), was also approved by the committee and re-referred to the Finance Division. The bill allows the Minnesota Board on Aging to grant area agencies flexibility in the use of senior nutrition funds. The bill authorizes transportation of medications to seniors, vouchers for food at selected restaurants, food stamp outreach and transportation of seniors to congregate dining sites.

Dawn Simonson, director of the Arrowhead Area Agency on Aging spoke in favor

of the bill. "These options will help preserve the independence of seniors by allowing them to continue to live in their homes," she said. "It's an investment in preventative programs."

Joanne Demko, director of Volunteers of America's senior nutrition program, and Mark Chavez from the Minnesota Board on Aging also supported the bill. "We know it costs a lot more to treat people once they're ill, than it costs to treat them up front with good nutrition," Chavez said. "It makes more sense to pay now, rather than later," he said.

Gaming Regulation

Two bills advance

The Gaming Regulation Committee met briefly Tue., Jan. 30, to act on three bills.

The first bill, S.F. 1360, sponsored by Sen. Gary Laidig (R-Stillwater), gives cities more authority to direct the spending of charitable gambling proceeds raised within their boundary. Committee Chair Charles Berg (DFL-Chokio) laid the bill over until the progress of the companion bill could be ascertained.

The panel took up a bill, S.F. 977, authored by Sen. Ted Mondale (DFL-St. Louis Park), that establishes a method to refund taxes paid on unsold pull-tabs and tipboard tickets. The bill was approved and re-referred to the Taxes and Tax Laws Committee.

Finally, the committee considered S.F. 560, authored by Berg. The bill bases cigarette tax refunds to tribal governments on consumption by tribal members. Sen. Allan Spear (DFL-Mpls.) questioned the jurisdiction of the Gaming Regulation Committee on the bill. Berg explained that many reservations receive excessive refunds because the amounts are based on total sales, not tribal member consumption. Berg further explained that most of the sales were to non tribal members visiting casinos. The bill was recommended to pass and re-referred to the Taxes and Tax Laws Committee.

The committee viewed a video produced by the Allied Charities of Minnesota profiling several organizations benefitting from charitable gambling. In the video, representatives of the beneficiaries explained how they've used the proceeds for their communities.

Government Operations and Veterans

Two bills advance

The Government Operations and Veterans Committee, chaired by Sen. James Metzen (DFL-South St. Paul), approved two bills Tues., Jan. 30. Members re-referred S.F. 2097, a Department of Economic Security housekeeping bill carried by Sen. Arlene Lesewski (R-Marshall), to the Jobs, Energy and Community Development Committee.

S.F. 1299, authored by Sen. Sandra Pappas (DFL-St. Paul), was also approved and sent to the Senate floor. The bill extends the Communications Services Act of 1985 to cover all public agencies that furnish information, provide services or enforce state laws. Under the measure,

agencies must appoint a person within the agency to serve as a liaison between the agency and the non-English-speaking communities statewide. The purpose of the bill is to improve government efficiency, provide equal protection to all citizens and improve access to government, Pappas said.

Camilla Nelson and Nancy Leppink, both from the Office of the Attorney General, testified in support of the bill. Leppink told members that currently the needs of the non-English-speaking communities are addressed through ad hoc efforts. "But this proposal begins a process that is coordinated, cost-effective and responsive to community needs," she said.

Also carried by Pappas, S.F. 1902, a bill that makes changes to the Council on Affairs of Spanish-Speaking People, the Council on Asian-Pacific Minnesotans, the Council on Black Minnesotans and the Indian Affairs Council was laid over. Sen. Lawrence Pogemiller, (DFL-Mpls.), objected to exemptions for some minority councils from sunset provisions.

S.F. 1806, Sen. John Marty's (DFL-Roseville) bill to prohibit transfer of impounded animals to research institutions, was also laid over.

U Hospitals merger discussed

Concerned citizens, labor leader representatives and University of Minnesota officials gathered before the Governmental Operations and Veterans Committee Weds., Jan. 31, to voice concerns related to the proposed University of Minnesota and Fairview Hospitals merger. "The purpose of this meeting is to provide a forum for discussion," Chair James Metzen (DFL-South St. Paul) said. "My preference is to see this worked out between the groups, rather than doing it legislatively," he added, referring to S.F. 2175, his proposal that protects employees' rights in a transfer of the University's hospital to the Fairview facility.

The bill stipulates that the Board of Regents may not enter into a merger agreement with Fairview unless certain conditions are met. Provisions require that the new entity is a public employer, that collective bargaining agreements remain in effect until successor agreements are reached and that compensation plans covering unrepresented employees continue until June 30, 1997.

University of Minnesota Provost Bill Brody outlined the University's position for members. Brody told members that the University's hospitals are experiencing a steady decline in patient population, which has negatively impacted revenue. "In this highly competitive health care environment, we need to effect radical change," he said, if the hospitals are to remain in business.

Several persons spoke in support of S.F. 2175. Tom Beer, AFSCME, told members that the state and Legislature "should have compelling interests in what happens here with these public employees. They are all covered by state civil service law and their rights can not be thrown away, and should not be thrown away," Beer said.

Beer reported that University employees have been excluded from the planning process of the proposed merger. "Employees

don't have a stake in this current deal," he said, "and we say that the University should sit down and negotiate with us."

Strong objections about the absence of public hearings was voiced by many individuals. "If nothing else, the Legislature should demand open hearings," John Youngdal, from the Health Care Campaign of Minnesota said.

The committee plans to continue its discussion at a later date.

In other business, members reviewed gubernatorial appointees to the Minnesota State Arts Board. MSAB Executive Director Sam Grabarski told members that all three individuals -- Conrad Razidlo, Joseph Duffy and Nancy Geiger -- have exemplary backgrounds and qualifications. Members approved the confirmations, which now go before the full Senate.

Health Care

Committee considers health reform

The Health Care Committee has begun consideration of a wide-ranging health care proposal drawn up by the governor and the Department of Human Services.

Bill sponsor Sen. Sheila Kiscaden (R-Rochester) told the committee Thurs. Jan 25 the bill starts a discussion and begins the process of shaping the future of publicly-subsidized health care in Minnesota. She said that is necessary in anticipation of expected changes in federal funding. Kiscaden said S.F. 2025 also continues the move toward health reform and joining of services, begun in 1985 with the implementation of the Prepaid Medical Assistance Program in three counties.

The proposals, outlined by Kiscaden, include eligibility simplification for families and individuals and new qualification standards. The plan gives the department authority to conduct demonstration projects of different approaches to medical assistance and Medicare funding. She said the measure does not force a "rapid integration" of health services, but gives the department a framework and a direction to meet future needs.

The committee postponed action on an amendment she offered that would establish an advisory group to make recommendations to the Legislature and Health Department regarding eligibility and service options for families, individuals, the disabled, and the elderly.

Committee Chair Linda Berglin (DFL-Mpls.) announced her office has received 28 calls from persons wishing to testify on some aspect of the bill, and said she is concerned about the time that might be required for the committee to consider the legislation.

Berglin sponsored a bill that requires insurers to offer long-term care policies to purchasers of Medicare supplement policies, or make referrals to a source of long-term insurance. She said S.F. 1856, which was approved by voice vote, is needed because many elderly people who get Medicare supplements aren't aware of the gaps in their coverage. The bill now goes to the full Senate.

A measure making changes to the psychology board was laid aside. S.F. 842 sponsor Sen. Don Betzold (DFL-Fridley), said the bill rewrites outdated statutes,

updates definitions, and deals with reciprocal practicing agreements with other states.

Senators heard from members of the Health Technology Advisory Committee (HTAC) regarding an ongoing study of after-birth hospital stays by its Post-Delivery Care Work Group. The bill mandates insurance companies offer women a minimum hospital stay after giving birth--48 hours for a vaginal delivery, 96 hours for women who deliver by cesarean. Trudy Ohnsorg, work group co-chair, testified that 40 percent of new mothers in the Twin Cities are released from the hospital within 24 hours of giving birth. Del Ohrt, HTAC chair, suggested evaluation on whether new mothers and babies are getting proper care should be made on a case by case basis, based on guidelines drawn up by the American Academy of Pediatrics. Betzold pointed out that the Academy questions discharge earlier than 48 hours.

Committee expands MinnesotaCare

The Health Care Committee, chaired by Sen. Linda Berglin (DFL-Mpls.) approved a bill, Tues., Jan 30 to expand eligibility for the MinnesotaCare program to 150 percent of the poverty level for individuals and households without children. Currently, individuals and households without children must have a gross family income that is equal to or less than 125 percent of the poverty level to be eligible for the program. Discussion of the bill, S.F. 1873 led Sen. Edward Oliver (R-Deephaven) to ask Berglin, chief author of the bill, if there is any forecast of reducing the provider tax for MinnesotaCare. Berglin responded that Legislators made a commitment when establishing MinnesotaCare to insure as many individuals as possible. To lower the provider tax would go back on that commitment, she said. The bill was re-referred to the Finance Committee.

A resolution extending a public apology to all persons with developmental disabilities who have been involuntarily committed to state institutions was approved by the committee. S.F. 2061, authored by Berglin, is intended to direct apologies to those Minnesotans for acts imposed by the state including forced labor without compensation, subjection to medical experiments without their consent, shock treatment and frontal lobotomies. "No one every said they were sorry," said Berglin.

Sen. Don Samuelson (DFL-Brainerd), presented S.F. 195. The bill expands the contract demonstration project for nursing homes. The bill requires the commissioner of human services to consider all facilities with a current nursing home or boarding care home license as eligible to apply for the demonstration project. Additionally, the bill defines nursing facilities in the contract demo as eligible providers for purposes of the prepaid medical assistance program (PMAP) except that the facilities do not have to deliver the full range of services required under PMAP. The bill was approved and sent to the Health Care and Family Services Finance Division.

Berglin said that S.F. 1878 was introduced on behalf of a facility in her district. The Ebenezer Home in Minneapolis was granted an exception to the nursing home morato-

rium and replaced a major part of the facility. Mark Thomas, of the Ebenezer Home, testified that Ebenezer replaced beds in its facility and incurred \$7.8 million in debt. Previous to this action, the facility would not have been considered a high-cost facility. To compensate for the debt, the Ebenezer Home froze employee wages and reduced staffing. Thomas requested an exemption from the spend up limit. Specifically, the bill provides an exception to certain rate limits for a nursing facility that received a moratorium exception for a partial replacement and completed the replacement project in December 1994. The panel approved the bill and re-referred it to the Health Care and Family Services Finance Division.

A number of changes were made to the Personal Care Assistant (PCA) program as a result of members approving S.F. 2316, authored by Berglin. The bill eliminates the requirement that PCA must speak English and instead required the PCA to be able to communicate effectively with the recipient and the provider organization. Other changes include allowing 16 to 18-year-olds to be PCAs if the individual has participated in a school-based job training or career development program. The bill was approved and re-referred to the Health Care and Family Services Finance Division.

The committee also discussed S.F. 842, a bill dealing with Psychology Board changes. The bill, presented by Sen. Don Betzold (DFL-Fridley) was approved by the committee and sent to the Senate floor.

CISN exemptions approved

The Health Care committee met Weds., Jan. 31, and approved a bill exempting Community Integrated Service Networks (CISNs) formed exclusively to provide services to the elderly from providing health care services that are not directly related to the health care needs of this group. The bill, S.F. 2130, was authored by Sen. Linda Berglin (DFL-Mpls.), chair of the committee, who said that its inception was a result of discussions in her task force that focused on how nursing homes and other long term care facilities could cut expenses. Minnesota allows any CISN to participate in the Long Term Care Option Plan. By amending the statute, savings could be gained by stating which CISNs could be formed to exclusively provide long term care services and not other services not needed for the elderly. The bill was approved and sent to the Senate floor.

S.F. 1875 was approved by the committee and re-referred to the Commerce Committee. The bill, authored by Berglin, repeals five taxes and replaces them with assessments in an attempt to restructure the method by which revenue is currently raised for health care in Minnesota. Five taxes, surcharges, and assessments (the MCHA assessment; the 1.8 percent public hospital intergovernmental transfer; the 1 percent HMO premium tax; the 1 percent nonprofit health service plan corporation premium tax; and the .6 percent HMO Medical Assistance surcharge) are repealed and replaced with a 2.2 percent HMO assessment; a .7 percent assessment on health insurance premiums; and a 2.6 percent

Committee update

assessment on claims paid and administrative costs of health insurance third-party administrators.

Sen. Pat Piper (DFL-Austin) presented S.F. 192. The bill allows the addresses and phone numbers of recipients of various welfare programs and emergency contacts to be released to the commissioner of health in order to locate a disease case, person at risk, or conduct an epidemiologic investigation. The bill was approved and re-referred to the Crime Prevention Committee. S.F. 2264, a bill limiting the expansion of prepaid Medical Assistance Programs was laid over. The bill, presented by Sen. Don Samuelson (DFL-Brainerd), authorizes counties to implement county-based demonstration projects.

Jobs, Energy and Community Development

MBFI bill okayed

The Jobs, Energy and Community Development Committee, chaired by Sen. Steven Novak (DFL-New Brighton), met Thurs., Jan. 25, and took action on two bills. The first measure, S.F. 1998, authored by Sen. Janet Johnson (DFL-North Branch), authorizes the transfer of assets and liabilities of the quasi-state agency, Minnesota Business Finance, Inc., to a private nonprofit corporation. The corporation was initially organized as a public nonprofit corporation, Opportunities Minnesota, Inc., to package Small Business Administration loans for businesses in Greater Minnesota.

Under the bill, Minnesota Business Finance, Inc., though no longer a quasi-state agency would continue to engage in economic development activities in the state. According to Johnson, reorganizing as a private nonprofit corporation allows MBFI to operate more efficiently and provide greater opportunities to provide services to small businesses in Minnesota. Under the bill, MBFI ceases to be a public corporation upon repayment of the initial state appropriation to the Dept. of Trade and Economic Development and the assumption of any outstanding liabilities or other obligations. The measure was approved and referred to the Jobs, Energy and Community Development Finance Division.

Members also advanced S.F. 2148. The measure, sponsored by Sen. Steve Murphy (DFL-Red Wing), specifies that members of the task force charged with studying the effects of stray voltage are immune from lawsuits based on the task force's report. The measure also indemnifies task force members for court costs if a lawsuit is commenced anyway. The measure was referred to the Judiciary Committee.

Koch Refinery bill discussed

A bill providing a tax exemption for a planned Koch Refinery co-generation plant sparked considerable discussion at the Weds., Jan. 31, meeting of the Jobs, Energy and Community Development Committee. S.F. 1147, authored by Committee Chair Steven Novak (DFL-New Brighton), allows for a market value exclusion for electric power generation facilities based on facility efficiency. According to Novak, although

the bill is designed to encourage the construction of the facility proposed by the Koch Refinery, at least two other generating plants could benefit from the property tax exemption.

Jim Johnson, speaking for Koch Refining, said that the facility would offer a dramatic increase in efficiency due to new technology. Novak said the bill provided benefits for the environment, for electric consumers, and for economic development. However, Sen. Carl Kroening (DFL-Mpls.) and Sen. Douglas Johnson (DFL-Cook) both raised questions about providing significant tax breaks to large wealthy corporations. Johnson said that the statewide tax implications were considerable because of the interplay between school funding and local property taxes. Novak countered that the tax revenue is in prospective revenue and said, "What's at stake here is whether this project goes forward." No action was taken on the measure because of time constraints.

Earlier, members approved two bills. S.F. 2135, authored by Sen. James Metzen (DFL-South St. Paul), lowers the interest rate on security deposits from 4 to 2 percent per year until May 1, 1999 and specifies that the rate will be 4 percent thereafter. In addition, the bill requires the Legislature to review the reversion of the interest rate to 4 percent in the 1998 session. The measure advances to the Senate floor.

S.F. 1689, authored by Sen. Douglas Johnson, authorizes the sale of bonds for a grant to St. Louis County to build an addition to the St. Louis County Heritage and Arts Center in Duluth. The measure was approved and re-referred to the Finance Committee.

Judiciary

Asset transfer bill approved

Sen. Linda Berglin (DFL-Mpls.) was successful in having an asset transfer bill approved by the Judiciary Committee, Mon., Jan. 29. The Committee, chaired by Sen. Randy Kelly (DFL-St. Paul), amended the bill and approved it on a seven to four vote.

Berglin presented the bill to the committee, summarizing the judicial sections. Among the most controversial issues were sections to expand the period of time for which transfers of assets for less than fair market value could be performed to establish medical assistance (MA) eligibility, sections dealing with hardship waivers, including the transfer of assets to disabled children, and sections detailing requirements of conclusive, versus rebuttable, proof that transfers were made with the intent of establishing Medical Assistance eligibility.

Berglin said that the impetus for the bill was a work group she organized to get feedback from health care providers on how to prepare for the eventual reductions in funding growth. The bill places responsibility on those who receive assets. "It takes a long time to change public awareness of Medical Assistance," said Berglin. "People have the misconception that MA is for everyone, not just the poor."

Robert Gunderson, an attorney in Edina, testified on behalf of people with disabilities. The broad nature of the bill may lead some

people to have difficulty providing for family members with disabilities said Gunderson. Asset transfers performed to help out one who cannot work due to disability may impair the transferor from receiving MA, Gunderson said. Berglin said that if you are transferring funds to someone on MA while on MA yourself, the hardship waiver would take the situation into account.

Debate among Senators related to the method used to determine if someone made transfers with the intent of becoming MA eligible. The bill language states that transfers falling within the defined category are "conclusively presumed to have been made for the purpose of establishing or maintaining medical assistance eligibility..." In defending the conclusively presumed wording, Berglin said that individuals need to change the way they think about MA system. "MA is not a system to protect inheritances," she said. "Before we begin to take services away from those who are in great need, we should cut back on providing for those who aren't in need."

Sen. Martha Robertson (R-Minnetonka) offered an amendment to allow for recourse in decisions related to asset transfers and MA eligibility. The phrase "Conclusively presumed," was replaced with the phrase "provide convincing evidence." Sen. Allan Spear (DFL-Mpls.) said that he would like to keep Berglin's bill the way it is. "Adult children need to take more responsibility for their parents," said Spear. "The tougher the bill, the better position we will be in when federal cuts come forth."

The committee adopted the Robertson amendment and re-referred the bill to the Committee on Health Care.

Retired judges may serve

A judge who has been elected to office and resigned in good standing, and is not practicing law may be appointed to serve as a judge under a bill adopted by the Judiciary Committee Weds. Jan. 31. The bill, S.F. 2435, was authored by Sen. David Knutson (R-Burnsville). S.F. 2435 was approved by the committee and sent to the Consent Calendar after members heard testimony from Judge Edward Lynch, District Court - Hastings regarding the need for such additional resources.

Discussion resumed on S.F. 1996, a bill authored by Sen. Randy Kelly (DFL-St. Paul), chair of the committee, regarding visitation orders. Kelly offered an amendment to the bill, emphasizing that a visitation dispute does not include a dispute involving modification of visitation rights ordered by the court. Language is included to omit parties involved in domestic abuse cases from participating in the visitation expeditor program. Other issues such as the cost of a visitation expeditor being apportioned equally between the parties and the ability of the parties to resolve disputes on a voluntary basis were included in the amendment.

Sen. Sheila Kiscaden (R-Rochester) asked for an explanation of the role of the visitation expeditor. Kelly explained that the visitation expeditor makes a decision that is binding unless modified by the court. The court must impose a \$500 penalty on a

party failing to comply. No party would be required to participate in this type of mediation, as it is intended to provide a way for people to enforce their court ordered visitation without having to go to court, Kelly said. Sen. Martha Robertson (R-Minnetonka), Sen. Harold "Skip" Finn (DFL-Cass Lake) and Kiscaden discussed issues of child agreement to visitation and possible inability to consistently uphold visitation rights with regard to the \$500 penalty. The language in the amendment was amended to read "The court shall impose a civil penalty of \$500 on a party who willfully fails to consistently comply with an agreement or decision." Also added was an amendment regarding a child's wishes for visitation. The bill, as amended was approved and sent to the Senate floor.

Sen. Jane Ranum (DFL-Mpls.) presented S.F. 2450, a bill containing miscellaneous provisions dealing with family service collaboratives. The bill was approved and re-referred to the Metropolitan and Local Government Committee.

Sen. Warren Limmer (R-Maple Grove) is the author of a bill to revive and extend certain civil actions barred by the statute of limitations. The bill, S.F. 2198, establishes a window of time during which individuals who were damaged by the use of blood products containing HIV may bring a suite against the manufacturer of the blood products. Actions otherwise barred because of expiration of the applicable period of limitation are revived or extended until June 1, 1997. Testimony was heard from individuals and spouses of individuals who contracted the HIV virus from the use of blood products. The bill was laid over.

Metropolitan and Local Government

Radio bonds approved

A metro-wide public safety radio system got a push forward at the Thurs., Jan. 25 meeting of the Metropolitan and Local Government Committee, chaired by Sen. Jim Vickerman (DFL-Tracy). Development of the system was approved during the 1995 session.

"We wouldn't be session unless we heard a radio bill," said Sen. Ted Mondale (DFL-St. Louis Park). Mondale is the author of S.F. 2004, which authorizes the use of state bonds to fund the infrastructure for a radio network serving the seven metro counties, plus Chisago and Isanti counties.

According to David McCauley, chairman of the Metro Radio Board, the \$15 million will buy 22 tower sites, plus the necessary hardware and transmission equipment to get the system up and running. The money will be paid back through the 911 tax.

Minnesota Highway Patrol is expected to purchase compatible radio equipment as soon as the system is operational; counties will likely wait until their existing equipment is obsolete.

Sen. Martha Robertson (R-Minnetonka) suggested but later withdrew an amendment forcing the system to comply with standards developed by the Association of Public Safety Communications Officials. Senators were concerned that stipulating APCO

standards would make at least one local company ineligible to bid for the infrastructure contract.

Committee members approved the bill and re-referred the measure to the Senate Finance Committee.

Committee members also recommend passage of S.F. 2166, authored by Sen. Steven Morse (DFL-Dakota). The bill allows public bodies to issue 40-year bonds to repay loans financed or guaranteed by the United States Department of Agriculture to finance municipal water, sewer, storm sewers, or other essential facilities. The U.S.D.A. loans money to rural communities of less than 10,000 people for these facilities. Currently, Minnesota law limits bond maturity to 30 years. The bill was forwarded to the Senate floor.

Lease-purchase uses restricted

Cities, townships, counties and school boards may no longer be able to circumvent both voter referendum and their debt limits when purchasing real estate.

Sen. Dan Stevens (R-Mora) is the author of S.F. 1979, which was approved at the Mon., Jan. 29, meeting of the Metropolitan and Local Government Committee. The bill exempts real estate purchases from laws allowing municipalities to ignore debt limit when leasing to purchase.

Statutes established in 1965 allow municipalities to make lease purchases for personal property without having voters approve a referendum. Real-estate property was included in 1989 laws, which also exempted lease-purchases from statutory debt limits.

Stevens said lease-purchases cost taxpayers higher interest rates than building bonds. "It's too much of an incentive, when you can bypass voter referendum and you also are not subject to debt limits," he said. Senators re-referred S.F. 1979 to the Taxes and Tax Laws Committee.

Committee Chair Jim Vickerman (DFL-Tracy) presented S.F. 1964, which gives city, towns and county governing boards the right to deny permits to properties with overdue property taxes and assessments. As amended at the committee session, the bill does not affect property owners who have entered into a payment schedule. Senators recommended S.F. 1979 for passage and sent the bill to the floor.

Two bills authored by Sen. Douglas Johnson (DFL-Cook) affect Duluth. The first, S.F. 1852, appropriates \$1.5 million in state bonding funds to allow expansion of the Duluth Family Practice Residency Program building. According to Tom Day, director of the residency program, 79 percent of graduating residents are placed in Greater Minnesota. Day told Senators that according to the Minnesota Center for Rural Health, 172 doctors are needed outside the Metro Area. Expanding the building will allow more residents to graduate from the Duluth program, he said. Senators approved S.F. 1952 and re-referred it to the Finance Committee.

Johnson's second bill, S.F. 2115, allows the city of Duluth to establish special service districts in locations not specifically named. According to Johnson, the city wants to establish districts to pay for traffic control

improvements in the Miller Hill Mall area and on downtown's east-side. Commercial properties within special service districts pay extra taxes for services exceeding those normally provided by the city. Property owners must petition the city to establish the district, although they have not yet done so. Committee members approved S.F. 2115 and sent it to the Taxes and Tax Laws Committee.

<Local bills gain

The Metropolitan and Local Government Committee, chaired by Sen. Jim Vickerman (DFL-Tracy), met Weds., Jan. 31, and advanced five bills. S.F. 2214, authored by Sen. Don Samuelson (DFL-Brainerd), originally authorized an increase in the number of commissioners on the Baxter Public Utility Commission. The measure was amended to allow cities statewide to increase the number of members. The measure was advanced to the Senate floor.

Two bills authored by Sen. Thomas Neuville (R-Northfield) were also approved. S.F. 1843 allows the city of Morris town to maintain and pay for electrical power for street and highway lighting located outside the city limits. The measure was recommended for placement on the Consent Calendar. S.F. 1844 allows for the reorganization of the rice County Hospital District. The measure was advanced to the full Senate.

S.F. 2168, authored by Sen. John Hottinger (DFL-Mankato), allows the city of Mankato to use some of the revenue generated by a special sales tax, enacted in 1991 for a riverfront renewal project, for renovation of the Mankato municipal airport. The measure also authorizes the sale of bonds for airport improvements. In addition, the measure specifies that the special sales tax will not expire until the principal and interest on the bonds have been paid. The bill was approved and re-referred to the Taxes and Tax Laws Committee.

The panel also approved S.F. 2189 and re-referred the bill to the Governmental Operations and Veterans Committee. The measure, sponsored by Vickerman, clarifies the authority and procedures of the Minnesota Municipal Board.

Rules and Administration

Recall bill advances

A bill proposing an amendment to the state constitution to provide for the recall of elected officials dominated the Mon., Jan. 29, meeting of the Rules and Administration Committee. The measure, S.F. 153, authored by Sen. Ember Reichgott Junge (DFL-New Hope), specifies that if the amendment is adopted, every state officer is subject to recall from office for malfeasance or nonfeasance in the performance of the duties of the office. According to Reichgott Junge, if the amendment is adopted, the 1997 Legislature would work out the details of definitions and of the mechanics of the procedure.

Under the bill, recall is begun by filing a petition, at least six months after the elected official's term began, detailing the specific conduct that constitutes malfeasance or

Committee update

nonfeasance. Further, the bill specifies that the petition must be signed by eligible voters making up at least 25 percent of the number who voted at the most recent general election. After a determination that there are enough signatures, the petition is sent to the Supreme Court. Under the bill, it is up to the Supreme Court to determine that there is reason to believe that the official is guilty of malfeasance or nonfeasance. Once the Court makes the determination, the Secretary of State is charged with conducting the recall election.

Debate on the measure centered on the definitions of malfeasance and nonfeasance. Sen. Allan Spear (DFL-Mpls.) argued that the current statutory definitions of the terms do not cover behaviors that occur outside the sphere of an elected official's duties. Spear cited the case of former U.S. Senator Robert Packwood as an example of the kind of behavior that might not be covered by the definitions. An amendment, offered by Sen. John Marty (DFL-Roseville), specifying that recall could also be initiated for conduct that has brought the office into dishonor or disrepute failed after Senators concluded that the new language still did not cover some particular situations.

Several Senators voiced opposition to the measure, arguing that it was the Legislature's duty to discipline its own members. Reichgott Junge countered that the bill was not "offered here as a substitute for the duty to discipline ourselves," but rather as a powerful new tool for voters. Sen. Randy Kelly (DFL-St. Paul) agreed and said, "The public needs some sort of check on elected officials' egregious behavior." However, Sen. Lawrence Pogemiller (DFL-Mpls.) said that he opposed the measure because, "I think members should take responsibility for disciplining themselves." Sen. Gary Laidig (R-Stillwater) said that he opposed the measure because it did not offer "true" recall. Laidig argued that the petition requirements and the definitions were too tightly drawn and that, as a practical matter, the measure only offered "limited" recall.

Committee members, chaired by Sen. Roger D. Moe (DFL-Erskine), approved the measure on a 17-9 roll call vote. The bill goes next to the Senate floor.

Taxes and Tax Laws

'Green acres' law clarified

Members of the property tax subcommittee approved some fine-tuning of the "green acres" law that reduces property taxes on farmland in developing areas.

The bill's author, Sen. Paula Hanson (DFL-Ham Lake), said at the Tues., Jan. 30 meeting, that the intent of S.F. 2173 is not to change the policy, but merely make the law easier for counties to use. "The law is not as clear as it could be," said Hanson. "Assessors are having to rely on a variety of case law."

The bill protects landowners whose Green Acres property is reclassified from agricultural to residential. The land is instead phased into its new property tax status with the owner becoming eligible for various deferments.

Green acres laws hold down the assessed

value of agriculture land in parcels of 10 acres or more in developing areas, so that farmers will not be pushed out by rising property taxes. This helps preserve family farms, as well as open space.

Committee members also approved S.F. 1300, authored by Sen. Sandra Pappas (DFL-St. Paul), exempting airports classified as "intermediate" from paying property taxes to the city and school district. Minnesota's only intermediate airport is Holman Field in St. Paul.

The Metropolitan Airports Commission would like to shift more commercial traffic to Holman Field to relieve congestion at the international airport, said Joe O'Neill, a lawyer representing Holman Field tenants. But the international airport can offer lower prices to commercial carriers due to its exemption from the city and school taxes, O'Neill said. According to Pappas, the bill will cost homeowners in the city of St. Paul about \$1 per year.

Nursing home residents whose rent is paid by Medical Assistance no longer qualify for property tax refunds under S.F. 2094, authored by Sen. Linda Berglin (DFL-Mpls.). The bill, which Senators approved, reduces the refund by one-twelfth for each month during which at least some portion of their rent is paid by Medical Assistance. Berglin said the bill is one way to help Minnesota nursing homes compensate for federal medical assistance cuts, because the refunds are transferred to a health care reform fund.

A modification to "this old house" legislation, S.F. 2036, pro-rates a ten-year property tax break for improvements made on certain old homes. Under current law, an owner who doesn't apply before the deadline loses the reduction entirely. According to the bill's author, Sen. Phil Riveness (DFL-Bloomington), it makes sense to help, rather than penalize, people who didn't understand the law. Senators agreed and approved the bill.

Subcommittee members also approved two bills authored by Sen. Ted Mondale (DFL-St. Louis Park). The first, S.F. 1959, offers a property tax break to commercial industrial businesses that build or expand on a site that doesn't need improved streets, roads or sewer lines to accommodate the business. The bill reduces the class rate for these businesses from a 4.6 to a 4 percent class rate. Mondale said he sees the bill as "an incentive to do redevelopment." Mondale's second bill, S.F. 2257, allows property owned by cooperatives to separate common properties into tax parcels and therefore, receive separate assessments for residential homesteads, non-homesteads and cabins.

All six bills must be voted upon by the full Taxes and Tax Laws Committee.

Transportation and Public Transit

Committee considers toll roads

The Transportation and Public Transit Committee heard several reports on toll roads Fri., Jan. 26.

Carl Ohru with the Metro Council and Adeel Lari with MnDOT outlined the

results of road pricing studies ordered by the 1994 Legislature.

Lari said the department has researched the feasibility of a statewide tax based on the number of miles a vehicle travels. He said three revenue options were considered—electric odometers, electronic odometers plus border crossing stations, and a mileage-based tax proxy. He said the study concluded the concept of a mileage-based tax is "technically" feasible, but is not cost-effective at this time. He cited collection and enforcement problems, and high technology costs. He said the concept might succeed if it can be applied regionally or nationally.

Ohru outlined the findings of a study of congestion pricing in the Metro Area, under which motorists would be charged based on time of day and amount of traffic. He said the benefits of the system are its money-raising potential, its ability to influence how and when people travel, and a reduction in air pollution. He told Senators the survey found congestion pricing is feasible and cost effective if used on freeways and expressways using electronic detection rather than toll plazas. He said the Metropolitan Council may move later this year to start a demonstration project using some sort of congestion pricing.

Sen. Terry Johnston (R-Prior Lake) said lawmakers should consider transporting school children on regular passenger busses as a way to reduce traffic during peak hours. Sen. Sandra Pappas (DFL-St. Paul) agreed, saying public transit should try to attract students rather than alienating future riders by raising their fares. She suggested students' school schedules might be adjusted to enable them to ride during non-peak hours. Sen. Jane Ranum (DFL-Mpls.) said she is concerned transportation policies are "dividing us along generational lines."

In response to a question from Committee Chair Carol Flynn (DFL-Mpls.) regarding the results of surveys and focus group discussions, Ohru said people are "very concerned about money—how it will be raised, how it will be spent."

The committee also received an update on a study of options for the Wakota Bridge over the Mississippi River on I-494 in the southeast metro. MnDOT engineer Mark Krebsbach told the committee the department is considering five alternatives to reduce congestion and increase safety. Krebsbach put the total cost of the project at up to \$100 million, with construction beginning in 2001. He told the committee the project is one of the top priorities in the Metro Area, and said a toll road is one funding option under consideration.

Limited license bill withdrawn

The sponsor of a bill to restrict the driving privileges of young motorists withdrew the measure when an informal show of hands Tues., Jan. 30, by the Transportation and Public Transit Committee indicated a lack of support.

S.F. 1718 would establish a junior driver's license for persons 16 and 17 years old. Bill sponsor Sen. Thomas Neuville (R-Northfield) told the committee that the special license would prohibit driving between midnight and 5 a.m., with exemp-

tions for traveling to or from work and certain other activities.

Sen. Jim Vickerman (DFL-Tracey), objected to a provision that required students to obtain a note of permission from school when driving to and from school activities during the curfew hours. He said the responsibility under the bill should fall on the parents, not the schools. Sen. Jane Krentz (DFL-May Township), said a responsible 17 year old would be "offended" by the restrictions, adding "I think it's a little bit too big brotherish." Sen. Terry Johnson (R-Prior Lake), said she didn't see anything "onerous" in the proposal, calling it a "good bill-for young drivers."

The committee, chaired by Sen. Carol Flynn (DFL-Mpls.), approved a measure that requires drivers to stop and yield right of way to pedestrians in a crosswalk. Current law requires drivers to slow or stop. S.F. 2054 sponsor Sen. Randy Kelly (DFL-St. Paul), said the bill is needed because "over the past few years the culture in Minnesota has been that the automobile takes precedence over automobile safety." The measure was approved and re-referred to the Crime Prevention Committee because of a change in a provision outlining penalties.

The committee also agreed to several highway designation bills. S.F. 1946, sponsored by Sen. Don Samuelson (DFL-Brainard), establishes the POW/MIA Memorial Highway, the Veterans Memorial Highway, and John Riley Memorial Drive. He said designation are in memory of those in the region who served in the Philippines and Germany during World War II.

S.F. 2012, sponsored by Sen. Tracy Beckman (DFL-Bricelyn), establishes Victory Drive and Veterans Memorial Highway; and S.F. 2121, sponsored by Neuville denotes the Czech Heritage Highway.

Under an amendment to the highway bills, offered by Sen. Keith Langseth (DFL-Glyndon), local communities must reimburse the Department of Transportation for expenses related to the designations. The measures were forwarded to the Consent Calendar

Committee okays special plates

The Transportation and Public Transit Committee, chaired by Sen. Carol Flynn (D.F.L.-Mpls.), considered several bills affecting license plates at the Weds., Jan. 31 meeting.

Members approved a measure to authorize special motorcycle license plates for veterans of the Vietnam War. S.F. 1865 includes a \$10 fee for a set of two plates or, as amended by bill sponsor Sen. Terry Johnston (DFL-Prior Lake), a \$5 fee for a single plate.

Sen. Keith Langseth (DFL-Glyndon) questioned whether enough people would apply for the plate to cover production costs. Sen. Jane Krentz (DFL-May Township) said she wanted the law to be consistent with the requirements of other special plate laws. John Wildes, assistant director of Driver and Vehicle Services, told committee members the break-even point would be the sale of 565 ten dollar plates. Johnston said past experience shows there will be sufficient interest in the plates from veterans. The bill

was sent to the Transportation and Public Transit Finance Division

The committee endorsed and sent to the floor S.F. 1793, permitting the display of a single original rear license plate issued for the years 1944-1946 on classic cars. Current law requires two plates, but bill sponsor, Sen. Paula Hanson (DFL-Ham Lake), said only one plate was issued in those years because of a steel shortage.

S.F. 1813 was approved and was re-referred to the Governmental Operations and Veterans Committee. Bill sponsor, Sen. William Belanger (R-Bloomington), said the proposal amends a provision of the state building code to require parking spaces for the use of persons with disabilities to be located on the shortest accessible route of travel between parking and an entrance.

Two bills sponsored by Sen. Steve Murphy (DFL-Red Wing) were approved and sent to the full Senate. S.F. 2146 allows the use of a cable to hitch a trailer or semitrailer to a towing vehicle. The bill also limits the maximum weight exception to the first haul of raw and unfinished forest products when the maximum weight limitation is not exceeded by more than ten percent. S.F. 2147 changes the definition of "trailer" and "semitrailer" in state law, and clarifies language referring to vehicle length. In answer to a question from Belanger, Murphy said the bill does not "open the door for triple tractor-trailers" on Minnesota roads.

The committee voted in favor of S.F. 1947, allowing the commissioner of transportation to adopt rules for a highway service sign program. Sen. Mark Ourada (R-Buffalo), author of the bill, said the measure also allows the use of additional types of lights as flashing warning lights for oversized truck loads or other traffic hazards. The committee accepted Ourada's amendment to delete a provision allowing a right turn on a red arrow and a left turn on a left arrow in some cases. The bill was sent to the Government Operations and Veterans Committee.

S.F. 2053, which was approved and sent to the floor, permits the commissioner to grant a waiver to an intrastate truck driver who is unable to meet federal physical qualifications. Bill sponsor Sen. Jim Vickerman (DFL-Tracey) said the proposal also allows the department of transportation to accept the electronic filing of proof of insurance.

Floor action

Brief floor session held

Senators held a brief floor session Mon., Jan. 29, and granted final passage to two measures on the Senate Calendar and one bill on the Consent Calendar. S.F. 1925, authored by Sen. Janet Johnson (DFL-North Branch), makes technical changes to Housing Finance Agency requirements under the single family housing programs. S.F. 1812, sponsored by Sen. Linda Berglin (DFL-Mpls.), provides for securing vacant buildings. S.F. 1862, authored by Sen. Don Betzold (DFL-Fridley), authorizes the use of unmarked vehicles by the Dept. of Health Division of Disease Prevention and Control. All three bills gained final passage on unanimous roll call votes.

Bills gain preliminary passage

Senators met for a relatively brief floor session Thurs., Feb. 1, and granted preliminary passage to several bills on the General Orders Calendar. Bills on General Orders are considered by the Senate acting as one large committee known as "the Committee of the Whole." Bills gaining approval are then placed on the Senate Calendar and are eligible for consideration for final passage.

S.F. 1912, authored by Sen. Pat Pariseau (R-Farmington), permits the city of New Market to incur debt not subject to the general debt limit. S.F. 1936, sponsored by Sen. Jerry Janeczich (DFL-Chisholm), provides that the director of the state lottery may permit a lottery retailer to sell tickets at more than one location and eliminates the requirement that lottery retailers post a bond with the lottery. S.F. 1815, carried by Sen. Deanna Wiener (DFL-Eagan), regulates the underwriting of life and health coverages for victims of domestic abuse. S.F. 1040, authored by Sen. Don Samuelson, regulates the sale of long-term care insurance.

S.F. 1909, sponsored by Sen. Kenric Scheevel (R-Preston), designates a portion of trunk highway No. 52 in Fillmore County as the "Amish Buggy Byway." S.F. 1797, carried by Sen. Don Betzold (DFL-Fridley) provides that drivers license suspensions are not effective until 14 days after notice has been mailed to the licensee and restricts authority to suspend drivers licenses for petty misdemeanor traffic violations. S.F. 2166, authored by Sen. Steven Morse (DFL-Dakota) permits up to a 40 year term for some bonds financed by the USDA used to finance infrastructure improvements. S.F. 1919, authored by Sen. Linda Runbeck (R-Circle Pines), makes numerous technical and administrative changes in laws relating to reemployment insurance. S.F. 1984, sponsored by Sen. Tracy Beckman (DFL-Bricelyn), modifies and adds to the list of canoe and boating routes.

Members also granted final passage to one bill on the Consent Calendar. S.F. 1800, carried by Sen. Dan Stevens (R-Mora), changes procedures for the disposition of closed armories.

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Preview

The Minnesota Senate Week at a Glance

Sunday February 4

Joint Crime Prevention Judiciary Subcommittee on Privacy

Chair: Sen. Jane Ranum

12 noon Room 107 Capitol

Agenda: S.F. 2216-Merriam: Providing access to data on settlement of employment disputes involving payment of money. S.F. 1707-Merriam: Release of certain delinquency information to multiple-unit rental housing managers. S.F. 2410-Ranum: Omnibus data practices bill--agencies' data practices provisions. Following bills to be offered as amendments to the Omnibus Data Practices Bill (S.F. 2410): S.F. 2458-Ranum: Authorizing the release of certain birth information on unwed mothers to family service collaboratives; S.F. 2100-Merriam: Modifying limitations on access to medical records in personnel files; S.F. 2217-Merriam: Limiting preliminary access to terms of tentative collective bargaining agreements; S.F. 2127-Merriam: Limiting use of administrative subpoena for government access to certain financial records; S.F. 2230-Knutson: permitting the release of reserved library books to third parties.

Monday, February 5

Environment and Natural Resources Finance Division

Chair: Sen. Steven Morse

8 a.m. Room 123 Capitol

Agenda: S.F. 2203-Frederickson: Appropriating money; MN River Basin Joint Powers Board to coordinate cleanup; Department of Agriculture.

Health Care and Family Services

Finance Division

Chair: Sen. Donald Samuelson

9 a.m. Room 112 Capitol

Agenda: DHS capitol budget overview. Division capitol budget recommendations

The Senate will meet at 10 a.m.

Agriculture and Rural Development Committee

Chair: Sen. Roger D. Moe

12 noon Room 107 Capitol

Agenda: S.F. 2043-Berg: Changing the law limiting corporate farming. Testimony from proponents.

Commerce and Consumer Protection Committee

Chair: Sen. Leonard Price

12 noon Room 112 Capitol

Agenda: S.F. 1903-Riveness: Auto Theft Board. S.F. 1980-Hottinger: Omnibus insurance bill. S.F. 2120-Morse: Superfund insurance (will be heard only if passed out of Insurance Subcommittee). S.F. 2472-Price: Pawnbrokers regulation. S.F. 2624-Wiener: Daycare provider insurance.

Judiciary Committee

Chair: Sen. Randy Kelly

12 noon Room 15 Capitol

Agenda: S.F. 1803-Novak: Extending the municipal tort claims protections to non-profit firefighting corporations. S.F. 1866-Betzold: Providing for the isolation and detention of persons with active tuberculosis who pose a danger to the public health. S.F. 2119-Flynn: Authorizing a third consecutive term for the chief judge of the Fourth Judicial District. S.F. 2478-Hottinger: Modifying and expanding provisions for sanctions in civil actions. S.F. 2514-Hottinger: Civil commitment; Clarifying the financial responsibility for hearings on the use of neuroleptic medications.

Crime Prevention Committee

Chair: Sen. Allan Spear

2 p.m. Room 15 Capitol

Agenda: S.F. 1613-Neuville: Prison industry program. S.F. 1833-Runbeck: Discharge of state employees convicted of sexual assault. S.F. 2573-Kelly: Challenge incarceration program expansion.

Metropolitan and Local Government Committee

Chair: Sen. Jim Vickerman

2 p.m. Room 107 Capitol

Agenda: S.F. 2597-Metzen: Creating an advisory council on intergovernmental relations. S.F. 2646-Vickerman: Annexation bill.

Agriculture and Rural Development Committee

Chair: Sen. Roger D. Moe

6 p.m. Room 15 Capitol

Agenda: S.F. 2043-Berg: Changing the law limiting corporate farming. Testimony from opponents. Committee discussion will follow. S.F. 2210-Sams: Changing limitations on ownership of agricultural land by corporations, limited liability companies, pension or investment funds, and limited partnerships.

Legislative Commission on Minnesota Resources

Chair: Sen. Steven Morse

6 p.m. Room 123 Capitol

Agenda: Adopt a strategy for allocation of additional 1996 biennium revenues and recommend expenditure of those revenues to the Environment Finance Divisions of the House and Senate. Recent revenue estimate. Adopt recommendations to extend the availability of appropriations for mercury deposition and lake quality trends, Silver Bay harbor and Lake Superior safe harbors.

Education Funding Division

Chair: Sen. Lawrence Pogemiller

7 p.m. Room 112 Capitol

Agenda: To be announced.

Tuesday, February 6

Gaming Regulation Committee

Chair: Sen. Charles Berg

8 a.m. Room 107 Capitol

Agenda: S.F. 1974-Stevens: Counties to establish casinos. S.F. 1975-Stevens: Expiration date for gambling compacts. S.F. 2351-Berg & S.F. 2380-Lesewski: Gambling for public assistance recipients. S.F. 1788-Kramer: information included in lottery publications. S.F. 2502-Riveness: Expenses paid from lawful gambling receipts.

Governmental Operations and Veterans Committee

Chair: Sen. James Metzen

8 a.m. Room 15 Capitol

Agenda: S.F. 2422-Frederickson: Government information access council. S.F. 2426-Mondale: Public access to telecommunication and information services. S.F. 2518-Marty: Governmental audits; investigation of improper activities reported by legislative auditor or state auditor. S.F. 2183-Murphy: DOER appointments and pilot projects. S.F. 2529-Beckman: Government Innovation and Cooperation; United South Central school district election exemption. S.F. 1766-Morse: Retirement: Annuity contract investments. S.F. 1902-Pappas: Minority councils.

Transportation and Public Transit Finance Division

Chair: Sen. Keith Langseth

8 a.m. Room 112 Capitol

Agenda: S.F. 2270-Langseth: Motorcycle safety fund use. S.F. 1865-Johnston: Vietnam veterans license plates. S.F. 2446-Johnson, J.B.: Telecommuting. S.F. 2466-Lessard: First haul exemptions; cables; weight violations. S.F. 2600-Langseth: Traffic regulations and license plates.

Education Funding Division

Chair: Sen. Lawrence Pogemiller

10 a.m. Room 112 Capitol

Agenda: To be announced.

Health Care Committee

Chair: Sen. Linda Berglin

10 a.m. Room 15 Capitol

Agenda: S.F. 1982-Dille: Veterinarians. S.F. 2312-Kiscaden: Director of nursing to serve as nursing home administrator. S.F. 2074-Betzold: Crisis ICFMR rate adjustment. S.F. 2177-Samuelson: Increase personal needs allowance for MA recipients. S.F. 2244-Samuelson: ICFMR rate clarification. S.F. 2245-Samuelson: ICF rate penalty repealed. S.F. 2335-Samuelson: Modifying nursing practice. S.F. 2272-Sams: Extends repealer of prohibition on exclusive relationships. S.F. 659-Berglin: Birth defects registry. S.F. 1662-Berglin: Liquor warning for pregnant women. S.F. 2021-Berglin: Study in-home services to disabled. S.F. 1855-Samuelson: Modify Rule 50. The Committee may meet this evening at 6 p.m. in Room 15 of the Capitol.

Jobs, Energy and Community Development Committee

Chair: Sen. Steven Novak

10 a.m. Room 107 Capitol

Agenda: S.F. 2314-Finn: Appropriating money, construction of Headwaters Science Center, Bemidji. S.F. 2367-Kelly: Appropriating money certain St. Paul economic development and employment programs. S.F. 2368-Kelly: Appropriating money, Phalen area St. Paul. S.F. 2392-Finn: Battle Point historic site. S.F. 2469-Lessard: Cold weather research. S.F. 2504-Riveness: Imposing certain conditions on economic recovery grants.

Crime Prevention Finance Division

Chair: Sen. Tracy Beckman

12 noon Room 112 Capitol

Agenda: Supplemental Budgets: Department of Corrections, Department of Public Safety, Bureau of Criminal Apprehension.

Environment and Natural Resources Finance Division

Chair: Sen. Steven Morse

12 p.m. Room 123 Capitol

Agenda: S.F. 2596-Johnson, D.J.: Deer feeding; Game and Fish Fund.

Ethics and Campaign Reform Committee

Chair: Sen. John Marty

12 noon Room 107 Capitol

Agenda: S.F. 2527 - Marty: Campaign materials disclaimer requirements. S.F. xxxx - Marty: Multiple nominations.

Family Services Committee

Chair: Sen. Pat Piper

12 noon Room 15 Capitol

Agenda: S.F. 1885-Knutson: DHS Bill

Relating to childrens' programs
Additional bills referred from other committees.

Environment and Natural Resources Committee

Chair: Sen. Bob Lessard

2 p.m. Room 107 Capitol

Agenda: S.F. 1464-Ourada: Allowing DNR to lower water level on Lake Pulaski. S.F. 1587-Ourada: Sale of tax-forfeited land in Sherburne County. S.F. 2296-Piper: Blazing Star Trail. S.F. 2445-Johnson, J.B.: Omnibus game and fish.

Finance Capital Budget Subcommittee

Chair: Sen. Phil Riveness

4 p.m. Room 123 Capitol

Agenda: To be announced.

Taxes and Tax Laws Subcommittee on Property Tax

Chair: Sen. John Hottinger

4 p.m. Room 15 Capitol

Agenda: Continued from 1/31/96. S.F. 1568-Novak: Property tax reform. S.F. 1684-Reichgott Junge: Amendment to the Minnesota Constitution, state funding of education costs. S.F. 1782-Runbeck: Property tax reform. S.F. 2423-Runbeck: Property tax reform. S.F. 2474-Hottinger: Property tax reform, amendment to the Minnesota Constitution. S.F. 2498-Mondale: Public finance; requires nonschool property tax increases to be levied against market value. S.F. 2455-Belanger: Decreases the general education levy; requires nonschool property tax increases to be levied against market value.

Ethics and Campaign Reform Committee

Chair: Sen. John Marty

7 p.m. Room 112 Capitol

Agenda: S.F. 2464- Janezich: Referendum for new sports stadium.

Wednesday, February 7

Gaming Regulation Committee

Chair: Sen. Charles Berg

8 a.m. Room 107 Capitol

Agenda: S.F. 2377-Laidig: Amendment to constitution on casino gaming by nonprofits. S.F. 2218-Berg: Lawful gambling expenditures and reports. Bills remaining from Tuesday's agenda.

Governmental Operations and Veterans Committee

Chair: Sen. James Metzen

8 a.m. Room 15 Capitol

Agenda: S.F. 1827-Terwilliger: State employees salary and compensation modifications. S.F. 499-Hottinger: Administrative law judges salaries. S.F. 2284-Johnson, D.E.: Military reenlistment bonus program. S.F. 2564-Samuelson: Camp Ripley National Guard Education Center. S.F. 2584-Metzen: Minnesota

Veterans Homes board of directors. S.F. 2406-Betzold: State Armory Building Commission. S.F. 2494-Pappas: Military Affairs facility and ramp.

Transportation and Public Transit Committee

Chair: Sen. Carol Flynn

8 a.m. Room 112 Capitol

Agenda: S.F. 1164-Langseth: MnDOT housekeeping bill. S.F. 2209-Hanson: Dept. Of Public Safety technical bill. S.F. 2320-Knutson: Changing codes for two types of driver's license. S.F. 2331-Ranum: Providing that certain watershed permits apply to MnDOT. S.F. 2453-Murphy: Regulating billboards and other advertising devices along highways. S.F. 2483-Krentz: Cultural resource surveys related to trunk highway projects. S.F. 2489-Ranum: Hearings related to toll facilities. S.F. 2104-Stevens: Delaying requirement for lead-free markings for road pavement.

Health Care Committee

Chair: Sen. Linda Berglin

10 a.m. Room 15 Capitol

Agenda: S.F. 2264-Samuelson: County PMAP bill. S.F. 2025-Kiscaden: Governor's Dept. of Human Services health care bill.

Higher Education Division

Chair: Sen. LeRoy Stumpf

10 a.m. Room 112 Capitol

Agenda: To be announced.

Jobs, Energy and Community Development Committee

Chair: Sen. Steven Novak

10 a.m. Room 107 Capitol

Agenda: S.F. 2196-Anderson: Mortgagee to provide resident caretaker for a premises. S.F. 2337-Hottinger: Utilities providing employees of public utilities notice of sale. S.F. 2438-Anderson: Employment, school conference and activities leave. S.F. 2484-Betzold: Brooklyn Park establishment of a distressed housing district.

Agriculture and Rural Development Committee

Chair: Sen. Roger D. Moe

12 noon Room 107 Capitol

Agenda: To be announced.

Commerce and Consumer Protection Committee

Chair: Sen. Leonard Price

12 noon Room 112 Capitol

Agenda: Continuation of Monday's agenda. Primary source study presentation. S.F. 2116- Solon: Omnibus liquor bill. (Incorporates S.F. 2018-Stumpf: On-sale liquor license in Thief River Falls; S.F. 2174-Metzen: Additional liquor licenses for West St. Paul.)

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Judiciary Committee

Chair: Sen. Randy Kelly
12 noon Room 15 Capitol
Agenda: To be announced.

Crime Prevention Committee

Chair: Sen. Allan Spear
2 p.m. Room 15 Capitol
Agenda: To be announced.

Metropolitan and Local Government Committee

Chair: Sen. Jim Vickerman
2 p.m. Room 107 Capitol
Agenda: To be announced.

Finance Capital Budget Subcommittee

Chair: Sen. Phil Riveness
4 p.m. Room 123 Capitol
Agenda: To be announced.

Taxes and Tax Laws Subcommittee on Income and Sales Tax

Chair: Sen. Sandra Pappas
4 p.m. Room 15
Agenda: S.F. 2007-Johnston: Scott county; repeal admissions tax. S.F. 2176-Samuelson: Little Falls; tax on food sales. S.F. 2250-Sams: Sales tax exemption for used farm machinery. S.F. 2437-Hottinger: Credit for gifts to institutions of higher education. Presentation of SCORE Report by the Department of Revenue.

Crime Prevention Committee

Chair: Sen. Allan Spear
7:30 p.m., Room 15 Capitol
Agenda: To be announced.

Thursday, February 8

The Senate will meet at 8 a.m.

Education Funding Division

Chair: Sen. Lawrence Pogemiller
10 a.m. Room 112 Capitol
Agenda: To be announced.

Health Care Committee

Chair: Sen. Linda Berglin
10 a.m. Room 15 Capitol
Agenda: S.F. 2311-Kiscaden: Requires assessment report for proposed mandated health benefit. S.F. 2264-Samuelson: County PMAP bill. S.F. 2025-Kiscaden: Governor's DHS Health Care bill. NOTE: If there is time we will consider: S.F. 1994-Limmer: Hearing loss screening for newborns.

Jobs, Energy and Community Development Committee

Chair: Sen. Steven Novak
10 a.m. Room 107 Capitol
Agenda: S.F. 1715-Runbeck: Providing immunity for employment references S.F. 2238-Novak: Alternative energy clarifying mandate using biomass fuel. S.F. 2416-Johnson, J.B.: St. Croix Valley Heritage Center. S.F. 2510-Belanger: Bonds Highland Hills/Bush Lake ski area. S.F. 2546-Vickerman: Grant for Prairieland Expo. S.F. 2619-Vickerman: Wind energy mandates.

Ethics and Campaign Reform Committee

Chair: Sen. John Marty
12 noon Room 107 Capitol
Agenda: To be announced.

Crime Prevention Committee

Chair: Sen. Allan Spear
2 p.m. Room 15 Capitol
Agenda: To be announced.

Finance Capital Budget Subcommittee

Chair: Sen. Phil Riveness
4 p.m. Room 123 Capitol
Agenda: To be announced.

Governmental Operations and Veterans Committee

Chair: Sen. James Metzen
6 p.m. Room 107 Capitol
Agenda: S.F. 2297-Metzen: Grants for ice centers. S.F. 2597-Metzen:

Intergovernmental relations advisory council.

Transportation and Public Transit Committee

Chair: Sen. Carol Flynn
6 p.m. Room 118 Capitol
Agenda: S.F. 2063-Pappas: Charter carriers entirely within one city. S.F. 2169-Pappas: Abolishing Transportation Regulation Board. S.F. 2342-Vickerman: Deregulation of motor carriers of property

Friday, February 9

Governmental Operations and Veterans Committee

Chair: Sen. James Metzen
8 a.m. Room 15 Capitol
Agenda: Pension bills.

Transportation and Public Transit Committee

Chair: Sen. Carol Flynn
8 a.m. Room 112 Capitol
Agenda: Bills referred from Transportation Finance Division meeting of 2-6-96 and others to be announced.

Education Funding Division

Chair: Sen. Lawrence Pogemiller
10 a.m. Room 112 Capitol
Agenda: To be announced.

Environment and Natural Resources Committee

Chair: Sen. Bob Lessard
10 a.m. Room 107 Capitol
Agenda: To be announced.

Briefly

The Minnesota Senate Week in Review

February 9, 1996

Stadium referendum discussed

An evening meeting of the Ethics and Campaign Reform Committee was held Tues., Feb. 6, to discuss a bill providing for a referendum on the issue of constructing a new baseball stadium in the Metropolitan Area. The bill, S.F. 2464, authored by Sen. Jerry Janezich (DFL-Chisholm) provides for the question to be submitted to voters in the Metropolitan Area at the regular state election in November 1996. Under the bill, the ballot question asks "Shall the legislature provide by law for the construction of a stadium in the Metropolitan Area to be financed by a) contributions from the team using the stadium; b) private sources; and c) taxes imposed on those who use or benefit from the stadium, and limited to hotel and motel lodging, liquor and a surcharge on admissions to the stadium?"

The committee, chaired by Sen. John Marty (DFL-Roseville), heard testimony from Jerry Bell, president of the Minnesota Twins. Bell outlined several challenges that the Twins face, including the fact that the team has no collective bargaining agreement and no revenue sharing agreement. Bell also said that the Twins receive only a modest broadcast revenue, no parking revenue, no suite revenue, limited concession revenue and no stadium signage revenue. Of most importance, said Bell, the Metrodome offers only a limited number of quality seats.

Bell said that the Metrodome was not built with baseball revenue in mind. Because of the rectangular shape of the Metrodome, many infield seats are lost, Bell said. He added that if the Twins draw less than an 80 percent average attendance at the end of 1997, they are permitted to give notice to end the lease.

Henry Savelkoul, chair of the Metropolitan Sports Facilities Commission, said that an estimated cost figure for a new ballpark is \$200 to \$230 million. The figure includes a covering (\$40 to \$50 million) and air conditioning (\$8 to \$10 million).

Marty said that the teams extort public funds with threats of moving. Sen. Dean Johnson (R-Willmar) responded that there is no talk of threats. "Never once did the Twins say they'll leave if no new stadium is built," said Johnson.

Sen. Roger D. Moe (DFL-Erskine) said that owning a sports team is no different than owning any other business. "From what I can tell, the owners have to see the

financial rupture they're facing. They can only lose money for so long and then they have to sell the team. This is a reasonable way to approach the problem -- it is basically a financial issue," said Moe.

John Berglund, representing the Minnesota Licensed Beverage Association and the Minnesota Motel Association testified that the groups he represents are opposed to the proposed method of funding and to the referendum. Sen. Lawrence Pogemiller (DFL-Mpls.) pointed out that the bill provides for a non-binding resolution. The bill was approved and re-referred to the Tax and Tax Laws Committee.

Prescription drug bill advances

A bill that gives the commissioner of administration authority to negotiate contract prices for all prescription drugs sold in Minnesota won approval in the Commerce and Consumer Protection Committee Weds., Feb. 7. S.F. 410, the "Prescription Drug Fair Competition Act," establishes a state drug formulary, or a listing of drugs of proven safety and cost-effectiveness, to be used in negotiating prices. The bill specifies the contract price be based on either the average manufacturers price minus 15 percent, the best competitive price, or a negotiated price, whichever is lowest.

Bill sponsor, Sen. John Marty (DFL-Roseville), told the committee he is "frustrated trying to put down arguments not related to the bill," such as the claim it limits access to drugs. He said the measure expands an existing state program.

Sen. Deanna Wiener (DFL-Eagan), told Marty the "bill has the right intent, but this is the wrong way to go about it." Sen. Kevin Chandler (DFL-White Bear Lake), said the measure lowers drug prices, adding "that's why the drug companies are fighting this bill." Sen. Sam Solon (DFL-Duluth) said there is general agreement that some people in America can't afford drugs, and while "no one knows for sure what the bill will do, I don't think we have any choice but to act favorably." The bill was sent to the Finance Committee on a 9 to 6 roll call vote.

The committee, chaired by Sen. Leonard Price (DFL-Woodbury), acted on an omnibus insurance bill. S.F. 1980, sponsored by Sen. John Hottinger (DFL-Mankato), changes the regulation of insurance licensing, underwriting, marketing, and claims settlement practices. It

includes changes to the replacement of an existing annuity or life insurance contract, and it limits the applicability of the requirement that life insurance policies provide alternative pay-out options on those policies with a death benefit of \$15,000 or more. The bill was approved and sent to the Senate floor.

The committee also sent S.F. 2116, an omnibus liquor bill, to the full Senate. Author Solon noted the measure eliminates a requirement that a manufacturer or wholesaler licensee must be a citizen of the United States or a resident alien, saying "you don't have to be an American citizen to be an entrepreneur. He said the measure includes regulations for malt liquor furnished for sampling, and provides additional liquor licenses to Wadena, Thief River Falls, and West St. Paul. An amendment offered by Wiener added five licenses to Eagan. She said the city needs additional licenses to accommodate a new retail development.

Feedlot amendment prevails

A bill to establish the Minnesota Dairy Producers Board, S.F. 2675, was approved by the Agriculture and Rural Development Committee Weds., Feb. 7. But before members approved Sen. Dallas Sams' (DFL-Staples) proposal, it was amended with Sen. Steve Dille's (R-Dassel) provision that requires the Pollution Control Agency and the commissioner of agriculture to provide information and technical assistance to counties developing feedlot ordinances.

Sen. Charles Berg (DFL-Chokio) voiced strong objections to the amendment and told members that livestock producers statewide oppose the change.

Sams said that the amendment provides some state oversight of feedlot issues and that its intent is to provide information.

Other provisions contained in the bill govern the appointment of board members, terms and per diem regulations. Additionally, the board must conduct quarterly surveys of dairy producers to identify problems related to milk pricing and recommend solutions to those problems. Furthermore, the board must determine dairy production costs in each county and act as an advocate for dairy producers. The committee, chaired by Sen. Roger D. Moe (DFL-Erskine), approved the bill and re-referred it to the Governmental Operations and Veterans Committee.

Committee update

Agriculture and Rural Development

LLC discussion begins

A bill that allows a family farm to do business as a limited liability company was brought before the Agriculture and Rural Development Committee Mon. afternoon, Feb. 5. Carried by Sen. Charles Berg (DFL-Chokio), the bill specifies that at least 75 percent of the limited liability company's shareholders are farmers residing in Minnesota and at least 30 percent of those farmers must be actively engaged in livestock production.

Berg told members that farmers were carved out of the original legislation that gave other businesses the go ahead to operate as a limited liability company. "Everybody except farmers were included in the original bill governing limited liability companies," Berg said. "If everyone else in the state can operate as a LLC, farmers should be able to do so too."

The committee, chaired by Sen. Roger Moe (DFL-Erskine), listened to testimony in support of the measure. Witnesses said that an LLC is cheaper to form and dissolve than a corporation, plus provides significant tax advantages and flexibility.

Opposition testimony will be heard at a later meeting.

LLC's fails

The Agriculture and Rural Development Committee voted 6-5 to defeat a bill that gives family farms an LLC option Mon. evening, Feb. 5. The committee, chaired by Sen. Roger D. Moe (DFL-Erskine), listened to numerous farmers and representatives speak in opposition to the measure.

David Frederickson, from the Minnesota Farmers Union, voiced strong objections to Sen. Charles Berg's (DFL-Chokio) bill. "Our long-standing opposition to changes in the corporate farm law remains firm," Frederickson told members. He specifically objected to a provision that changes the definition of "farmer." Frederickson also argued against a provision to transfer the attorney general's authority to enforce violations to the corporate farm act to the commissioner of agriculture.

Research bills gain

In addition to acting on the dairy bill and the feedlot amendment, members of Agriculture and Rural Development Committee, chaired by Sen. Roger D. Moe (DFL-Erskine), acted on several addition bills at the Tues., Feb. 7, hearing. Two bills appropriating money for research were also approved and re-referred to the Environmental and Natural Resources Finance Division. S.F. 2694, authored by Sen. Dean Johnson (R-Willmar), requests \$2.3 million for research and development of best management practices for the production of alfalfa, development of alfalfa varieties that possess optimal energy and protein-value characteristics and the development of value-added alfalfa products. S.F. 2623, sponsored by Sen. Leroy Stumpf (DFL-Thief River Falls), appropriates \$80,000 for a grant to the University of Minnesota for funding

research and development on turf grasses.

Also re-referred to the Environment and Natural Resources Finance Division were S.F. 2586, Stumpf's bill that appropriates \$75,000 for a grant to the beaver damage control joint powers board and S.F. 2696, Berg's measure that authorizes compensation to farmers for crops damaged by deer or geese.

S.F. 1271, a bill that broadens the definition of "eligible persons" entitled to reimbursement for costs related to agricultural chemical response clean ups, was approved and re-referred to the Finance Committee. Dille's measure expands the definition to include persons who are not a responsible party or owner of real property and voluntarily take corrective action to an incident.

A bill carried by Sen. Bob Lessard (DFL-Int'l. Falls), S.F. 2760, was also approved by members and sent to the full Senate. The measure provides an exception to the restriction on alien ownership of agricultural land for production of timber and forestry products. Lessard told the committee that the Blandon Paper Company is now owned by a Canadian firm.

Commerce and Consumer Protection

Committee approves new board

The Commerce and Consumer Protection Committee, chaired by Sen. Leonard Price (DFL-Woodbury), Mon., Feb. 5, approved the creation of a state auto theft prevention board.

S.F. 1903 sponsor Sen. Phil Riveness (DFL-Bloomington), said the board is modeled after a successful Michigan initiative, and funded through a one dollar a year auto insurance surcharge.

He said the seven-member board would be appointed by the governor, and would develop and sponsor plans and strategies to combat auto theft, improve the administration of related laws, and distribute money for theft prevention activities. Riveness said 14,000 cars are stolen yearly in Minnesota, costing \$45 million in losses and repairs.

The bill was approved and sent to the Governmental Operations and Veterans Committee.

The committee approved, on a close voice vote, a measure that regulates pawnbrokers. Price, S.F. 2472 sponsor, said it establishes statewide guidelines, but does not impose licensing or pre-empt tougher local ordinances. He said the proposal sets maximum interest rates, gives criteria for licensing, and restricts where new pawn shops can locate.

Several witnesses, including three metro police officials, a representative from the Bloomington city attorney's office, and a pawn shop owner, expressed concerns about the effect of the bill on their communities. Bloomington police lieutenant Ronald Whitehead said the proposal "establishes a statutory norm across the state that causes some problems for us." Price said an amendment he offered, that was accepted previously, insures that municipalities maintain regulatory control.

The committee defeated a motion by Anderson to move the bill out without

recommendation. It was approved and sent to the Judiciary Committee.

The committee also approved S.F. 2624, which stipulates that, unless specifically stated, there is no coverage under a homeowners' insurance policy for losses or damages related to day care operations. Sponsor Sen. Deanna Wiener (DFL-Eagan), said the clarification is needed because "there is a real fear from day care providers that their insurance will be canceled." The bill was sent to the Senate floor.

Crime Prevention

EMS and ER bill advances

A bill that stiffens penalties for assaults on emergency medical personnel and hospital emergency room staff was approved by the Crime Prevention Committee Thurs., Feb. 1. The measure, S.F. 1968, authored by Sen. Tracy Beckman (DFL-Bricelyn), increases the penalty from a gross misdemeanor to a two-year felony.

Several witnesses testified in support of the bill. Dr. Mark Berg, from North Memorial Hospital, told members that attacks on emergency room staff are increasing steadily. Angry companions of violent crime victims have assaulted Berg on two separate occasions. "Their intent was to seek out an ER person and harm that person," Berg said. "Their motive was retribution."

Joani Kapischke, an R.N. at Hennepin County Medical Center and president of the Greater Twin Cities Emergency Nurses Association told members that often there are no consequences for the crimes. According to Kapischke, the county attorney is reluctant to prosecute gross misdemeanors. "Often there is no prosecution if the assailant has no prior record," she said.

The committee, chaired by Sen. Allan Spear (DFL-Mpls.), approved the measure and sent it to the full Senate.

Three other bills were approved by members and referred to the floor. S.F. 1824, carried by Sen. Gary Laidig (R-Stillwater), suspends the driver's license of an individual who has been charged with fleeing a police officer. The suspension remains in effect until the person has been adjudicated. The bill allows for a limited license to be issued, but only on the recommendation of the court.

Lieutenant Jay Swanson, from the Minnesota State Patrol told members that high speed chases are among the most dangerous duties faced by law officials. "Our goal is to stop some of these pursuits before they begin," Swanson said.

S.F. 2089, carried by Sen. Ellen Anderson (DFL-St. Paul), allows non-CCA peace officers to detain a probationer. Retention of an individual on conditional release requires the written order of the court services director or the designee of a county probation agency, under the bill.

A bill authored by Spear, S.F. 2385, incorporates all the non-funding recommendations of the Legislative Auditor's 1996 report on probation services.

S.F. 2143, Sen. Don Betzold's (DFL-Fridley) bill to authorize forfeiture of a motor vehicle as part of a criminal sentence, was laid over.

Prison industry bill advances

A bill that authorizes the creation of a private council to manage correctional work programs, S.F. 1613, was approved by the Crime Prevention Committee Mon., Feb. 5. The measure, authored by Sen. Thomas Neuville (R-Northfield), proceeds to the Governmental Operations and Veterans Committee.

Under the bill, the new council, to be known as MinnPride, is required to develop a five-year business plan for the state's prison industries. Working in conjunction with MinnCor to develop the plan, the measure gives MinnPride authority to review all records kept by MinnCor, correctional facilities and MinnCor personnel. The bill also gives MinnPride authorization to conduct voluntary confidential interviews with all inmate and noninmate employees of MinnCor.

Other provisions included in S.F. 1613 require that by the end of its first year, MinnPride must match the number of inmates employed by MinnCor as of January 15, 1996. Additionally, MinnPride must offer employment to noninmate MinnCor employees at their previous MinnCor salaries, provide security and maintenance of facilities and equipment at its own expense and operate without a state subsidy.

Steve Hunter from AFSCME opposed the measure. "Most of the savings realized come through reductions in AFSCME salaries," he testified.

Also re-referred to the Governmental Operations and Veterans Committee was S.F. 1833, carried by Sen. Linda Runbeck (R-Circle Pines). "This is a logical step in support of the governor's zero tolerance policy for sexual harassment in state government," Runbeck said. The bill provides for immediate discharge of a state employee who has been convicted of first through fifth degree sexual assault. The committee adopted an amendment clarifying that the discharge does not bar the individual from future state employment.

The committee, chaired by Sen. Allan Spear (DFL-Mpls.), approved two other bills. S.F. 2134; Sen. Don Betzold's (DFL-Fridley) bill that expands the criminal penalty for fleeing a peace officer to include vehicle forfeiture, was sent to the Senate floor.

S.F. 2573, sponsored by Sen. Randy Kelly (DFL-St. Paul), raises the time limit for offenders participating in the Challenge Incarceration Program from 36 months to 60 months. Members re-referred the measure to the Crime Prevention Finance Division.

Family conference bill gains

Members of the Crime Prevention Committee cleared several bills from a lengthy agenda at the first of two hearings held Weds., Feb. 7. The panel, chaired by Sen. Allan Spear (DFL-Mpls.), advanced four bills to the Senate floor and one measure to the Crime Prevention Finance Division.

The bill sent to the division involves authorizing a pilot family group conference program. S.F. 1961, authored by Sen. James

Metzen (DFL-South St. Paul), said that the bill is designed to provide a forum where individuals accused of having committed crimes meet with victims, family members of the victims, their own family members, law enforcement officials and members of the community as an alternative to prosecution. Dakota County officials have initiated the project and, under the bill, the pilot program is established in the First Judicial District and involves the county, cities and school districts in setting up the program. According to officials from Dakota County, the bill allows an alternative diversionary program and is aimed primarily at juveniles. The measure also requires the commissioner of corrections to report on the effectiveness of the pilot program. The measure was endorsed by the panel and re-referred to the Crime Finance Division.

S.F. 2275, authored by Sen. Ember Reichgott Junge (DFL-New Hope), also gained committee approval. The bill requires a victim's account of domestic assault or harassment to be considered in determining an arrested person's release. In addition, the bill requires that victims and law enforcement agencies known to be involved in the case be notified before the arrested person is released. The measure also provides for notice to local battered women's programs or sexual assault programs if the victim requests that they be notified of the person's release.

Two measures sponsored by Sen. Jane Krentz (DFL-May Township) were also heard. S.F. 1796 specifies that it is a felony to discharge a firearm inside a public transit vehicle or facility. Krentz said that currently it is a felony to discharge a firearm at a transit vehicle, but not inside the vehicle. The measure specifies a three-year/\$6,000 penalty if the bus is unoccupied and a five-year/\$10,000 penalty if the bus is occupied. S.F. 1938 authorizes an additional 24 hours of detention of a juvenile in adult facilities located outside metropolitan areas if conditions of distance to be traveled or other ground transportation do not allow for court appearances within 24 hours or if the facility is located where conditions of safety exist, such as adverse life-threatening weather, that do not allow for safe travel.

A bill, authored by Sen. Janet Johnson (DFL-North Branch), expanding the scope of the juvenile court's delinquency jurisdiction to include misdemeanor-level offenses was considerably altered by the committee. Rather than undo legislation enacted last year that decriminalized many juvenile offenses, the panel adopted an amendment that includes "contempt of court" as an offense. A Chisago County probation officer said the language is needed to provide additional leverage when dealing with juveniles who do not comply with court orders.

All four bills were approved and sent to the Senate floor.

Gun locking device bill advances

A bill that requires guns to be stored unloaded and locked was approved by the Crime Prevention Committee, Weds. evening, Feb. 7.

Sponsored by Sen. Jane Ranum (DFL-Mpls.), S.F. 2328 specifies that in cases where persons under 18 years of age are present, gun owners must keep firearms inaccessible. The measure specifies that trigger locks, barrel locks, cylinder locks, gun vaults, locked cabinets, locked boxes or any other appropriate locked container are acceptable devices for locking guns.

"This bill will reduce the number of preventable guns deaths," Ranum said. She told members that the number of deaths associated with firearms among children and adolescents is growing. "The teenage suicide rate is particularly alarming," she said, "and frequently guns are the cause of these tragedies."

Several witnesses testified in favor of the measure. Cheryl Matis, whose son was killed in a gun accident last year, told Senators that the lock up requirement does not ban guns, but does require owners to be accountable for the safe-keeping of their firearms. "It's saying you must be responsible."

Numerous high school students from around the state also expressed support for the bill.

Joe Olson, a law professor from Hamline University, spoke against the measure. "We should be encouraging education, not locking up guns," he said. "The bill is anti-self defense -- it's as if you were to put a lock on your parachute's D-ring."

St. Louis Park attorney David Gross also opposed the bill. Gross told members that the bill does not address criminal behavior. Socio-economic issues are the root of the problem, not guns, he said. "Furthermore, this deprives Minnesotans of the ability to defend themselves," Gross added.

Concerns about balancing public safety and individual rights were expressed by some Senators.

The bill now goes to the full Senate.

Also approved and sent to the floor was S.F. 1918, a bill carried by Sen. William Belanger (R-Bloomington). The measure requests funds for community-based grant programs targeted at juveniles and children, aged eight to 13. An amendment, proposed by Sen. Tracy Beckman (DFL-Bricelyn), that appropriates \$393,000 for a collaborative project to be established at the Willmar regional treatment center for at-risk juveniles, was adopted.

S.F. 2714, authored by Sen. Roy Terwilliger (R-Edina), was also approved and sent to the floor. The measure specifies that an assailant is guilty of manslaughter in the first degree if death results from the assailant's action.

A bill that makes it a crime to obtain cellular telephone service through cellular counterfeiting, S.F. 2170, was approved and sent to the full Senate. Carried by Sen. Don Betzold (DFL-Fridley), the measure also classifies telephone cloning paraphernalia as contraband.

Members approved S.F. 2118, carried by Sen. Dallas Sams' (DFL-Staples), and recommended that it be placed on the consent calendar. The bill allows safe house programs to be developed and operated by licensed child care providers or foster care providers.

Committee update

Education

Division approves board changes

The Education Committee's Higher Education Division amended and approved a bill Thurs., Feb. 1, that revamps the University of Minnesota Board of Regents and Minnesota State Colleges and Universities (MnSCU) Board of Trustees.

The measure outlines the appointment process and makeup of the boards, and specifies the training, evaluation, and terms of the members. The division accepted an amendment offered by bill sponsor and Division Chair Sen. LeRoy Stumpf (DFL-Thief River Falls), that removes a provision for an at-large board member.

'Sen. Cal Larson (R-Fergus Falls) called the bill "micro-managing," and added "they should be able to do this without us putting it into the statutes."

The division accepted amendments offered by Sen. Deanna Wiener (DFL-Eagan), deleting sections covering board member training and performance evaluations; and by Sen. Leonard Price (DFL-Woodbury), removing a provision covering board member recruitment criteria.

The division approved, on a split vote, an amendment offered by Sen. Thomas Neuville (R-Northfield), increasing the number of candidate advisory council members appointed by the minority leaders of each chamber. Neuville said the change would help de-politicize the process. Price disagreed, saying the change would make the councils more partisan, not less. The bill, as amended, was sent to the Governmental Operations and Veterans Committee.

The division also began work on S.F. 2143., which stipulates MnSCU is not a state agency under the jurisdiction of the Department of Administration, and removes the University of Minnesota from the requirement of using the designer selection board and from certain reporting requirements. Sponsor Steve Murphy, (DFL-Red Wing), said the legislation reduces the bureaucratic burden on administrators and lets them focus on education. The proposal, he said, "gives administrators the ability to do get things done, gives them the responsibility by reducing mandates."

The division accepted an amendment to the bill that Murphy said puts it in the same from as a companion bill in the other chamber, and laid the bill over for future consideration.

Division members received a financial aid update from the Minnesota Higher Education Services Office (HESO). Phil Lewenstein, director of communications, HESO, estimated the state will spend \$92 million of the \$93.1 million for state grants available in fiscal year 1996. He said HESO expects no significant surplus or deficit for the 1996-97 biennium.

Record release mandated

Members of the Education Funding Division considered a laundry list of suggested provisions as they worked through 15 bills at a Thurs., Feb. 1 evening session. All bills approved will be rolled into the omnibus education bill.

A bill authored by Sen. Jane Krentz (DFL-May Township), S.F. 1795, forces private schools to transfer records when a student transfers. Public schools are already subject to record transfer laws. Senators approved the bill on a divided voice vote, but Sen. Martha Robertson (R-Minnetonka) reserved the right to bring it up for later reconsideration. Robertsonsaid she believes the bill poses serious data privacy problems.

The state provides funds to help private schools buy books; Senators agreed the schools should be able to use this money for items such as CD-ROMs, too. S.F. 2395, authored by Sen. Gen Olson (R-Minnetrista), updates 20-year-old language which outlines how private schools may use state funds. Another approved Olson bill, S.F. 1934, aims to keep "school-to-work" organizations running after budget cuts. The bill creates a board representing 11 organizations. Olson says the organizations hope to attract state funding and grants to expand membership and services, particularly in urban areas.

Teachers may provide Assurance of Mastery tutoring outside "regular classrooms" under S.F. 1923, which Senators also approved. Sen. Linda Runbeck (R-Circle Pines) sponsored the bill on behalf of two Centennial teachers, who told the committee some children who need reading and math help get too distracted by other classroom activities.

Senators rejected a bill from Sen. Jane Ranum (DFL-Mpls.), S.F. 2386, that creates an adopt-a-classroom program and lays out procedure for districts to form an endowed chair. Committee Chair Lawrence Pogemiller (DFL-Mpls.) said the idea shouldn't be encoded into law. Also rejected were S.F. 2402, authored by Sen. Harold "Skip" Finn (DFL-Cass Lake), granting automatic licenses to community education directors with six-year degrees; and S.F. 2509, authored by Sen. Terry Johnston (R-Prior Lake), allowing districts to sign long-term leases to house contracted programs.

Members approved two fund transfers: S.F. 2477, sponsored by Sen. Kevin Chandler (DFL-White Bear Lake) for the White Bear Lake school district; and S.F. 2286, sponsored by Finn for Nevis school district. Senators also voted to include the following in the omnibus bill: S.F. 2243, sponsored by Sen. Roger Moe (DFL-Erskine), adjusting referendum money for the Park Rapids school district; S.F. 2329, sponsored by Sen. Jerry Janéžich (DFL-Chisholm), allowing the Hibbing school district to spend health and safety money on a high school renovation; S.F. 2008, authored by Sen. Dean Johnson (R-Willmar), authorizing an enhanced pairing program for Danube, Renville, Sacred Heart and Bellevue schools; and S.F. 2263, authored by Sen. Janet Johnson (DFL-North Branch), allowing the North Branch school district a lease levy for an administrative building.

Reform measures felled

Seeking what Division Chair Lawrence Pogemiller (DFL-Mpls.) terms a "minimalist" session, the Education Funding

Division rejected vouchers and several other education reform proposals Fri., Feb. 2.

The voucher bill carried by Sen. Gen Olson (R-Minnetrista), S.F. 1851, fell on a divided voice vote amidst a marathon seven-hour session. S.F. 1851 was, however, one of 17 bills rejected by the division. Twelve bills were approved for inclusion in the omnibus bill.

Pogemiller said he likes the concept of providing tuition money to parents, but that Olson's bill doesn't take the "right approach."

The committee rejected several bills sponsored by Pogemiller, including S.F. 2359, a "discussion" bill funding lower class sizes; S.F. 2354, requiring school districts by the year 2000 to reserve 5 percent of their general funds for staff development; and S.F. 2355, adding ability to work in an ethnically diverse environment to graduation requirements.

Senators voted down S.F. 2352, sponsored by Sen. Janet Johnson (DFL-North Branch) on behalf of Schools for Equity in Education (SEE). The bill increases secondary pupil weighting during the next biennium, thereby protecting schools from funding cuts. Also voted down was S.F. 2090, Sen. Jane Ranum's (DFL-Mpls.) bill to fund all-day kindergarten for low-income children. So were S.F. 2057, authored by Sen. Gene Merriam (DFL-Coon Rapids) and S.F. 2370, authored by Sen. Sandra Pappas (DFL-St. Paul), both of which send education funds to school site councils. Sen. Ember Reichgott Junge's (DFL-New Hope) bills to expand charter school law and create a transportation voucher system were voted down, as was Sen. David Knutson's (R-Burnsville) bill, S.F. 1837, directing the board of education to promote "voluntary" integration methods.

Other casualties at the hearing were S.F. 2099, sponsored by Krentz, removing education funding caps; S.F. 2339, sponsored by Sen. Steve Novak (DFL-New Brighton), increasing grants to match district fundraising; S.F. 2486, sponsored by Sen. Don Betzold (DFL-Fridley), increasing low-income concentration grants; and S.F. 1528, sponsored by Sen. John Marty (DFL-Roseville), ensuring school administrators consider price when giving contracts for class rings or senior photos. Division members rejected two bills authored by Sen. Don Kramer (R-Brooklyn Center), S.F. 2220, waiving teacher licensure requirements for a "one-room schoolhouse" secondary program, and S.F. 2221, easing requirements on teacher petitions to create charter schools.

Senators did, however, like the governor's plan to spend \$5 million on after-school programs in targeted low-income Minneapolis and St. Paul neighborhoods. They approved S.F. 1917, Olson's bill which funds the after-school program grants, and S.F. 1933, another Olson bill, which provides \$3 million in grants for extended school day or school year programs that emphasize integration and serve underachieving low-income students.

The division approved S.F. 1853, sponsored by Knutson, eliminating the penalty on districts with excess operating levies

approved by referenda after July, 1996. Knutson said removing the penalty makes levy referenda easier for voters to understand. Currently, he said, many schools ask for \$100 extra per pupil to compensate for the reduction. "How do you go before the voters and explain something like that?" he asked. Knutson's S.F. 1836, which was also approved, requires districts to report to the state on compensatory revenue uses.

The committee approved two technology bills: S.F. 2282, sponsored by Sen. LeRoy Stumpf (DFL-Thief River Falls), extending access to private schools to a public telecommunications network, and S.F. 1973, authored by Sen. Martha Robertson (R-Minnetonka), establishing statewide "clearinghouses" for technology donations to schools.

Other bills approved for inclusions in the omnibus bill are S.F. 1869, sponsored by Sen. Kenric Scheevel (R-Preston), providing debt service aid to Preston-Fountain and Harmony schools; S.F. 2002, sponsored by Olson, clarifying issuance of licenses for parent education instructors; S.F. 2487, sponsored by Betzold, allowing Osseo school district to again levy \$800,000 for a program serving at-risk students; S.F. 2083, sponsored by Sen. Dennis Frederickson (R-New Ulm), restructuring special education revenue payments; and an as-yet unnumbered Pogemiller bill clarifying the transition method to new teacher licenses. Senators approved two bills sponsored by Pappas: S.F. 1294, ensuring that 90 percent of per-pupil revenue follows a student to an Area Learning Center, and S.F. 2248, requiring a study of how to fully fund adult basic education. Rather than approving S.F. 2582 and S.F. 2444, both authored by Sen. Don Samuelson (DFL-Brainerd), division members agreed to draft language in the omnibus bill to relieve financial pressures on the Pequot Lakes school district.

Crime program considered

A bill providing for a program in which college students monitor juvenile offenders was approved by the full Education Committee at a brief meeting Mon., Feb. 5.

S.F. 2137, authored by Sen. Jane Ranum (DFL-Mpls.), creates two two-year pilot programs in which college students assist probation officers in monitoring the youth. The older students are paid to monitor the child for compliance with probation conditions. They also act as mentors and role models. The bill is modeled after a similar, successful program in Missouri.

At the suggestion of Committee Chair Lawrence Pogemiller (DFL-Mpls.), Senators agreed to let the Crime Prevention Committee deal with the appropriation for the program. The bill was approved and referred to the full Crime Prevention Committee.

A bill sponsored by Sen. Gene Merriam (DFL-Coon Rapids), S.F. 2019, was approved and recommended for the consent calendar. The bill amends a bonding provision passed two years ago by allowing magnet schools to spend state bond funds to design, equip or furnish buildings.

Changes to the appointment process for the University of Minnesota's Board of

Regents and Minnesota State College and Universities Board of Trustees are laid out in S.F. 25177, sponsored by Sen. LeRoy Stumpf (DFL-Thief River Falls). Stumpf's bill reduces the members on the advisory council which suggests appointments from 24 to 14, and shortens their terms from six years to four years. After being amended by the committee, the bill specifies that seven members of the regents advisory council be appointed by the Senate and seven by the House of Representatives. Because the governor may veto appointments to the MnSCU advisory council, he appoints two of its members under the bill, and the House and Senate each appoint five members.

Omnibus draft presented

The Education Finance Division got its first glance at a draft of the 1996 omnibus education bill Mon., Feb. 5, and immediately began reviewing a flurry of proposed amendments.

The bill, S.F. 1884, is sponsored by Committee Chair Lawrence Pogemiller (DFL-Mpls.). Major components of the bill include: allowing school boards to raise referenda levies due to inflation; repealing the levy reduction for referenda passed after July, 1996; requiring 90 percent of per-pupil funding to follow an Area Learning Center student; allocating \$5 million in grants for after-school programs in inner-city neighborhoods; and creating a statewide "clearinghouse" to facilitate technology donations to public schools. "This should look familiar," Pogemiller said, as division members reviewed the draft.

An amendment suggested by the Department of Children, Families and Learning provides funding to tribal schools for special education students who transfer in partway through the year. "If the kids were in a public school system, this money would be available," said Bruce Johnson, department commissioner. Johnson said he is working with the Department of Revenue to find funds for the provision, which costs at most \$2.6 million through FY 1999.

An amendment suggested by the School Bus Safety Advisory Committee clarifies that bike and pedestrian safety need only be taught to K-5 students. Another amendment, offered by Sen. Sandra Pappas (DFL-St. Paul), allows school buses to transport anyone on their regular route if space is available. Current law allows ridership only to students and persons age 62 or older.

The Board of Teaching also offered an amendment, allowing the board to waive a basic skills exam for teachers who have problems testing, but have demonstrated reading and writing competency. Sen. Jerry Janeczich (DFL-Chisholm) offered an amendment relieving penalties for districts which have not settled teachers' contracts before deadline. Sen. LeRoy Stumpf (DFL-Thief River Falls) offered an amendment allowing non-public schools to log onto a public telecommunications network being developed by the state. An amendment from Sen. Jane Ranum (DFL-Mpls.) allows leftover family collaborative funds to be spent this year.

Senators did not vote on the amendments or the omnibus bill.

Spending target lowered

The governor suggests the Education Funding Division spend \$52 million this session, but Chair Lawrence Pogemiller (DFL-Mpls.) said Tues., Feb. 6, that the division's spending target will likely be closer to \$37 million.

Senators reviewed but did not vote on the governor's supplemental budget recommendations, which are contained in S.F. 2212, authored by Sen. Dennis Frederickson (R-New Ulm).

Litigation related to the state's desegregation policies will cost \$298,000 in 1996 and \$433,000 next year, according to the bill. Department officials also say miscommunication last session underfunded development of graduation standards, which were meant to be funded at \$3.46 million. The bill also funds a pilot voucher program, which the division has already voted down.

The bill provides an additional \$113,000 in 1996 and \$239,000 in 1997 for programs at the Center for Arts Education. David O'Fallon, the center's executive director, said the center has endured numerous spending cuts to compensate for rising salaries negotiated in statewide contracts for residential schools. "We've reached the point now where it is very difficult to maintain the quality of programming," he said. A similar situation faces the Academies at Faribault, which seek \$692,000 of additional funding this year and next.

The bill supplements funding for secondary disabled vocational programs by \$53,000 in 1996 and \$723,000 in 1997. Another \$643,000 is directed into debt service equalization. According to Bruce Johnson, commissioner of the Department of Children, Families and Learning, more districts were able to pass bond referenda last November than the department expected. The increase avoids pro-rating money paid to school districts with outstanding bonds.

Another provision of S.F. 2212 provides that a student will receive per-pupil funds tied to AFDC according to AFDC concentration in his or her district of residence. Students using open enrollment to attend a less-concentrated school district will carry their full AFDC funding with them; students attending a more-concentrated district will bring less money. Tom Melcher of the Department of Children, Families and Learning said the measure may provide an incentive for wealthier districts to keep their borders open to transferring students.

Senators also reviewed the governor's proposal to create a \$500 million "cash flow" fund schools may borrow from to avoid short-term interest costs. But Committee Chair Lawrence Pogemiller (DFL-Mpls.) said he prefers to spend this year's revenue surplus paying back the property tax recognition shift. "I think there's been a general feeling we are going to buy back the shift and pay back our loans," said Pogemiller.

Sen. Martha Robertson (R-Minnetonka) said, however, that buying down too much of the referenda shift could damage districts with large excess levies. She suggests giving schools a year to plan for the change, which could cause some districts to go into

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statutory debt. But Pogemiller said those districts got an influx of cash when the shift began.

Senators also voted not include several sections of departmental bill S.F. 1894 into the omnibus bill. The bill is carried by Sen. Kenric Scheevel (R-Preston). Sections rejected would have mandated that referenda revenue and cooperation aid follow students to charter schools or alternative attendance programs, and delayed the sunset of laws mandating the length of the school year.

Division eases education redtape

A bill supporters say cuts red tape, decentralizes authority, and makes Minnesota's colleges and universities more accountable to taxpayers and responsive to students' needs won approval from the Education Committee Higher Education Division Tues., Feb. 7. S.F. 2143 sponsor Sen. Steve Murphy, (DFL-Red Wing), said the legislation "gives administrators the ability to do get things done, gives them the responsibility by reducing mandates."

The bill specifies that the Minnesota State Colleges and University System (MnSCU) is not a state agency under the jurisdiction of the Department of Administration, and removes the University of Minnesota from the requirement of using the designer selection board. The bill also eases restrictions on high-technology purchases, allows college presidents to close campuses for emergencies and eliminates requirements for academic advisor certification.

The committee, chaired by Sen. LeRoy Stumpf (DFL-Thief River Falls), accepted an amendment, offered by Sen. Deanna Wiener (DFL-Eagan), to delete a provision she said delays the conversion to a semester system. An amendment, authored by Sen. Leonard Price (DFL-Woodbury) to reinstate language requiring schools to keep students enrolled while they undergo chemical dependency treatment won approval. The division accepted a proposal, from Sen. Cal Larson (R-Fergus Falls), reinstating language requiring administrators to report to the Legislature on all out-of-court settlements. Richard Copeland, owner of a construction and trucking company, testified against a provision concerning procedures for purchasing goods and services he said would overturn contracting requirements with minority firms. The division decided to "clean up" the language before the bill is sent to the floor.

The bill was approved and sent back to the full Education Committee.

Division okays on-line learning

The Education Committee Higher Education Division met Weds. evening, Feb. 7, to consider two bills held over from the day's earlier meeting.

S.F. 1034 directs the University of Minnesota and Minnesota State Colleges and Universities (MnSCU) to enter into a joint project to offer courses via computer. Bill author, Sen. Deanna Wiener (DFL-Eagan), said the project uses multimedia and the internet to reach a "wide audience of students we're missing presently."

The bill includes grants to encourage faculty to develop technology-based courses to meet "distance learning needs" and calls on the campuses to develop marketing and distribution strategies. The measure appropriates \$500,000 to each institution, and requires them to attract private and federal money to support the project. Wiener said she sees the system as a "cost-saving, ready to meet the challenges of higher education and create a revenue stream."

Sen. Roger D. Moe, (DFL-Erskine), agreed higher education has to "sell itself, treat itself as a commodity." He added, "It can not expect any more of the state's resources."

Chair LeRoy Stumpf, (DFL-Thief River Falls), said acceptance of on-line learning is growing and "we have to get on the bandwagon." The bill was approved and sent to the full Education Committee for consideration.

Members also approved a measure, authored by Sen. Cal Larson, (R-Fergus Falls), that updates regulations governing trade schools. Leslie Mercer, interim director, Higher Education Services Office, said the bill adds "administrative" to the type of fraud that can be used to deny a license to a private career school. She said the bill also clarifies language on student refunds, and closes a regulation loophole used by some private, for-profit schools. The bill was referred to the full Education Committee.

Environment and Natural Resources

Several bills heard

The Environment and Natural Resources Committee heard a number of bills on a variety of issues at a Fri., Feb. 2, meeting. The first bill considered, S.F. 2088, allows a meat processor in Greater Minnesota to incinerate cardboard. Rodney Massey of the Pollution Control Agency (PCA) explained that the meat processor usually sells the cardboard to a recycler, but wanted permission to burn the cardboard if the recycling market fell. The measure, sponsored by Sen. Arlene Lesewski (R-Marshall), was approved and sent to the Senate floor.

The committee also considered amendments to an environmental improvement pilot project established last year. Under the pilot project, regulated pollution generating facilities can voluntarily audit themselves for permit violations, and propose remedies if violations are found without fear of being penalized. The PCA found that few facilities are participating in the project because the results of the audits must be published and businesses didn't want to disclose proprietary secrets. S.F. 2306, authored by Sen. Ted Mondale (DFL-St. Louis Park), removes the publication requirement and also adds penalties for knowingly making false statements in audit reports. The bill was advanced to the full Senate.

Next, Sen. Paula Hanson (DFL-Ham Lake) presented her bill, S.F. 2400, to the committee. The bill authorizes a study of landowner compensation issues arising from

wetland preservation regulations. The bill requires inclusion of property rights groups representatives on a "wetland heritage advisory committee." Sen. Gene Merriam (DFL-Coon Rapids) successfully moved to amend the bill to include representatives of taxpayer groups on the study committee. Hanson explained that the Board of Water and Soil Resources intended to request \$30,000 to fund the study and moved to refer the bill to the Finance Committee. The motion was adopted.

The committee returned to its discussion of S.F. 1978. The measure, authored by Sen. Dallas Sams (DFL-Staples), originally authorized the Dept. of Natural Resources (DNR) commissioner to enter into a reciprocal agreement with North Dakota to allow nonresident hunters under age 16 to hunt small game with a Minnesota resident license. Sams offered an amendment extending the reciprocity to all states. The amendment was adopted and the bill sent to the floor.

Committee Chair Bob Lessard (DFL-Int'l. Falls) presented the omnibus forestry bill, S.F. 2384. One provision allows the open burning of raw, untreated wood by commercial enterprises. Sen. Gary Laidig (R-Stillwater) explained that it "simply gives to businesses the same burning authority that individuals have." Sen. Phil Riveness (DFL-Richfield) expressed concern that a business may have a much larger volume to burn than an individual and yet "wouldn't need to get PCA commentary." Compromise language offered by Sen. Dennis Frederickson (R-New Ulm) permits open burning, with PCA approval, when there is not a "feasible or prudent alternative." Frederickson's amendment was accepted.

Lessard offered an amendment that replaced two provisions in the bill. Merriam objected to one provision allowing the DNR commissioner to adopt state forest camp ground rules and making violations of those rules a misdemeanor. "We're giving them the enforcement authority and letting them decide what the rules are," said Merriam. The committee consented to Merriam's motion striking that provision. The other provision of Lessard's amendment changes the basis of limits on auctions of state timber from value in dollars to volume in cords. The amendment was adopted and the bill sent to the floor.

The panel continued its discussion from an earlier meeting of the Project XL bill, S.F. 1956, carried by Sen. Steve Dille (R-Dassel). The discussion began with PCA Commissioner Charles Williams describing Project XL as "the new wave of the future." The bill was advanced to the Senate floor.

Emergency deer feeding discussed

A bill appropriating \$1.25 million to feed white-tailed deer in danger of starvation because of severe winter weather was heard by the Environment and Natural Resources Finance Division at a Tues., Feb. 6, meeting. The bill's sponsor, Sen. Douglas Johnson (DFL-Cook), said the amount was based on previous emergency feeding measures.

Most of the discussion on the bill centered on the source of the appropriation. John Kvasnicka, president of the Minn. Deer

Hunters Association, said he thought the money should come from the state's general fund instead of the game and fish fund because of property and sales tax payments made by deer hunters. Sen. Leonard Price (DFL-Woodbury) asked, "What would be the reaction by the deer hunters to a surcharge on the 1996 license fee?" "Unfavorable," replied Kvasnicka.

Earlier the division heard a report on the effectiveness of a similar emergency deer feeding operation in 1989. Dave Schad of the Dept. of Natural Resources (DNR) compared theresults of feeding efforts between forested areas and agricultural areas. Because of greater difficulty getting food to deer populations in forested areas, only 9 percent of the deer population in those areas received food, Schad explained. This resulted in a 3 percent larger herd during the following hunting season than there would have been without a feeding operation, he added. DNR calculations determined it cost \$81.50 for every deer added to the population the following year.

In contrast, Schad explained, feeding operations in agricultural areas were three times more effective. Calculating in the value of staff time, the DNR spent \$26.20 on each deer saved in farm areas, Schad reported. Schad's bottom line recommendation was to concentrate future emergency feeding efforts in agricultural areas. The bill was laid over for further discussion.

Hunting bill approved

The Environment and Natural Resources Committee, chaired by Sen. Bob Lessard (DFL-Int'l. Falls), completed their work on the 1996 omnibus game and fish bill and acted on several other bills at a Tues., Feb. 6, meeting. The game bill, sponsored by Sen. Janet Johnson (DFL-North Branch), makes several changes to the state's hunting laws. Notable changes include the repeal of the special muzzle loading firearm deer hunting season, additional blaze orange requirements for small game hunters, and authorization for under 16 year old nonresidents to hunt small game with a resident license. Another provision in the bill, broadening the prohibition on casting light rays to illuminate wild animals, was removed. Sen. Gene Merriam (DFL-Coon Rapids) said the provision presumed intent to kill when that may not always be the case. The bill was sent to the Senate floor.

The panel also approved S.F. 2296, sponsored by Sen. Pat Piper (DFL-Austin). The bill establishes the "Blazing Star" trail for hiking and biking between Albert Lea and Austin.

Sen. Mark Ourada (R-Buffalo) presented two other bills for the committee's consideration. The first, S.F. 1464, allows the Lake Pulaski improvement district to lower the lake level in the fall in preparation for spring-time snow melt. The other, S.F. 1587, allows the sale of tax-forfeited land in Sherburne County. Both bills were approved and sent to the Senate floor.

Ethics and Campaign Reform

Mail ballot bills approved

A bill expanding the use of mail ballots

for city, county and state elections in communities with fewer than 1,000 voters was heard at the Thurs. Feb. 1, meeting of the Ethics and Campaign Reform Committee. S.F. 2283, authored by Sen. LeRoy Stumpf (DFL-Thief River Falls) provides that any statutory of home rule charter city or town having fewer than 1000 registered votes on June 1 of an election year and not located in a metropolitan county may provide balloting by mail at any city, county or state election with no polling place other than the office of the auditor or clerk.

Stumpf described the absentee ballot process as cumbersome compared with the lifestyle improvements we have in today's society. The bill, Stumpf said, is a small step in opening up the participatory process. The bill will extend the current limit of 400 registered voters for a town to 1,000. "It's a great privilege to vote," said Dick Day (R-Owatonna). "Turnout means more than simply filling out a sheet and putting it in the mail." The bill was approved and sent to the Senate floor.

The committee, chaired by Sen. John Marty (DFL-Roseville), also discussed a related bill, S.F. 247, authored by Sen. Lawrence Pogemiller (DFL-Mpls.). The bill requires certain special primaries and elections to be conducted by mail. Pogemiller said that the bill is a way to deal with low turnout. Democracy works better the more people vote said Pogemiller.

Sen. Pat Pariseau (R-Farmington) said "I'm struck by the number of bills that have come through this committee dealing with convenience. Convenience doesn't rise to the top of the listin reasons to do something." The bill was approved and sent to the Senate floor.

S.F. 1895, a bill involving elections that was initially discussed in a previous hearing, was again brought up for debate. S.F. 1895 requires the return of public subsidy by candidates who violate the Fair Campaign Practices Act and requires candidates to agree to conduct truthful and issue-oriented campaigns as a condition of receiving a public subsidy. Sen. Ember Reichgott Junge (DFL-New Hope), the author of the bill, offered an amendment to delete the more controversial portion of the bill; a section requiring a pledge to conduct truthful campaigns. The amendment was adopted. Sen. Gary Laidig (R-Stillwater) offered an amendment to reinsert language in the Minnesota statute prohibiting principle campaign committees from making independent expenditures. Laidig withdrew the amendment and the bill was approved as amended.

Recall bill approved

The Ethics and Campaign Reform Committee began its Tues., Feb 6, meeting by returning to S.F. 153, a bill to provide recall of public officials. Sen. Ember Reichgott Junge (DFL-New Hope), author of the bill, said that since the bill had been approved by the committee at an earlier date, it was her intention to move it along in order to continue the process. Sen. Gary Laidig (R-Stillwater) offered an amendment to broaden the reason for recall to include political reasons. Laidig's amendment

removes malfeasance or nonfeasance in the performance of duties of the office and lowers the number of eligible voters needed for the petition for recall to 20 percent of the number who voted for all candidates for office in the most recent general election. The amendment failed. The bill was approved and re-referred to the Rules and Administration Committee.

Marty presented S.F. 2720, a bill to permit simultaneous candidacy for nomination by major and minor parties with their consent. The bill requires consents in writing from the state chair of the parties whose nomination is sought; requires that a candidate who seeks the simultaneous nomination of a major political party and one or more minor political parties and fails to be nominated at the state primary for the major political party forfeit the nomination of the minor political parties; and requires that a candidate only be listed on the ballot once.

Members approved the bill to sent to the Senate floor.

Marty also presented S.F. 2527, a bill exempting campaign material related to ballot questions and certain other campaign materials from disclaimer requirements. Marty said that the bill narrows exemptions while still preserving most of the current law. The bill was approved and passed to the Senate floor.

Family Services

Two bills advance

A bill that establishes a county store demonstration project for the purpose of selling surplus equipment was approved by the Family Services Committee Tues., Feb. 6. Authored by Sen. Don Betzold (DFL-Fridley), S.F. 2449 allows Hennepin County to require AFDC recipients and persons in the corrections system to participate in the program. "Being able to train AFDC recipients in retail sales is a very beneficial aspect of the program," testified Hennepin County representative, William Brumfield. The committee, chaired by Sen. Pat Piper (DFL-Austin) approved the measure and sent it to the floor.

S.F. 1885, a Dept. of Human Services bill, carried by Sen. David Knutson (R-Burnsville) was approved and re-referred to the Judiciary Committee. Knutson told members that the bill's purpose is to comply with the Federal Multiethnic Placement Act. "We are out of compliance with the Minnesota Heritage Act," Knutson said.

The measure removes the requirement for 30-day and subsequent six month reviews of the placement of a child in a home of a different race or ethnic background. It also adds a provision that insures a person, whose claim for foster care payments was denied or not acted upon promptly, a state agency hearing.

Lester Collins and Elvira Barnes-Wycough from the Council on Black Minnesotans expressed concerns about the bill's urgency. "We have not had adequate time to take this to the community, nor to digest it ourselves," Collins said. Knutson pledged to work with the council to ameliorate its concerns before the bill's next hearing.

Committee update

Gaming Regulation

Casino compacts continue

Two bills intended to put limits on Native-American operated casinos were heard in the Gaming Regulation Committee Tues., Feb. 6. One bill, S.F. 1974, authorizes the operation of "nonprofit" casinos by counties where Indian casinos are located. The other, S.F. 1975, would terminate tribal-state gaming compacts in three years.

Sen. Dan Stevens (R-Mora), chief author of S.F. 1974, cited statistics showing that crime rates have increased twice as fast in counties hosting tribal casinos than in other counties of the state. The workload of law enforcement authorities has increased without the benefit of increased revenues, Stevens said. William Skelnik, a life-long resident of the Lake Mille Lacs area, explained that the tribal governments are using the profits from their casino operations to buy area properties such as resorts, banks and gas stations. "These properties are put in trust and are no longer taxed," Skelnik said. "As a result, property values are going down and property taxes are going up," he added.

Stevens' bill allows counties to increase their revenues by operating their own casinos as long as the profits are used only for property tax relief. Committee Chair Charles Berg (DFL-Chokio) called upon state lottery director George Anderson to comment on the legality of such an operation. Anderson cited court decisions requiring non-Indian gambling operations to be operated by state lotteries, and thus, county-operated casinos would be illegal. No action was taken on the bill so that operational details could be worked out to comply with the law.

The other bill, S.F. 1975, also presented by Stevens, terminates all tribal-state gaming compacts on Jan. 1, 1999. Sen. Allan Spear (DFL-Mpls.) advised the committee that it would be subject to legal challenges if enacted. "How do you unilaterally renegotiate a contract," asked Spear. "It's a violation of contract law and a violation of the Indian Gaming Regulatory Act (IGRA)," Spear added. The bill failed on a tie vote.

The committee also considered S.F. 2502, authored by Sen. Phil Riveness (DFL-Bloomington). The bill broadens the lawful purpose expenditure provision to allow veterans groups to use gambling proceeds to pay taxes and other expenses. The bill received unanimous approval and was sent to the floor.

Canterbury card club bill okayed

S.F. 2052, a bill allowing the establishment of a card playing club at Canterbury Park, was approved by the Gaming Regulation Committee Weds., Feb. 7. Sen. Jerry Janezich (DFL-Chisholm), sponsor of the measure, brought the bill up after a previous hearing was abruptly ended by Committee Chair Charles Berg (DFL-Chokio). Berg attempted to amend his bill allowing video slot machines at Canterbury, S.F. 2038, into the card club bill. That motion failed on a roll call vote. Berg then gavelled the meeting to an end immediately after announcing the vote.

Sen. Allan Spear (DFL-Mpls.) asked to see a show of hands on the motion to adjourn. The motion to adjourn failed. Janezich moved to recommend passage of the bill and send it to the Taxes and Tax Laws Committee. The motion was approved.

Earlier, the committee heard three bills designed to discourage the use of public assistance benefits at gambling establishments. All the bills, S.F. 2611 by Sen. Dallas Sams (DFL-Staples), S.F. 2380 by Sen. Arlene Lesewski (R-Marshall), and S.F. 2351 by Berg, would disable electronic benefit transfer (EBT) cards at gambling establishments. Berg and Lesewski's bills also prohibit cashing welfare checks at gaming houses and impose reductions on future benefits for violations. Spear questioned the logistics of disabling the EBT cards and asked, "how much authority does the human services commissioner have over ATMs on (Indian) reservations?" Barb Anderson, of the Dept. of Human Services, responded that the commissioner does have the authority and it's simply a matter of reprogramming the transaction processor. She also recommended putting endorsements on the back of benefit checks to prohibit cashing them at casinos, and advised the committee that reducing benefits is against federal regulations. The panel delayed taking action after learning that the companion to S.F. 2351 met the deadline in the other body.

The committee also acted on two other bills. The first, S.F. 1788, carried by Sen. Don Kramer (R-Brooklyn Center), requires the printing of the value and taxability of on-line game prizes on lottery tickets. The other, S.F. 2218, is the Public Safety Department Gambling Control Division's housekeeping bill. An amendment, offered by Berg, increasing the percent of gross receipts that could be used for allowable expenses, was not adopted. Both bills were approved and sent to the Senate floor.

The committee also discussed S.F. 2377, sponsored by Sen. Gary Laidig (R-Stillwater). Laidig's bill proposes the establishment of a single gaming casino in a first-class city and dedication of the net revenues to statewide property tax relief. The panel took no action.

Governmental Operations and Veterans Committee

Elevator regulations added

A bill that requires electrical or mechanical elevator work to be done by registered individuals or persons supervised on-site by a registered mechanic was approved by the Governmental Operations and Veterans Committee Fri., Feb. 2. S.F. 1945, sponsored by Sen. Paula Hanson (DFL-Ham Lake), requires the commissioner of administration to establish qualifying criteria for elevator contractors and issue licenses based on the applicant's qualifications. Additionally, a person or business must obtain a permit from the Dept. of Administration or an authorized municipality to work on an elevator. Members approved the bill and sent it to the full Senate.

Also sent to the floor, was S.F. 2419, a bill that authorizes a plaque honoring women

veterans to be placed on the Capitol grounds. Sen. Pat Piper (DFL-Austin), the measure's author, told the committee that recognition of women veterans is long overdue.

Two housekeeping bills, S.F. 2219, sponsored by Chair James Metzen (DFL-South St. Paul) and S.F. 2418, carried by Sen. Phil Riveness (DFL-Bloomington) were also approved by members. S.F. 2219, the Dept. of Administration's housekeeping measure, includes a provision that a state agency may not undertake capital improvements without legislative authority. An amendment that requires 60 percent of the solid waste generated by state offices and operations be recycled was adopted and the bill was sent to the floor.

S.F. 2418, the legislative auditor's housekeeping bill, was also approved, but referred to the Judiciary Committee.

Several bills advance

The Governmental Operations and Veterans Committee, chaired by Sen. James Metzen (DFL-South St. Paul), took up several bills Tues., Feb. 6.

S.F. 2422, authored by Sen. Dennis Frederickson (R-New Ulm), was approved and re-referred to the Finance Committee. "This bill is an effort to put some policy sense into statewide telecommunication issues," Frederickson said. The measure increases the second-year appropriation to the Government Information Access Council from \$100,000 to \$400,000. It also changes the council's name to the Council on the Minnesota Information Society.

S.F. 1902, carried by Sen. Sandra Pappas (DFL-St. Paul), a bill that affects the Council on Affairs of Spanish-Speaking People, the Council on Asian-Pacific Minnesotans, the Council on Black Minnesotans and the Indian Affairs Council was sent to the full Senate. The measure changes the name of the Council on Affairs of Spanish-Speaking People. Under the bill, "Spanish-Speaking" is replaced with "Chicano/Latino." Additionally, S.F. 1902 enlarges the council membership from seven to 11.

The bill also eliminates a list of specific countries that must be represented on the Council on Asian-Pacific Minnesotans. Instead, the proposal requires that the 23 members must represent the broad nature of the Asian-Pacific community.

An amendment that makes all four councils subject to sunset provisions was adopted by the committee. Several Senators objected to the provision.

But Sen. Deanna Wiener (DFL-Eagan) spoke in favor of the amendment, as did Sen. Lawrence Pogemiller (DFL-Mpls.) "This issue of sunsets has been raised to an exaggerated level," Pogemiller said. "Sunset provisions have nothing to do with whether these councils are credible or not."

Another amendment, offered by Sen. Linda Runbeck (R-Circle Pines), adds a provision that encourages adaptation efforts by recent Asian and Pacific immigrants and promotes ESL study. The amendment was adopted and the measure was sent to the Floor.

Also approved and sent to the full Senate were S.F. 2529, Sen. Tracy Beckman's (DFL-Bricelyn) measure that grants the United South Central School District a waiver from the law covering school board elections; S.F. 1766, Morse's bill that allows state employees under section 457 of the Internal Revenue Code access to annuity contracts qualified under section 403(b) and S.F. 2183, Sen. Steven Murphy's (DFL-Red Wing) bill that allows state employees to donate accrued vacation leave to the sick leave accounts of other employees.

S.F. 2426, carried by Sen. Ted Mondale (DFL-St. Louis Park), establishing statewide universal public access to telecommunication and information services, was laid on the table.

Salary adjustments approved

A bill that adjusts salaries for state agency heads, judges and constitutional officers was approved by the Governmental Operations and Veterans Committee Weds., Feb. 7. Authored by Sen. Roy Terwilliger (R-Edina), S.F. 1827 incorporates salary modifications recommended by the Legislative Compensation Council. S.F. 499, carried by Sen. John Hottinger (DFL-Mankato), which raises the salaries of administrative law judges and workers compensation judges, was rolled into Terwilliger's measure.

Terwilliger told members that the Legislature has not adjusted salary ranges since 1987, and that commissioners' salaries have been frozen since 1990. Modifications are necessary to attract first-rate candidates to the public sector, he said. "These changes bring the salaries of agency heads and judges into line with those salaries paid in the private sector," Terwilliger said.

The bill collapses three salary ranges into two groups and ties those two ranges to a percentage of the governor's salary. Under the measure, salaries for commissioners from Group I may not exceed 85 percent of the governor's salary; Group II commissioners' salaries are limited to 75 percent of the governor's pay.

The bill also increases the salary of an administrative law judge and a workers comp judge to 90 percent of the salary paid to a district court judge. "This is an overdue and necessary increase for judges who try some of the most difficult and complex cases in the state," Hottinger said.

Before approving the measure and re-referring it to the Finance Committee, Senators adopted an amendment to raise the salary of the state lottery director to 85 percent of the governor's salary.

Also re-referred to the Finance Committee was S.F. 2284, carried by Sen. Dean Johnson (R-Willmar), and S.F. 2494, sponsored by Sen. Sandra Pappas (DFL-St. Paul). Johnson's bill gives the adjutant general authority to make bonus payments to eligible members of the National Guard for reenlisting. Pappas' measure appropriates \$330,000 for purchasing options for land acquisitions.

The committee, chaired by Sen. James Metzen (DFL-South St. Paul), approved three other measures and recommended that they be placed on the Consent Calendar.

S.F. 2564, carried by Sen. Don Samuelson (DFL-Brainerd), designates Camp Ripley as the "State of Minnesota Education and Training Center" and encourages state agencies to use it for meetings not normally held at the agency's usual business location. Sen. Don Betzold's (DFL-Fridley) bill, S.F. 2406, authorizes the adjutant general to appoint two National Guard officers above the grade of major to the Minnesota State Armory Building Commission. Metzen's S.F. 2584 eliminates the Veterans' Homes Board of Director's quarterly report to the governor.

Health Care

Bills advance

Health Care Committee members approved a bill establishing a probable cause hearing before an administrative law judge for any contested case where a physician has been accused of sexual misconduct. Sen. Gene Merriam presented S.F. 2332 to the committee at a Thurs., Feb. 1, meeting. The bill, said Merriam, makes more data from the hearing public and allows the victim to obtain a description of the actions taken by the Board of Medical Practices with regard to the complaint. Merriam said the bill provides more incentive for individuals who have been the victims of sexual misconduct on the part of medical professionals to come forward. The bill was approved by the committee and sent to the Senate floor.

A bill requiring a Medical Assistance vendor to provide all recipients of services a billing statement was also approved. S.F. 1939 is aimed at requiring the provider to give information to the consumer, said author Sen. Don Kramer (R-Brooklyn Center). Required information includes a description of the services, the date they were rendered, the charge, the amount billed to the Department of Human Services, and any amount submitted for third-party payment. The bill was approved and sent to the Senate floor.

Sen. Don Samuelson (DFL-Brainerd) presented a bill to modify the nursing facility rate limits adopted in 1995. S.F. 1855 modifies the method for adjusting nursing home rates from year to year by using the prior reporting year's per diem spendup limit instead of the prior reporting year's allowable operating cost as the base for calculating annual inflationary increases. Sen. Linda Berglin, chair of the committee, explained "spend up" as a situation in which an organization "incurred a cost during the 21 month period before reimbursement, and the cost is higher than that of the previous recording period." The reimbursement rate is bumped into a higher cost factor because of inflation. The bill was approved and re-referred to the Health Care and Family Services Finance Division.

Berglin's bill, S.F. 2317, clarifies the group residential housing (GRH) rate exception for a facility that was licensed as a boarding care home, certified as an intermediate care facility and licensed as a residential program for adult mentally ill persons. The bill was approved by the committee and referred to the Senate floor.

Members resumed discussion on the status of S.F. 1874, a bill authored by Berglin,

requiring a claims administrator to notify an enrollee within ten business days when there is disagreement with the determination of a utilization review organization. S.F. 1874 was recommended to pass and sent to the Senate floor.

The committee also approved S.F. 2020, authored by Berglin, requesting the commissioners of health and human services to seek a federal waiver to eliminate the three day hospital requirement needed before Medicare reimbursement can be received for skilled nursing facility coverage, allow for Medicare reimbursement for respiratory therapists who provide services in skilled nursing facilities or in the home, eliminate the assessments for resident that are expected to stay in a subacute unit of a skilled nursing facility for 30 days or less, allowing the state to commingle Medicare and alternative care grant funds, and permit nursing homes to meet the federal financial requirements through self-insurance mechanisms.

The remaining portion of the hearing was dedicated to testimony on S.F. 2025, the governor's health care bill, authored by Sen. Sheila Kiscaden (R-Rochester). The bill was laid over.

Birth defects registry bill heard

Sen. Linda Berglin (DFL-Mpls.), chair of the Health Care Committee, began a Tues., Feb. 6, meeting by presenting a bill to establish a birth defects registry. S.F. 659 requires the commissioner of health to develop a statewide birth defects registry system providing for the collection, analysis and dissemination of birth defects information. Dr. Elizabeth Ross from the Department of Neurology at the University of Minnesota, testified on behalf of the bill. "A birth defects surveillance program will help the state tremendously by counting and monitoring birth defects," said Ross. "Without an effective surveillance program, mass clusters of birth defects go unnoticed." Members approved the bill and re-referred it to the Health Care and Family Services Finance Division.

The committee began discussion of S.F. 1982, a bill sponsored by Sen. Steve Dille (R-Dassel), regarding veterinarian practices. Roland Olson, direct of the Board of Veterinary Medicine testified that the statute related to this field has not been revised since 1986. Several technical amendments were discussed. Dr. Phillip Nelson spoke in opposition to the bill. Nelson said he was concerned about a section on privacy rights. Berglin said that the bill would be sent to Judiciary where Nelson may want to further address those concerns. The bill was approved and re-referred to the Judiciary Committee.

Berglin presented S.F. 1662, mandating the posting of signs warning of the risk of alcohol use during pregnancy at all alcohol points of sale in the state. Sen. Don Samuelson (DFL-Brainerd) offered an amendment to create temporary holding areas for self-contained recreational camping vehicles created by and adjacent to motor sports facilities. The amendment and bill were approved and sent to the Health Care and Family Services Finance Division.

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An issue raised by a constituent was addressed in S.F. 2312, authored by Sen. Sheila Kiscaden (R-Rochester). S.F. 2312 permits the administrator of a hospital to serve as the administrator for a hospital attached nursing home and another nursing home located within a mile, so long as the total nursing home beds do not exceed 152 and the hospital administrator is licensed under Minnesota Statutes. The bill was designed to accommodate St. Elizabeth Health Care Center in Wabash, MN. The bill was approved and sent to the Senate floor.

Sen. Dallas Sams (DFL-Staples) presented S.F. 2272, a bill to prohibit providers and health plan companies from restricting a person's right to provide health services or procedures to another provider or health plan company unless the person is an employee. The bill extends the sunset date for the prohibition on exclusive relationships. It was approved by the committee and sent to the Senate floor.

A bill to expand the Medical Assistance personal needs allowance for institutionalized persons to include up to \$250 per month for court-ordered child support was approved and re-referred to the Health Care and Family Services Finance Division. The bill allows the amount of court ordered child support to be passed through as a personal needs allowance. An amendment was offered by the bill's author, Sen. Don Samuelson (DFL-Brainerd), making the allowance retroactive to Jan. 1, 1996. The amendment was approved.

Preliminary discussion began on S.F. 2244 and S.F. 2245, bills to clarify ICF rates and repeal ICF rate penalties. The bills were laid over.

ICF bills gain

Several bills modifying intermediate care facility (ICF) rates were discussed at the Tues., Feb. 6, evening meeting of the Health Care Committee. The measures were before the panel, chaired by Sen. Linda Berglin (DFL-Mpls.), because of legislation enacted last year that divides ICFs/MR into eight classes and then, within each class, establishes rate limits for "high cost" facilities in two ways. According to a staff memorandum, the first method of establishing rate limits provides that facilities with a "cost per service unit limit" at or above the median have their inflationary increases limited to the consumer price index plus three percent. The second method provides that facilities that are between one-half and one standard deviation about the mean receive a two percent payment reduction and facilities that are at or above one standard deviation above the mean receive a three percent reduction. In addition, the cost per service unit limits are determined using client case mix assessment scores. The bills before the committee were a result of rate determinations that provided reductions.

S.F. 2244, authored by Sen. Don Samuelson (DFL-Brainerd), exempts facilities from the reductions if the facility converted from A to B licensure status since the 1990 rate year and prohibits the use of case mix assessments to determine facility rates until the assessment methodology has

been approved under the Administrative Procedure Act. S.F. 2074, authored by Sen. Don Betzold (DFL-Fridley), makes adjustments for ICFs/MR with crisis services units by providing another method of calculating maintenance cost limits and specifying that the rate reductions must be determined after excluding costs related to the crisis services. The measure also exempts facilities if the facility converts from A to B licensure status and suspends the use of case mix assessments. Both measures were advanced to the Health Care and Family Services Finance Division. A third measure, S.F. 2245, sponsored by Samuelson, repeals the ICF rate penalty. The bill was laid over.

In other action, the panel advanced two additional bills to the Health Care and Family Services Finance Division. S.F. 2021, authored by Berglin, directs the commissioner of human services to conduct a study to determine if disabled children of color are denied in-home services from county social service systems more frequently than other disabled children with similar needs. S.F. 1855, sponsored by Samuelson, modifies Rule 50 relating to nursing facility reimbursement rates.

Mandates review bill okayed

A bill to establish a process for reviewing proposed health coverage mandates before the Legislature acts on them was approved by the Health Care Committee without opposition. The bill, S.F. 2311, sponsored by Sen. Sheila Kiscaden (R-Rochester), was approved at a hearing Wed., Feb. 7. The purpose of the bill is to give the Legislature better information on the overall impact of a mandate on health care costs, quality and access.

S.F. 2264, a bill presented last week to the committee by Sen. Don Samuelson (DFL-Brainerd) was again laid over. The bill authorizes counties to implement county-based demonstration projects. Although several technical amendments were adopted by the committee, debate continues over direct contracting authorization for counties.

Sen. Jim Vickerman (DFL-Tracy) continued presentation of S.F. 2307, offering an amendment with language to acknowledge work produced by the developmental disabilities working group on cost-effective quality improvements. The amendment provides a framework for the delivery of services to Minnesotans with mental retardation and related developmental disabilities by refining and expanding on the goals, plans and recommendations of the working group. The amendment was adopted. The bill was approved and re-referred to the Government Operations and Veterans Committee.

S.F. 2025, sponsored by Kiscaden, is a departmental bill that makes a variety of technical changes and includes several modifications of the state governing Medical Assistance (MA) claims against estates. There are changes to MA, General Assistance Medical Care (GAMC) and MinnesotaCare found within the bill. Also included are new standards for services for persons with disabilities, modifications to the changes in TEFRA and personal care

services adopted in 1995, and a proposal to maximize Medicare billings. Kiscaden offered an amendment and one related to provisions worked out with DHS and home care providers. Health Care Committee Chair Linda Berglin (DFL-Mpls.) distributed several amendments for future consideration.

Jobs, Energy and Community Development

Koch Refinery bill advanced

Members of the Jobs, Energy and Community Development Committee devoted the Thurs., Feb. 1, hearing to testimony and discussion of S.F. 1147. The bill, authored by Committee Chair Steven Novak (DFL-New Brighton), provides a tax exemption for Koch Refinery's planned electric cogeneration plant. According to Novak the bill is designed to encourage the construction by allowing for a market value exclusion for electric power generation facilities based on facility efficiency. The meeting was devoted to hearing testimony against the measure and discussing amendments. Members had heard proponent testimony at an earlier meeting.

The panel adopted an amendment specifying the method to be used in calculating the efficiency of a facility. Under the amendment, the efficiency is calculated as the sum of the useful electrical power output; plus the useful thermal energy output; plus the fuel energy of the useful chemical products; plus the useful mechanical energy output, all divided by the total energy input to the facility expressed as a percentage. The bill was approved and re-referred to the Committee on Taxes and Tax Laws.

Prairie Island bill okayed

The controversial subject of dry cask storage of nuclear waste dominated the Tues., Feb. 6, meeting of the Jobs, Energy and Community Development Committee. At issue was a bill, S.F. 2495, making changes in the laws enacted in 1994 relating to dry cask storage at NSP's Prairie Island facility. Sen. Steven Novak (DFL-New Brighton), committee chair and chief author of the bill, said the measure is the result of a negotiated agreement reached between NSP and the Mdewakanton Tribal Council at Prairie Island. Under the bill, the tribe is slated to receive land and compensation while NSP is allowed to stop the alternative site selection process. The original legislation required NSP to find an additional site for dry cask storage of nuclear waste.

Novak said that the bill also provides for a \$4 million annual contribution to the Dept. of Public Service for a renewable energy development account. In addition, the bill eliminates the limitation of waste storage combining spent fuel rods in the pool at Prairie Island and in dry casks. The bill also specifies that pool storage is not permanent storage under Minnesota law. The measure also exempts the storage facility and the dry casks from real and personal property taxes. Novak said that under the agreement between NSP and the tribal council, the savings in taxes are expected to go to the Prairie Island community.

Proponents of the measure included representatives from the tribal council at Prairie Island, NSP and citizens groups involved in the alternative site selection. Allan Chiles, treasurer of the tribal council, said "Our number one priority was securing land to provide more options for our people. The new land and compensation will allow us to diversify our economic base and provide for our people's future. We believe this is the best deal we can make and if this bill is stalled, our community will lose again."

Opposition to the bill was voiced by several environmental organizations. Craig Johnson, of Clean Water Action, said though his group supports compensation for the tribe, the group does not support the bill. George Crocker of the North American Water Office said that legislation is not needed for NSP to assess the need for re-racking pent fuel rods and that his group does not support removing legislative authorization from the law.

Sen. Janet Johnson (DFL-North Branch) spoke against the portion of the bill dealing with re-racking. Johnson, Sen. Dennis Frederickson (R-New Ulm) and Sen. Ellen Anderson (DFL-St. Paul), argued that it is a public policy issue and an inappropriate subject for negotiation between NSP and the tribal council. Johnson moved to delete the section of the bill dealing with limitation of waste storage combining the spent rods in the pool and in dry casks. The amendment was defeated on a 5-8 roll call vote. The bill was then approved and re-referred to the Environment and Natural Resources Committee on a 7-6 roll call vote.

Bonding requests advance

Several bills requesting bonding for a variety of community development projects got a favorable response from members of the Jobs, Energy and Community Development Committee at a Tues., Feb. 6, evening hearing. The panel, chaired by Sen. Steven Novak (DFL-New Brighton), advanced eight bills to the Jobs, Energy and Community Development Finance Division.

Minneapolis Mayor Sharon Sayles Belton and Minneapolis Councilmember Alice Rainville spoke on behalf of a bill authorizing \$35 million for expansion of the Minneapolis Convention Center. According to Sen. Allan Spear (DFL-Mpls.), chief author of S.F. 2609, the funds will be used for site acquisition, street and utilities relocation, preliminary design and administration prior to the construction of the expansion. Sayles Belton said that the convention center must be enlarged in order for the city to remain competitive in luring large conventions to the state. Sayles Belton also emphasized the benefits derived by the state through increased tourism and tax revenues brought in by conventions held in Minneapolis.

St. Paul Mayor Norm Coleman also appeared before the committee to support two bills. S.F. 2368, authored by Sen. Randy Kelly (DFL-St. Paul), appropriates \$3.8 million to be used for a grant to the city of St. Paul for the Phalen corridor job creation initiative. The initiative is a redevelopment program to transform a 12

acre site into an industrial park for manufacturing and industrial employment. Coleman said the funding is key to revitalizing the urban core and creating living wage jobs in the city. S.F. 2367, also sponsored by Kelly, coordinates the economic development activities of the St. Paul Port Authority with the city of St. Paul's employment and job development programs.

S.F. 2314, authored by Sen. Harold "Skip" Finn (DFL-Cass Lake), authorizes \$4.5 million to construct the Battle Point historic site on the eastern shore of Leech Lake. According to Finn, the interpretive center marks the site of the country's final battle between American Indians and the U.S. Army in 1898. S.F. 2314, also carried by Finn, authorizes \$5.5 million to construct the Headwaters Science Center in the city of Bemidji. S.F. 2510, sponsored by Sen. William Belanger (R-Bloomington), authorizes \$1.25 million for construction of a ski jump in the Highland Hills/Bush Lake ski area.

S.F. 2504, authored by Sen. Phil Riveness (DFL-Bloomington), modifies limitations on the use of economic recovery grants. Under the bill, grants may be made to attract out-of-state business or to retain existing business in the state if the grants are used for workforce training. In addition, the bill prohibits grants to businesses involved solely in retail sales and requires that businesses receiving the grants must pay employees at least 175 percent of the minimum wage.

Members also acted on two additional bills. S.F. 2484, authored by Sen. Don Betzold (DFL-Fridley), authorizes the Brooklyn Park Economic Development Authority to establish a distressed housing district. The measure was approved and re-referred to the Taxes and Tax Laws Committee. S.F. 1920, authored by Sen. Linda Runbeck (R-Circle Pines), clarifies definitions in sections of the OSHA law dealing with safety programs and makes other technical changes. The bill was approved and advanced to the full Senate.

Judiciary

Six bill advance

The Judiciary Committee, chaired by Sen. Randy Kelly (DFL-St. Paul), met the evening of Thurs., Feb. 1, and approved six bills. The meeting began with discussion of S.F. 2148, a bill sponsored by Sen. Steve Murphy (DFL-Red Wing). The bill states that members of a team of science advisors are not liable for the contents of their assessment or reports or for any actions or consequence of their research. Jim Peppe, of the Public Utilities Commission, testified that he had been advised by internal legal council at the commission that a bill such as S.F. 2148 was necessary to prevent lawsuits. The bill was approved and sent to the Senate floor.

Three bills were approved and recommended for the Consent Calendar. S.F. 1798, authored by Sen. Don Betzold (DFL-Fridley), limits the scope of an instruction to the Revisor of Statutes. S.F. 2084, sponsored by Sen. Ember Reichgott Junge (DFL-New Hope), establishes an

evidentiary privilege for persons who preside at alternative dispute resolutions. S.F. 2067, authored by Sen. David Knutson (R-Burnsville), eliminates a requirement that certain documents be acknowledged during marriage dissolutions.

S.F. 1810 was approved and re-referred to the Crime Prevention Committee. The bill, sponsored by Sen. Linda Berglin (DFL-Mpls.), clarifies provision relating to the authority of a peace or health officer to transport intoxicated persons to a treatment facility under the Commitment Act. If the person is believed to be chemically dependent or is intoxicated by alcohol or controlled substances in public, the peace or health officer may take the person into custody and transport the person to a treatment facility, said Berglin. Alternatively, if the person is intoxicated or chemically dependent and is not in danger of causing self-harm or harm to anyone else, the person may be transported home.

The committee also debated S.F. 1888, authored by Sen. Sheila Kiscaden (R-Rochester). S.F. 1888 is a bill related to human services issues. The main provisions of the bill include requirements for notification of placement or adoption of a child to the other birth parent, required background checks for adoption, permission for court-ordered grandparent visitation with an adopted child and defining when adoption record should become public. The bill was approved and re-referred to the Family Services Committee.

Statute of limitations extended

The Judiciary Committee met Mon., Feb. 5, to consider S.F. 2198. The bill, authored by Sen. Warren Limmer (R-Maple Grove), extends the statute of limitations to enable individuals who were damaged by the use of blood products containing HIV to bring suit against the manufacturer of the blood products. Limmer said that the extension is requested to allow a group of people that would otherwise be denied legal recourse.

Win Borden, representing the American Blood Resources Association, testified against the bill saying S.F. 2198 is unneeded, unconstitutional and against public policy. "There are no cases in which a plaintiff has been barred from claims because of existing statute of limitations," said Borden. He said there is a minimum of six years from which time a plaintiff can file suit and the six years begin when a plaintiff knows that there has been contact with a defective product. The bill, said Borden, violates the constitution because it is special legislation forcing one group, and not others, to pay damages. "The bill only applies to defendants with deep pockets," said Borden. Individuals who acquired HIV through blood products or plasma derivatives are able to sue, but those that received the infection through blood transfusions do not have similar cause of action, he said.

Debate centered around broadening the focus of the bill by extending responsibility for damages to the National Hemophilia Foundation as well as anyone involved in the chain of distribution of the product. An amendment, offered by Sen. Ember Reichgott Junge (DFL-New Hope) removed

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exemptions for anyone who knew about the negligence.

Robertson said she felt the the original intent of the bill had been thwarted and that it was becoming "a bill drafted for lawyers." "Anyone can be sued under the last amendment," said Robertson. Members deleted the Reichgott Junge amendment. The bill was adopted by the committee and sent to the Senate floor.

Discussion turned to S.F. 2119, authored by Sen. Carol Flynn (DFL-Mpls.) authorizing a third consecutive term for the chief judge of the Fourth Judicial District. Committee Chair Allan Spear (DFL-Mpls.) said that he has problems making exemptions for specific districts and suggested examining the policy of term limits for chief judges.

An amendment offered by Spear to allow three two-year terms for judges was approved and S.F. 2119 was advanced to the Senate floor.

Data privacy bill okayed

The omnibus data privacy bill, S.F. 2410 was presented by Sen. Jane Ranum (DFL-Mpls.) to the Judiciary Committee, Weds., Feb. 7. The omnibus bill contains several technical provisions to help improve patient identification systems and work with the Health Data Institute. The bill contains provisions to make property information from pawnshop law enforcement data available to the public while maintaining the privacy of individuals involved, and compliance with federal requirement regarding motor vehicle registration. Current welfare data statutes are amended under the bill to facilitate matching Department of Children, Families and Learning student data with public assistance data. Members approved the bill and forwarded it to the full Senate.

The committee approved, with little debate, three bills. S.F. 2418, a bill authored by Sen. Phil Riveness (DFL-Bloomington) requires the Legislative Auditor to protect data classified by law as not public from unlawful disclosure. S.F. 1966, authored by Ranum, removes a sunset provision that grants authority to health care providers to release health records for research purposes without obtaining patient consent. S.F. 1803, a bill sponsored by Sen. Steven Novak (DFL-New Brighton) extends municipal tort claims protections to non-profit firefighting corporations.

Sen. John Marty (DFL-Roseville) presented S.F. 1906, a bill eliminating the requirement that charges filed with the commissioner of human rights be verified. Marty offered an amendment to prohibit admission of evidence regarding the complainant's sexual conduct with individuals other than the alleged perpetrator more than one year prior to the alleged sexual harassment. The amendment was withdrawn after debate among members and the bill was advanced to the Senate floor.

A bill adding provisions for child support enforcement was presented by Sen. Dan Stevens (R-Mora). The bill modifies language related to child support programs; requires the commission of human services to present a proposal to comply with and

implement child support reform provisions of federal welfare reform legislation; requires the commissioner to develop a plan under which cases may be transferred between jurisdictions without additional filing or service of process; and submit a plan under which child support arrearages will create a lien upon an obligor's person and real property. The bill was approved and sent to the Senate floor.

S.F. 2454 authored by Sen. Ted Mondale (DFL-St. Louis Park) regulates the use and dissemination of personally identifiable information on consumers of computer information services. The bill specifies that an information service may require consumers to supply only a limited amount of information including the consumers name, home telephone number, home address and electronic address. Disclosure of personally identifiable information concerning any consumer is prohibited, under the bill. The bill was approved and sent to the Senate floor.

Violence prevention bill okayed

Members of the Judiciary Committee, chaired by Sen. Randy Kelly (DFL-St. Paul) held an evening hearing Weds., Feb. 7 and advanced a bill providing for a pilot project coordinating community violence prevention programs for African American children. Representatives from The Council on Black Minnesotans testified on behalf of S.F. 2124, sponsored by Sen. Roy Terwilliger (R-Edina), providing that the council is responsible for planning, designing and implementing the Martin Luther King nonviolent institutional child development pilot program. A section of the bill stating that any information received by law enforcement agencies, schools, mortuaries, medical examiners, physicians and social service agencies was privileged and not required to be disclosed to a law enforcement agency or testified to in court sparked committee debate.

Representatives from the Council on Black Minnesotans said that children are suffering from grief, loss and other emotions and need the counseling and support of individuals who are not required to pass along information. The counselors need to be able to maintain confidentiality so victims can talk without placing themselves at risk, said the representatives. Sen. Jane Krentz (DFL-May Township) said that the provision may help the council solve more crimes. The bill was approved and referred to the Crime Prevention Committee.

The Crime Prevention Committee will also hear S.F. 2472, a bill authored by Sen. Leonard Price (DFL-Woodbury). Members heard testimony from Brent Waddell of Legal Aid in support of the bill to regulate pawnbroker transactions. Waddell said that regulation of the industry is currently left to local ordinances which vary greatly throughout the state. S.F. 2472 mandates a standardized minimum level of regulation statewide while still permitting cities to be more restrictive if they desire.

S.F. 2668, a bill authored by Sen. Carol Flynn (DFL-Mpls.), was approved and sent to the Senate floor. S.F. 2668 provides a

state cause of action for individuals who are the subject of a Strategic Lawsuits Against Public Participation (SLAPP lawsuit). Flynn said that the bill corrects a loophole by which an individual could get around federal requirements.

Metropolitan and Local Government

Annexation bill tabled

The Metropolitan and Local Government Committee voted to table a controversial annexation bill Mon., Feb. 5, effectively killing it for the session.

The bill, S.F. 2646, was introduced by Committee Chair Jim Vickerman (DFL-Tracy). Vickerman said he saw the measure as a compromise between cities and towns on the issue of annexation. The bill reinstates voter referenda before a portion of a township can be annexed into a neighboring city. If voters reject the annexation, the matter is not taken up by the municipal board which now makes annexation decisions. The bill does, however, allow a city to annex land within 15 months if the Pollution Control Agency has ordered the city to provide sewer services to the land.

Vickerman said while he had drafted what he believed to be a reasonable proposal, he knew the bill addressed a "very emotional" topic. "This is not a compromise proposal," said Sen. John Hottinger (DFL-Mankato). Hottinger said he and Vickerman had some common ground on annexation issues, but the bill did not reflect this.

Troy Gilchrist, legal counsel for the Association of Townships, supported S.F. 2646. "It's a good first step in resolving many issues," he said. Gilchrist was pleased that the bill allows affected residents, as determined by the Municipal Board, to vote whether the annexation should take place. "It revives a right that should not have been taken away," he said.

Opponents said the bill allows a few residents to block annexation proceedings that are in the best interests of environmental protection, orderly growth and the public as a whole. "Urban development should take place in cities," said Chuck Canfield, mayor of Rochester. "There has been no bill that we oppose more than this bill," said Diane Koebele, representing the Coalition of Greater Minnesota Cities.

Sen. Linda Runbeck (R-Circle Pines) moved to table the bill, saying she was disappointed that it did not represent a better compromise. Senators approved the motion eight to seven.

Senators approved S.F. 2597, a bill creating a council on intergovernmental relations. Administrative support for the council will be provided by the Government Board of Innovation and Cooperation. Sen. James Metzen (DFL-South St. Paul), the bill's author, said the council is one way to move toward streamlining government. "We've got to start doing this -- sitting across the table and doing things a little smarter," he said. The bill was re-referred to the Government Operations and Veterans Committee.

Bill creates housing council

Sen. Ted Mondale (DFL-St. Louis Park) laid everyone's happy with the compromise created by his bill S.F. 2387. The bill, which creates a council to manage public housing, was one of seven bills approved Weds., Feb. 7, by the Metropolitan and Local Government Committee, chaired by Sen. Jim Vickerman (DFL-Tracy).

S.F. 2387 helps implement the \$118 million settlement in a public housing lawsuit, Mondale said. The joint powers board created by the bill will act as a housing and redevelopment authority to rehabilitate, construct, purchase and manage rental housing units financed with federal assistance. "This is a very bipartisan project," said Sen. Martha Robertson (R-Minnetonka), who moved the bill. The committee approved the bill and re-referred it to the Taxes and Tax Laws Committee.

A bill sponsored by Sen. Ember Reichgott Junge (DFL-New Hope), S.F. 2073, was approved and sent to the floor. The bill requires local governments to consider whether a public works project is necessary and cost-effective before ordering it. Reichgott Junge said the bill is meant to address the concerns of a group of New Hope residents who worried that cities may be lead astray by consulting engineers who recommend projects, then bid to perform the work.

Two bills were approved and re-referred to the Taxes and Tax Laws Committee: S.F. 2261, authored by Sen. Janet Johnson (DFL-North Branch), allowing sanitary districts to maintain and repair a road by agreement with the agency formerly responsible for the road; and S.F. 2451, authored by Sen. Steven Novak (DFL-New Brighton), allowing the Metropolitan Airports Commission to bond for facilities improvements against projected revenue.

S.F. 2255, authored by Sen. Don Betzold (DFL-Fridley), was approved and referred to the Ethics and Campaign Reform Committee. The bill allows city councils to appoint a temporary council member or mayor if the officeholder is ill or absent for 90 days. S.F. 2258, authored by Sen. Sam Solon (DFL-Duluth), allows the city of Duluth to spend public money on private property to abate the flow of storm water into sanitary sewers. The bill was approved and sent to the floor. S.F. 2223, authored by Sen. Lawrence Pogemiller (DFL-Mpls.), allows the city of Minneapolis to negotiate contracts with stage hands. The bill was approved and recommended for the Consent Calendar.

Businesses support tax reform

Businesses shoulder too much of Minnesota's property tax burden, a group of business owners told the Property Tax Subcommittee of the Taxes and Tax Laws Committee at a Tues., Feb. 6 meeting.

Most of the owners testified on behalf of S.F. 2498, authored by Sen. Ted Mondale (DFL-St. Louis Park), and S.F. 2455, authored by Sen. William Belanger (R-Bloomington), both of which require that non-school property tax increases be levied against market value, rather than tax capacity. Belanger said S.F. 2455, which also provides property tax relief, costs about \$300

million annually and could be paid for from the state's projected \$824 million revenue surplus.

Steve Johnson, former owner of three clothing stores, said that higher rates cause businesses to subsidize government service with their property taxes. He likened the situation to selling shoes: if you offer shoes at less than cost, demand for them will rapidly increase. Johnson believes homeowners demand greater services because they know that local businesses will pay a large share of the cost. "The Minnesota Miracle has turned into the Minnesota nightmare," Johnson said.

Russ Hagen, owner of Minnetonka's Data Recognition, said as both a homeowner and a business owner, he feels class rates are unfair. "Would I like to pay more on my home? No, but I should," said Hagen.

Dan Salomone of the Minnesota Taxpayers Association objected to the class rates that cause businesses, homes, apartments and cabins to be taxed differently. He said Minnesota has the nation's widest disparity in class rates. He supported the idea of levying new taxes on market value, saying that, "this incremental change on the margin is perhaps the only way to reform our class rates."

Carlton resident Vern Dittberner testified on S.F. 2474, Sen. John Hottinger's (DFL-Mankato) property tax reform bill.

Dittberner said property taxes are much too high in Minnesota. "It's getting to the point where you're moving people out of their homes," he told the committee. He said the subcommittee should get rid of value-based levies altogether, and charge for services used instead.

The subcommittee did not vote on any of the bills.

Transportation and Public Transit

TRB abolished

The Transportation and Public Transit Committee is considering how to dismantle the Transportation Regulation Board (TRB).

The shut down results from a 1994 federal law that restricts states' ability to regulate certain economic aspects of the trucking industry, but retains their power over non-economic matters such as safety and insurance.

Last year, the Legislature directed the TRB to recommend which of its duties and functions should be eliminated or transferred to another government body, and ordered the board abolished as of July 1. The board reported its findings to the committee Fri., Feb. 2.

Board member and former state Senator Lyle Mehrkens said a simplified system for freight carriers should be established in the Department of Transportation, with existing statutes on collective rate-making retained. He said the board opposes deregulation of passenger and household goods carriers. The board itself would be downsized and become part the Department of Public Safety.

The committee heard additional and sometimes conflicting testimony. Sarah Janecek, who headed a study of the TRB's

rail functions, told the committee the railroads and shippers want duties pertaining to them transferred to MnDOT, but the unions prefer maintaining a separate agency. Maureen Scallen, who directed the passenger service part of the board's study, said total deregulation will create "chaos for the industry and, more importantly, the public." Joe Beaten with the Minnesota Charter Bus Association told the committee his group favors some regulation, but complete regulation will "destroy regular route service."

Dennis Lazenberry with the Department of Public Safety told members the department is "not now prepared" to take over any duties from the board. Bill Schreiber, DOT office of intergovernmental policy director, said there has been some confusion as to the extent of MnDOT's role with the Legislature on the issue. He said the department favors deregulation of passenger and household carriers, and is preparing legislation. Sen. Jim Vickerman (DFL-Tracy), said he is concerned about the potential impact of deregulation on consumers, and he may offer amendments to the department bill.

Committee Chair Carol Flynn (DFL-Mpls.), said she is disappointed with the lack of consensus on how to phase out the Transportation Regulation Board. Noting the July 1 expiration date, she said "someone needs to be scolded for this. It's the last minute in a process that was pretty generous." Flynn said her office is trying to bring the involved parties together to reach agreement.

Division considers telecommuting

Minnesota employers would be encouraged to have their employees work from home during bad weather, under a bill approved Tues., Feb. 6, by the Transportation and Public Transit Finance Division.

S.F. 2446 directs the Department of Administration to establish criteria for declaring a "telecommuting day," using factors such as weather, road conditions, and the potential for economic loss and personal injury.

The bill appropriates \$200,000 for the Department of Transportation to study and report to the Legislature ways to promote telecommuting and telecommunications. Sponsor Sen. Janet Johnson (DFL-North Branch), said the measure lets representatives of groups with a stake in new technologies, such as government, education, health care, industry, and labor, "draw up a blueprint" for the coordination of telecommunication systems. Committee Chair Keith Langseth (DFL-Glyndon) said the proposal comes from hearings the committee held during the interm. Sen. Terry Johnston (R-Prior Lake) questioned the cost of the study. The bill was approved on a split voice vote.

The division approved S.F. 2466, which exempts first hauls of unprocessed or raw farm products or unfinished forest products that are overweight by less than ten percent from a requirement that a vehicle found to be overweight by more than four percent be re-registered at a higher weight limit. Sen. Bob Lessard (DFL-Int'l. Falls), sponsor of the measure, said the bill addresses a concern in northern Minnesota.

Committee update

The division acted favorably on two motorcycle related bills. S.F. 2270, sponsored by Langseth, increases funding to the Minnesota Motorcycle Riders Association by \$25,000 a year for the purchase of training motorcycles. Association representative Robert Illingworth told the division the additional money, raised from motorcyclists, "strengthens our nationwide award-winning safety program." S.F. 1865, authored by Johnston, allows motorcycle owners who are Vietnam War veterans to purchase special license plates for \$10.

The four bills approved by the division were sent to the Transportation and Public Transit Committee.

Toll road process changed

The commissioner of the Department of Transportation would be required to hold hearings before accepting or rejecting a toll road development agreement, under a bill approved by the Transportation and Public Transit Committee Weds., Feb. 7.

Sponsor, Sen. Jane Rånun (DFL-Mpls.), said the public hearings would be held in each municipality or county the road goes through, and "it is very important the hearing be held before any agreement is reached." The bill was sent to the full Senate.

S.F. 2331, also authored by Rånun, was approved and sent to the floor. It specifies that rules adopted by the board of managers of a watershed district requiring a permit to engage in any activity apply to the Department of Transportation.

Rånun told the committee the language puts into law a process that MnDOT had been following up to 1995. She passed out to members a copy of a resolution from the Minnesota Association of Watershed Districts asking that MnDOT be required to apply for permits for roadway construction and road improvement projects, so the district and the public can review a project.

The committee, chaired by Sen. Carol Flynn (DFL-Mpls.), sent to the Consent Calendar S.F. 2320. Sponsor Sen. David Knutson, (R-Burnsville), said the bill changes the classifications for two types of driver's licenses, but does not affect fees or classifications. The committee approved and sent to the floor S.F. 1164, sponsored by Sen. Keith Langseth, (DFL-Glynden). The measure allows the Department of Health Disease and Control Division to use unmarked state vehicles, and increases the maximum lump sum utility adjustment amount allowed for relocating a utility facility.

The committee approved S.F. 2209, sponsored by Sen. Paula Hanson (DFL-Ham Lake). The measure exempts a new type of motorized bicycle from parts of the motor vehicle code, and removes the vehicle registration tax exemption for representatives of foreign powers. A bill that delays until July 1, 1998 the prohibition against the use of substances containing lead to be used for marking roads and bridges was approved. S.F. 2104, authored by Sen. Dan Stevens (R-Mora), was sent to the Environment and Natural Resources Committee.

Floor action

Recall bill sidetracked

A bill allowing Minnesotans to vote on a constitutional amendment that sets a procedure allowing the recall of public officials was sidetracked by the Senate Mon., Feb. 5, after extensive debate. The bill, S.F. 153, authored by Sen. Ember Reichgott Junge (DFL-New Hope), places the question on the ballot for the 1996 general election. Under the bill, once the ballot question is passed, public officials will be subject to recall for malfeasance or nonfeasance in the performance of the duties of the office. According to Reichgott Junge, 16 other states have recall procedures.

Reichgott Junge emphasized "Recall will never replace our duty to discipline ourselves." Reichgott Junge added, "There will be a broader impact making elected officials more accountable and responsible. We are providing a powerful new tool for voters but at the same time, guarding against the misuse of recall."

Early in the debate, Reichgott Junge offered an amendment to include "serious ethical misconduct" as a category of behavior that makes a public official subject to recall. Sen. Gary Laidig (R-Stillwater), argued against the amendment and said that the amendment was so substantial the bill should be returned to committee for further discussion. Reichgott Junge countered that the issue had been the subject of spirited debate in committee and that the amendment was an attempt to address issues raised in committee. Sen. Carl Kroening (DFL-Mpls.) also questioned the definition of serious ethical misconduct. "We don't know what it is and we don't know what it will be in the future," Kroening said. Sen. Pat Pariseau (R-Farmington) also questioned the definition and said, "If we were to ask all 67 Senators for the definition we would probably get at least 67 different definitions. Majority Leader Roger D. Moe (DFL-Mpls.) spoke in favor of the amendment, "The amendment attempts to address the concerns of members that the bill was too tightly drawn yet still provide safeguards against misuse of the recall mechanism," Moe said. Sen. Thomas Neuville (R-Northfield) argued that having the court make a determination destroys the significance of gathering signatures on the petition for recall. Laidig then moved that the bill be sent back to committee. Members approved the Laidig motion on a vote of 34-29.

In other action, Senators granted final passage to two measures on the Consent Calendar and seven bills on the Senate Calendar. S.F. 2121, authored by Neuville, designates the Czech Heritage Highway. S.F. 1946, carried by Sen. Don Samuelson (DFL-Brainerd), designates a POW/MIA Memorial Highway, a Veterans Memorial Highway and the John Riley Memorial Drive. Both measures was granted final passage on the Consent Calendar.

S.F. 1936, carried by Sen. Jerry Janeczak (DFL-Chisholm), provides that lottery retailers may sell tickets at more than one location. S.F. 1815, carried by Sen. Deanna

Weiner (DFL-Eagan), regulates the underwriting of life and health coverages for victims of domestic abuse. S.F. 1040, carried by Samuelson, regulates the sale of long-term care insurance. S.F. 1909, sponsored by Sen. Kenric Scheevel (R-Preston), designates a portion of Highway 52 in Fillmore County as the "Amish Buggy Byway."

S.F. 1797, authored by Sen. Don Betzold (DFL-Fridley), provides that some driver's license suspensions are not effective until 14 days after notice has been mailed to the licensee. S.F. 2166, carried by Sen. Steven Morse (DFL-Dakota), permits up to a 40-year term for specific bonds. S.F. 1984, authored by Sen. Tracy Beckman (DFL-Bricelyn), modifies and adds to the list of canoe and boating routes.

Brief floor sessions held

As committee agendas lengthened and the pace quickened in anticipation of the first committee deadline, Senators held brief floor sessions to process committee reports and move bills along in the process. Members met Weds., Feb. 7 and Thurs., Feb. 8, for relatively short floor sessions.

At the Thurs., Feb. 8, session, Senators also acted upon bills on the various calendars. Two bills were granted final passage on the Senate Calendar. H.F. 2079, carried by Sen. Pat Pariseau (R-Farmington), permits the city of New Market to incur debt not subject to the general debt limit. H.F. 2308, sponsored by Sen. Don Kramer (R-Brooklyn Center), provides a condition on participation in the state employee combined charitable campaign. A third bill, S.F. 1919, making technical changes to laws governing reemployment insurance was moved back to the General Orders Calendar for purposes of amendment.

Four measures were granted final passage on the Consent Calendar. S.F. 2012, authored by Sen. Tracy Beckman (DFL-Bricelyn), designates a portion of trunk highway No. 15 as Veterans Memorial Highway. S.F. 1793, carried by Sen. Paula Hanson (DFL-Ham Lake), allows display of single original license plates from 1911, 1944, 1945 or 1946. S.F. 1798, authored by Sen. Don Betzold (DFL-Fridley), limits the scope of an instruction to the Revisor of Statutes. S.F. 2019, carried by Sen. Gene Merriam (DFL-Coon Rapids), clarifies approved costs for a magnet school facility.

Three measures gained preliminary passage on the General Orders Calendar. S.F. 1872, authored by Sen. Linda Berglin (DFL-Mpls.), requires peace officers to undergo training in community policing techniques. S.F. 1879, also carried by Berglin, combines the alternative care program and the home and community based services waiver for the elderly program. H.F. 2150, sponsored by Sen. Gary Laidig (R-Stillwater), authorizes the city of Stillwater to issue one additional on-sale liquor license.

Senate Information	296-0504
Senate Hotline	296-8088

Preview

The Minnesota Senate Week at a Glance

Monday, February 12

Environment and Natural Resources Finance Division

Chair: Sen. Steven Morse
8 a.m. Room 123 Capitol
Agenda: To be announced.

Health Care and Family Services Finance Division

Chair: Sen. Don Samuelson
8:30 a.m. Room 112 Capitol
Agenda: S.F. 1662-Berglin: Pregnancy alcohol consumption warning signs. S.F. 1881-Berglin: Relating to MA, limiting burial expense exclusion. S.F. 1951-Samuelson: Nursing home MA alternative payments.

The Senate will meet at 10 a.m.

Agriculture and Rural Development Committee

Chair: Sen. Roger D. Moe
12 noon Room 107 Capitol
Agenda: S.F. 2612-Sams: Establishing a grant program for information and technology services to dairy farmers. Confirmations.

Commerce and Consumer Protection Committee

Chair: Sen. Leonard Price
12 noon Room 112 Capitol
Agenda: To be announced.

Judiciary Committee

Chair: Sen. Randy Kelly
12 noon Room 15 Capitol
Agenda: To be announced.

Crime Prevention Committee

Chair: Sen. Allan Spear
2 p.m. Room 15 Capitol
Agenda: S.F. 1613-Neuville: Prison industry. S.F. 1810-Berglin: Community chemical abuse intervention. S.F. 2254-Betzold: Expungement and sealing of arrest and conviction records.

Metropolitan and Local Government Committee

Chair: Sen. Jim Vickerman
2 p.m. Room 107 Capitol
Agenda: H.F. 2532-Kroening: Appointment of employees of Minneapolis Park and Recreation Board. H.F. 2401-Lessard: Exemption from bidding requirements on sale of Itasca County Medical Center. S.F. 2204-Riveness: Clarifying noise mitigation spending requirements. S.F. 2321-Kroening: Authorizing state bonds for the multi-jurisdictional reinvestment program plan. Confirmation of Richard Packer, Metropolitan Council.

Tuesday, February 13

Gaming Regulation Committee

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

Governmental Operations and Veterans Committee

Chair: Sen. James Metzen
8 a.m. Room 15 Capitol
Agenda: To be announced.

Transportation and Public Transit Committee

Chair: Sen. Carol Flynn
8 a.m. Room 112 Capitol
Agenda: House Files that met committee deadlines will be heard.

Health Care Committee

Chair: Sen. Linda Berglin
10 a.m. Room 15 Capitol
Agenda: H.F. 2203-Kiscaden: Governor's DHS Health Care bill. H.F. 2247-Betzold: Lien appeal rates - DHS. H.F. 1313-Betzold: Mortuary Science. H.F. 227-Piper: Board of Medical Practice. H.F. 1960-Johnson, J.B.: Study Alternative Care.

Jobs, Energy and Community Development Committee

Chair: Sen. Steven Novak
10 a.m. Room 107 Capitol
Agenda: S.F. 2040-Kelly: Exempting premium gasoline from oxygenation requirement.

Crime Prevention Finance Division

Chair: Sen. Tracy Beckman
12 noon Room 112 Capitol
Agenda: Board of Public Defense 1996 supplemental funding request. Joint Legal Services access and funding committee report. Dept. of Corrections capital budget request.

Environment and Natural Resources Finance Division

Chair: Sen. Steven Morse
12 noon Room 123 Capitol
Agenda: To be announced.

Environment and Natural Resources Committee

Chair: Sen. Bob Lessard
2 p.m. Room 107 Capitol
Agenda: S.F. 2208-Frederickson: Watershed district revenue. S.F. 1890-Frederickson: Air quality wastewater treatment. H.F. 2276-Frederickson: BWSR Authority. H.F. 2332-Laidig: Modifying permit requirements relating to water. S.F. 2252-Morse: Clarifying powers of PCA Board. S.F. 2010-Novak: Petrofund.

Legislative Audit Commission

Chair: Rep. Ann H. Rest
4 p.m. Room 123 Capitol
Agenda: Program Evaluation Division's report on state and local government spending.

Taxes and Tax Laws Subcommittee on Property Tax

Chair: Sen. John Hottinger
4 p.m. Room 15 Capitol
Agenda: S.F. 1841-Johnson D.J.: Housing replacement districts. S.F. 1977-Janezich: Range fiscal disparities. S.F. 1979-Stevens:

Exempting lease-purchase agreements for the acquisition of personal property from net debt limitations. S.F. 2115-Johnson, D.J.: Duluth special service districts. S.F. 2207-Stumpf: Reducing residential nonhomestead property class rates. S.F. 2398-Kelly: Reducing redemption period for tax delinquent properties. S.F. 2549-Larson: Limiting market value increases. S.F. 2618-Knutson: Reducing seasonal recreation property class rates. S.F. 2621-Sams: Redefining seasonal recreational residential property. S.F. 2625-Novak: Reducing seasonal recreational residential property class rates. S.F. 2626-Runbeck: Minnesota Constitutional amendment allowing seasonal recreational residential owners certain voting privileges. S.F. 2627-Metzen: Exempting noncommercial seasonal recreation residential property from referendum levies. S.F. 2629-Pogemiller: Changing the date by which all school district referenda levies have to be done on the basis of market value. S.F. 2630-Mondale: Changing the class rate for certain property bordering public waters.

Education Committee

Co-chairs: Sen. Lawrence Pogemiller and Sen. LeRoy Stumpf
6 p.m. Room 107 Capitol
Agenda: S.F. 2143-Murphy: Mandate reduction. S.F. 2636-Larson: Trade school regulation.

Wednesday, February 14

Gaming Regulation Committee

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

Governmental Operations and Veterans Committee

Chair: Sen. James Metzen
8 a.m. Room 15 Capitol
Agenda: To be announced.

Transportation and Public Transit Committee

Chair: Sen. Carol Flynn
8 a.m. Room 112 Capitol
Agenda: House Files that met committee deadline will be heard.

Health Care Committee

Chair: Sen. Linda Berglin
10 a.m. Room 15 Capitol
Agenda: H.F. 2510-Riveness: Telemedicine demonstration. H.F. 2111-Kiscaden: MDH housekeeping bill. H.F. 2314-Kiscaden: Intractable pain. H.F. 2013-Piper: Screening certain MA recipients. H.F. 2310-Sams: Adds two members to EMSR Board. H.F. 2008-Betzold: Childbirth and postpartum care.

Jobs, Energy and Community Development Committee

Chair: Sen. Steven Novak
10 a.m. Room 107 Capitol

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Agenda: S.F. 2238-Novak: Clarifying mandate for certain utilities to generate electric power using biomass fuel. S.F. 2397-Novak: Provisions regarding minimum wage. S.F. 1997-Hottinger: Requiring private businesses with state financial assistance pay poverty level wage. S.F. 2196-Anderson: Permitting mortgagee to provide resident caretaker for a premises.

The Senate will meet at 12 noon.

Commerce and Consumer Protection Committee

Chair: Sen. Leonard Price
12 noon Room 112 Capitol
Agenda: S.F. 1915-Oliver: Department of Commerce revisions. S.F. 2037-Metzen: Financial Institutions.

Judiciary Committee

Chair: Sen. Randy Kelly
12 noon Room 15 Capitol
Agenda: To be announced.

Metropolitan and Local Government Committee

Chair: Sen. Jim Vickerman
2 p.m. Room 107 Capitol
Agenda: S.F. 2288-Chmielewski: Sawyer Township recreational levy. S.F. 2339-Marty: Prohibiting free parking at Minneapolis-St. Paul International Airport. S.F. 2482-Krentz: Local government performance aid program. S.F. 1987-Morse: Sewer system loan program.

Finance Capital Budget Subcommittee

Chair: Sen. Phil Riveness
4 p.m. Room 123 Capitol
Agenda: Continue overview of capital budget requests.

Taxes and Tax Laws Subcommittee on Income and Sales Tax

Chair: Sen. Sandra Pappas
4 p.m. Room 15 Capitol
Agenda: S.F. 977-Mondale: Reducing pull-tab

and tipboard tax. S.F. 1839-Betzold: Motor vehicle sales tax, foster children exemption. S.F. 1863-Reichgott Junge: Use tax payable with income tax return. S.F. 2168-Hottinger: Authorizing spending proceeds of local sales tax for Mankato Airport. S.F. 2358-Pappas: Revenue recapture act, authorizing libraries as claimants. S.F. 2362-Johnson, J.B.: Wind energy sales tax, permanent exemption. S.F. 2508-Belanger: Governor's bill. S.F. 2570-Novak: Extending wind energy.

Thursday, February 15

The Senate will meet at 8 a.m.

Higher Education Division

Chair: Sen. LeRoy Stumpf
10 a.m. Room 112 Capitol
Agenda: Capital budget allocations for MnSCU and the U of M.

Jobs, Energy and Community Development Committee

Chair: Sen. Steven Novak
10 a.m. Room 107 Capitol
Agenda: S.F. 2262-Johnson, J.B.: Telecommunication changing intrastate telecommunication carrier or local telephone company. S.F. 2438-Anderson: Governing school conference and activities leave. S.F. 2471-Janezich: Mandatory arbitration for charitable hospital employers and employees. S.F. 2576-Anderson: Port authorities to use certain provisions of uniform municipal contracting law. S.F. 2678-Janezich: Modifying allocation of workforce investment funds. S.F. 2056-Novak: Changing classification of director of tourism. S.F. 1845-Novak: Manufactured homes - park owners to recover possession of land.

Metropolitan and Local Government Committee

Chair: Sen. Jim Vickerman
2 p.m. Room 107 Capitol
Agenda: To be announced.

Environment and Natural Resources Finance Division

Chair: Sen. Steven Morse
4 p.m. Room 123 Capitol
Agenda: To be announced

Finance Capital Budget Subcommittee

Chair: Sen. Phil Riveness
4 p.m. Room 123 Capitol
Agenda: Finish overview of capital budget requests.

Governmental Operations and Veterans Committee

Chair: Sen. James Metzen
6 p.m. Room 107 Capitol
Agenda: Pension bills.

Friday, February 16

Governmental Operations and Veterans Committee

Chair: Sen. James Metzen
8 a.m. Room 15 Capitol
Agenda: To be announced.

Transportation and Public Transit Finance Division

Chair: Sen. Keith Langseth
8 a.m. Room 112 Capitol
Agenda: House Files.

Transportation and Public Transit Committee

Chair: Sen. Carol Flynn
9 a.m. Following Finance Division meeting. Room 112 Capitol
Agenda: To be announced.

Saturday, February 17

Health Care and Family Services Finance Division

Chair: Sen. Don Samuelson
9:30 a.m. Room 123 Capitol
Agenda: Budget allocations.

Briefly

The Minnesota Senate Week in Review

STATE HOUSE BUILDING

February 16, 1996

Living wage bill okayed

A bill requiring large and medium sized businesses that receive state financial assistance for job creation to pay employees at least a poverty level wage was approved Weds., Feb. 14, by the Jobs, Energy and Community Development Committee. S.F. 1997, authored by Sen. John Hottinger (DFL-Mankato), provides that businesses receiving a state subsidy of at least \$25,000 for job creation must pay the new employees resulting from the job creation at least \$7.28 per hour. The bill spells out a number of exceptions and includes the employer's contributions to the employee's health or dental coverage as part of the employee's wage. Small businesses are exempt from the requirement as are businesses in which the chief executive officer's total compensation is less than 25 times the compensation of the lowest paid worker. Nonprofit corporations are covered by the bill if the chief executive officer's compensation is paid more than 25 times the wages of the lowest paid employee. In addition, the bill exempts on the job training programs and businesses employing blind or disabled individuals.

Hottinger said "State economic development programs are working well for job creation but are not doing well in creating high wage jobs. Most of the new jobs pay less than \$8 per hour." Hottinger added, "Voters are demanding to know the results of state tax dollar expenditures and the bill provides for accountability." Hottinger said, "This bill puts action behind the rhetoric."

Mel Duncan, of the Minnesota Alliance for Progressive Action, said, "There is a clear and strong demand for accountability in public spending." Chris Jacobs, of the Jobs Now Coalition, said "The concern of the coalition is job quality and the bill provides a means for assessing the performance of the taxpayers' investment."

Two speakers said that they were concerned about the bill. Tom Hesse, of the Minnesota Chamber of Commerce, and Judy Cook, of the Minnesota Retailer Merchants Association, both said that they supported the goals of the bill. However, both said that the measure needed to be crafted in such a way that there was more flexibility in setting the lowest wage level. Cook said some entry level positions might be created that do not warrant that wage rate.

Hottinger responded that flexibility is a legitimate concern and said he would work to resolve the issue. The bill was approved on an 11-2 roll call vote and advanced to the full Senate.

In other action, the panel, chaired by Sen. Steven Novak (DFL-New Brighton),

advanced three additional bills. S.F. 2397 modifies numerous provisions regarding administrative procedures and enforcement of the wage and hour provisions of employment laws. The measure was approved and re-referred to the Judiciary Committee. S.F. 2056 is a Dept. of Trade and Economic Development housekeeping bill and makes numerous technical changes in laws relating to the department. The measure was approved and re-referred to the Governmental Operations and Veterans Committee. H.F. 2154 requires manufactured home park owners or operators to notify the owner of a unit that is to be vacated about how scheduled improvements will benefit residents of the park. The measure was approved and sent to the Senate floor. All three bills were sponsored by Novak.

Ethanol exemptions okayed

The Agriculture and Rural Development Committee, chaired by Sen. Roger Moe (DFL-Erskine), approved a bill that exempts certain vehicles from the state ethanol mandate Weds., Feb. 14. Authored by Sen. Steven Morse (DFL-Dakota), S.F. 2779 permits gas stations to sell nonoxygenated gasoline to motorcycles, boats, and cars with either pioneer, classic, street rod or collectors licenses. The proposal also permits sales to off-road vehicles, including farm implements and race cars. Previous provisions, one requiring pumps to have a special dispensing nozzles and another that imposed a five cent tax on the fuel, were removed from the measure.

"This is not a perfect system," Morse said of the changes. "But the bill strikes a balance, and gives the people with concerns an option."

Several witnesses testified in support of the proposal including Chris Radatz, Minnesota Farm Bureau; Tom Cochrane, Minnesota Agri-Growth Council and Todd Otis from the Hennepin County Chapter of the American Lung Association.

Opposing the measure were Bill Strusinski, representing the Minnesota Street Rod Association and Amoco's Dan Gunderson.

The bill now proceeds to the Senate floor.

New Senator sworn in

The highlight of the Mon., Feb. 12, floor session was the swearing in of the Minnesota Senate's newest member. Sen. Michelle Fischbach (R-Paynesville) won a special election held Tues., Feb. 6, for the District 14 seat formerly held by Joe Bertram. Fischbach presented her election certificate and was sworn in by Supreme Court Justice

M. Jeanne Coyne. Fischbach was named to the Agriculture and Rural Development Committee, the Family Services Committee, the Governmental Operations and Veterans Committee and the Health Care and Family Services Finance Division by Senate Majority Leader Roger Moe (DFL-Erskine).

Deer feeding funds debated

The Finance Committee scheduled a meeting Wed., Feb. 14, to debate a bill for emergency deer feeding. Chaired by Sen. Gene Merriam (DFL-Coon Rapids), the committee heard testimony from the bill's sponsor, Sen. Douglas Johnson (DFL-Cook). The plan proposes taking \$500,000 from the game and fish fund and \$500,000 from the general fund for deer feeding efforts.

Johnson explained the economic effects of deer hunting, saying that the sport brings economic activity to the state as well as bringing money to the state treasury. Forty percent of the deer herd will die this year due to extremely high snow levels and the inability of deer to reach food, Johnson said. The Department of Natural Resources (DNR) has not endorsed the program and estimates that the feeding plan will save 20,000 deer. While he said that the estimates may be too high, the DNR estimates the worth of each deer at \$500.

Johnson explained the proposed deer feeding plan for the northern part of the state. The plan will rely on volunteers for distribution of the feed and will be designed to supplement private feeding efforts for maximum benefits to the deer population. Remote areas will be reached by snowmobiles, he said. Johnson said "I don't want to make this an emotional thing, to save Bambi, but I think we can make a difference."

Sen. Jane Ranum (DFL-Mpls.) asked how she is supposed to prioritize the deer feeding proposal over programs to help children become more healthy, such as school meal programs. Johnson said that the deer feeding proposal generates economic activity and without generating economic activity there are no programs for children. Additionally, he said, there are a number of people in the state who are low-income and depend on deer as a food source.

Sen. Pat Piper (DFL-Austin) offered an amendment to use \$500,000 from the game and fish fund and use the \$500,000 from the general fund to fund school meal programs. The amendment failed. Sen. Bob Lessard (DFL-Int'l. Falls) spoke on behalf of the bill and stressed the amount of revenue hunting brings to the state. The bill was approved and sent to the Senate floor.

Committee update

Agriculture and Rural Development

Ethanol exemptions proposed

Exemptions to the state's mandate requiring use of oxygenated fuel dominated the Agriculture and Rural Development Committee's discussion Mon., Feb. 12.

Authorized by Sen. Steven Morse (DFL-Dakota), S.F. 2797 exempts off-highway vehicles from the oxygenate requirement.

Under the bill, aircraft, motorcycles, snowmobiles, sports cars at off-highway racing events and other recreational vehicles can use gasoline that does not meet the 2.7 oxygenate requirement. The bill also adds a five cent per gallon tax on the sale of special recreational fuel; the tax is earmarked for improvements to the corresponding recreational program, such as the water recreation account and the snowmobile recreation account.

"This is a proposal to strike some middle ground," Morse said of the exemptions that allow certain vehicles to use premium gasolines. "It gets to the very engines and uses that people are most concerned about."

Bill Strusinski spoke against the bill.

"This provides no choice for consumers," he told members. Certain vehicles, such as street rods, older and vintage cars, have special needs, and a higher octane fuel is needed to operate them, he said.

Strusinski also objected to the economic impacts of the bill. The Minnesota state fair hosts the second largest street rod event in the country, he told members, "and many cars simply won't come because of this bill." The projected loss totals \$8.6 million, Strusinski said.

Jerry Jacoby, from the Minnesota Ethanol Coalition testified in support of the bill. He told members that the problem is not with the quality of ethanol fuel products, but with public perception. "There is a perception that there's something wrong with our fuel," he said, "and that's just not true."

Jacoby also told members that when viewing the matter of consumer choice, the issue of air quality can not be ignored. "Concerning the matter of public choice, the public did choose -- they chose to have cleaner air in our state."

No action was taken on the bill and Committee Chair Roger Moe (DFL-Erskine) said that members would continue debate at a future meeting.

S.F. 2612, sponsored by Sen. Dallas Sams (DFL-Staples) was re-referred to the Environment and Natural Resources Finance Division. The bill establishes a program to help dairy farmers with management techniques, implementation of new technologies, financial guidance and other informational services. The committee adopted an amendment that allocates \$300,000 to establish the one-on-one educational teams, as well as an amendment that directs the Board of Animal Health to examine alternatives to hot iron branding of animals.

Members also confirmed gubernatorial appointees Vivian Evans, to the Minnesota Rural Finance Authority, and Dr. John Howe, to the Board of Animal Health.

Commerce and Consumer Protection

Landfill cleanup bill advances

A bill designed to clean up Minnesota's worst landfills was approved by the Commerce and Consumer Protection Committee Thurs., Feb. 8, although the measure's authors say it needs more work.

S.F. 2120 sets up a system to resolve claims against insurers for environmental response costs at landfills in the state superfund program. The committee approved a change by the Commerce and Consumer Protection Subcommittee on Insurance in the term used to describe the state's ability to assess damages from "direct action" to "state action." Bill sponsor Sen. Steven Morse (DFL-Dakota), said the revision was made to narrow the context of the provision and avoid setting a precedent. He said the wording is still under discussion, and there could be additional amendments. Morse said the positions of interested parties have drawn closer, but talks are still underway on the mediation process and financial liability. Subcommittee Chair Sen. John Hottinger (DFL-Mankato) said negotiators did an "excellent job on a difficult piece of legislation." The bill was sent to the Environment and Natural Resources Committee.

The committee approved S.F. 1875, which sets up a task force to study and make recommendations for alternative funding mechanisms for various health care taxes, surcharges, and assessments. The author of the proposal, Sen. Linda Berglin (DFL-Mpls.), said the goal is a more equitable health care payment system. The bill was sent to the Governmental Operations and Veterans Committee.

S.F. 2311, sponsored by Sen. Sheila Kiscaden (R-Rochester), won approval on a split vote following discussion about how the measure affects legislative authority. Kiscaden said the bill sets up a process for assessing proposed health coverage mandates and gives lawmakers the information they need to evaluate such proposals. She said the measure has attracted "broad community support." Some Senators objected to a provision that no committee action can be taken on a mandate until the commissioner of the Department of Health completes the required assessment and reports to the legislature. The bill was approved after the committee, chaired by Sen. Leonard Price (DFL-Woodbury), accepted an amendment, offered by Hottinger that requires the assessment be completed within 180 days. The measure was re-referred to the Health Care Committee.

S.F. 588 was approved and sent to the full Senate. Bill author, Sen. Kevin Chandler (DFL-White Bear Lake), said the measure

adopts federal guidelines on deceptive trade practices related to environmental marketing claims. He said the bill, which gives the Attorney General the power to investigate complaints of false or inaccurate advertising, is designed to crack down on companies that incorrectly promote their products as being "environmentally friendly."

Insurance hike rejected

The Commerce and Consumer Protection Committee Mon., Feb. 12, rejected a bill that would have raised auto insurance rates.

S.F. 1482 increases the minimum required auto insurance coverage for property damage liability from \$10,000 to \$25,000. Bill sponsor Sen. Edward Oliver (R-Deephaven), said the present rate was set in the early 1970's and is no longer realistic. He said the higher minimum would cost motorists from two to five dollars, with metro residents paying the most.

Sen. Cal Larsen spoke in opposition to the proposal, saying "this is another case of driving up the insurance premium for everybody. We've got to stop this nonsense." Sen. Deanna Wiener (DFL-Eagan), called it unfair that some drivers will "pay more than others because of where they live." Sens. Carl Kroening (DFL-Mpls.), Ellen Anderson (DFL-St. Paul), and William Belanger (R-Bloomington), also expressed reservations about the measure, which was defeated on a split voice vote.

The committee, chaired by Sen. Leonard Price (DFL-Woodbury), approved S.F. 2616, that prohibits the retroactive termination of insurance coverage without the consent of the insured. Sponsor Anderson said the measure is a reaction to an incident in which a worker was terminated, and had his insurance canceled effective back to the day he was hired. S.F. 2780, authored by Sen. John Hottinger (DFL-Mankato), also results from an incident that came to the attention of a Senator. A Mankato insurance agent told the committee she and another agent were fired after talking with a lobbyist about legislation to prohibit insurers from imposing policy quotas on its agents. The bill prohibits an insurance company from terminating or penalizing an agent because the agent contacted any government department or agency concerning a problem with an insurance company.

The committee approved S.F. 950, sponsored by Sen. John Metzen (DFL-South St. Paul). The measure regulates the enforcement of copyright licenses on music licensing firms such as the American Society of Composers and Producers (ASCAP) and B-M-I. The firms collect fees on behalf of the artists from broadcasters and other users of licensed music. John Bergland with the Minnesota Association of Innkeepers said the firms in the past have not followed proper procedures in negotiating, and urged the committee to "put some constraints on what they can do." The bill requires the firms to provide rate and term schedules, and sets guidelines for inspections, negotiations, and collections.

The committee also approved S.F. 2591, which permits a municipality to issue the currently-allowable twelve days of temporary on-sale liquor licenses per year in any combination of days. Sponsor Sen. Kenric Scheevel (R-Preston) said the change offers organizations more flexibility than the current three four-day periods specified in law. The committee approved Scheevel's amendment that prohibits an organization from having more than one temporary license granted in a 30 day period.

All bills approved were sent to the full Senate for consideration.

Lyme coverage mandated

Lyme disease treatment would be included in all health plans under a bill approved by the Commerce and Consumer Protection Committee, Weds., Feb. 14.

S.F. 221, authored by Sen. Florian Chmielewski (DFL-Sturgeon Lake) also prevents the imposition of restrictions on lyme coverage, such as deductibles and waiting periods, if the restrictions do not apply generally to other conditions.

Sen. William Belanger (R-Bloomington), said he opposes the bill because it raises the cost of health insurance for everyone, and only benefits a small number of people. Sen. Don Samuelson (DFL-Brainerd), offered an amendment, that was accepted, which replaces "suspected but not confirmed cases" with "diagnosed cases" under the coverage requirement. The bill was referred to the Health Care Committee.

The committee, chaired by Sen. Leonard Price (DFL-Woodbury), approved S.F. 191. The bill prevents the non-renewal, reduction, or elimination of homeowner insurance coverage based on the number of claims a homeowner files. Sponsor Sam Solon (DFL-Duluth), said the bill results from a notice a constituent received from an insurer after filing a claim for a stolen bicycle. Solon said the insurer threatened to cancel the policy if two more claims are filed. Solon said the bill, which was sent to the floor, bases continuation of coverage on the monetary amount of claims rather than the number.

S.F. 2023 was approved and re-referred to the Health Care Committee. Sponsor John Hottinger (DFL-Mankato), said the measure requires health plan companies to offer at least one point of service product in the market area in which they operate. He says that "maintains consumer choice in a rapidly consolidating health care market."

S.F. 1986 was approved and re-referred to the Finance Committee. The bill designates responsibility for older cemeteries. Sponsor Janet Johnson (DFL-North Branch), said lack of clear jurisdiction makes it unclear who is responsible for upkeep. The bill also allows the Hennepin County Medical Examiner to charge a reimbursement fee for some procedures involved in investigating deaths.

Two other proposals, both sponsored by Sen. Jerry Janeczich (DFL-Chisholm), won the committee's approval. S.F. 2201, exempting a new motor vehicle dealership

from relocation distance requirements from other auto dealerships, was sent to the floor. S.F. 2813, removing the phrase "mode of operations" from statutory language defining a truck part, was sent to the Consent Calendar.

Crime Prevention

DWI bills advance

Several bills were okayed and referred to the floor by the Crime Prevention Committee, chaired by Sen. Allan Spear (DFL-Mpls.), Thurs. Feb. 8.

Four of the eight measures were authored by Sen. David Knutson (R-Burnsville). S.F. 2193, the result of a task force charged with studying impaired driving access, creates a separate law that prohibits persons under 21 from driving after consuming alcoholic beverages. Knutson said that the measure's goal is to eliminate teenage drinking and driving under all circumstances. "Our intent is that no teenager have a drop of alcohol and then drive a motor vehicle," Knutson said. "This is the public policy I think we should pursue." The measure now goes before the full Senate.

Two bills related to the DWI law were also approved by the committee. S.F. 2192 gives the court authority to impose consecutive sentences for impaired driving and, in certain cases, for offenses stemming from a single incident. The measure, which goes to the floor, gives the court authority to impose consecutive sentences if an individual drives after suspension, revocation, denial or cancellation of a license or violates the terms of a limited license. S.F. 2190, which was re-referred to the Finance Committee, adds snowmobiles, all-terrain vehicles and motor boats to the statute covering license revocations for impaired driving. The measure specifies that a person's license will be revoked if an offense occurs five years after a prior impaired driving conviction, a prior license revocation, or any time after two impaired driving convictions.

Knutson's fourth measure, S.F. 2319, amends the Minnesota Civil Defense Act of 1951. The bill changes the name of the act to the Minnesota Emergency Management Act of 1996 and expands its scope to include natural and other disasters of major size and destructiveness. The measure, which proceeds to the Senate floor, contains a provision that grants workers' compensation coverage to individuals who provide volunteer assistance in an emergency.

The Committee sent the remaining four bills to the floor.

S.F. 2357, authored by Sen. Jane Ranum (DFL-Mpls.), authorizes the development of a statewide data base for juvenile records. Ranum told members that because of the changing nature of juvenile crimes and increased mobility, a statewide system is necessary. Under the current court computer system, each county is only able to access information on juveniles residing within that particular county. Consequently, a juvenile with an extensive record in

Ramsey County, could move to Dakota County, but the juvenile's history and records would remain in Ramsey County, Ranum explained.

S.F. 2346, carried by Sen. Arlene Lesewski (R-Marshall), expands the definition of criminal justice agency to include all sites identified and licensed as detention facilities. Lesewski told members that the bill allows information sharing by providing appropriate persons with broader access to the detention information system that is supported by the state operated computer network.

S.F. 2054, sponsored by Sen. Randy Kelly (DFL-St. Paul), requires vehicles to stop, when yielding the right-of-way, to pedestrians within a marked crosswalk or within any crosswalk at an intersection.

And finally, a bill sponsored by Sen. Ember Reichgott Junge (DFL-New Hope), S.F. 1864, makes a change to the Data Practices Act. The measure provides that data identifying individuals or businesses as members of a criminal alert network, including their names, addresses, telephone and fax numbers, are private or nonpublic data.

Two bills advance

The Crime Prevention Committee, chaired by Sen. Allan Spear (DFL-Mpls.), okayed two bills Mon., Feb. 12.

A bill that establishes a community oriented chemical dependency pilot project, S.F. 1810, was approved and re-referred to the Crime Prevention Finance Division. The measure, sponsored by Sen. Linda Berglin (DFL-Mpls.), establishes an outreach and assessment program aimed at helping troubled communities reduce neighborhood drug trade. The measure requires that Hennepin County establishes criteria to determine which neighborhoods are eligible to participate in the program. Furthermore, the bill specifies that after-care programs must be provided and requires coordination with the Hennepin County drug court initiative.

Berglin told members that the measure is to fund outreach and aftercare, rather than treatment itself. "This bill helps afflicted neighborhoods intervene at the early stages," she said. "It attacks the demand for these drugs."

The project pairs a police officer with a chemical dependency expert, and together the team approaches the substance abuser and offers treatment, Berglin explained. "We think this approach will demonstrate more effectiveness than other approaches have demonstrated."

Cornell Tahdooahnippah, representing the Phillips neighborhood, spoke in favor of the bill. "It will bring some relief to the good people of the Phillips neighborhood who are being held hostage by the crack cocaine dealers," he said.

Dan Cain, from Eden Programs, also testified in support of the proposal. He told members that the chances for successful recovery are greatly enhanced if after-care

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programs are provided. "Part of after-care is a good job and a place to live," Cain added.

S.F. 1929, authored by Sen. Pat Piper (DFL-Austin), establishes a criminal penalty for violating a cease and desist order issued by the commissioner of health. Sen. Gene Merriam's (DFL-Coon Rapids) amendment that reduces the penalty from a gross misdemeanor to a misdemeanor was adopted and the bill was sent, without recommendation, to the floor.

Sen. Thomas Neuville's (R-Northfield) bill to create MinnCor, S.F. 1613, was laid over for further review.

Prison industry bill okayed

Members of the Crime Prevention Committee met Weds., Feb. 15 and advanced a bill requiring the evaluation of the operation of prison industries in Minnesota. S.F. 1613, authored by Sen. Thomas Neuville (R-Northfield), also specifies that state agencies are to purchase from correctional industries items that are comparable in price, quality, and delivery to items from other vendors. In addition, the measure requires the commissioners of administration and corrections to appoint a joint task force to explore additional methods that support the philosophy of providing a substantial market opportunity to correctional industries that maximize inmate work opportunities.

According to the bill, the evaluation of prison industries by an independent consultant includes the development of a five-year business plan. The measure also specifies factors to be considered in developing the five-year business plan. Among those factors, the consultant is directed to assume that a private corporation will be operating prison industries, that the same number of inmates will be employed, and that the corporation will operate without any state subsidy unless it is not possible to profitably operate the program under the requirements outlined in the bill.

An amendment, offered by Sen. John Marty (DFL-Roseville), touched off a discussion about the goals of prison industry programs. The amendment required the consultant to work with MinnCor to develop methods to improve and expand industrial and commercial activities in state and local correctional facilities consistent with providing employment and vocational training and developing proper work habits of inmates. Sen. Gary Laidig (R-Stillwater) spoke in support of the amendment, arguing that the goal of prison industries was not confined to profitability, but included public safety issues as well. Neuville opposed the amendment and said that having an independent consultant provided more credibility. The amendment failed on a divided voice vote. The bill was approved and referred to the Crime Prevention Finance Division.

In other action, the committee, chaired by Sen. Allan Spear (DFL-Mpls.), also approved a bill providing a process for sealing some criminal records and modifying the grounds for sealing records. S.F. 2254,

authored by Sen. Don Betzold (DFL-Fridley), had extensive hearings in the Joint Judiciary Crime Prevention Data Privacy Subcommittee. Committee discussion was confined primarily to an amendment, offered by Sen. Richard Cohen (DFL-St. Paul), authorizing peace officers to issue citations for truancy, allowing peace officers to confiscate license plates without valid registration and after more than 30 days has elapsed since the registration expired, and requiring that known street names or aliases of juvenile offenders be included in the statewide juvenile information system. The amendment was fine tuned with several smaller amendments before gaining committee approval. The bill was approved and advanced to the full Senate.

Education

Omnibus meets early deadline

Two weeks before deadline, members of the Education Funding Division approved the completed 1996 Omnibus Education Bill.

The division's Fri., Feb. 9 meeting was marked by a flurry of amendments to S.F. 1884, carried by Committee Chair Lawrence Pogemiller (DFL-Mpls.). Senators voted to incorporate 35 of the amendments into the omnibus bill. They also approved a division budget of \$32 million, of which \$14 million is spent on technology for schools and \$5 million for inner-city after-school programs. The governor had suggested that the division spend \$52 million.

The division plans to spend most of Minnesota's \$824 million revenue surplus buying down the school property tax recognition shift, as current law requires. The shift forces schooldistricts to "recognize" property tax money they won't receive for another year. Division members approved an amendment reducing the shift from 48 to 17 percent in 1996, at a cost of \$502 million, and reducing it again to 6.5 percent in 1997, at a cost of \$176 million. Pogemiller said the spending will "repay our local school districts" for money the state has essentially borrowed from their operating funds. The committee decided not to pay back a similar referendum levy shift, saying districts need more time to plan for the revenue impact.

Sen. Martha Robertson (R-Minnetonka) objected to an article of S.F. 1884 allowing school districts to adjust referenda levies annually for inflation. "When people vote on a referendum, they vote an amount," she said. Senators debated the measure but did not vote whether to delete it. They did, however, approve Robertson's motion to delete an article that required private schools to transfer student records to public schools.

Sen. Jerry Janezich (DFL-Chisholm) successfully amended the bill to allow several Iron Range school districts to bond \$21 million against taconite tax revenue for school construction and renovation. Senators also approved a Janezich amendment directing \$500,000 of the after-

school program grants to areas outside Minneapolis and St. Paul.

Senators approved amendments allowing school districts to enter into service contracts with tribal governments and providing \$1.6 million to compensate tribal schools for AFDC students who transfer in late in the year.

The division also approved amendments clarifying districts' obligations to assess disabled students' assistive technology needs; outlining who pays for special education assessment appeals; and requiring Braille competency for teachers of the blind. The committee amended the bill to provide \$350,000 to train and retrain employees from other agencies who join the Department of Children, Families and Learning. They also extended DCFL's deadline to complete new administrative licensure rules until the end of this year.

Several amendments containing grants were approved: \$74,000 to Net Lake schools to operate a collaborative community center; \$40,000 to an international classroom speaker program; \$100,000 to the career teacher program (now called Family Connections); and \$69,000 for multicultural training for teachers in the Red Lake school district. Several district-specific amendments were also approved, permitting the former Clarkfield school district to levy \$10,000 annually to operate its swimming pool; allowing Delavan, Blue Earth and Elmore schools to levy an extra \$97,000 for consolidation; specifying a ward election for consolidating Argyle and Stephen schools; transferring funds in the Lyle and Ada-Borup school districts; and permitting Faribault schools to start the school year early.

The bill was forwarded to the full Education Committee.

Division gets budget overview

The Education Committee Higher Education Division began consideration of the capital budget requests of Minnesota State Colleges and Universities (MnSCU) and the University of Minnesota Tues., Feb. 13.

Ettore Infante, senior vice president for academic affairs, University of Minnesota, outlined the school's \$132.7 million package, which he said emphasizes health and safety items, facility renewal, and two major library construction projects. Another important component, he said, is expansion of the science building on the Morris campus. The university's request also includes replacing the greenhouse on the Crookston campus and a new building for the magnetic resonance imaging program.

MnSCU Chancellor Judith Eaton said the \$141 million spending plan for the 62 campuses is evenly divided between improvements and new projects, with most of the improvement money going to Greater Minnesota facilities, and most of the new project money earmarked for urban campuses. She characterized the package as "prudent...and tough-minded."

University of Minnesota-Duluth Chancellor Kathryn Martin urged the division to fund a proposed \$20-million library, which she said is a "benchmark facility" that would double as a work station and offer training in areas that benefit northeast Minnesota businesses.

Bruce Grube, president, St. Cloud State University, urged the division to include in the bonding bill money for a library that has been in the planning stage since the late 1970's. "We have a terrific space need on campus," he said.

Sen. Jerry Janezich (DFL-Chiselm) asked division members to put some money into the Hibbing Community College/Range Technical College Integration Project, a \$20 million plan to relocate the technical college. He said the facility "sets us up for education on the Range for the next twenty years."

Sen. Lawrence Pogemiller (DFL-Mpls.), said he will push for \$30 million in bonding authority to relocate the University of Minnesota's planned riverfront steam generator plant to another site. Pogemiller, who chairs the full Education Committee, said the money may cut into the overall bonding request, but "the plant will be built on the river if we don't do anything."

Division Chair LeRoy Stumpf (DFL-Thief River Falls) said he is favorably impressed by two aspects of the budget presentations--the emphasis on "asset maintenance and renewal," and the low debt service figures. He noted what he called the 'disparity' between the two systems' bonding requests--\$273 million--and the \$151 million the governor proposes spending. He said the price tags of some items on the schools' lists are "higher than the available dollars."

Full committee okays omnibus

After a brief review, the full Education Committee approved the 1996 omnibus education bill, S.F. 1884, which is carried by committee Co-Chair Lawrence Pogemiller (DFL-Mpls.). The bill was re-referred to the Taxes and Tax Laws Committee.

Pogemiller says the bill contains two of the governor's three major initiatives: \$5 million in after-school money and \$14 million for technology. The Education Funding Division rejected a proposal to provide tuition vouchers for low-income families to spend at private schools. The bill appropriates \$32 million but does not lift caps on K-12 funding. Pogemiller said the intent of Senate leadership is to instead cap all other funding divisions next session.

Sen. Gen Olson (R-Minnetrissa) said she intends to try to remove a contended provision, allowing school districts to ask for excess levy referenda that rise annually with inflation, when the bill is heard in the Taxes and Tax Laws Committee.

Senators approved the funding division's report ranking education-related projects seeking state bond funds. Top priorities are a \$6.9 million instruction building and various

upgrades at the Minnesota Center for the Arts, \$2.7 million in upgrades including demolishing Dow Hall at the Faribault Academies, and \$20 million in grants to renovate or construct buildings for after-school programs. The report was forwarded to the Finance Committee.

The committee also approved S.F. 2097, carried by Sen. Arlene Lesewski (R-Marshall), a housecleaning bill from the Department of Economic Security. The bill exempts employees transferred from DES to the Department of Children, Families and Learning from certain contract requirements. Senators deleted a section of the bill containing DES's mission statements and objectives, saying that the language does not belong in law.

A lengthy "mandate reduction" bill sponsored by Sen. Steve Murphy (DFL-Red Wing) is the result of more than 200 suggestions from the Minnesota State College and University system. The bill, S.F. 2143, allows MnSCU to use the state's central motor pool and travel services, specifies that campus presidents may close school during an emergency, allows financial aid officers to exercise more professional judgement, and requires the MnSCU board to set policies for campuses to purchase goods and services. The committee approved a clarifying amendment to S.F. 2143 and re-referred the bill to the Governmental Operations and Veterans Committee.

Ethics and Campaign Reform

Board name changed

The Ethical Practices Board does not deal with ethical practices, according to a bill heard by the members of the Ethics and Campaign Reform Committee. Members voted Thurs., Feb. 8, to change the name of the board to one more appropriately describing its functions. The bill originating debate was authored by Sen. Carl Kroening (DFL-Mpls.). S.F. 2491 changes the name of the board to the "board of public disclosure." Ethics are not involved in the board's functions, only disclosure of financial information related to campaigns, said Kroening.

Sen. John Marty (DFL-Roseville), chair of the committee, disagreed with Kroening's assessment of the name, saying that the board does more than campaign financing. Senate Counsel, Peter Wattson, said that there are three areas in which the board is designed to provide oversight. The board was originally organized to oversee campaign finance, conflicts of interest and gift law. Wattson said, formerly, campaign financing was a questions of ethics. Now that certain acts have become illegal, Watson said, the question is less one of ethics and more one of legality.

Sen. Richard Cohen (DFL-St. Paul) told Kroening that he understood the inaccuracy of the title and offered an amendment containing the title "board of campaign

finance and public disclosure." The amendment was adopted, and the bill was approved and re-referred to the Governmental Operations and Veterans Committee.

The committee also heard Sen. Don Betzold's (DFL-Fridley) presentation of S.F. 2255. The bill allows statutory cities to fill vacancies occurring on a city council. Betzold cited three cases in which elected officials stopped attending city council meetings. Marty said the language in the bill did not cover cases such as those cited by Betzold. The bill allows a vacancy to be declared in the office of the mayor or council member when the officeholder "dies, resigns ceases to be a resident of the city or council district, or is unable to serve in the office or attend council meetings for not less than 90 days because of illness or prolonged absence from the city or council district." Members approved the bill, sending it to the Senate floor.

The committee also approved a bill, authored by Cohen, modifying election campaign expenditure limit rules. S.F. 840 is designed to allow a candidate freedom from limits if the candidate faces opposition from a strong opponent who has not agreed to the limit, even if that opponent is not the candidate of a major party. Currently, campaign spending limits apply to major party candidates and may free one candidate from the limits while allowing acceptance of public subsidy if the other candidate does not agree to the limits. In 1994, however, a problem arose in a south Minneapolis House race where the DFL candidate agreed to the spending limit, while her opponent did not. The opponent was able to accept public subsidies, but bound by the limits even though the opponent was not.

Marty sponsored S.F. 2338, a bill requiring increased disclosure of activities performed by lobbyists. The bill's requirements are similar to recent changes in federal requirements. Marty said the bill requires lobbyists to disclose specific issues lobbied, who was lobbied, employees acting on behalf of a principle lobbyist, and how much money is spent lobbying.

Bob Hentges, representative of the Minnesota Government Relations Council, said he and his organization oppose the legislation. S.F. 2338 adds a burden to lobbyists, said Hentges, and make no contribution to the public's interest.

Marty said that if the federal government can require this information, certainly the state of Minnesota can take a small step to disclose where money is going. After debate among members, Marty laid the bill over until next session.

Environment and Natural Resources

Several bills advanced

Working against the first deadline for committee action, the Environment and Natural Resources Committee held a marathon six hour meeting Fri., Feb. 9.

Committee update

The first item considered by the committee, S.F. 2596, carried by Sen. Douglas Johnson (DFL-Cook), appropriates \$1 million for an emergency deer feeding operation due to extremely harsh winter weather. The emergency appropriation is in addition to \$260,000 appropriated last year for the same purpose. The measure was approved and forwarded to the Finance Committee.

Considerable time was spent on S.F. 2120, a bill establishing a process for the state to recover clean up costs from insurers of landfill operators. The collection process, according to bill sponsor Sen. Steven Morse (DFL-Dakota), is to first identify insurers of selected facilities. Once insurance coverage is confirmed, the state can negotiate with the insurer for a reasonable part of the clean up costs, Morse said. If the insurer is unwilling to settle, the state can then initiate legal action against the underwriter, he said.

Morse offered amendments clarifying the negotiation process. One provision allows an insurance policyholder to settle all the state's environmental claims that originate from any site included on the state's list of clean up sites. Chuck Spevak, an attorney representing the Insurance Federation of Minnesota, spoke against the provision and said it would interfere with policyholders settling with claimants other than the state. Morse defended the provision saying, "the state would have a reduced role in the negotiations," if the provision were removed. The amendments were adopted and the bill sent to the floor.

The committee also heard a bill referred from the Agriculture and Rural Development Committee concerning county ordinances regulating feedlots. S.F. 2675, carried by Sen. Dallas Sams (DFL-Staples), requires counties to seek Pollution Control Agency and Dept. of Agriculture review and comment before enacting such ordinances. Sen. Steve Dille (R-Dassel) offered an amendment requiring a reviewing agency to explain objections to a proposed ordinance. The amendment was adopted and the bill advanced to the full Senate.

Liability concerns gave rise to another bill considered by the panel. S.F. 1799, sponsored by Sen. Paula Hanson (DFL-Ham Lake), provides clean up cost liability protection to farmers who spread lawn waste on their fields. Sen. Kevin Chandler (DFL-White Bear Lake) expressed concern that the liability immunity expansion went too far. "The new language has implications we don't want," Chandler said. Sen. Harold "Skip" Finn (DFL-Cass Lake) questioned why the Environment and Natural Resources Committee was dealing with a liability issue and said the bill properly belonged in the Judiciary Committee. Hanson replied that the bill amended the section of law on groundwater contamination liability. The bill was advanced to the Senate floor.

Sen. Dan Stevens (R-Mora) presented four bills to the committee for consideration.

The first, S.F. 2104, delays the prohibition on using paint containing lead for road markings until July 1, 1998. According to Rick Beck of the Dept. of Transportation, newer, lead-free paints that use organic pigments don't reflect light as well at night and the colors appear washed-out. Another of Stevens' bills, S.F. 2499, delays until July 1, 1997, the requirement that high-volume oil filter retailers must provide a collection system for used oil filters. The two bills were approved and sent to the Senate floor. Stevens' other two bills, S.F. 1778 and S.F. 2077, were virtually identical and repeal the toxics in products law. Stevens successfully offered an amendment to the latter bill establishing a process by which a manufacturer may apply for a toxin use ban exemption if the manufacturer can submit a reasonable explanation of why the ban is not feasible to the Pollution Control Agency. The panel approved the amended bill and sent it to the Senate floor.

The panel also heard bills authorizing the sale of various parcels of tax-forfeited land and assembling an omnibus land sale bill. The final bill, S.F. 2544, also authored by Sams, initially dealt only with land in Wadena County. Additional land sale bills amended into the omnibus bill were S.F. 2557, authored by Sen. Don Samuelson (DFL-Brainerd) for Crow Wing County; S.F. 2770 for Aitkin County and S.F. 2640 for St. Louis County, both authored by Committee Chair Bob Lessard (DFL-Int'l. Falls); S.F. 2535, authored by Sen. Tracy Beckman (DFL-Bricelyn), for Faribault County; S.F. 2743, authored by Finn for Hubbard County; and S.F. 2580, authored by Sen. Gene Merriam (DFL-Coon Rapids) for Anoka County. The entire package advanced to the full Senate. A related bill, S.F. 2687, sponsored by Douglas Johnson, ratifying sales of county fee lands by Lake County, also gained committee approval and advanced to the Senate floor.

Sen. Gary Laidig (R-Stillwater) carried the omnibus land management bill, S.F. 2376, for the Dept. of Natural Resources. Laidig explained that the measure, "gives the commissioner more discretion in boundary issue determinations." Finn offered an amendment prohibiting state agencies from acquiring privately owned land without approval from the county board. Laidig opposed the amendment because he said it would hold the state hostage. Finn's amendment failed. The measure was sent to the floor, but Laidig later moved a reconsideration of the bill. Members approved the motion. Laidig said he wanted the bill to lie over and the committee consented to the motion.

Other bills acted on by the committee included S.F. 2409, authored by Samuelson, requiring fish houses of nonresidents not be left unattended, and S.F. 1775, carried by Merriam, requiring the purchase of a turkey stamp to hunt wild turkeys. Both bills were amended. Samuelson's bill advanced to the floor while Merriam's bill was re-referred to the Finance Committee.

Family Services

Adoption measure okayed

The Family Services Committee, chaired by Sen. Pat Piper (DFL-Austin), unanimously approved a bill Thurs., Feb. 9, that makes changes to the state's adoption law. Sponsored by Sen. Sheila Kiscaden (R-Rochester), and supported by the Dept. of Human Services, S.F. 1888 incorporates recommendations of an advisory committee established by the 1994 Legislature. The committee was charged with studying the 1994 law and suggesting revisions that might better protect children, birth parents and adoptive parents.

"I am very pleased with the efforts of the task force," Piper said, "and to see that all of their recommendations are included in the bill."

Bob DeNardo, from the DHS, highlighted the measure's major provisions for the committee. The bill requires a birth parent to notify the other birth parent of his or her adoption intentions prior to or within 72 hours of the child's placement. When it is in the best interests of the child, S.F. 1888 extends the filing time prospective parents are entitled to and grants visitation rights to grandparents of adopted children. Additionally, the measure allows prospective parents to submit an affidavit stating whether or not anyone in the household has been convicted of a crime, is the subject of a substantiated allegation of child or vulnerable adult abuse in the past ten years, or is the subject of an open investigation; the sworn affidavit fulfills the requirements of an adoption study and expedites the adoption process. The bill also simplifies procedures for recognizing the adoption of a foreign-born child, makes adoption records public after 75 years and gives adopted persons, 65 or older, information contained on the individual's birth certificate, unless the birth parent has filed an unrevoked affidavit prohibiting disclosure.

Judith Anderson, from the Minnesota Adoption Resources Network, spoke in favor of the bill. "Adoption is a lifelong dynamic," she told members, "and the focus must be on the needs of the child, rather than on the needs of competing adults."

S.F. 1888 now goes before the full Senate.

Gaming Regulation

Welfare benefits uses limited

Limiting the availability of public assistance benefits at gambling establishments is the aim of a bill assembled by the Gaming Regulation Committee at a brief, Tues., Feb. 13, meeting. The committee took parts of three bills, S.F. 2380, sponsored by Sen. Arlene Lesewski (R-Marshall), S.F. 2611, sponsored by Sen. Dallas Sams (DFL-Staples), and S.F. 2351, sponsored by Committee Chair Charles Berg (DFL-Chokio), and incorporated them into Berg's bill.

Under the bill, public assistance warrants will bear a restrictive endorsement prohibit-

ing check cashing services located at a gaming houses from cashing them. The commissioner of human services is also required to prevent the use of electronic benefit transfer cards at ATMs located at casinos.

Sen. John Marty (DFL-Roseville) asked how the check cashing services would be punished for ignoring the cashing restriction. "The warrant is uncollectible," answered Berg.

Not included in the combined bill were provisions reducing future benefits for persons who violate the prohibition. Sen. Kenric Scheevel (R-Preston) asked why such provisions were left out. Barb Anderson, of the Dept. of Human Services, responded that such provisions were difficult to administer and also were contrary to federal regulations.

Sen. Allan Spear (DFL-Mpls.) inquired, "where would the endorsement appear?" Anderson responded that the endorsement would appear at the top of the back of the warrant.

The composite amendment was unanimously adopted and sent to the Senate floor.

Card tournaments for seniors

Minnesota's senior citizens could play low-stakes card games under a bill heard by the Gaming Regulation Committee at a Weds., Feb. 14, meeting. The bill, S.F. 2613, allows seniors to play in tournaments sponsored by nonprofit organizations such as the VFW and senior citizen centers as long as total prizes are less than \$100. The bill's sponsor, Sen. LeRoy Stumpf (DFL-Thief River Falls), said the bill was meant to promote socializing by seniors, and not gambling.

The committee removed limits in the bill that specified what games could be played and what organizations could host the tournaments. Sen. Thomas Neuville (R-Northfield), addressing other limits in the bill said, "why don't we just legalize social gambling?"

Committee Chair Charles Berg (DFL-Chokio) turned the focus of discussion toward renegotiating the Tribal-State gaming compacts. Sen. Bob Lessard (DFL-Int'l. Falls) offered an amendment to Stumpf's bill creating a commission of state officials to negotiate with tribal leaders on gambling matters. The amendment was adopted and S.F. 2613 was sent to the full Senate.

Later in the day, the committee reconvened and heard S.F. 2818, sponsored by Sen. John Hottinger (DFL-Mankato). The bill was amended to be identical to Lessard's amendment, and then sent to the Governmental Operations and Veterans Committee.

Governmental Operations and Veterans

Ice arena bill okayed

A bill that appropriates \$19 million for the development of the state's ice arenas,

S.F. 2297, was approved by the Governmental Operations and Veterans Committee Thurs. evening, Feb. 8. Authored by Committee Chair James Metzen (DFL-South St. Paul), the measure contains a \$9 million appropriation to the Amateur Sports Commission for establishing and expanding ice rinks statewide. Metzen told members that hockey is the state's fastest growing sport and that the measure meets demand for new ice rinks and improvements to existing rinks. "This is a chance to do some good for kids while they are still in their productive years," he said.

The measure also includes a \$10 million appropriation to fund expansion of the Mariucci Ice and Tennis Facility at the University of Minnesota. On hand to support Sen. Lawrence Pogemiller's (DFL-Mpls.) amendment were the University of Minnesota's Mark Dienhart, Chris Voeltz and Doug Woog. Coach Woog told members that this is an opportunity to make the U's hockey program one of national championship caliber. "We're ahead of the game now," Woog said, "and we don't want to lose the fine, young individuals we have now, nor those we can attract, to other states." Members referred the measure to the Finance Committee.

A second bill carried by Metzen, S.F. 2597, was also approved by the committee. The measure, which proceeds to the floor, establishes an independent advisory council on intergovernmental relations. The proposal specifies that the geographically balanced council must be comprised of 16 members. Under the proposal, eight seats are held by representatives from units of local government, four seats are allocated to members of the Legislature and the remaining four seats are held by the executive branch.

Several other bills were approved by the committee and referred to the floor. S.F. 2676, sponsored by Sen. Paula Hansen (DFL-Ham Lake), provides workers' compensation and liability insurance coverage for employees of entities established by the Amateur Sports Commission. Pogemiller's proposal, S.F. 1117, expands Minneapolis health insurance subsidy to cover eligible teachers who retired before May 1, 1974 or who had 20-plus years of basic member service in the Minneapolis Teachers Retirement Fund Association. Sen. James Vickerman's (DFL-Tracy) measure, S.F. 2189, is a housekeeping bill that covers the Minnesota Municipal Board and Sen. Leroy Stumpf's measure, S.F. 2517, makes changes to the membership of higher education candidate advisory councils. Stumpf's proposal cuts the number of council members from 24 to 14 and reduces members' term from six to four years.

S.F. 2675, authored by Sen. Dallas Sams (DFL-Staples), was re-referred to the Environment and Natural Resources Finance Division. The bill establishes a dairy producers board to assist farmers with the production, processing and marketing of dairy products. The measure contains a

\$100,000 appropriation from the general fund.

Sen. Phil Riveness' (DFL-Bloomington) bill, S.F. 1903, establishes a seven-member board to develop and administer an auto theft prevention program. The measure calls for an appropriation and was re-referred to the Finance Committee.

Hospital merger advances

The Governmental Operations and Veterans Committee agreed Fri., Feb. 9, to set conditions governing the proposed merger between the University of Minnesota and Fairview Hospitals Fri., Feb. 9. Carried by Committee Chair James Metzen (DFL-South St. Paul), S.F. 2175 maintains current collective bargaining agreements covering university employees until successor agreements are reached and maintains current compensation rates for unrepresented employees until June 30, 1997. Other benefits, including seniority status and eligibility for Regents' Scholarships, are maintained under the measure, along with a requirement that the merged entity provide training to U of M employees.

"I am concerned about the fate of 4000 employees at University of Minnesota," Metzen said. "This bill before us is an attempt to protect these employees and to keep the dialogue going - nobody wins if the hospital closes."

An amendment that incorporates pension protections into the measure was adopted by the committee. Sen. Lawrence Pogemiller (DFL-Mpls.), told members that the provision is a recommendation of the pension commission and that "the bill should include protection provisions for pensions."

Fairview Hospital's Pam Tivitz, told members "the hospital is committed to having this merger work and to remaining a public resource." Nonetheless, she said that the bill contains requirements that diminish Fairview's ability to be competitive. The "deal breakers" could force Fairview to walk away from the discussion, Tivitz added.

Carol Carrier, from the University's Human Resources department, said that some progress has been made and that certain groups from University Hospitals have agreed to meet weekly with her department.

The bill proceeds to the Finance Committee.

Two measures carried by Sen. Linda Berglin (DFL-Mpls.), S.F. 1871 and S.F. 1875, were sent to the floor. S.F. 1871 requires that long-term care insurance, including nursing home and home care benefits, be offered to retiring state employees. Under the bill, premiums must be paid by the employees. S.F. 1875, a bill to contain growth rates of fee structures used by health care providers, limits fees to parameters established by the North Central Regional Consumer Price Index. Any provider, other than a nursing home, who provides health care services and is eligible for reimbursement under the Medical

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Assistance Program, is subject to the growth limits. The measure sets out two options, revenues or fees, for providers to comply with the limits. The bill also specifies that annual audits of all providers with over 100 physicians are required, along with random audits of smaller health care providers.

Three other measures were approved by members and referred to the full Senate. S.F. 1833, authored by Sen. Linda Runbeck (R-Circle Pines), authorizes immediate discharge of state employees convicted of criminal sexual conduct, but does not bar the individual from further state employment. S.F. 2491, sponsored by Sen. Carl Kroening (DFL-Mpls.) changes the name of the Ethical Practices Board to the Board of Campaign Finance and Public Disclosure, and S.F. 2169, carried by Sen. Sandra Pappas (DFL-St. Paul), abolishes the Transportation Regulation Board as of July 1, 1997.

Tech changes approved

A bill that grants classified civil service status to certain employees of the state's technical colleges was approved by the Governmental Operations and Veterans Committee Tues., Feb. 13. Author Leonard Price (DFL-Woodbury), told members that S.F. 2260 corrects a situation that resulted from the merger of technical schools and state colleges. Under the old system, individuals were classified employees, Woodbury said. "But because of the merger, these people lost what they previously had," Price said. "Frankly, this is a matter of fairness," he added.

Elizabeth Murray, of Minnesota State Colleges and Universities, testified in support of the bill. "We believe it places the issues at hand where they belong, at the bargaining table."

The Minnesota Association of Professional Employees, represented by Gene Jensen, was on hand to support the measure. The bill now goes before the full Senate.

Also sent to the floor was S.F. 1882, a bill that creates a separate deaf and hard-of-hearing services division. Carried by Sen. Don Samuelson (DFL-Brainerd), the bill places the new division under the oversight of a management team comprised of individuals from the Dept. of Children, Families and Learning, the Dept. of Economic Security, and the Dept. of Human Services.

Ann Sherman, from the Commission of the Deaf and Hard-of-Hearing, told members that the bill allows for more efficient use of government resources and provides better service for the community.

Sen. Deanna Wiener's (DFL-Eagan) bill, S.F. 2092, repeals obsolete laws. Wiener told members that the bill is the product of work done by Legislative staff, the Revisor's office, agency heads and others from the constitutional offices and that the 254 laws removed govern a vast range of issues and departments.

"This is not a typical revisor's bill," Weinersaid. "It removes items that are no

longer relevant, for example a law that covers manners that must be used at social events and dances." The measure now goes to the full Senate.

The committee, chaired by Sen. James Metzen (DFL-South St. Paul), approved S.F. 2532, authored by Sen. Ellen Anderson (DFL-St. Paul), and sent it to the floor. The bill allows state employees to donate vacation time to a co-worker who is ill.

Health Care

Prescription bill sent to floor

The Health Care Committee, chaired by Sen. Linda Berglin (DFL-Mpls.) approved S.F. 2643, a bill to permit the dispensing of a controlled substance if the prescription is from a physician, osteopath, dentist, podiatrist, or veterinarian who is licensed to prescribe in any state or jurisdiction of the United States. Under current law, the prescription must be from a doctor who is licensed in this state or a bordering state.

Representatives from Crown Medical testified Thurs. Feb. 8, on behalf of Sen. Edward Oliver's (R-Deephaven) bill, S.F. 2643, saying it would enable Crown and other medical supply companies to provide complete care to clients. Currently, the company often finds itself only able to arrange medication plans for part of medical treatment, representatives said. Crown representatives told the committee that if a patient is admitted for a heart transplant, they are able to provide medication for transplant, but no post medication. This often applies to transplant, cancer and AIDS patients. The bill was approved and sent to the floor.

Members also approved S.F. 2728, a bill requiring a study of migrant farmworker health and socio-economic data. The bill was sponsored by Sen. Janet Johnson (DFL-North Branch). Rachel Fang and Elena Thomas, representatives of the Urban Coalition, testified that 15,000-18,000 migrant farm workers come to Minnesota each year seeking work. S.F. 2728 provides a forum to conduct a study of migrant worker health as well as to study the economic impact the workers have in Minnesota, Thomas said. Data will be used to improve services that are now provided in a piecemeal fashion to the migrant community, she said. Under the bill, the commissioner of human services will collect, analyze and publish health and socio-economic data about migrant farmworkers in Minnesota in consultation with an advisory committee made up of representatives from migrant-serving agencies, county economic assistance program staff, and migrant farmworkers and family members. The bill contains a \$50,000 appropriation from the general fund to the commission of human services. The bill was approved and sent to the Health Care and Family Services Finance Division.

The next bill debated by the committee was S.F. 2264, a bill authorizing counties to implement county-based Prepaid Medical Assistance Program (PMAP) demonstration

projects. An amendment, offered by author Sen. Don Samuelson (DFL-Brainerd), clarifies goals for PMAP with respect to individuals with special disabilities. The amendment, which was adopted, also ensures that counties participating in direct contracting meet the requirements of essential community provider status. Sen. Sheila Kiscaden (R-Rochester) offered an amendment to establish standards and criteria for demonstration projects. The amendment, which was adopted, also requires the commissioner of human services to agree with the county or counties on a methodology for sharing risk and sharing savings. The bill was re-referred to the Health Care and Family Services Finance Division.

Samuelson presented S.F. 2732, a bill to appropriate \$100,000 to the commissioner of human services for a grant to a nonprofit agency that provides residential services and supported housing outreach activities to deaf and hard-of-hearing adults with mental illness. The grant must be used to expand the agency's program to include community support services. The bill was approved and re-referred to the Health Care and Family Services Finance Division.

Sen. Warren Limmer (R-Maple Grove) presented S.F. 1994, a bill requiring every newborn infant to be screened for hearing loss unless the parents object on religious grounds. Sen. Jim Vickerman (DFL-Tracy) said he is concerned about the cost that small hospitals will incur to meet such a requirement. The bill was approved and re-referred to the Health Care and Family Services Finance Division.

S.F. 2335, a bill making modifications to laws governing the practice of nursing, was approved by the committee and sent to the Senate floor. The bill, authored by Samuelson, allows nurses to carry out orders by physicians licensed in another jurisdiction. Under current law, problems arise when patients see a physician in another state and return to Minnesota to receive nursing care, Samuelson said. S.F. 2335 was approved and sent to the Senate floor.

Asset bill approved

A bill restricting asset transfers for Medical Assistance eligibility was presented to the Health Care and Family Services Finance Division by Sen. Linda Berglin (DFL-Mpls.). S.F. 1881 was amended on Mon., Feb. 12, deleting two sections relating to burial funds. Because of amendments adopted by the Judiciary Committee, sections of the bill related to burial funds are no longer relevant, said Berglin. Two amendments offered by Berglin were adopted by the committee, one to clarify the type of service provided to the Department of Human Services when being notified of the sale of property, the other to limit the claim against the estate of a spouse who did not receive medical assistance.

Testimony was heard from Mike Hickey, state director of the National Federation of Independent Businesses in opposition to the

bill. Hickey suggested that a public awareness campaign be launched before any legislation is implemented and said that two provisions, endless look-back and the conclusively presumed standard are the most detrimental. The division approved the bill and re-referred it to the Health Care Committee.

Members also debated a bill to modify several provisions of the nursing facility alternative payment demonstration project. S.F. 1951, presented by committee chair, Sen. Don Samuelson (DFL-Brainerd), was amended, removing various sections in order to keep policy and funding sections separate. The bill was approved and moved back to the Health Care Committee.

The committee debated S.F. 1662, a bill mandating the posting of signs warning of the risk of alcohol use during pregnancy at all alcohol points of sale in the state. Because there is not cost to the bill, Berglin suggested sending the bill back out to the full Health Care committee. The bill was approved and re-referred to the full committee.

Governor's DHS bill debated

The Health Care Committee, chaired by Sen. Linda Berglin (DFL-Mpls.), focused on S.F. 2025, the governor's Department of Human Services Health Care Bill at a meeting Tues., Feb. 13. The bill changes provisions related to health and continuing care for medical assistance and general assistance medical care recipients. Sponsored by Sen. Sheila Kiscaden (R-Rochester), the original bill was altered with several non-technical amendments. Included among these was an amendment offered by Berglin requiring the commissioner of human services, in conjunction with the legislative oversight commission, to study eligibility requirements. The requirements to be studied include insurance barriers and other methods to prevent the erosion of private coverage, income and asset limits, benefit sets including acute, chronic and long-term care services and other issues.

Berglin was also successful in adding an amendment requiring the commissioner of human services, in consultation with counties, home care providers, foster care providers, and representatives of home care recipients who are both children and adults, to review the provision of home care services to children and adults living in licensed foster care settings and provide recommendations to the Legislature. Adoption of an amendment, sponsored by Kiscaden establishes county responsibility if the prepaid plan determines, under the terms of the medical assistance, general assistance medical care, or MinnesotaCare contract, that a hospitalization was not medically necessary.

Several witnesses supplied testimony on S.F. 2025, especially related to a section establishing new methods to assure quality of services and streamlining and simplifying regulation of services. Gerry Glomb of Cooperating Community Programs said that

his organization supports the changes to the law. Glomb said the bill will help allow a decline in program management staff and a shift toward increased income. Currently there is no way to increase wages, said Glomb. Most non-monetary venues, he said, lie in regulatory reform. Glomb said that the bill will also allow a better orientation to the needs of those receiving services.

Ann Henry of the Minnesota Disability Law Center opposed the bill, saying "there is a piece missing -- the consumer perspective." Henry said that the new reductions in regulations keep providers happy, but eliminate accountability of case managers. The bill was approved and sent to the Health Care and Family Services Finance Division.

Committee members approved S.F. 1729, a bill requiring the commissioner of health to study alternative medicines. The bill, sponsored by Sen. Janet Johnson (DFL-North Branch) requires information on types of therapies available, consumers and providers of these therapies, and health plan coverage to be studied. The bill was re-referred to the Health Care and Family Services Finance Division.

A bill making changes to the Emergency Medical Services Regulatory Board (EMSRB) was approved with little debate. S.F. 2310, sponsored by Sen. Dallas Sams (DFL-Staples), transfers responsibility from the commissioner of health to EMSRB for a variety of duties. The duties include using a portion of the emergency medical services fund to support reporting systems as well as distributing the portion of fines collected for violation of the seat belt law to the regional emergency medical services systems. The bill was re-referred to the Governmental Operations and Veterans Committee.

Jobs, Energy and Community Development

Utility merger bill gains

The Jobs, Energy and Community Development Committee, chaired by Sen. Steven Novak (DFL-New Brighton), devoted the entire Weds., Feb. 7, meeting to discussion of a bill regulating utility company mergers.

Sen. John Hottinger (DFL-Mankato), chief author of the measure, said "S.F. 2337 is a consumer bill that applies directly to the proposed NSP merger with a Wisconsin utility company." According to Hottinger, the bill requires the companies to provide the Public Utilities Commission with adequate information regarding service levels available to retail customers. The information includes data relating to the number, cause, and duration of outages and the number and type of personnel assigned to deal with each outage, industry maintenance standards for major equipment and the company's scheduled maintenance, the minimum number of employees needed for maintenance, major unscheduled repairs and a report on customer complaints and the utility's response.

Hottinger said that the information is to be among the factors the PUC is to consider when determining rules related to standards of practice for electric public utilities and in determining rates. In addition, the bill specifies that for the purpose of considering a merger application, "public interest" includes the interests of the employees of a public utility proposing a merger. The measure also specifies that the PUC require the utility to agree to binding commitments to maintain a minimum level of investments and staffing before approving the merger. Finally, the bill prohibits a public utility from entering a binding agreement to sell a power plant, service center, or headquarters building, until six months after notifying its employees of its intent to sell.

Proponents of the measure included Bernie Brommer, president, MN AFL-CIO and Tom Koehler, representing IBEW-Local 160. Both said that the bill is necessary to help restore the relationship between NSP and its employees. However, Jerry Larsen, representing NSP, argued that the bill was unnecessary because NSP already has much of the required information readily available.

Variety of bills gain

Members of the Jobs, Energy and Community Development Committee, chaired by Sen. Steven Novak (DFL-New Brighton), met twice Thurs., Feb. 8, to consider a variety of bills before the first committee deadline.

Several of the measures were approved and advanced to the Jobs, Energy and Community Development Finance Division. S.F. 2512, authored by Sen. Dallas Sams (DFL-Staples), extends the program to research, study, and report on the effects on dairy cattle of electric current in the ground. S.F. 2431, carried by Sen. John Hottinger (DFL-Mankato), authorizes additional funding for employment support services for persons with mental illness. S.F. 2441, carried by Novak, establishes a state program to supplement the federal emergency shelter grant program. S.F. 2724, authored by Sen. Steven Morse (DFL-Dakota), provides for the settlement of extended employment program appeals and authorizes independent audits by extended employment program providers. S.F. 2658, sponsored by Sen. Dan Stevens (R-Mora), provides funding to restore the 1894 Kanabec County courthouse. S.F. 2488, carried by Sen. Steve Murphy (DFL-Red Wing), creates an amateur radio volunteer system and creates a communications committee. S.F. 2659, carried by Sen. Tracy Beckman (DFL-Bricelyn), provides an appropriation for the Minnesota Historical Society FarmAmerica.

S.F. 2348, authored by Sen. Arlene Lesewski (R-Marshall), is a bill relating to utilities that repeals obsolete rules relating to the 1986 Tax Reform Act. The measure was approved and re-referred to the Governmental Operations and Veterans Committee.

Six measures were advanced to the Senate floor. S.F. 2552, carried by Sen. John Hottinger (DFL-Mankato), modifies

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provisions governing the calculation of workers compensation insurance premiums and modifies provisions relating to independent contractors. S.F. 2701, authored by Sen. Edward Oliver (R-Deephaven), memorializes the President and the U.S. Congress to increase the federal minimum wage. H.F. 374, authored by Novak, exempts a large electric power generating plant from a certificate of need proceeding when selected by the public Utilities Commission from a bidding process to select resources to meet the utility's projected energy demand. S.F. 2149, carried by Murphy, modifies provisions relating to payment of wages and reducing the age requirement for newspaper carriers under the children labor law. S.F. 2188, also carried by Murphy, modifies local economic development authority powers and clarifies local conflict of interest provisions. S.F. 2349, carried by Lesewski, authorizes the Public Utilities Commission to levy civil penalties for violations by public utilities and telecommunication companies.

Sen. Janet Johnson (DFL-North Branch) offered an amendment outlining additional conditions for the PUC to consider when making a determination on a proposed merger. Johnson said that she was concerned that the merger not have adverse effects on existing and developing competition. The amendment failed to gain approval. Sen. Douglas Johnson (DFL-Cook) moved to have the bill lie over; the motion also failed. The bill was approved on a divided voice vote and sent to the Senate floor.

Ethanol exception okayed

A bill providing for an exception to the requirement that all gasoline sold in Minnesota contain an oxygenate, such as ethanol, sparked considerable debate at the Tues., Feb. 10, meeting of the Jobs, Energy and Community Development Committee. The panel, chaired by Sen. Steven Novak (DFL-New Brighton), devoted the entire hearing to consideration of the bill.

The measure, S.F. 2040, sponsored by Sen. Randy Kelly (DFL-St. Paul), originally exempted all premium gasoline, except as required by federal law, from the oxygenate requirement. (Federal law requires gasoline sold in the Metro Area during the winter months to contain an oxygenate.) At the outset of the hearing, Kelly offered an amendment specifying that the number of retail dealers selling premium gasoline without an oxygenate be limited to no more than one-half of the retail dealers in the state. Kelly said the amendment was an attempt to arrive at a compromise between the supporters and opponents of the original bill. The amendment was adopted. "I simply want to offer consumers a choice in the kind of gasoline they put in their vehicles," Kelly said.

Bill Strusinski, representing the Minnesota Street Rod Association, was one of the supporters who spoke in favor of the measure. "I'm an ethanol supporter, but I

am also for choice...ethanol doesn't work in all situations," Strusinski said. Strusinski said that small engines, and older classic, antique and street rod type vehicle engines suffered with the use of ethanol. Bill King of the Midwest Marina Association and Art Gallob, an aviation pilot, also said that boat and airplane engines perform better with gasoline that does not contain ethanol. Jim Simnick, representing Amoco Oil, said that the bill's supporters did not want to have a negative impact on the ethanol industry but, instead, wanted consumers to have a choice in the type of gasoline available.

Opponents of the measure argued that by opening the door to exceptions, the entire industry could suffer a setback. Dept. of Agriculture Commissioner Gene Hugoson, said that 300 to 400 jobs may be directly attributed to ethanol production and that any change in the law could have an impact on the industry. Bob Fox, president of the Minnesota Corn Growers Association said, "Economics and the Environment are the main reasons" the association is opposing the measure. Fox disputed the claims of engine damage from ethanol and said that 90 percent of the fuel is still gasoline. Former state Sen. Jim Nichols, representing the Central Minnesota Ethanol Co-op, said, "Minnesotans pay \$70 million a year for energy in this state, almost all of it imported. Ethanol reduces the need to import energy." Nichols also said unoxxygenated fuel is very polluting.

Sen. Janet Johnson (DFL-North Branch) offered an amendment that she said was an attempt to reach a compromise on the issue. The amendment authorizes retailers to sell a "special recreational fuel" not subject to the oxygenate requirement. Under the amendment, the unleaded premium grade gasoline may be dispensed from pumps with wider nozzles and may be sold for use in aircraft, motorcycles, snowmobiles, cars or car engines manufactured before the 1976 model year. In addition, the amendment contained provisions for a five cent per gallon tax on the fuel and for appropriations to fund a toll-free number to inform consumers on the location of retailers. The amendment was amended to delete the provisions dealing with the five cent per gallon tax and the appropriations. Kelly opposed the amendment, but members adopted the amendment on a 7-6 roll call vote. The measure was advanced to the full Senate on a 12-1 roll call vote.

Judiciary

Notary ad regulation debated

A bill regulating notaries public generated considerable debate at the Mon., Feb. 12, meeting of the Judiciary Committee. According to Sen. Sandra Pappas (DFL-St. Paul), in many Latin American countries, notaries public are attorneys. Immigrants in this country, seeking legal assistance, are sometimes under the mistaken impression that notaries public are attorneys. As a result, some unscrupulous notaries public

have misrepresented their legal status with respect to providing immigration services. The bill, S.F. 2372, requires notaries public who advertise in languages other than English to include a statement in English and the other language that makes it clear the notary public is not an attorney. The bill was amended to include language regulating the provision of immigration services and spelling out exactly which services are authorized. Committee members, chaired by Sen. Randy Kelly (DFL-St. Paul), questioned whether it was necessary to provide criminal penalties in the bill and whether existing law prohibiting nonattorneys from practicing law was sufficient. Pappas argued that county attorneys are reluctant to prosecute under the practice of law without a license statutes and that the bill was an attempt to act proactively. Members laid the bill over until an amendment is drafted addressing some of the issues raised during the discussion.

A bill modifying the powers and duties of court referees for the duration of a family court block calendar pilot program also touched off considerable discussion at the hearing. The bill, S.F. 2672, authored by Sen. Richard Cohen (DFL-St. Paul), authorizes Ramsey County to establish a pilot project under which related family, probate, and juvenile court matters may be assigned to a single judge or referee. The role of the referees, though, generated considerable debate. However, Judge Charles Flinn, Jr., speaking for the measure, said that since additional judgeships have not been granted to Ramsey County, it was vital that the referees be used to handle the work load. The measure was approved and advanced to the full Senate.

A measure clarifying provisions relating to foster care and child protection provisions was also advanced to the Senate floor. Only portions of S.F. 1885, authored by Sen. David Knutson (R-Burnsville), were within the panels jurisdiction. One portion defined the term "egregious harm" in the juvenile code for purposes of determining the termination of parental rights. The section of the bill that proved most controversial allows the social services agency responsible for making a reasonable effort to request to discontinue the provision of services aimed at returning the child to the parent at the initial hearing of a termination of parental rights petition. That section of the measure was deleted and the bill was advanced.

In other action, panel members approved several less controversial bills. S.F. 2098, authored by Sen. Jane Ranum (DFL-Mpls.), clarifies the definition of acts constituting a nuisance. S.F. 2476, carried by Cohen, clarifies the process for a writ of certiorari. S.F. 2598, sponsored by Sen. Don Betzold (DFL-Fridley), is the revisor's bill that corrects erroneous, ambiguous and omitted text and obsolete references in the statutes.

Human Rights Dept. debated

Sen. Ellen Anderson (DFL-St. Paul) presented a "short and simple bill, attempt-

ing to have continuing legislative oversight of the state's human rights department." to members of the Judiciary Committee at the Tues., Feb. 13 hearing. The presentation resulted in a full blown debate among Senators. S.F. 2709 bill requires the commissioner of human rights to submit a report to the Legislature on the department's plan to eliminate the case backlog in the department. The measure was supported by Elliot Long, from the Legislative Audit Commission, who said that the department of human rights (DHR) takes too long to investigate discrimination cases. Long said that, on average, the DHR takes over 14 months to investigate and close discrimination cases. More than three quarters of the department's cases are dismissed or withdrawn, he added. Further, Long said nearly all state contractors have affirmative action plans approved by DHR, but the department is not monitoring the implementation of those plans.

DHR Commissioner David Beaulieu said that there has been a decline in the amount of staffing funds available and a 30 percent growth increase in the amount of cases. Beaulieu said that if more funding was made available, the immediate goals of the department would be attention and prioritization of cases between one and two years old.

Testimony was heard from Maggie Zalamea of the Spanish Speaking Affairs Council and Joe Day of the Indian Affairs Council. Both witnesses express concern over the rate at which cases are investigated. Zalamea said that legislation should mandate a focus on high impact cases, those affecting 30 to 40 people in a certain category. Additional significance should be placed on focusing on patterns of practice, she said.

Sen. Ember Reichgott Junge said resources are a part of the solution, but internal management changes would also contribute to the overhaul of the department. "This is not a partisan issue. What I want are results and performance," she said. The bill was approved and sent to the Finance Committee.

The committee also approved S.F. 2372, a bill regulating the provision of immigrant services and advertisements by notary publics in languages other than English. The bill requires a notary public who is not an attorney and who advertises services in a language other than English to include a notice in English and the language in which the advertisement appears that the notary public is not an attorney and may not give legal advice. The measure was re-referred to the Commerce and Consumer Affairs Committee.

Sen. John Hottinger (DFL-Mankato) sponsored S.F. 236, a bill to include occupational therapists in the limitation period for bringing suit against health care professionals. The bill makes it clear, said Hottinger, that health care professionals are protected under a two year statute of limitations versus a six year statute of limitations. The bill was approved and sent to the Senate floor.

S.F. 1735, a bill authored by Sen. David Knutson (R-Burnsville), enacts the Uniform Prudent Investor Act. Under current law, said Knutson, trustees are bound by prudent investor standards on each investment. S.F. 1735 extends these standards and allows them to apply to an entire portfolio. The bill was approved and sent to the Senate floor.

A bill establishing a nuisance action against a person who promotes prostitution or is a patron of prostitution was presented by Anderson. S.F. 2014, is a tool for citizens to go after prostitution in their neighborhoods, said Anderson. Neighborhood groups or residential groups could bring action under the bill, she said. Keith Ellison, a resident of a north Minneapolis neighborhood said that he supports the bill. "It is one of the best ways I have heard to attack the source without penalizing vulnerable persons" Ellison said.

Sen. Allan Spear (DFL-Mpls.) questioned why the current process won't work. There are two ways to bring action, he said. The methods, said Spear, include going to court yourself, or going to a prosecutor. An amendment, offered by Spear, deleted a provision to direct court awarded damages from nuisance cases to nonprofit organization providing advocacy services to persons used in prostitution or victims of domestic violence. The bill was approved and sent to the Senate floor.

S.F. 1704, a bill sponsored by Reichgott Junge, making technical and housekeeping changes to the Limited Liability Company Act, was approved by members and sent to the Senate floor. Two bills authored by Betzold were also sent to the floor; S.F. 1866 is a bill providing for the isolation and detention of persons with active tuberculosis who pose an endangerment to the public health, and S.F. 489 is a bill regulating punitive damages in civil action cases.

Metropolitan and Local Government

Bill creates housing council

Sen. Ted Mondale (DFL-St. Louis Park) said everyone's happy with the compromise created by his bill S.F. 2387. The bill, which creates a council to manage public housing, was one of seven bills approved Weds., Feb. 7, by the Metropolitan and Local Government Committee, chaired by Sen. Jim Vickerman (DFL-Tracy).

S.F. 2387 helps implement the \$118 million settlement in a public housing lawsuit, Mondale said. The joint powers board created by the bill will act as a housing and redevelopment authority to rehabilitate, construct, purchase and manage rental housing units financed with federal assistance. "This is a very bipartisan project," said Sen. Martha Robertson (R-Minnetonka), who moved the bill. The committee approved the bill and re-referred it to the Taxes and Tax Laws Committee.

A bill sponsored by Sen. Ember Reichgott Junge (DFL-New Hope), S.F. 2073, was approved and sent to the floor. The bill requires local governments to consider whether a public works project is necessary and cost-effective before ordering it. Reichgott Junge said the bill is meant to address the concerns of a group of New Hope residents who worried that cities may be lead astray by consulting engineers who recommend projects, then bid to perform the work.

Two bills were approved and re-referred to the Taxes and Tax Laws Committee: S.F. 2261, authored by Sen. Janet Johnson (DFL-North Branch), allowing sanitary districts to maintain and repair a road by agreement with the agency formerly responsible for the road; and S.F. 2451, authored by Sen. Steven Novak (DFL-New Brighton), allowing the Metropolitan Airports Commission to bond for facilities improvements against projected revenue.

S.F. 2255, authored by Sen. Don Betzold (DFL-Fridley), was approved and referred to the Ethics and Campaign Reform Committee. The bill allows city councils to appoint a temporary council member or mayor if the officeholder is ill or absent for 90 days. S.F. 2258, authored by Sen. Sam Solon (DFL-Duluth), allows the city of Duluth to spend public money on private property to abate the flow of storm water into sanitary sewers. The bill was approved and sent to the floor. S.F. 2223, authored by Sen. Lawrence Pogemiller (DFL-Mpls.), allows the city of Minneapolis to negotiate contracts with stage hands. The bill was approved and recommended for the consent calendar.

Transit levy shifted

A bill allowing "opt-out" cities to levy taxes for local bus routes was approved by the Metropolitan and Local Government Committee Thurs., Feb. 8. Senators re-referred the bill to the Transportation and Public Transit Committee.

Sen. Terry Johnston (R-Prior Lake), author of S.F. 2588, said the local levy replaces a refund previously provided by the Metropolitan Council. The bill limits the levy to 88 percent of the 1995 levy for Metropolitan Council Transit Operations; the Met Council may levy the remaining 12 percent. Sen. Carol Flynn (DFL-Mpls.) said she worries that wealthy cities opting-out of transit taxes will weaken the metro-wide transit system.

A bill sponsored by Sen. Jane Ranum (DFL-Mpls.), broadening membership of family service collaborative governing boards, was approved and sent to the floor. The bill suggests the board include tribal representatives and permits private citizens to serve as board members, if appointed by an elected official.

S.F. 2698, a bill authored by Sen. Richard Cohen (DFL-St. Paul), grants cities a 60-day extension for zoning and permit decisions if the zoning or permit applicant is notified in writing. Cohen said the extra time will allow

Committee update

St. Paul's community councils to hear more testimony on controversial projects. The bill was approved and recommended for the consent calendar.

Sen. Roy Terwilliger (R-Edina) presented S.F. 2457, a bill appropriating \$2 million of state bond funds for a south metro public safety training center shared by Minnetonka, Hopkins, Edina, Richfield, Eden Prairie, Bloomington and the Minneapolis/St. Paul International Airport. The center would also be available for use by any police or fire department, said Terwilliger. The bill was approved and forwarded to the Finance Committee.

The committee also approved S.F. 2581, authored by Sen. Steve Dille (R-Dassel) and S.F. 2602, authored by Sen. Allan Spear (DFL-Mpls.). S.F. 2581 aids the consolidation of the cities Norwood and Young America by allowing the new city council to be elected in 1996 from two wards, but at-large thereafter. The bill was sent to the floor. S.F. 2602, sponsored by Sen. Allan Spear (DFL-Mpls.), allows Minneapolis to create special service districts in the Linden Hills and 50th and France business districts. The bill was forwarded to the Taxes and Tax Laws Committee.

Sen. Deanna Wiener (DFL-Eagan) presented S.F. 2428, a bill amending the Metropolitan Land Planning Act. Senators took no action on the bill.

Redevelopment project pitched

The city of Minneapolis, along with Hennepin County and Brooklyn Center, is seeking \$18.1 million in state bond funds for a redevelopment project that planners say will provide new homes, decrease crime, and raise property values in crumbling neighborhoods.

S.F. 2321, carried by Sen. Carl Kroening (DFL-Mpls.), outlines a collaborative "reinvestment program" to revitalize Humboldt Avenue, 29th Street, and Brookdale mall. The Metropolitan and Local Government Committee, chaired by Sen. Jim Vickerman (DFL-Tracy), approved the bill at its Mon., Feb. 12 meeting. The measure now goes to the Jobs, Energy and Community Development Committee.

The bill appropriates \$10 million to acquire and demolish older homes along Humboldt Avenue, from North Minneapolis to Brooklyn Center. According to Kroening, the empty lots would be sold to private developers to build larger "move-up" houses to attract young families. "This is a market-driven approach to try to reclaim neighborhoods," said Hennepin County Commissioner Mike Opat.

Another \$3.1 million is dedicated to storm sewer and pond improvements needed to redevelop the Brookdale Mall and \$5 million is earmarked for developing a "greenway" strip of park land along 29th Street in Uptown Minneapolis. Minneapolis City Council Member Alice Rainville said a portion of the greenway is reserved for privately developed housing ranging from low-income "artist" apartments to new

single-family homes. The entire reinvestment program requires \$18 million matching local funds.

"This makes perfect sense," said Mondale (DFL-St. Louis Park). "Time and time again we sit around and ask: what do we do with inner cities?" But Sen. Dick Day (R-Owatonna) criticized the approach, saying "I find it hard to believe that this \$30 million is well-spent."

Sen. Phil Riveness (DFL-Bloomington) presented a bill to muffle one of the less popular aspects of living near the Minneapolis-St. Paul International Airport: noise. The committee approved S.F. 2004 and sent it to the floor. The bill extends a noise-abatement program that reserves 40 percent of passenger facilities charges to sound-proof affected homes and public buildings.

The committee approved Kroening's bill, H.F. 2532, which allows the Minneapolis Park and Recreation Board to create three new unclassified jobs; and Sen. Bob Lessard's (DFL-Intl. Falls) bill, H.F. 2401, which exempts Itasca County from bidding requirements in the sale of the county hospital. Senators also approved the governor's appointment of Richard Packer, a Coon Rapids developer and former city planner, to the Metropolitan Council. All three measures were sent to the floor.

Taxes and Tax Laws

Bill targets abandoned homes

New tax forfeiture procedures outlined in S.F. 2398, sponsored by Sen. Randy Kelly (DFL-St. Paul), speed the removal of abandoned buildings that blight older neighborhoods. The bill was one of seven approved by the Property Tax Subcommittee on Tues., Feb. 13; all were forwarded to the full Taxes and Tax Laws Committee.

The accelerated procedure for seizing tax-delinquent property applies only to vacant, abandoned buildings, said Kelly. The bill allows a judge to shorten the redemption period during which the delinquent owner may reclaim property from five years to five weeks, if a city or HRA has proved the property is abandoned. Mortgage foreclosure now has a five-week redemption period, Kelly noted.

A fiscal disparities program is on the horizon for the Iron Range under S.F. 1977, presented by Sen. Jerry Janezich (DFL-Chisholm) and approved by the subcommittee. Janezich said the program is identical to that in the Metro Area, except that the base year from which growth is measured will be assessment year 1995.

Sen. Ted Mondale (DFL-St. Louis Park) sponsored a bill, S.F. 2049, that allows cities to activate special service districts without legislative permission. Commercial property owners must still petition to create districts, which increase property taxes to fund special services. The bill, which was approved by the subcommittee, also extends use of special service districts to apartments and condominiums in which residents wish to fix up common areas.

The subcommittee also approved S.F. 1979, authored by Sen. Dan Stevens (R-Mora), subjecting lease-purchase of real estate to municipal debt limits; and S.F. 2207, authored by Sen. LeRoy Stumpf, decreasing property tax rates for apartment buildings in cities of less than 10,000 population. Senators approved two bills authored by Sen. Douglas Johnson (DFL-Cook): S.F. 2115, allowing Duluth to establish special service districts; and S.F. 1841, authorizing a Duluth project to replace vacant and run-down houses.

S.F. 2549, sponsored by Sen. Cal Larson (R-Fergus Falls), was rejected by the subcommittee. The bill limits increase of a property's assessed market value to the rate of increase in the Consumer Price Index.

The subcommittee also reviewed, but did not vote on, seven bills concerning taxes on cabins and other seasonal recreational property. Sen. John Hottinger (DFL-Mankato), the subcommittee chair, said the bills will be voted on in the full Taxes and Tax Laws Committee. S.F. 2618, authored by Sen. David Knutson (R-Burnsville), and S.F. 2625, authored by Sen. Steven Novak (DFL-New Brighton), reduce the property tax class rates for seasonal property. S.F. 2621, authored by Sen. Dallas Sams (DFL-Staples), removes the term "recreational" from laws defining seasonal property. Mondale's bill S.F. 2630 reduces class rates for lake front properties to discourage their development or subdivision.

Three of the bills concern the effect of school excess levy referenda on cabin owners who are absent when the vote is taken. Sen. Linda Runbeck (R-Circle Pines) suggests a constitutional referendum providing voting privileges to cabin owners in S.F. 2626. Sen. James Metzen (DFL-South St. Paul) authored S.F. 2627, exempting the properties from referenda taxes in his bill. Sen. Lawrence Pogemiller's (DFL-Mpls.) bill, S.F. 2629, includes bond referenda in laws requiring conversion of referenda levies to market value, thereby easing the tax burden on cabin owners.

Library lien approved

Time to turn in those library books. Under a bill authored by Sen. Sandra Pappas (DFL-St. Paul), public libraries will be able to use Minnesota's Revenue Recovery program to collect overdue fines and charges over \$25.

Pappas chairs the Income and Sales Tax Subcommittee, which approved the bill Weds., Feb. 14. She said S.F. 2358 extends to municipal libraries a practice already used by county libraries. The Revenue Recovery program, which allows an government agency to capture state income tax refunds, was designed to collect child support, criminal restitution, and public hospital bills. Public service manager Fran Galt said St. Paul Public Libraries lose \$200,000 worth of materials each year.

Senators also approved sections of S.F. 2508, carried by Sen. William Belanger (R-Bloomington), which contains the

governor's supplemental tax provisions. Members approved provisions to eliminate entirely the sales tax on replacement capital equipment by July, 1998, but deleted two sections of S.F. 2508 that exempt income earned by leasing moveable property in other states. The \$3.6 million tax break was requested by Northwest Airlines, said Matt Smith, commissioner of the Department of Revenue, after being questioned by Sen. Ember Reichgott Junge (DFL-New Hope). "I'm just so surprised Northwest Airlines is asking for this. I think there's a line that was crossed on this one," said Reichgott Junge. The sections were deleted on a divided voice vote.

Four bills creating sales tax exemptions were approved. Unsold pull-tabs and tipboards are exempted under S.F. 977, authored by Sen. Ted Mondale (DFL-St. Louis Park). The bill costs \$5 million in 1996-97. Car title transfers between parents and foster children are exempted under H.F. 2139, authored by Sen. Don Betzold (DFL-Fridley). The Department of Revenues estimates minimal revenue loss from the provision. Both S.F. 2570, authored by Sen. Janet Johnson (DFL-North Branch) and S.F. 2358, authored by Sen. Steven Novak (DFL-New Brighton), exempt wind energy from sales tax, at an annual cost of \$400,000. Johnson's bill creates a permanent exemption; Novak's exemption expires in the year 2000.

Senators forwarded both so the full committee could debate the expiration clause.

Senators approved S.F. 2168, authored by Sen. John Hottinger (DFL-Mankato), allowing Mankato to redirect part of its half-cent local sales tax to airport improvements. Hottinger says the idea was approved by 84 percent of voters in a recent referendum. All approved bills now go to the full Taxes and Tax Laws Committee.

The committee did not approve a bill sponsored by Reichgott Junge that is designed to educate Minnesotans about the state's use tax. S.F. 1863 would remind residents of the law with a line on the state income tax return, inquiring if the person filing owed any use taxes for the previous year. Wisconsin has a similar law, said Smith, but few residents use the line. Smith was also concerned that the tax return form is already crowded with type.

Transportation and Public Transit

Board duties divided up

A measure that deregulates some transportation carriers, and phases out the Transportation Regulation Board, won approval from the Transportation and Public Transit Committee Thurs. evening, Feb. 8, and was sent to the Governmental Operations and Veterans Committee.

The action follows last year's decision to abolish the board, as of July 1 1996, because most of its duties and functions have been preempted by federal law. S.F. 2169 eases regulations on some of the existing functions

of the board and moves the rest into the Department of Transportation. Five board employees move to MnDOT. "We have tried to come up with a reasonable, workable proposal," said bill sponsor Sen. Sandra Pappas (DFL-St. Paul). Committee Chair Sen. Carol Flynn (DFL-Mpls.), said the committee drew up the proposal after the board and other interested parties were unable to agree on how to proceed.

One dozen witnesses testified on various aspects of the proposal. Douglas Bester with Bester Brothers Transport and Storage said he opposed any attempt to deregulate household goods carriers. Maureen Scallen with Airport Express said deregulation of motor route and charter carriers this session "would be a real disservice to the people of Minnesota." Lisa Peterson with the Minnesota Trucking Association said her group is glad to see the remaining regulations on freight carriers lifted, but is concerned about some of the language in the bill.

Ron Jerrard with the Teamsters union told the committee Minnesota has not benefitted from deregulation, and the state should maintain oversight of those functions not taken over by the federal government. Philip McDonald with the Minnesota Senior Federation urged the committee to avoid endangering public safety by going too far.

The committee approved an amendment that reinstates four safety regulations after hearing testimony from Karl Knutson, the state legislative director of the Brotherhood of Maintenance and Way Employees. The regulations include posting crossing guards and flagging devices at potentially dangerous locations such as railroad crossings. An amendment by Sen. Mark Ourada (R-Buffalo) was accepted. It requires household good movers to obtain a permit from the commissioner, and sets the amount of insurance they are required to carry at \$100,000.

An amendment that continues the regulation of airport passenger service, offered by Sen. Steve Murphy (DFL-Red Wing), was approved.

The committee approved two other bills and sent them to the full Senate. S.F. 2063, sponsored by Pappas, authorizes the issuance of a charter carrier permit for trolley-type vehicles in St. Paul. S.F. 2342, a measure sponsored by Sen. Jim Vickerman (DFL-Tracy), completes the deregulation of freight carriers by defining them as carriers of property. The bill exempts them from most state regulation, but requires them to register with MnDOT, and follow state safety guidelines.

Drivers' license rules tightened

Young drivers would need to practice more to get a driver's license under a bill approved Fri., Feb. 9, by the Transportation and Public Transit Committee. S.F. 1865 requires anyone under 18 to undergo six months of "supervised driving." Sponsor Sen. Terry Johnston (R-Prior Lake), said under current regulations students can get a

permit, take a class, get a license, and be on the road in two weeks, without sufficient experience.

The requirement was originally contained in S.F. 2155. Johnson amended it onto another bill she authored, S.F. 1865, a measure that allows motorcycle owners who are Vietnam veterans to purchase special license plates for a \$10 fee, because the "supervised driving" bill was not eligible for consideration.

A bill that allows a parent to name another individual a designated parent to care for a minor child for up to a year was approved and sent to the full Senate. Under S.F. 1792, the parent may also have a symbol placed on a driver's license to indicate a designated parent has been named. Bill sponsor, Sen. Paula Hanson (DFL-Ham Lake), said the information will be helpful to officials in case of crisis.

The committee, chaired by Sen. Carol Flynn (DFL-Mpls.), voted to send to the full Senate a bill to allow a city affected by a Department of Transportation highway construction or improvement project to help plan and evaluate the work. S.F. 1708 sponsor, Steven Morse (DFL-Dakota), said the bill gives communities a role in the process. Several Winona residents who served on a task force studying a Highway 61 construction project testified that their findings were ignored. A representative from MnDOT said the department always wants community participation, but such groups aren't usually given decision-making authority.

S.F. 2446, which directs MnDOT to gather information on telecommunications systems, and make recommendations to the Legislature on how best to integrate and coordinate them, was approved and sent to the Finance Committee. The bill, sponsored by Sen. Janet Johnson (DFL-North Branch), also authorizes the Department of Employee Relations to declare a "telecommuting day" under weather and road condition criteria to be established.

The committee approved, and sent to the floor, S.F. 2466, sponsored by Sen. Bob Lessard (DFL-Int'l. Falls). The measure exempts first hauls of unprocessed or raw farm products or unfinished forest products that are overweight by less than ten percent from the requirement that a vehicle found to be overweight by more than four percent be re-registered at a higher weight limit. S.F. 2270 was approved and sent to the Consent Calendar. The bill, authored by Sen. Keith Langseth (DFL-Glyndon), transfers \$25,000 a year for three years into the rider training division of the motorcycle safety program fund to purchase additional training motorcycles.

Gas tax hike approved

A bill that raises the state gas tax five cents a gallon was approved by the Transportation and Public Transit Committee Weds., Feb. 14.

S.F. 2691, sponsored by Sen. Sandra Pappas (DFL-St. Paul), also authorizes the

Committee update

Metropolitan Council to implement a sales tax of up to one-half cent in the Metro Area to eliminate the current Twin Cities area property tax for transit. Greater Minnesota transit services and Metro Mobility would continue to be funded through state general fund appropriations, and "opt-out" transit services would be guaranteed no less than their present funding level.

Pappas said the gas tax would raise an estimated \$120 million. The revenue would be distributed according to the formula in the state constitution to pay for trunk highways, county state-aid highways, municipal state-aid highways, and township roads and bridges.

The committee approved an amendment, offered by Sen. Terry Johnston (R-Prior Lake), to delete a section that would have removed existing limitations on the council to issue bonds, and defeated an amendment offered by Sen. Arlene Lesewski (R-Marshall), to remove the automatic indexing of the gas tax. Lesewski said the provision gives MnDOT a blank check. Committee Chair Sen. Carol Flynn (DFL-Mpls.), said indexing "assures we meet the transportation needs of the state over time as expenses increase." The bill was sent to the Metropolitan and Local Government Committee.

A related bill, S.F. 2588, was approved and sent to the Tax Committee. The measure, authored by Johnston, allows a city that is participating in the replacement transit service program (the opt-out program) to choose to levy a transit tax rather than receiving assistance from the Met Council. Under the bill, the tax revenue could be spent on transit operating and capital costs, and to pay off bonds.

The committee approved a bill that requires the Department of Public Safety to refund fees paid for driver's licenses, instruction permits, or identification cards if the card is not received within six weeks of application. S.F. 2684, sponsored by Sen. Steve Murphy (DFL-Red Wing), also calls for an evaluation of the new security driver's license and identification card program. The measure was sent to the Government Operations and Veterans Committee.

Two other bills received committee approval and were sent to the floor. S.F. 2213 changes statutes that require a driver or vehicle owner to show proof of insurance within ten days of being cited. Under the bill, proof is required no later than the date specified in the citation for the driver's first court appearance. Sponsor David Knutson (R-Burnsville), said the proposal will help unclog the legal system, and give cited motorists more time before facing license revocation.

S.F. 2571 allows the owner of a residence to prohibit someone not living at the residence from using the residence address on a license or identification card. The owner is required to send written notice, naming the person, to the Department of Public Safety. Bill sponsor, Sen. Ember Reichgott Junge (DFL-New Hope), said the

bill results from a letter from constituents whose son insisted on using their address, even though he doesn't live at the residence.

Floor Action

Bills advance

In addition to swearing in of newly elected Sen. Michelle Fischbach, Senators also processed bills on the various Senate calendars at the Mon., Feb. 12 floor session. Four bills were granted final passage on the Consent Calendar. H.F. 2239, sponsored by Sen. Thomas Neuville (R-Northfield), allows the city of Morristown to maintain and pay for electrical power to operate traffic control devices located outside the city limits. S.F. 2067, authored by Sen. David Knutson (R-Burnsville), eliminates a requirement that specific documents be acknowledged in divorce proceedings. S.F. 2514, carried by Sen. John Hottinger (DFL-Mankato), clarifies the county of financial responsibility for hearings on the use of neuroleptic medications. S.F. 2584, sponsored by Sen. James Metzen (DFL-South St. Paul), eliminates some duties of the Board of Directors of the Minnesota Veterans Homes.

Three measures were given final passage on the Senate Calendar. S.F. 1872, authored by Sen. Linda Berglin (DFL-Mpls.), requires peace officers to undergo training in community policing techniques. S.F. 1879, also sponsored by Berglin, combines the alternative care program and the home- and community-based services waiver for the elderly program. H.F. 2150, carried by Sen. Gary Laidig (R-Stillwater), authorizes the city of Stillwater to issue one additional on-sale liquor license. All three measures were passed unanimously.

Members also granted concurrence and repassage to S.F. 1862. The measure, sponsored by Sen. Don Betzold (DFL-Fridley), authorizes the Disease Prevention and Control Division of the Dept. of Health to use unmarked vehicles and provides that passenger vehicle classification license plates be issued to those vehicles.

Several bills were also approved on the General Orders Calendar. S.F. 1919, authored by Sen. Linda Runbeck (R-Circle Pines), makes numerous technical changes to laws governing reemployment insurance. H.F. 1926, authored by Sen. Sam Solari (DFL-Duluth), regulates the practice of dental hygiene. S.F. 1856, carried by Berglin, provides applicants for Medicare with a brochure on long-term care insurance. S.F. 1699, sponsored by Sen. Charles Berg (DFL-Chokio), modifies provisions for aquatic farms and makes changes in provisions for recreational vehicles. H.F. 2355, sponsored by Sen. Jim Vickerman (DFL-Tracy), authorizes a city, county, or town to require specific information in applying for, or as a condition of, granting approval of permits required under official controls. S.F. 1622, authored by Knutson, regulates proof of loss in homeowner's insurance claims. S.F. 2267, sponsored by Hottinger, prohibits public employers other

than the state from requiring employees to take a leave of absence upon becoming a candidate for elective office. S.F. 2340, carried by Sen. John Marty (DFL-Roseville), defines the crime of motor vehicle operation resulting in bodily harm. S.F. 2013, sponsored by Sen. Steven Novak (DFL-New Brighton), adopts changes to the Midwest Interstate Compact on Low-Level Radioactive Waste and makes conforming changes in state law.

Visitation bill okayed

Senators devoted most of the Thurs., Feb. 15, floor session to considering bills on the General Orders Calendar. Members granted preliminary passage to a number of bills and the proceeded to grant final passage to bills on the Senate Calendar and the Consent Calendar.

One measure that sparked considerable debate was S.F. 1996. The measure, sponsored by Sen. Randy Kelly (DFL-St. Paul), makes a number of changes in laws governing child visitation. The bill requires specificity in visitation orders, modifies provisions relating to visitation expeditors and provides for the establishment of mandatory visitation dispute resolution programs. The bill was granted preliminary passage. Another measure generating debate, S.F. 842, modifies the duties of the Board of Psychology, changes licensure provisions and outlines disciplinary procedures. The measure, sponsored by Sen. Don Betzold (DFL-Fridley), was progressed in order to allow time for an amendment to be drafted.

Four additional bills gained preliminary approval. S.F. 1941, authored by Sen. Steve Dille (R-Dassel), specifies compliance requirements for existing individual sewage treatment systems. S.F. 2130, authored by Sen. Linda Berglin (DFL-Mpls.), exempts Community Integrated Service Networks formed to provide services for the elderly from providing the standard health maintenance organization benefit set. S.F. 2111, carried by Sen. LeRoy Stumpf (DFL-Thief River Falls), changes the requirement for a canola commodity council referendum. S.F. 1789, authored by Sen. Terry Johnston (R-Prior Lake), provides a process for the recall of mayors.

Bills on the Consent Calendar were granted final passage. All the bills were noncontroversial. H.F. 2634, carried by Sen. Ted Mondale (DFL-St. Louis Park), provides for one additional chief deputy sheriff in the unclassified service in Hennepin County. H.F. 2114, authored by Sen. David Knutson (R-Burnsville), changes the codes for two types of drivers licenses. H.F. 2652, sponsored by Sen. Lawrence Pogemiller (DFL-Mpls.), grants the city of Minneapolis the authority to negotiate trade and craft contracts for stagehands. S.F. 2118, sponsored by Sen. Dallas Sams (DFL-Staples), provides for other safe house programs similar to the McGruff program. S.F. 2698, carried by Sen. Richard Cohen (DFL-St. Paul), provides for extending agency deadlines.

Preview

The Minnesota Senate Week at a Glance

Monday, February 19

Environment and Natural Resources Finance Division

Chair: Sen. Steven Morse

8 a.m. Room 123 Capitol

Agenda: Bonding: Science Museum, Duluth Lake Superior Center, OEA solid waste grants, Agriculture Dept. RFA.

Finance State Government Division

Chair: Richard J. Cohen

8 a.m. Room 118 SOB

Agenda: Supplemental budget requests.

Rules and Administration Personnel Subcommittee

Chair: Sen. Roger D. Moe

9 a.m. Room 237 Capitol

Agenda: Personnel rosters.

Rules and Administration Committee

Chair: Sen. Roger D. Moe

9:15 a.m. Room 107 Capitol

Agenda: Report of the Personnel Subcommittee. Report of the Bill Referral Subcommittee. Late Bills (Rule 2.03).

The Senate will meet at 10 a.m.

Finance Committee

Chair: Sen. Gene Merriam

12 noon Room 123 Capitol

Agenda: K-12 Education supplemental appropriations bill (Pending passage by Tax Committee).

Health Care and Family Finance Division

Chair: Sen. Don Samuelson

1 p.m. Room 112 Capitol

Agenda: Budget allocations.

Crime Prevention Finance Division

Chair: Sen. Tracy Beckman

2 p.m. Room 15 Capitol

Agenda: Omnibus crime appropriations.

Jobs, Energy and Community Development Funding Division

Chair: Sen. Carl Kroening

2 p.m. Room 123 Capitol

Agenda: Supplemental budget, bills.

Finance Capital Budget Subcommittee

Chair: Sen. Phil Riveness

4 p.m. Room 112 Capitol

Agenda: Overview of capital budget requests: Dept. of Transportation, DNR, PCA, DTED (PFA).

Tuesday, February 20

Environment and Natural Resources Finance Division

Chair: Sen. Steven Morse

8 a.m. Room 123 Capitol

Agenda: LCMR. Supplemental budget.

Transportation and Public Transit Finance Division

Chair: Sen. Langseth

8 a.m. Room 112

Agenda: S.F. 2702-Langseth: Transportation appropriations.

Education Committee

Co-chairs: Sen. Lawrence Pogemiller and

Sen. LeRoy Stumpf

10 a.m. Room 112 Capitol

Agenda: Higher Education appropriation.

Higher Education Division

Chair: Sen. LeRoy Stumpf

10 a.m. Following Education Committee

Room 112 Capitol

Agenda: Capital budget allocations for MnSCU and the U of M.

Crime Prevention Finance Division

Chair: Sen. Tracy Beckman

12 noon Room 112 Capitol

Agenda: Omnibus crime appropriations.

Health Care and Family Services Finance Division

Chair: Sen. Don Samuelson

1 p.m. Room 107 Capitol

Agenda: Budget allocations.

Jobs, Energy and Community Development Funding Division

Chair: Sen. Carl Kroening

2 p.m. Room 123 Capitol

Agenda: Capital budget recommendations.

Legislative Commission on Pensions and Retirement

Chair: Rep. Richard Jefferson

2 p.m. Room 5 SOB

Agenda: Summary of 1995 actuarial valuations for the statewide and major local public pension plans.

Finance Capital Budget Subcommittee

Chair: Sen. Phil Riveness

4 p.m. Room 123 Capitol

Agenda: Overview of capital budget requests: OEA, BWSR, CAAP Board, Department of Economic Security, Housing Finance Agency.

Taxes and Tax Laws Subcommittee on Property Tax

Chair: Sen. John Hottinger

4 p.m. Room 15 Capitol

Agenda: S.F. 835-Pappas: Metropolitan Council transit bonding authority and proceeds use modifications. S.F. 2211-Limmer: Expand eligibility for special homestead classification for disabled. S.F. 2365-Mondale: Metropolitan livable communities. S.F. 2398-Kelly: Real estate shortening redemption period to 5 weeks. S.F. 2451-Novak: Authorizing MAC to issue revenue bonds. S.F. 2525-Lesewski: Rock County gravel tax. H.F. 2415-Pogemiller: Modifying bonding authority of cities for single family housing. S.F. 2603-Pappas: Reducing county property taxes. S.F. 2604-Flynn: Study of property assessment, equalization & payment procedures. S.F. 2620-Flynn: Rental property class rate reduction. S.F. 2665-Janezich: Allowing cities to turn over property taxes to join an economic development association. S.F. 2718-Oliver: Freeze on market value for homesteads owned by persons over age 65. S.F. 2387-Mondale: Tax treatment of partial PHA facilities. S.F. 2602-Spear: Minneapolis Special Service District. S.F. 2674-Kelly: St. Paul rental tax equity program. S.F. 2777-Novak: Technical and policy changes to low-income housing tax credit program. S.F. 2785-Runbeck: Provide for distribution of property tax penalties. S.F. 2787-Vickerman: Wind energy conversion systems; recovery through property taxes. S.F. 2823-Metzen: Additional information required on proposed notices in cases of pending referendums.

Wednesday, February 21

Gaming Regulation Committee

Chair: Sen. Charles Berg

8 a.m. Room 107 Capitol

Agenda: Confirmations to Minnesota Racing Commission: Connie Churchill, John C. Farrell, Carol Connolly, Mark J. Custer, James H. Filkins. Gambling Control Board: Dennis Flaherty and Howard Register.

Transportation and Public Transit Committee

Chair: Sen. Carol Flynn

8 a.m. Room 112 Capitol

Agenda: S.F. 2702-Langseth: Omnibus transportation funding bill.

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Higher Education Division Chair: Sen. LeRoy Stumpf
10 a.m. Room 112 Capitol
Agenda: Capital budget allocations for MnSCU and the U of M.

Commerce and Consumer Protection Committee

Chair: Sen. Leonard Price
1 p.m. Room 112 Capitol
Agenda: Confirmation of David Gruenes as commissioner of the Dept. of Commerce. Primary source report presentation.

Crime Prevention Finance Division

Chair: Sen. Tracy Beckman
2 p.m. Room 15 Capitol
Agenda: Omnibus crime appropriations.

Jobs, Energy and Community Development Funding Division

Chair: Sen. Carl Kroening
2 p.m. Room 123 Capitol
Agenda: To be announced.

Finance Capital Budget Subcommittee

Chair: Sen. Phil Riveness
4 p.m. Room 123 Capitol
Agenda: Overview of capital budget requests: DHS, Veterans Homes Board, Department of Children Families and Learning, Arts School.

Taxes and Tax Laws Subcommittee on Income and Sales Tax

Chair: Sen. Sandra Pappas
4 p.m. Room 15 Capitol
Agenda: S.F. 1630-Chmielewski: Hermantown, permit imposition of local sales tax. S.F. 2523-Mondale: Income tax credit for wage increases provided to certain employees. S.F. 2782-Laidig: Extend sales tax exemption for personal property purchased by people who own

horses. S.F. 2807-Pappas: Sales and use, change time limit for refund claims, provide tax rate reduction and exemption of replacement capital equipment, permanent exemption on farm machinery. S.F. 2502-Riveness: Gaming, allowing property tax to be paid from lawful purpose expenditure.

Taxes and Tax Laws Subcommittee on Property Tax

Chair: Sen. John Hottinger
5 p.m. Room 15 Capitol
Agenda: S.F. 2302-Metzen: South St. Paul authorize expenditure of tax increments to pay debt service on refunding bonds. S.F. 2484-Betzold: Authorize Brooklyn Park economic development authority to establish a distressed housing district. S.F. 2614-Hottinger: TIF; clarify calculation of local contributions; make technical changes; special law for Morris. S.F. 2645-Pappas: TIF; allow tax increments to be used in housing interest rate reduction programs for 15 years. S.F. 2670-Langseth: Breckenridge modify tax increment financing requirements. S.F. 2729-Janezich: Mountain Iron; change net tax capacity & expend duration of a TIF district. S.F. 2748-Stumpf: East Grand Forks-extend duration of TIF. S.F. 2803-Riveness: Authorize creation of housing replacement district in areas subject to airport noise; income tax benefits. S.F. 2804-Merriam: Coon Rapids; authorize establishment of a TIF district that is exempt from certain requirements. S.F. 2815-Price: Woodbury; extend period of time tax increment may be collected from economic development district. S.F. 2819-Pogemiller: Authorize creation of heritage & historic subdistricts within Tax Increment Financing districts. S.F. 2833-

Day: Owatonna; modify certain Tax Increment Financing requirements for a housing district.

Thursday, February 22

The Senate will meet at 8 a.m.

Finance Committee

Chair: Sen. Gene Merriam
12 noon Room 123 Capitol
Agenda: Higher Education supplemental appropriations bill. State government supplemental appropriations bill.

Crime Prevention Finance Division

Chair: Sen. Tracy Beckman
2 p.m. Room 15 Capitol
Agenda: Prison consultant draft report.

Joint Senate Finance Capital Budget Subcommittee and House Capital Investment Committee

Co-Chairs: Sen. Phil Riveness and Rep. Henry Kalis
4 p.m. Room 123 Capitol
Agenda: Consultants' presentation on the 800 bed Rush City prison proposal.

Friday, February 23

Transportation and Public Transit Finance Division

Chair: Sen. Keith Langseth
8 a.m. Room 112 Capitol
Agenda: Bonding requests.

Finance Committee

Chair: Sen. Gene Merriam
10 a.m. Room 123 Capitol
Agenda: Transportation supplemental appropriations bill. Jobs, Energy, and Community Development supplemental appropriations bill.

Briefly

The Minnesota Senate Week in Review

February 23, 1996

Deer feeding bill passed

A bill to provide for emergency deer feeding in Northeastern Minnesota and an attempt to override a gubernatorial veto provided the framework for debate at the Thurs., Feb. 22, floor session.

S.F. 2596, sponsored by Sen. Douglas Johnson (DFL-Cook), provides for an appropriation to assist volunteers in an emergency deer feeding operation in the forested Northeastern part of the state. Originally, the bill called for a \$1 million appropriation, with half of the funding coming from the game and fish fund and half coming from the general fund. Johnson offered an amendment to decrease the appropriation to \$750,000 and specify that the entire amount come from the game and fish fund. The amendment was adopted.

In the discussion on the bill, Johnson said that deer feeding was already taking place in the more open areas of the state but not in the more forested portion of the state. Johnson said, "No one is denying that because of the severe winter conditions the deer are in extreme distress." However, according to Johnson, the Dept. of Natural Resources does not support the proposal because, according to a study done after similar program in 1989, the program was not effective in saving large numbers of deer. Johnson argued that the mechanism for feeding the deer is different this year because of the use of large numbers of volunteers and that the program could be more effective. Sen. Gene Merriam (DFL-Coon Rapids), arguing against the bill, said that the measure was, at best, a waste of money and that the feeding program may also have a long term deleterious effect on the viability of the deer. The measure was granted final passage on a vote of 46-17.

A bill requiring the Dept. of Public Safety to reimburse drivers license applicants if they did not receive their licenses in a timely manner was the focus of the veto override debate. The bill, S.F. 537, was vetoed last year. Sen. Steve Murphy (DFL-Red Wing), the chief author of the bill, moved that the Senate override the gubernatorial veto. Murphy said the bill is designed to ensure efficiency in government services. "This bill is an attempt to have government run more like a business, if the government can't provide the service, the customer should get their money back," Murphy said. Sen. Mark Ourada (R-Buffalo) countered that the reason applicants are not getting their licenses quickly is due to a problem in interfacing with a new federal system. "It is beyond the control of the department and to

imply the department is incompetent is unfair," Ourada said. Majority Leader Roger Moe (DFL-Erskine) argued that the veto should be overturned because legislators have a responsibility to correct errors in governmental services. The vote of 42-22 failed to gain the two-thirds majority needed to overturn a gubernatorial veto.

K-12 budget approved

The Finance Committee Mon., Feb. 19, approved \$32 million in supplemental spending for K-12 education. The package includes \$14 million for technology and \$5 million for inner-city after school programs. S.F. 1884, which contains almost \$3 million in property tax relief, totals \$25 million less than the supplemental proposal recommended by the governor.

Bill sponsor, Sen. Lawrence Poegmiller (DFL-Mpls.), said the measure "doesn't do anything dramatic", but gives the K-12 system "time to catch it's breath" from previous years' changes.

The bill establishes a technology incentives program, allows districts to enter into agreements with Indian tribal governments to provide educational services for Indian students, and permits year round school/extended week or day pilot program grants for two or more rural districts. Other provisions establish after-school enrichment programs, provide for transitional teacher licenses, and appropriate money for litigation costs related to desegregation policies.

The measure includes a provision to buy down the school property tax recognition shift percentage, under which districts "recognize," or factor into their calculations, property tax money they won't receive until the next year. Under the bill, the current 48 percent would be reduced to 17 percent in 1996, and to 6.5 percent in 1997, at a cost of \$687 million. The buy-down is funded by state budget surplus revenue. Pogemiller called on the committee to eliminate the shift, saying it is "in the interests of education in Minnesota that we face the truth, rather than spend money we haven't appropriated." Committee Chair Gene Merriam (DFL-Coon Rapids), endorsed the idea, but an amendment, offered by Sen. Keith Langseth (DFL-Glyndon), to use any additional revenues available to further write down the shift, was defeated on a voice vote. The bill was sent to the Senate floor.

The committee approved a measure transferring \$600,000 from the DNR's snowmobile trails and enforcement account into the snowmobile grants-in-aid-fund to pay for trail grooming and upkeep. S.F.

2802 author, Sen. Douglas Johnson (DFL-Cook), said there is a "critical shortage of money for snowmobile maintenance. 'It's an economic issue,' he told the committee, 'it puts money into the local economy and, through taxes, the state general fund.'"

The bill, which goes to the floor, calls on the department to work out a plan to use at least 65 percent of all money appropriated from the account for the grants-in-aid program, and to recommend additional funding sources.

Funding bill approved

The Finance Division of the Crime Prevention Committee approved its omnibus supplemental funding bill Weds., Feb. 21, and re-referred it to the full committee. Division Chair Tracy Beckman (DFL-Bricelyn) briefly highlighted the major points and changes of the proposal for members.

The division agreed to shift some allocations in the \$16 million package, Beckman said, to avoid creating new programs and to take advantage of already existing structures. The major change is the redirection of \$975,000 from the Dept. of Corrections to the Dept. of Public Safety. The bill moves the funds from the department's community based at-risk youth grants program and places them under the community crime reduction grants program, which is housed in the Dept. of Public Safety. Also placed under the community crime reduction grants program were \$100,000 from the youth neighborhood centers program, \$500,000 from the truancy service centers program and \$100,000 from the Hennepin County Community CD pilot program.

Amendments adopted included Sen. Thomas Neuville's (R-Northfield) proposal authorizing the commissioner of corrections to study the effectiveness of community notification programs and a provision that requires state colleges and universities to consider MNCORE products when purchasing school supplies. Sen. Gary Laidig's (R-Stillwater) amendment that authorizes expense reimbursement for members of the sexual assault advisory council was also adopted. Sen. David Knutson's (R-Burnsville) amendment allocating an \$80,000 appropriation to the Institute for Child and Adolescent Health, and \$100,000 to establish a pilot project in Dakota County for family group conferencing, was approved. The division also adopted Beckman's amendment that allows the Council on Black Minnesotans to spend grant money through June 30, 1997.

Committee update

Agriculture and Rural Development

Sustainable agriculture discussed

Sen. Steven Morse (DFL-Dakota) presented S.F. 2710, a plan to benefit rural Minnesota, at an Agriculture and Rural Development Committee meeting Weds., Feb. 21. "This puts into place a long-term approach to issues confronting rural Minnesota," Morse said. "It's a comprehensive strategy to work for the long-term."

Under the measure, the Minnesota Institute for Sustainable Agriculture must establish a framework for problem solving that connects members from rural communities and researchers from the University of Minnesota. The bill contains a \$16 million appropriation to the University to create an endowment fund for MISA.

The initiative's goal is threefold, Morse said, "good economic development, community development and environmental development."

Testifying in support of the bill were Loni Kemp, from the University, and Carmen Fernholz, a farmer and former chair of MISA. Kemp told members that frequently researchers are out of touch with the problems of rural Minnesota. "But this proposal brings together the community and the researchers from the get-go," Kemp said. "It's a systems approach," Fernholz added. "What affects the farm is going to affect the community."

Chair Roger Moe (DFL-Erskine) endorsed the project's long-term vision, but cautioned that funding for the initiative remains uncertain. The committee took no action on the bill.

Commerce and Consumer Protection

Agency bills approved

The Commerce and Consumer Protection Committee Thurs., Feb. 15, approved omnibus bills covering the Commerce Department and state financial institutions.

The financial bill, S.F. 2037, includes changes and additions to laws concerning consumer credit, financial institutions, and banking services. One provision permits electronic financial terminals operated as retail point-of-sale terminals, such as are found in some supermarkets, to give cardholder customers cash back and cash advances. The bill eliminates the requirement to pay interest on escrow accounts for mortgages made after July 1. It provides that credit life premiums must be calculated based on the actual unpaid principal balance.

Sponsor Sen. James Metzen (DFL-South St. Paul), said the bill includes a section that allows a type of loan known as a "quick loan" or "payday loan."

Jim Miller, with the Department of Commerce, told the committee these are loans made for a brief period carrying a high annual interest rate, which under current law may violate the state loan act. He said

the only benefit of allowing such loans is that they will "be done out in the open." Metzen said he is not happy with the higher rates, but at least they can be regulated. He said they do provide emergency funds for borrowers who may be unable to secure a loan from a traditional lender. The bill was sent to the Judiciary Committee.

The Commerce Department bill, S.F. 1915, includes changes in laws involving securities, real estate, and building contractors. The measure, sponsored by Sen. Edward Oliver (R-Deephaven), gives the commissioner authority to release and disclose investigative information involving licensees to self-regulatory organizations, repeals language requiring real estate agents to report their continuing education a month before license renewal, and clarifies that a bond required as a condition of licensing for abstractors is an annual bond rather than a continuous bond.

An amendment, offered by Sen. Deanna Wiener (DFL-Eagan) and approved by the committee, calls on the attorney general to study unclaimed property laws and recommend to the Legislature which strategies and enforcement tools can be used to improve the program's ability to collect and return unclaimed property. "There are millions of dollars in unclaimed property that needs to be returned to their owners," she said. The bill was sent to the full Senate for consideration.

The committee, chaired by Sen. Leonard Price (DFL-Woodbury), approved and sent to the floor S.F. 2372. The bill, sponsored by Sen. Sandra Pappas (DFL-St. Paul), requires notaries who are not attorneys, and who advertise in languages other than English, to post a notice in English and the other language, stating they are not an attorney. Pappas said "notary public" translates as "attorney" in some languages, and some non-English speaking people have been taken advantage of because of the misunderstanding.

Crime Prevention

Documentation bill okayed

The Crime Prevention Finance Division, chaired by Sen. Tracy Beckman (DFL-Bricelyn), approved a bill Thurs., Feb. 15, that requires courts, prosecutors and law enforcement agencies to provide certain documents to public defenders at no charge. Carried by Sen. Allan Spear (DFL-Mpls.), S.F. 2601 will be rolled into the omnibus crime prevention bill.

Dick Sherman, from the public defender's office, testified in support of the bill. He told members that it makes more sense to produce multiple copies of items at the outset, rather than copying records later and then billing the public defender for the copy.

Furthermore, the bill "spells out in greater detail what a document is," Sherman added. The proposal lists public documents as police reports, audio and videotapes, photographs, grand jury transcripts, transcripts of audio and videotapes, and in child protection

cases, reports prepared by local welfare agencies.

Merry Beckmann, representing the Association of Minnesota Counties, said that the association has no objection to the measure.

Appropriations reviewed

The Crime Prevention Division, chaired by Sen. Tracy Beckman (DFL-Bricelyn), began work on its omnibus crime prevention supplemental funding bill Tues., Feb. 20. The \$16 million recommendation includes a total appropriation of \$6.4 million to the Dept. of Public Safety, \$7.1 million to the Dept. of Corrections, \$200,000 to the Council on Black Minnesotans, \$200,000 to the Dept. of Children Families and Learning for violence prevention education grants and \$150,000 for a prison industry consultant.

Beckman told members that the package focuses on more and better policing efforts, with special attention directed at community-based prevention programs. "This isn't a knock 'em over the head approach," Beckman said, "but rather a preventative approach that focuses on working with juveniles."

The budget funds several initiatives including crisis nurseries, school liaison officers, and community notification programs. It also provides monies for background checks on individuals working with vulnerable adults and the Willmar Juvenile Treatment Center.

Sen. Dean Johnson (R-Willmar) testified in support of the one-time \$300,000 appropriation for the Willmar Treatment Center. Accompanying Johnson were Asst. Superintendent of the Willmar Schools, Kathryn Leedom, and CEO Greg Spartz of the Regional Treatment Center.

Leedom told members that the funding is targeted at unserved and underserved youths in the Willmar School District. The initiative resulted from more than four years of discussions and involved six state agencies, she said.

"The money will pay for 10 child guides," Leedom said, "a major prevention piece of the program." The guides provide "hands-on" direction to at-risk students, she said. "We can not abandon these youths."

Several amendments were adopted including Sen. Gene Merriam's (DFL-Coon Rapids) proposal specifying that the third DWI offense results in revocation of a driver's licence, irrespective of the order of occurrence and the type of vehicle driven, and Sen. Linda Berglin's (DFL-Mpls.) "Weed and Seed" program. Sen. Thomas Neuville's (R-Northfield) amendment to appropriate \$975,000 for community-based programming grants and \$1.5 million to hire 20 police officers for juvenile policing, was also adopted.

Education

Supplemental Budget Approved

The Higher Education Division Thurs., Feb. 15, approved a \$10-million supplement-

tal budget for the University of Minnesota and Minnesota State Colleges and Universities (MnSCU).

The budget appropriates the same amount -- \$3.297 million -- to each institution for it's highest priority. MnSCU wants funding for an "Electronic Academy," a plan to use technology in the classroom, including electronic curricula development, infrastructure upgrades, faculty training, and academic programs via distance learning. The University of Minnesota requests money to re-engineer health care education and to purchase information technology for the Academic Health Center.

The package includes \$2 million to increase the living and miscellaneous expense allowance under the State Grant Program.. A representative of the Minnesota Higher Education Services Office told the division the allowance has not changed since 1993, and that the increase would raise the yearly grant by \$35. The division approved spending \$170,000 to develop a statewide, on-line information system for libraries. The project would provide state residents with direct access to library catalogs and information resources. The budget includes \$50,000 to establish an applied research, design, and development center at Bemidji State University; \$150,000 to update electronic communications equipment used by instructors in six regional farm business management programs; and \$1 million for a joint project for distance learning. That appropriation would be split between the University of Minnesota and MnSCU, to enable them to develop and distribute learning resources and curricula, and to deliver the information via computer and the Internet.

Neither institution gets all it asked for. Division Chair Sen. LeRoy Stumpf (DFL-Thief River Falls), told members "we don't have much to work with, it's a meager amount of money."

The division rejected, on a motion by Sen. Lawrence Pogemiller (DFL-Mpls.), a recommendation from the governor's proposed higher education supplemental budget. The item, \$200,000 for a mentor program, provides after-school tutoring to Twin Cities students in grades four through eight.

Metro State campus discussed

The lease runs out next year at 730 Hennepin Ave., the building that houses Metro State University's Minneapolis campus. Sen. LeRoy Stumpf asked the Higher Education Division, at a brief meeting Tues., Feb. 20, to begin considering a new home for the university.

"If we do nothing, some decision is going to be made," said Stumpf. Stumpf suggests that Metro State move into the joint campus of Minneapolis Community and Technical College. He said this move would cause no more crowding on the joint campus than other state colleges and universities. Rochester has a similar combined campus, said Sen. Deanna Wiener (DFL-Eagan).

But Metro State President Susan Kohl said she believes a move to the community college campus would involve more than just sharing classroom space. The university, she said, is considering four sites: two downtown, one near Fair Oaks Park and the Minneapolis College of Art and Design, and another at the junction of Hiawatha Avenue and I-94. "The old Metro model of providing instruction over the corner drugstore really isn't appropriate any more," said Kohl.

Any decision about a new location for the Minneapolis Metro State campus would become part of the division's capital budget bill, Stumpf said.

Senators approved a bill from Sen. Dean Johnson (R-Willmar), authorizing an agreement between Willmar public schools and Minnesota State Colleges and Universities. S.F. 2265 authorizes a land transfer of seven acres from MnSCU to the school district. According to Johnson, the land is part of the technical college once operated by the school district. The district may want to build an Area Learning Center on the property. The bill will be rolled into the divisions's capital budget bill.

Higher ed bill okayed

The supplemental higher education bill, approved by the full Education Committee Tues., Feb. 20, fills just six pages and appropriates \$10 million to various public colleges, universities and related projects. "The appropriation is modest but the concepts that we're dealing with are very innovative and creative," said Committee Co-Chair LeRoy Stumpf (DFL-Thief River Falls). The bill was forwarded to the Finance Committee.

Nearly one-third of the money, \$3.3 million, goes to the University of Minnesota to redesign health science education. Stumpf said the appropriation is designed to coordinate with the proposed merger of the U of M hospital with the Fairview hospital system. Another \$3.4 million goes to increase technology use in the Minnesota State College and University system and \$2 million is dedicated to increasing the living and miscellaneous expense (LME) allowance for financial aid students. Stumpf says the money, an extra \$40 to all LME grant recipients in 1997, will help low-income students meet the rising costs of a college education.

Other spending includes \$1 million for a joint U of M and MnSCU distance learning project, \$150,000 for online computers at six regional U of M farm business management centers, \$170,000 for a statewide library online information system, \$50,000 to establish an an applied research center at Bemidji State.

Sen. Kenric Scheevel (R-Preston) moved to delete a section appropriating \$36,000 to help lawyers at nonprofit and tribal agencies pay back their student loans. "If we were experiencing a shortage of lawyers in this country, I'd be more inclined to support this," said Scheevel. "I think we do have a shortage of lawyers willing to work in the

area of poverty law," said Sen. Sandy Pappas (DFL-St. Paul). Lawyers must earn less than \$30,000 annually to qualify. Scheevel's motion failed.

Co-Chair Lawrence Pogemiller (DFL-Mpls.) presented, but did not ask for a vote on, an amendment condemning the University of Minnesota's intent to keep its steam plant on the banks of the Mississippi River. The university, he said, "doesn't have a clear understanding of how important the riverfront is to the future of our state."

Supplemental work continues

The Higher Education Division continued work Weds., Feb. 21, on capital budget allocations for the University of Minnesota and MnSCU.

Division Chair Sen. LeRoy Stumpf (DFL-Thief River Falls), said the spending target is around \$152 million, "close to the governor's target. I'm working under the assumption that we have flexibility," he said, "but we should list priorities." Figures given to division members put the schools' bonding requests to the Legislature well above that level. The University of Minnesota proposal totals \$273 million, MnSCU's request is \$141 million.

The division heard presentations from supporters of several proposals. Sen. Linda Berglin (DFL-Mpls.), spoke on behalf of land acquisition for a Metro State campus in Minneapolis. MnSCU is considering four possible sites in the Metro Area, and requests \$3.4 million for the purchase. The division also heard speakers in support of a parking lot project in Alexandria, a new facility for the University of Minnesota magnetic resonance imaging program, and architecture building renovation at the U of M.

The division began voting on non-appropriation items to include in the capital budget. One provision requests the board of trustees evaluate all buildings under its jurisdiction to determine their condition. Language added by Sen. Leonard Price (DFL-Woodbury), provides for evaluation of the energy efficiency of all major building systems. The division voted to let MnSCU buy an aviation management facility it leases for use by the Anoka Hennepin Technical College at the Anoka County airport. A provision was approved to require the University of Minnesota to prepare a list of buildings to be decommissioned before it receives money to renovate existing classrooms and instructional spaces.

Environment and Natural Resources

Trail aid approved

The Environment and Natural Resources Finance Division Thurs., Feb. 15, approved an appropriation to address what snowmobile enthusiasts call a "terrible crisis."

Under S.F. 2802, sponsored by Sen. Douglas Johnson (DFL-Cook), \$600,000 is transferred from the snowmobile trails and enforcement account to the commissioner of

Committee update

natural resources for snowmobile grants-in-aid, effective the day following final enactment.

Doug Franzen, representing the Minnesota United Snowmobile Association, told the division the current grant fund is empty and some trails will shut down without additional revenue. "We regard this as a terrible crisis," he said. Tom Danger, trail recreation supervisor, Department of Natural Resources, said the additional funding will "get us through the rest of the season." Sen. Bob Lessard (DFL-Int'l. Falls), said he will introduce legislation for longer-term funding for trail upkeep, because the trails are a major economic factor in northern Minnesota.

The division also approved S.F. 2167, sponsored by Chair Steven Morse (DFL-Dakota). The bill changes a provision of the emergency deterrent materials assistance program, which provides compensation for the destruction of specialty crops by wild animals. The program allows a one-time payment of up to \$3,000 to pay for fencing or repellent or other damage-reducing items and measures. Under the bill, a person can apply on more than one occasion, although the monetary limit is unchanged. Both bills were sent to the Environment and Natural Resources Committee.

S.F. 2167 was laid on the table on a motion by the bill's author, Sen. Charles Berg (DFL-Chokio). The measure sets up a crop damage account, funded by a \$1 surcharge on deer licenses, to compensate for crop losses caused by deer or waterfowl.

The division heard a report from the Department of Natural Resources on a pilot project for implementing a sustainable, multiple-use natural resource management system based on appropriate natural resource boundaries. The report is required under 1995 legislation calling on the commissioner to develop a plan for managing ecosystems.

The division heard, and held over, several other bills. Morse said he wanted to get a better perspective on the division budget before deciding on appropriations.

Riverfront bill tabled

A bill prohibiting the development of a metal shredding facility and a steam plant for the University of Minnesota on the banks of the Mississippi River stalled during a hearing in the Environment and Natural Resources Committee. The panel, chaired by Sen. Bob Lessard (DFL-Int'l. Falls), laid S.F. 2390 on the table after a lengthy discussion on a Fri., Feb. 16, meeting.

Sen. Lawrence Pogemiller (DFL-Mpls.), chief author of the measure, opened the discussion by describing the matter as "a land use issue" and said the bill "strikes a balance between individual rights and community rights." Pogemiller explained to panel members that much of the development in recent years has been to restore the scenic and recreational uses of the riverfront area.

Sen. Steve Morse (DFL-Dakota) noted a provision in the bill that excluded the university from the prohibition if the Legislature did not authorize the sale of bonds for a steam plant elsewhere. "Why is there no compensation for the private entity like there is for the university," Morse asked. Morse then offered an amendment to broaden the prohibition to any heavy industrial development, instead of the steam and shredding facilities. The amendment failed on a voice vote. Morse then successfully moved to delete the shredder from the development prohibition. Sen. Harold "Skip" Finn (DFL-Cass Lake) then attempted to reinstate an amended version of the shredder prohibition, but encountered drafting difficulties. Sen. Charles Berg moved to lay the bill on the table. The motion prevailed.

Earlier, the committee acted on a bill arising from a fatal collision in which an eight year old child was driving a 175 horsepower motor boat. H.F. 2834, carried by Sen. Janet Johnson (DFL-North Branch), prohibits children under age 12 from operating boats with motors in excess of 75 horsepower, but allows them to operate a boat with a motor between 30 and 75 horsepower if an adult is within immediate reach of the controls. The bill further allows children between the ages of 12 and 16 to operate boats over 30 horsepower if they have a permit, but removes the allowance for children under 13 to operate personal watercraft if accompanied by an adult. Merriam offered an amendment making the new regulations effective May 1, 1996, which the committee adopted. The bill was recommended to pass and sent to the Senate floor.

Sen. Steve Murphy (DFL-Red Wing) presented another bill that generated considerable discussion. The bill, H.F. 2411, amends the trespass laws covering outdoor recreational activities. Murphy said the measure is aimed at "slob hunters." According to Mike Grupa of the Dept. of Natural Resources (DNR), a hunter must first get permission from a land occupant to retrieve wounded game if the occupant has posted a "no trespassing" sign. Sen. Charles Berg (DFL-Chokio) was concerned that a hunter may be forced to violate the "wanton waste" prohibition if they can't contact the land occupant. Grupa explained that in that case, a hunter could contact the sheriff to get trespass permission. Grupa further explained that the bill provides for alternative civil penalties in illegal trespass cases instead of requiring prosecution in District Court. Hunters should "scout the land ahead of time and develop a relationship with the land owner," Grupa advised. The committee made some technical amendments and advanced the bill to the full senate.

Sen. Dennis Frederickson (R-New Ulm) presented three bills for the committee's consideration. The first, H.F. 2276, authorizes the Board of Water and Soil

Resources (BWSR) to accept gifts and grants to accomplish authorized purposes. Ron Harnack, BWSR executive director, said the bill gives the board power to do what they've done all along. Another bill, S.F. 2208, allows watershed districts to collect fees to finance stormwater facilities. Harnack said the bill gives watershed districts the same authority as any other local unit of government to collect the fees. The establishment of a joint powers board to coordinate water quality improvement efforts in the Minnesota River Basin is authorized in Frederickson's third bill, S.F. 2203. Frederickson then took up H.F. 2125. The measure repeals parts of some Pollution Control Agency rules on air quality and wastewater treatment, but was tabled at a previous meeting because of potential executive and legislative conflict issues raised by Merriam. Frederickson offered an amendment designed to avoid those problems and the committee adopted it. All four bills received the panel's endorsement. H.F. 2276 was re-referred to the Finance Committee, and the other bills were sent to the full Senate.

The committee took action on three bills authored by Sen. Gary Laidig (R-Stillwater). One bill, S.F. 1905, makes additions and deletions to several state parks. Bill Morrissey, parks and recreation division director for the DNR, described each of the parcels to committee members. One particular addition involved the purchase of land from the city of Little Falls for addition to the Charles A. Lindbergh state park. Frederickson offered amendments to add parcels to Lac Qui Parle and William O'Brien state parks; the amendments were adopted. Frederickson then moved to recommend passage of the bill and the committee consented.

Another bill, H.F. 2332, makes technical amendments to the PCA's water permitting process and ratifies the permit granted to the Koch Refining Company of Rosemount. The specific reference to Koch was removed when Merriam reminded committee members of a state constitutional prohibition on such legislation. Morse moved to recommend passage of the bill as amended and the panel adopted the motion.

The committee then took from the table S.F. 2376, a bill modifying state land transfer procedures. Merriam offered an amendment correcting technical errors in the bill. The amendment was adopted and the bill sent to the Senate floor.

Approval was given to two bills authored by Morse. The first, S.F. 2114, amends Reinvest in Minnesota provisions for wetland restoration projects. The other, S.F. 2172, establishes performance audits for the petroleum tank release cleanup reimbursement program in the Dept. of Commerce. Both bills were re-referred to the Finance Committee.

Other committee considerations included a bill by Sen. Paula Hanson (DFL-Ham Lake), H.F. 2149, requiring a representative

of organized labor on the PCA citizens board. The committee granted approval and advanced it to the Senate floor. Sen. Douglas Johnson (DFL-Cook) sponsored S.F. 2802, providing a \$600,000 appropriation for snowmobile trail maintenance. The panel approved the measure and forwarded it to the Finance Committee. The committee also sent S.F. 2219 to the Finance Committee with a recommendation for passage. The measure, sponsored by Sen. James Metzen (DFL-South St. Paul), contains a provision raising state government recycling goals.

Division hears bonding requests

The Finance Division of the Environment and Natural Resources Committee heard requests for bonding proceeds at a Mon., Feb. 19, meeting. The division, chaired by Sen. Steven Morse (DFL-Dakota), heard presentations for a new Science Museum of Minnesota in St. Paul, and for a proposed Lake Superior Center in Duluth.

The division first heard S.F. 2403, sponsored by Sen. Richard Cohen (DFL-St. Paul), a bill appropriating \$33.8 million from the bond proceeds fund to design, construct and furnish a new science building on the Mississippi riverfront. According to Science Museum president Jim Peterson, a single appropriation should be sufficient. "We'll have to earn more of our own way," Peterson said, indicating future appropriations for operational expenses should be unnecessary. Sen. Harold "Skip" Finn (DFL-Cass Lake) asked if a phased development had been considered. Peterson responded it had, but wouldn't work because of the proposed location. The new facility would have to all be built in a single process, and couldn't be added to later, according to Peterson. The division took no immediate action on the bill, but planned to put bonding allocations together later in the week.

The division also discussed a \$20 million bonding request for the Lake Superior Center in Duluth. Morse informed division members that the total cost of the project is \$30 million. Sen. Phil Riveness (DFL-Bloomington) commented that most bonding projects aimed for a 50 percent split between state and other funding sources, and asked why the state was being asked to pick up two-thirds of the cost. Cindy Hagen of the center, said Duluth had a small population base, and could not generate half of the funding. Riveness responded that the center is regional and suggested some of the larger corporations in the area should be solicited for contributions. Duluth mayor Gary Doty later testified that the city committed \$5 million in funding for the project. The division also delayed action on the Lake Superior Center request.

Metro parks bonding heard

The Environment and Natural Resources Finance Division heard a \$15.5 million bonding request for metropolitan regional parks at a Weds., Feb. 21, meeting. The

request is contained in S.F. 2128, carried by Sen. Gene Merriam (DFL-Coon Rapids).

Edward Gale, of the Metropolitan Parks and Open Space Commission, said the state bonding request accounts for 60 per cent of the total cost. Division Chair Steven Morse (DFL-Dakota) asked why the state was being asked to pick up more than half of the cost. Gale explained that 75 per cent of park users come from the Metro Area, and approximately half of state revenues come from the Metro Area. Thus, half of the 60 per cent state share, in addition to the 40 per cent metro share results in Metro Area residents paying about 75 per cent of the costs. Merriam said the metropolitan regional parks serve the same function as state parks do in greater Minnesota, and thus the state funding is justified.

Family Services

Welfare reform reviewed

The Family Services Committee began work on a bill that makes changes to the state's welfare program Thurs., Feb. 15. "It combines the MNJOBS program with other welfare changes," said author Don Samuelson (DFL-Brainerd), of S.F. 2347.

Besides establishing the Minnesota Jobs initiative, a front-end effort to get public assistance recipients into the job market, the bill contains a provision that requires recipients to begin looking for work within 30 days of their initial employment development interview. "The bill emphasizes work," Samuelson said. He told the committee that many of the provisions were brought to him by the Dept. of Human Services, but acknowledged that some groups have pending concerns. "I'm sure there will be more changes," Samuelson said, "but what we have here is a reasonable package."

The package requires that both parents of a household look for employment; but in families with children under the age of three, one caregiver is exempt from the rule. Exceptions are also allowed for individuals 60 years of age or older and persons experiencing a personal or family crisis. Furthermore, the measure imposes sanctions, such as a reduction in financial assistance, for failure to comply with program rules.

Witnesses from Anoka County testified in support of the bill. Commissioner Margaret Langfeld said that the proposal breaks down some of the current barriers to employment. "Most people who are on welfare don't want to be," she said, "and we believe this bill can help lift them out of poverty." Jerry Vitzthum told members that the measure "concentrates on moving people into work quickly" and Commissioner Paul McCarron said that the bill provides a legal framework to assure that concentrated and concerted job seeking efforts are made.

Several persons spoke against the bill, including Deb Konechne, Debra Francis and Linden Gawboy, all from the Welfare Rights Committee. Long Vu, from ACORN, also opposed the measure. Vu said that the bill

benefits employers, not employees.

"This is a hoax, a smokescreen for what's going on with the economy," Konechne said of the bill and the MNJOBS program. Calling the program "slave labor," Konechne said that in light of the possible federal changes, it is nonsensical to initiate reform at this time.

After considerable debate, members adopted an amendment offered by Chair Pat Piper (DFL-Austin). Piper's proposal raises the time limit that MNJOBS participants can attend college or community college from one to two years.

Also adopted was Sen. Martha Robertson's (R-Minnetonka) amendment that stiffens sanctions against caregivers who fail to comply with the terms of the family support agreement. Robertson's amendment specifies that a person who terminates employment without good cause, is subject to sanctions.

Sen. Linda Berglin's (DFL-Mpls.) amendment to give MNJOBS participation priority to individuals who are already on the STRIDE waiting list, was also adopted and the bill was laid over. The committee expects to continue working on S.F. 2347 at a later meeting.

Welfare bill approved

A measure that changes Minnesota's welfare program, S.F. 2347, was endorsed by the Family Services Committee Fri., Feb. 16. The committee, chaired by Sen. Pat Piper (DFL-Austin), re-referred Sen. Don Samuelson's (DFL-Brainerd) proposal to the Finance Committee.

Testifying on the bill were Aviva Breen, from the Commission on the Economic Status of Women; Shawn Fremstad from Legal Services; Susal Stebbins from the Minnesota chapter of the National Organization of Women; and Kim DeFranco from the Welfare Rights Committee.

Before members moved the bill out, however, an amendment establishing a 30 day residency requirement for recipients of AFDC and general assistance, was adopted. Sen. Sheila Kiscaden's (R-Rochester) provision exempts some individuals from the residency requirement and allows the county agency to waive the requirement in cases of unusual hardship. "This is a way to be compassionate and provide services for people in need," Kiscaden said, "and yet at the same time, not be a draw." Kiscaden told members that there is a perception among Minnesotans that the state's welfare system attracts individuals from neighboring states.

Sen. Phil Riveness (DFL-Bloomington) supported Kiscaden's measure and argued that counties should be allowed flexibility in determining who receives financial assistance. "This modest requirement is a small gesture to demonstrate to the public that this state isn't a mecca" for easy welfare benefits.

Other members expressed concern about workers who move to the state on promises of employment. "There are many instances

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when people are brought here, promised jobs, and things go wrong," Piper said. "Things happen that are out of their control."

Other amendments adopted include Piper's provision that exempts a STRIDE participant from mandatory participation in the MNJOBS program. To qualify for the exemption, the individual must be making satisfactory progress toward completing goals outlined in his or her employment development plan.

Sen. Mark Ourada's (R-Buffalo) amendment that requires the commissioner of human services to study the feasibility of including the incomes of all adults living in an AFDC household when determining a family's eligibility for assistance, was also adopted by the committee.

Omnibus bill approved

During a brief meeting, Tues, Feb. 20, the Family Services Committee approved the Health Care and Family Services Division report and began discussion of S.F. 2308, the health and family services omnibus bill. Sen. Don Samuelson (DLF-Brainerd) presented the report to the committee, as "a people bill." "If you are looking for a proposal to fund systems and add bureaucracy, this bill will fall short. Of all the bills I have dealt with over the years, this upholds some of the highest standards," said Samuelson.

Sen. Sheila Kiscaden (R-Rochester) said she did not feel the division gave the Department of Human Services clear direction on methods of dealing with federal cuts. "Some of us feel that we haven't gone far enough. As this bill goes through floor debate, I hope members realize that we may have missed an opportunity," said Kiscaden.

The health care and family services omnibus bill approved by the division contains \$20 million in appropriations. Of this amount, \$600,000 was appropriated for senior nutrition programs, \$477,000 for ICF/MR buybacks, and \$9,671,000 to delay PCA/TEFRA changes until July 1, 1997. The approval of a bill to establish county based Prepaid Medical Assistance Program demonstration programs led to a \$82,520,000 savings under General Assistance Medical Care Grants. Additionally, adult day care grants received an appropriation of \$350,000.

Several bills are folded into S.F. 2308, including S.F. 257, a rider for senior programs; S.F. 659, a bill requiring the establishment of a birth defect registry system; S.F. 1729, an assessment request for an alternative medicine study; S.F. 1855, modifying nursing facility reimbursements; S.F. 1878, allowing nursing home rate exceptions; S.F. 1880, expanding adult day care services; S.F. 1950, S.F. 1989, a rider providing for senior nutrition programs; S.F. 1994, an assessment request for infant hearing loss screening; S.F. 2025, the DHS health care bill; S.F. 2074, a bill relating to ICF/MR crisis services; S.F. 2080, an assessment request for prostate cancer

screening; S.F. 2102, a bill relating to telemedicine; S.F. 2177, pertaining to SS income/child support disregards; S.F. 2244, clarifying and suspending ICF/MR rates; S.F. 2249, a bill related to TEFRA screening; S.F. 2264, dealing with PMAP delay and county demonstration project; S.F. 2311, requiring an assessment of mandatory benefits; S.F. 2316, delaying PCA/TEFRA changes to July 1, 1997 and S.F. 2732, a rider for adult mental health for deaf and hard of hearing outreach grants. Members approved S.F. 2308 and re-referred it to the Finance Committee.

Finance

Supplemental spending approved

The Finance Committee State Government Division approved a supplemental budget bill Tues. evening Feb. 20, that Division Chair Sen. Richard Cohen (DFL-St. Paul), calls "fairly difficult and very limited."

All but \$300,000 of the \$5.785 million appropriation goes to the Department of Finance for maintenance of statewide financial operating systems. The rest is earmarked for the Department of Human Rights.

Cohen, who authored the bill, noted the total is well below both the \$20 million in the governor's proposed supplemental budget, and the \$12 million the Department of Finance requested.

Laura King, commissioner, Department of Finance, said she has "significant concerns" over the division budget. She said it puts the department in a "difficult dilemma," and urged the division to approve an amendment, sponsored by Sen. Thomas Neuville (R-Northfield), that permits the department to charge state agencies for some services, such as specific reports and computer runs, that are not part of the department's usual duties. She said the proposal is a balance between the Legislature's need to hold down spending and her department's need to get the new operating systems running efficiently. The amendment was approved the committee approved changes proposed by Sen. Gene Merriam (DFL-Coon Rapids), who said he was disturbed over the plan's open appropriation and lack of legislative oversight. His amendment removes the "Legislature" from those agencies and bodies subject to the charge, and limits collections to \$8.5 million, and to 1997 only.

The \$300,000 appropriation for the Department of Human Rights goes to reduce case backlog and to fund an alternative dispute resolution program. The bill makes \$100,000 available July 1, if the commissioner establishes procedures to investigate and process charges as required in state statutes. Another \$100,000 is available September 1, if the commissioner has in place a plan to screen cases. The final \$100,000 is distributed Jan. 1, 1997, if the number of open cases is less than 1,600. The measure eliminates such appropriations in future years if the requirements are not

met. Cohen said the extra money is dependent upon the department meeting goals, something he called "a carrot, rather than a stick."

David Beaulieu, commissioner, Department of Human Rights, said he agrees reducing the backlog of cases is important, but told the division the language of the bill keeps the department from addressing the "issue of timeliness."

The division also accepted a Merriam amendment that requires the governor to submit to the Legislature a recommended general fund spending plan for the next two biennia. Merriam said the provision requires expenditure targets not to exceed revenue targets. King said she is "delighted" by the action, noting the governor supports long-term planning. She said "it gives us a multi-year horizon to think about multi-year expenditures and revenues." The bill, as amended, was sent to the Finance Committee.

Capital budget requests heard

The Finance Capital Budget Subcommittee, chaired by Sen. Phil Riveness (DFL-Bloomington), met Mon., Feb. 19, Tues., Feb. 20, and Weds., Feb. 21, to hear overview presentations by various state agencies on the agencies capital budget requests. Capital budget items are the "bricks and mortar" building and renovation needs of the departments. Members also heard an overview of S.F. 2297, authored by Sen. James Metzen (DFL-South St. Paul), the "mighty ducks" bill and S.F. 2004, authored by Sen. Ted Mondale (DFL-St. Louis Park), the proposal for a metro-wide public safety radio system. Deliberations on the capital budget will continue.

Gaming Regulation

Appointments approved

Gubernatorial appointments to two gambling regulatory bodies were recommended for confirmation by the Gaming Regulation Committee at a Weds., Feb. 21, meeting. The committee heard the appointments of Connie Churchill and John C. Farrell as new members of the Minnesota Racing Commission and reappointment of Carol Connolly, Mark J. Custer and James H. Filkins to the commission. Sen. Dean Johnson (R-Willmar) moved to recommend confirmation and the committee gave unanimous approval.

The other appointments heard were Dennis Flaherty and Howard Register to the Gambling Control Board. Sen. Kenric Scheevel (R-Preston) moved for a confirmation recommendation which also received unanimous approval.

Governmental Operations and Veterans

Pension bills approved

The Governmental Operations and Veterans Committee met Thurs. evening, Feb. 15, to review four pension bills.

Executive Director Lawrence Martin of the Legislative Commission on Pensions and Retirements was on hand to answer questions pertaining to the bills. Members approved all four measures and sent S.F. 2126 and S.F. 2461 to the full Senate.

S.F. 2126, the omnibus local pension bill, modifies retirement benefits for public safety employees of Minneapolis, St. Paul, Richfield, Austin, Norwood and Young America. Authored by Sen. Steven Morse (DFL-Dakota), the measure also allows transfer of employee retirement benefits of the Itasca County Medical Center to a public corporation. Changes affecting the Minneapolis Fire Department Relief Association include a reduction of the vesting period from 20 to 5 years and an increase in the time frame allowed for filing disability claims to 90 days. The proposal also increases disability and survivor benefits for members of the Richfield Fire Relief Association and clarifies eligibility and amounts of survivor benefits for the Austin Fire Relief Association. Lastly, S.F. 2126 permits the cities of Norwood and Young America to consolidate their relief associations in conjunction with their municipal consolidations.

Sen. Lawrence Pogemiller's (DFL-Mpls.) bill, S.F. 2461, permits members of the Minneapolis Teacher Retirement Fund Association to purchase MTRFA service credit for prior out-of-state public school employment. Pogemiller told the committee that there are no added financial liabilities to MTRFA because the purchaser pays the full actuarial value.

S.F. 820, carried by Chair James Metzen (DFL-South St. Paul), expands the membership of the Correctional Retirement Plan to include special teachers. "This is a fairness issue," Metzen said. "These teachers are working in the same environment as the guards and should be given the same benefits." Members approved the measure and re-referred it to the Crime Prevention Division.

S.F. 2048, Sen. Phil Riveness' (DFL-Bloomington) omnibus general retirement bill, was re-referred to the Finance Committee. The measure includes an amendment, offered by Morse, that reapportions fire state aid to municipalities and relief associations. An amendment, proposed by Metzen, that expands the list of financial vehicles that pension plans may purchase to include asset backed securities, was also adopted. The securities must be rated in the top four categories by a nationally recognized rating agency to qualify for pension investments.

Contract ratification bill okayed

The Governmental Operations and Veterans Committee, chaired by Sen. James Metzen (DFL-St. Paul), held its last hearing to consider bills Fri., Feb. 16. Members worked through a lengthy agenda that included a bill ratifying the contracts reached between various bargaining units and the state. S.F. 2457, carried by Sen. Carol Flynn (DFL-Mpls.), ratifies actions by

the Legislative Coordinating Commission Joint Subcommittee on Employee Relations. Debate on the bill centered on an amendment, offered by Sen. Deanna Weiner (DFL-Eagan), that changed the salary of the director of the Higher Education Services Office. Members questioned whether naming a specific salary brought the provision into conflict with a separate bill outlining salary ranges for state agency heads, judges and constitutional officers. An amendment to the amendment, tying the salary to the level of the commissioner of administration, was adopted. The amendment was adopted and the bill was approved and re-referred to the Finance Committee.

A bill, S.F. 918, authored by Weiner, abolishing the office of the State Treasurer, also sparked debate. The measure proposes a constitutional amendment to have voters decide on eliminating the office. Under the bill, the functions of the office are assumed by the Dept. of Finance. Members amended the proposal to delete a provision that the lieutenant governor serve on the State Board of Investment along with the governor, state auditor, secretary of state and attorney general. The bill was advanced to the Rules and Administration Committee.

Three additional measures were approved and advanced to the Finance Committee. S.F. 2810, authored by Sen. Tracy Beckman (DFL-Bricelyn), provides bonding for a grant to FarmAmerica. S.F. 2143, sponsored by Sen. Steve Murphy (DFL-Red Wing), removes mandates from higher education and requires increased accountability and performance for funding. S.F. 2684, also authored by Murphy, requires the refund of the fee for a drivers license if the applicant doesn't receive the license within six weeks. The measure originally required the Legislative Audit Commission to study the drivers license and identification card program, but an amendment deleted the requirement from the bill.

Members also approved several additional bills. S.F. 2503, authored by Sen. Leonard Price (DFL-Woodbury), recodifies, modifies and expands provisions relating to the regulation and management of harmful exotic species. H.F. 2310, carried by Sen. Dallas Sams (DFL-Staples), makes technical clarifying changes in provisions relating Emergency Medical Services Regulatory Board. S.F. 1861, carried by Sen. Janet Johnson (DFL-North Branch), makes technical changes to provisions relating to the management of waste and solid waste assessments and taxes. H.F. 2152, carried by Sen. Mark Ourada (R-Buffalo), makes changes to a highway service sign program for business directional signage on state trunk highways. A provision exempting the program from rulemaking was deleted from the bill. S.F. 2818, authored by Sen. John Hottinger (DFL-Mankato), establishing a commission to conduct discussions with Indian tribal governments on gaming and other issues was amended to alter the membership of the proposed commission. All five measures were advanced to the full Senate.

A bill requiring legislative advice and consent on all rules proposed for adoption during the month of December in 1995, was laid over for interim study. According to Hottinger, chief author of S.F. 2680, he introduced the bill because some 300 pages of new rules were published in the State Register during the last two weeks before new rulemaking procedures became effective. Hottinger said the measure was intended primarily initiating discussions on the rule making process.

Health Care

Hospital merger discussed

The Health Care Committee met Thurs., Feb. 15, to hear testimony on the Fairview/University of Minnesota Hospital merger. Tom Beer of the American Federation of State, County, and Municipal Employees (AFSCME) presented an analysis of the takeover.

AFSCME represents 1,100 workers at University of Minnesota Hospital and Clinics (UMHC), said Beer. The process of exploring options and deciding the fate of the state-owned complex of health institutions should be a public process open to all stakeholders, he said. Beers outlined a report, prepared by AFSCME, presenting alternative models of public and teaching hospitals teaming up with other health care providers that do not result in the takeover of the university hospital, loss of autonomy, and no financial return that the Fairview deal would mean for UMHC.

Among the recommendations presented in the report are joint ventures instead of a takeover, greater autonomy to contract with managed care plans, public-private partnerships with public oversight and lease and management agreements. The report outlines other recommendations which include slowing down the takeover process and allowing public involvement in the decision, as well as holding all workers harmless should the Fairview takeover go through as planned.

Committee members also discussed several bills that were referred back from the Health Care and Family Service Finance Division. Three of the bills were approved by the committee and referred to the Senate floor. S.F. 1951, authored by Sen. Don Samuelson (DFL-Brainerd) adds provisions to contractual alternative payment demonstration for nursing homes. Two bills authored by the chair of the committee, Sen. Linda Berglin (DFL-Mpls.) were included in those sent to the floor. S.F. 1662 requires retail establishments to post signs warning of the dangers of alcohol consumption by pregnant women. S.F. 1881, limits the burial expense exclusion to \$5,000 and prohibits asset transfers within 60 months of application for Medical Assistance.

The committee also concluded debated on S.F. 2008, a bill presented by Sen. Don Betzold (DFL-Fridley), requiring every health plan that provides maternity benefits to provide coverage of a minimum of 48

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hours of inpatient care following a vaginal delivery and 96 hours of inpatient care following a cesarean section for the mother and her newborn. Members approved the bill and sent it to the Senate floor.

Final policy meeting

During its final policy committee meeting, the Health Care Committee debated and approved eight bills Fri. Feb. 16. Discussion began with S.F. 2023, presented by Sen. John Hottinger (DFL-Mankato). S.F. 2023 is a bill requiring a health plan company to offer a point-of-service product in each market in which it operates. The bill promotes consumer choice, said Hottinger, by allowing access to health care services outside of a network. Under the bill, health plan companies operating in either the small or large employers markets are required to offer at least one point of service option. The bill was approved and sent to the Senate floor.

A bill relating to speech-language pathologists and audiologists was presented by Sen. Dallas Sams (DFL-Staples). H.F. 2340 repeals unneeded rules and codifies remaining sections that are currently regulated by the Department of Health through administrative rule. The bill defines practices, special titles and criteria set forth by the Department of Health as well as continuing education requirements. The bill provides for the registration of speech language pathologists and audiologists. The bill was approved and sent to the Senate floor.

Sen. Linda Berglin (DFL-Mpls.), chair of the committee, sponsored H.F. 2190, a bill repealing a provision that directed the commissioners of health and commerce to draft proposed legislation to recodify, simplify and standardize all statutes, rules, and regulatory requirements and procedures relating to health plan companies. The bill was approved and sent to the Senate floor.

S.F. 1944, another bill authored by Berglin, expands licensure categories under current law for home care providers and housing with services establishments. An amendment, offered by Sen. Don Kramer (R-Brooklyn Center), clarifies that individuals applying for a class C home care license may continue to provide services during the application process. While there is no regulation presently in law preventing those applying for licensure from providing services, the amendment simply puts the language into statute. The amendment was adopted. Committee members approved S.F. 1944 and sent the bill to the Senate floor.

Sen. Sam Solon (DFL-Duluth) presented S.F. 891, a bill establishing a board to maintain licensing qualifications for professional counselors. Walter Roberts, assistant professor of counseling at Mankato University, testified on behalf of the bill, saying that it provided for greater consumer protection. Currently, Roberts said, there is little regulation for education and training of professional counselors. Discussion among members turned to the benefits of licensure

over registration. Senate counsel said that licensure prohibits the practice or use of the professional counselor title unless licensed. Regulation simply restricts the use of a title, but does not prohibit practice. The registered individual could still perform functions of a professional counselor, but refer to their profession with a different title, said counsel.

An amendment, offered by Berglin repeals statutes that regulate unlicensed mental health professionals. The amendment requires anyone newly entering the field of mental health counseling to have a professional license in counseling, social work, marriage and family therapy, psychology. A license to provide mental health services through nursing or physicians responsibilities is also accepted. The amendment does not allow those anyone without such a license, except clergy members, to provide services. The amendment was adopted and the bill was sent to the Finance Committee.

Committee members also approved S.F. 1949, bill establishing an alternative payment demonstration project for intermediate care facilities for persons with mental retardation (ICF/MRs). The bill limits the demonstration project to 40 facilities or less, said sponsor, Sen. Dallas Sams (DFL-Staples). Under the demonstration project, ICF/MRs are given the opportunity to contract with the state for rate payments. The commissioner of human services may negotiate different contract terms for different services provided in the facilities, said Sams. Under the bill, contracts may be executed beginning October 1, 1996. The bill was sent to the Health Care and Family Services Finance Division.

Sen. Kramer sponsored S.F. 2540, a bill to change the date by which the commissioner of administration must present recommendations on private sector administration of the MinnesotaCare program to the legislature. Berglin questioned whether studying the privatization of MinnesotaCare makes any sense with the possible integration of MinnesotaCare, Medical Assistance and General Assistance Medical Care (GAMC). The bill was amended to require the commissioner to consider the possible integration of the three programs as well as the need for federal waivers. Committee members referred the bill to the Senate floor.

A mandate for health insurance coverage of treatment for Lyme disease was put forth in S.F. 221, a bill sponsored by Sens. Florian Chimielewski (DFL-Sturgeon Lake) and Samuelson. The bill prohibits the application of special deductibles, copayments, waiting periods or other special restrictions that the health plan does not apply to nonpreventative treatment in general. Don Sawyer, president of the Lyme Disease Coalition explained that patients being treated with required antibiotics are not always cured. Insurance companies will no longer be able to deny continued treatment, or make coverage very difficult to obtain, as has been done under current law. The bill

was amended to include pediatric preventative services from birth to age 18. Committee members approved the bill and sent it to the Senate floor.

The final bill presented was S.F. 1927, a bill requiring managed care organizations to file a biennial plan relating to the achievement of public health goals beginning October 31, 1997. Aside from several technical amendments to current law, the bill, sponsored by Kiscaden, also requires the commissioner of health to establish a trust fund for the purpose of funding medical education and research activities in the state of Minnesota. The bill was approved and sent to the Senate floor.

Public speaks on budget

Public testimony was heard by the Health Care and Family Services Finance Division on many health and human services supplemental budget provisions. The meeting, held Fri., Feb. 16, consisted only of testimony. No votes were taken by committee members.

Several individuals testified on behalf of reinstating Personal Care Assistant (PCA) services. Mary Butler, a woman whose daughter is disabled, testified with a goal of reinstating PCA services for those who cannot provide their own care. Butler asked the committee to consider the cuts proposed and the impact on individuals who rely on these services. Leah Welch from Independent Crossroads also testified for reinstating PCA hours, stating that the program is cost effective because it limits state spending in other areas of care. The PCA hours, Welch said, have been cut down to the bare minimum.

Vicki Anderson of the Early Identification for Hearing Loss Work Group spoke on behalf of Sen. Warren Limmer's (R-Maple Grove) bill, S.F. 1994. The bill requires every newborn infant to be screened for hearing loss unless the parent objects on religious grounds. Anderson said that lack of testing leads to spending in education costs to help children catch up in school. Anderson also addressed concerns that the testing would be costly in rural areas. She said that community networks in these areas would make implementation very easy in those areas. Audiologist Dr. Lisa Hunter testified that often children are identified as having hearing loss through pre-school screenings. At this point, said Hunter, there is already a problem. A system is needed to establish the identification earlier, she said.

Dr. Elizabeth Ross from the University of Minnesota, Department of Neurology, spoke on behalf of Sen. Linda Berglin's (DFL-Mpls.) bill to establish a birth defects registry. S.F. 659 requires the commissioner of health to develop a statewide birth defects registry system providing for the collection, analysis and dissemination of birth defects information.

Omnibus bill developed

The Health Care and Family Service Finance Division began work on its omnibus

bill Mon. Feb. 19. Committee Chair, Sen. Don Samuelson (DFL-Brainerd), began the meeting by discussing a preliminary proposal.

Discussion of riders and amendments to the proposal began with an amendment offered by Sen. Sheila Kiscaden (R-Rochester). The amendment allows the commissioner of human services to waive the recovery of up to \$250,000 of receivership costs incurred during a Department of Health receivership of a nursing home. Sen. Linda Berglin (DFL-Mpls.) said that the nursing home has a purchase agreement with a contingency clause, allowing the state to waive the receivership fees. Riders should not have fiscal ramifications, Berglin said. The amendment failed.

Members adopted an amendment, offered by Berglin, to appropriate \$240,000 in FY 97 for an HIV/AIDS drug reimbursement program. Berglin said that several new drugs and treatments have been developed, many of which will extend the lives of individuals who receive help from the Medical Assistance (MA) program. The money will include new drugs in the program, she said.

Sen. Phil Riveness (DFL-Bloomington) offered an amendment including telemedicine devices as a service covered under alternative care. The devices monitor recipients in their own homes as an alternative to hospital care, nursing home care, or home visits. The amendment was adopted.

Members also adopted an amendment, offered by Kiscaden, that defines a mandated health benefit proposal and establishes a health coverage mandate assessment process. The amendment permits the chairs of standing committees with jurisdiction over a mandated health benefit proposal to request the commissioner to complete an assessment of the proposal prior to any committee action. The amendment requires the commissioner to conduct an assessment of each mandated health benefit proposal selected for assessment and submit a report to the Legislature no later than 180 days after the request. The purpose of the evaluation process is to provide better information to the Legislature about the impact of a proposed mandate on health care costs, quality and access before the Legislature acts, said Kiscaden.

Rider language for appropriations to this amendment was also approved. The language, offered by Kiscaden, included a \$30,000 appropriation in FY 97 to administer the review process. The commissioner of health, the commissioner of commerce, or both, may impose a license fee surcharge on health plans they regulate as a means to fund an assessment of a proposed mandate affecting a regulated health plan. The total amount of revenue raised through the license fee surcharges may not exceed \$30,000 in any one year. Additionally, the commissioners may also accept grants from private entities to defray the costs of the assessment.

Final amendments to the division's supplemental budget proposal included one

offered by Sen. Pat Piper (DFL-Austin) for a one time appropriation to the compulsive gambling council for a compulsive gambling prevention and education project for adolescents. The amendment was adopted, as was an amendment offered by Berglin to establish a birth defects registry system.

Division omnibus bill approved

Final discussion of S.F. 2308, the FY 97 health care and family services omnibus bill, was heard by the Health Care and Family Services Finance Division, Tues., Feb. 20. Chaired by Sen. Don Samuelson (DFL-Brainerd), the committee approved several amendments and approved the bill in its entirety and re-referred it to the Family Services Committee.

An amendment, offered by Samuelson, changes current laws for nursing home medical assistance alternative payment demonstration project. Currently, the commissioner of human services is not allowed to contract with more than 40 nursing facilities as part of any request for proposal. The amendment, which was adopted, requires the commissioner to consider all nursing facilities with a current state nursing home or boarding care home license as eligible to respond to the request for proposals.

Members also adopted an amendment, offered by Sen. Linda Berglin (DFL-Mpls.), to cover, under Medical Assistance, special transportation for individuals with a physical or mental impairment that would prohibit the recipient from safely accessing and using a bus. Previous wording may have lead to fears that transportation coverage would not be reimbursed, said Berglin.

Berglin also offered an amendment related to medical education and research. The amendment allows the commissioner of health to appoint a committee to provide advice and oversight on the distribution of funds from the medical education and research trust fund. The amendment was approved.

The health care and family services omnibus bill approved by the division contains \$20 million in appropriations. Of this amount, \$600,000 was appropriated for senior nutrition programs, \$477,000 for ICF/MR buybacks, and \$9,671,000 to delay PCA/TEFRA changes until July 1, 1997. The approval of a bill to establish county based Prepaid Medical Assistance Program demonstration programs led to a \$82,520,000 savings under General Assistance Medical Care Grants. Additionally, adult day care grants received an appropriation of \$350,000.

Jobs, Energy and Community Development

Biomass project debated

The Jobs, Energy and Community Development, chaired by Sen. Steven Novak (DFL-New Brighton), met twice Thurs., Feb. 15, to finish work on bills

assigned to the committee before the second deadline. A bill, sponsored by Novak, modifying the mandate for NSP to operate a biomass fueled power facility, touched off extensive debate. The mandate was contained in the 1994 Prairie Island compromise. At issue was a provision in the bill outlining the definition of "biomass." Proponents of the measure said that the bill enables a project, based in St. Peter, using alfalfa as the proposed biomass fuel, to go forward. According to opponents, however, the description of biomass in the bill eliminated a second project, developed by Norstar Power using eucalyptus trees from Mexico, and effectively limited the ability of a second project to participate. Novak argued that the idea behind the original mandate was to make Minnesota less dependent on imported energy and that importing trees from Mexico is contrary to the intent of the original mandate. Novak also said that "We have an obligation to our constituents who are ratepayers that the biomass project be economically feasible; regardless of what we do the project will probably be rebid."

After extensive discussion, a motion to table the bill was defeated. Members then adopted an amendment to delete much of the specific language in the definition of biomass fuel and sent the bill to the full Senate for further consideration.

Members also considered a variety of other bills at the two part hearing. Two measures dealing with economic development in Northern Minnesota gained committee approval. S.F. 2468, sponsored by Sen. Bob Lessard (DFL-Int'l. Falls), creates a "recreation zone," called the Voyageur Recreation Area, to encourage and attract public and private funds in order to diversify and promote economic development and recreational opportunities throughout the state. The measure was re-referred to the Governmental Operations and Veterans Committee. A second bill, S.F. 2467, also carried by Lessard, authorizes the issuance of bonds for the design of an interpretive and conference center relating to the voyageurs. The measure was referred to the Jobs, Energy and Community Development Finance Division.

S.F. 2196, authored by Sen. Ellen Anderson (DFL-St. Paul), permits a mortgagee to provide a resident caretaker for a premises to prevent or minimize damage to the premises. S.F. 2438, also sponsored by Anderson, makes changes in laws governing school conference and activities leave. A third measure sponsored by Anderson, S.F. 2576, allows port authorities to use the dollar limits on contracts for the basis of competitive bids, quotations, or purchase or sale in the open market contained in the Uniform Municipal Contracting Law. S.F. 2471, carried by Sen. Jerry Janezich (DFL-Chisholm), provides for mandatory arbitration for charitable hospital employers and employees. All four measures advanced to the full Senate.

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Members also considered two measures relating to telecommunications. H.F. 2055, sponsored by Sen. Janet Johnson (DFL-North Branch), is designed to get at the practice of "slamming," the unauthorized switching of long distance carriers without the customers knowledge. The bill requires notice to customers of the right to require written authorization before changing intrastate carrier or local telephone company. S.F. 2381, authored by Sen. Douglas Johnson (DFL-Cook), regulates intrastate interLATA telecommunications services. Both measures were advanced to the Senate floor.

Three measures aimed at improving neighborhoods were also approved. S.F. 1811, authored by Sen. Linda Berglin (DFL-Mpls.), contains a number of provisions. The measure was before the panel because of sections dealing with the anti-drug covenants that void a tenant's right to possession of rental property if there is purchasing, selling or possession of controlled substances on the premises. The bill was advanced to the full Senate. S.F. 2536, also sponsored by Berglin, authorizes a grant to the city of Minneapolis for an ecological industrial park facility. The bill was referred to the Jobs, Energy and Community Development Finance Division. S.F. 2793, authored by Sen. Carl Kroening (DFL-Mpls.), modifying the neighborhood revitalization program, was advanced to the full Senate.

A bill, S.F. 2772, authored by Sen. Janet Johnson, providing for the sale of bonds for the North West Company Fur Post Interpretive Center, was approved and referred to the Jobs, Energy and Community Development Finance Division.

The final bill under consideration, S.F. 2515, protects the interests of employees following railroad acquisitions. The bill, sponsored by Anderson, was amended to delete provisions specifying that the acquiring carrier is bound by the contracts between the divesting carrier and the affected labor organizations for at least six months. After considerable debate, the measure was approved and sent to the full Senate.

Bills reviewed

The Jobs, Energy and Community Development Finance Division met Mon., Feb. 19, to review a series of bills requesting bonding or appropriations. The panel, chaired by Sen. Carl Kroening (DFL-Mpls.), took no formal action on the measures.

Mayor Sharon Sayles Belton and Councilmember Alice Rainville spoke on behalf of a bill that would authorize \$35 million in bonds to begin the expansion of the Minneapolis Convention Center. S.F. 2609, authored by Sen. Allan Spear (DFL-Mpls.), authorizes the appropriation from the bond proceeds fund for site acquisition, street and utilities relocation, preliminary design and administration preliminary to the construction of the expansion of the convention center. Spear said that the

entire project is estimated at between \$161 million and \$166 million. Sayles Belton said that the convention center needed to be expanded in order to remain competitive in attracting large conventions to the state.

Two measures authored by Sen. Sam Solon (DFL-Duluth) were also discussed. S.F. 1728 authorizes the issuance of state bonds for construction of facilities for the Lake Superior Center in Duluth. H.F. 2681 clarifies Seaway Port Authority rights and responsibilities with respect to leases and management contracts.

S.F. 2431, carried by Sen. John Hottinger (DFL-Mankato), authorizes additional funding for employment support services for persons with mental illness. S.F. 2504, carried by Sen. Phil Riveness (DFL-Bloomington), modifies limitations on the use of economic recovery grants. Under the bill, grants may be made to attract out-of-state business or to retain existing business in the state if the grants are used for workforce training. In addition, the bill prohibits grants to businesses involved solely in retail sales and requires that businesses receiving the grants pay employees at least 175 percent of the minimum wage. S.F. 2724, sponsored by Sen. Steven Morse (DFL-Dakota), provides for the settlement of extended employment program appeals and authorizes independent audits by extended employment program providers.

S.F. 2510, authored by Sen. William Belanger (R-Bloomington), authorizes the issuance of state bonds for construction of a ski jump in the Hyland Hills/Bush Lake ski area. S.F. 2314, sponsored by Sen. Harold "Skip" Finn (DFL-Cass Lake), appropriates money from the bond proceeds fund to construct the Headwaters Science Center in the city of Bemidji. A second measure sponsored by Finn, S.F. 2392, appropriates money from the bond proceeds fund to construct the Battle Point Historic site.

Three measures sponsored by Sen. Randy Kelly (DFL-St. Paul) were also considered. S.F. 1991 provides for community rehabilitation and affordable rental investment programs. The measure provides for the renewal of blighted multi-unit residential property and provides for homeless assistance. S.F. 2367 provides funding for the employment connection program of the St. Paul Port Authority for the customized job training program for St. Paul residents for employment in the industrial sector. S.F. 2368 appropriates money for the Phalen corridor job creation initiative for a redevelopment program to transform brownfields industrial property into developable land for industrial growth and development.

S.F. 2441, carried by Sen. Steven Novak (DFL-New Brighton), establishes a state program to supplement the federal emergency shelter grant program.

Supplemental bill heard

The Jobs, Energy and Community Development Finance Division met Tues., Feb. 20, and continued reviewing bills containing requests for bonding or supple-

mental appropriations.

The panel, chaired by Sen. Carl Kroening (DFL-Mpls.), also began consideration of a rough draft of the supplemental appropriations bill.

The supplemental bill provides for \$12 million in general fund appropriations for a variety of projects. The Minnesota Youth Program is slated to receive the largest portion of funding at \$6 million. Other appropriations include \$1 million for energy assistance, \$500,000 for the Minnesota Workforce Center system, \$3 million for the Minnesota investment fund, \$2.8 million for the Daedalus Project, \$500,000 for transitional housing and \$1 million for the Minnesota Historical Society. Members reviewed the measure set it aside for further discussion.

Members also discussed a proposal brought forward by Minnegasco to aid in funding energy assistance for low-income Minnesotans. The idea, said Sen. Steven Novak (DFL-New Brighton), is to bridge the gap left by cuts in federal funding for energy assistance. Under the proposal, Minnegasco provides an additional \$6 million in energy assistance funding for three years. The additional monies are to be raised from Minnegasco customers. According to a spokesperson for Minnegasco, the increase averages about \$2.54 per year per customer. No formal action was taken.

A bill, S.F. 2321, authorizing the issuance of state bonds for a multi-jurisdictional reinvestment programs was also discussed. The proposal, sponsored by Kroening, was explained by Hennepin County Commissioner Mike Opat, Minneapolis Councilmember Alice Rainville and Hennepin County Commissioner Mark Andrew and Minneapolis Councilmember Lisa MacDonald. Under the proposal, proceeds from the bonds are to be used for projects along the 29th St. rail corridor, Humboldt Ave. in North Minneapolis, and to facilitate the redevelopment of the Brookdale Mall. Again, no formal action was taken.

Members also reviewed eight additional bills. S.F. 2467, authored by Sen. Bob Lessard (DFL-Int'l. Falls), provides bonding for the Voyageur Interpretive and Conference Center. S.F. 2469, also sponsored by Lessard, provides funding for a study of cold weather research needs and strategies to attract cold weather research projects to Minnesota. S.F. 2512, carried by Sen. Dallas Sams (DFL-Staples), extends the program to research, study and report on the effects on dairy cattle of electric current in the ground. S.F. 2659, authored by Sen. Tracy Beckman (DFL-Bricelyn), provides for a grant to FarmAmerica. S.F. 2658, sponsored by Sen. Dan Stevens (R-Mora), provides money to restore the 1894 Kanabec County Courthouse. S.F. 2536, carried by Sen. Linda Berglin (DFL-Mpls.), authorizes a grant to the city of Minneapolis for an ecological industrial park facility and business incubator. S.F. 2772, sponsored by Sen. Janet Johnson (DFL-North Branch), provides for

bonding for the North West Company Fur Post Interpretive Center.

Finally, members also discussed a proposal to assist residents of Pokegama Township. Residents are requesting help in a township sewer project that is needed because existing facilities do not meet Pollution Control Agency requirements. Residents had been expecting federal assistance with the project, but recently were informed that the assistance would not be forthcoming. As a result, township officials appeared before the division to request \$2.9 million from the state. No action was taken.

Funding bill gains

The Jobs, Energy and Community Development Finance Division wrapped up work on this year's supplemental appropriations bill at the Weds., Feb. 21, hearing. Sen. Carl Kroening (DFL-Mpls.), chair of the division, said that the measure contains \$12.47 million in general fund appropriations, \$2.8 million from the workers compensation special compensation program and \$140,000 from the petroleum tank clean-up fund. Of the general fund amount, Kroening said, \$470,000 is pass-through monies from an assessment on electrical utilities for stray voltage research. Highlights of the measure include \$3 million for the Minnesota Investment Fund, \$6 million for the Minnesota Youth Program, \$500,000 for the Minnesota Workforce Center System, \$1 million for energy assistance, \$200,000 for an employment support program for the mentally ill, \$2.8 million for the Daedalus Project, \$1 million for the Historical Society salaries, \$300,000 for family homeless prevention and assistance and the \$470,000 for the stray voltage program. The bill differed from an earlier proposal in that the appropriation of \$500,000 for family homeless prevention and assistance was decreased by \$200,000 in order to provide funding for the employment support program for the mentally ill.

Debate on the measure centered on the energy assistance provision. The bill incorporates a proposal from Minnegasco that provides an additional \$6 million for energy assistance, to bridge the gap left by cuts in federal funding. A representative of the Dept. of Public Service said the department opposes the plan because it is not appropriate for charge rate payers for the program. Sen. Steven Novak (DFL-New Brighton), said that the provision is an experimental approach to getting funds to the people who need them most.

Sen. Janet Johnson (DFL-North Branch), offered a proposal that had been contained in S.F. 1988. Under the proposal, offered as an amendment to the omnibus measure, Minnesota Business Finance, Inc., ceases operating as a quasi-public entity and becomes a private nonprofit corporation engaged in economic development activities in the state. Under the amendment, Minnesota Business Finance, Inc., returns \$190,000 in start-up funding received earlier from the state. Johnson's motion to amend

the omnibus funding measure was approved. Discussion then turned to appropriating the revenue generated by the amendment. Members voted to appropriate \$25,000 for a proposal involving cold weather research, \$100,000 as supplemental funding for the Minnesota Film Board and \$65,000 in additional funding for family homeless prevention and assistance. Members then approved the bill and advanced the measure to the full committee.

The full Jobs, Energy and Community Development Committee convened immediately after the division adjourned to consider the omnibus supplemental appropriations bill. Members, chaired by Novak, reviewed the appropriations and approved the proposal for introductions as a division bill. The bill will be heard next in the Finance Committee.

Judiciary

Women's marathon bill amended

If women can have their own marathons, so can men, Senators decided Fri., Feb. 16. Members of the Judiciary Committee amended a bill to exempt women's athletic events and teams from anti-discrimination laws, instead allowing all single-sex teams and events to use public accommodations.

"Men should be able to have their own teams, too," said Sen. Sheila Kiscaden (R-Rochester), who offered the amendment.

Sen. Ellen Anderson (DFL-St. Paul), author of H.F. 2402, said the bill sprang from a Minnesota man's lawsuit against Bruegger's Run for Bagels, a woman-only marathon, after marathon organizers barred him from running. Minnesota law has long recognized the need for women-only events, said Anderson. "Your amendment would put us back to where we were before 1975," Anderson told Kiscaden. The bill now goes to the floor.

Senators also approved S.F. 2397, authored by Sen. Steven Novak (DFL-New Brighton), a bill expanding Department of Labor authority to enforce minimum-wage laws. "You want to be able to do more than say, 'pay what you should have paid six months ago,'" said Assistant Attorney General Nancy Leppink. The bill allows the commissioner to collect a penalty of \$1,000 or less, "liquidated damages" that double the back wages owed, and reimbursement state legal costs. The committee replaced misdemeanor penalties for four employer violations, including writing a bad paycheck with departmental enforcement, and also allowed employees to seek damages in civil court for the former-misdemeanor violations. The bill now goes to the floor.

A last-minute compromise saved S.F. 2686, authored by Committee Chair Randy Kelly (DFL-St. Paul). The bill allows police officers to testify in eviction court about the experiences and statements of a confidential informant. Officer Steve Huspek of the St. Paul Police Department said the bill is aimed at helping landlords evict drug dealers. But Rosemary Frazel of the Legal

Services Advocacy Project said that hearsay prohibitions exist for a reason. "There is a lack of trustworthiness in statements made outside the courtroom," she said. Sen. Allan Spear (DFL-Mpls.) also objected to the bill. "We have to be very very careful not to use this perceived urban crisis to chip away at judicial protections (in a way) we may someday come to regret," he said.

Huspek said his primary intent is to protect the confidentiality of informants when presenting non-hearsay evidence, such as evidence obtained from a search warrant. A compromise was reached, creating a more limited bill allowing officers to use admissible evidence without identifying a confidential informants during drug-related eviction hearings. The bill was approved and sent to the floor.

The committee also approved S.F. 1887, authored by Sen. Don Betzold (DFL-Fridley), clarifying financial responsibility for appeals hearings under the Civil Commitment Act, and S.F. 2123, carried by Sen. Roy Terwilliger (R-Edina), notifying relatives when a child is held in three-day health and safety custody. The latter bill, drafted by the Council on Black Minnesotans, attempts to ensure that children are given the opportunity to stay with relatives in emergencies. It also clarifies that the relatives don't become legal custodians of the child by offering to help.

Metropolitan and Local Government

Fixing leaky septic systems

A loan program approved by the Metropolitan and Local Government Committee makes it easier for homeowners to fix failing septic systems and contaminated wells.

S.F. 2112, sponsored by Sen. Steven Morse (DFL-Dakota), was approved Weds., Feb. 14. Under the bill, municipalities may bond to create the loan program, which is not subject to the municipal debt limit. Homeowners may apply for the loans to replace or repair septic system and to seal and replace contaminated wells. Loans are paid back through directed property taxes, similar to a special assessment. Morse said it makes sense to allow bonding for the public purpose of preventing water pollution. The bill now goes to the Taxes and Tax Laws Committee.

The committee forwarded S.F. 2482, authored by Sen. Jane Krentz (DFL-May Township) to the Taxes and Tax Laws Committee but did not make a recommendation on the bill. The bill creates "Local Government Performance Aid" for cities and counties that design and use standardized performance measures. The program costs \$16 million, and is funded by a \$2 reduction in HACA per jurisdiction resident. Roger Peterson of the Association of Metropolitan Municipalities objected to the bill, saying any performance aid should be in addition to current funding to avoid "penalizing" cities. Krentz said she believes the bill "is not ready" for a recommendation,

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but she wanted it on the table with other tax reform measures.

Senators also approved a bill allowing Carlton County to levy in Sawyer, an unorganized township, for a recreation center. The bill, S.F. 2288, is authored by Sen. Florian Chmielewski (DFL-Sturgeon Lake) but was presented by Committee Chair Sen. Jim Vickerman (DFL-Tracy). Committee members expressed some concern that the township should hold a referendum on the levy, but decided to let the matter be addressed in the Taxes and Tax Laws Committee, where S.F. 2288 was forwarded.

The committee did vote on a bill, sponsored by Sen. John Marty (DFL-Roseville), that prohibited free parking at the Minneapolis-St. Paul International Airport. A representative from the Metropolitan Airports Commission said MAC has passed a rule to restrict free garage parking to commissioners doing business and designated airport employees. Traveler's Aid and Serviceman's Center volunteers may continue to park free in the ramps. Senators said the bill was unnecessary and adjourned without hearing testimony on S.F. 2339.

Bus tax plan approved

Gas taxes rise five cent per gallon and the Metro Area sales tax by a half-cent under S.F. 2691, authored by Sen. Sandra Pappas (DFL-St. Paul). The sales tax raises \$125 million annually to pay for Metro Area bus service and replaces the property tax now levied for metro transit, Pappas said.

Pappas' bill was approved on a divided voice vote Thurs., Feb. 15 by the Metropolitan and Local Government Committee, chaired by Sen. Jim Vickerman (DFL-Tracy). The bill now goes to the Taxes and Tax Laws Committee.

Gas taxes, under the Minnesota Constitution, are dedicated to building and repairing state highways. S.F. 2691 indexes gas and special fuel taxes to increase along with the Consumer Price Index. In addition to the increased taxes, the bill creates a "Transit for Liveable Communities" demonstration fund, adds "service incentive" payments for opt-out communities, and requests a "best practices" transit report from the Legislative Auditor. It also asks Metropolitan Council Transit Operations for long-range plans, transit redesign, and performance audits.

Sen. Martha Robertson (R-Minnetonka), who voted against the bill, said she objects to its gas tax increase but not its planning provisions. "It doesn't make a lot of sense to have all this policy if there's no money to provide service," responded Sen. Carol Flynn (DFL-Mpls.). Sen. Deanna Wiener (DFL-Eagan) criticized the bill for requiring five reports. She successfully moved to delete one of the reports. Committee members also deleted references within the bill to the Metropolitan Liveable Communities Act and the Met Council's Regional Blueprint.

Two land-use planning bills were approved and sent to the floor. S.F. 1665,

authored by Sen. Janet Johnson (DFL-North Branch), directs the Office of Strategic and Long Range Planning to publish a guide to sustainable development, including model city ordinances to implement sustainable principles. The guide will be available to cities seeking information on sustainable planning. "We've got to realize that growth doesn't always mean more money," she said. Members rejected Johnson's amendment codifying the principles of sustainable development and requiring state agencies to report on their promotion of sustainable development.

H.F. 2330, authored by Sen. Dave Kleis (R-St. Cloud), requests a land-use and growth management planning report from a volunteer St. Cloud area planning council. The city of St. Cloud lies within Stearns, Benton and Sherburne counties; the bill asks planners to consider whether a new county should be created to contain the entire city. Sherburne County Administrator David Loch objected to the bill, saying he sees the bill as means for the city of St. Cloud to extend its boundaries into neighboring townships.

Sen. Don Betzold (DFL-Fridley) sponsored S.F. 2791, eliminating a special assessment exemption for properties owned by Metropolitan Council Transit Operations. No other government agency has the exemption, said Betzold. The bill was approved and re-referred to the Taxes and Tax Laws Committee. Sen. Jerry Janezich (DFL-Chisholm) sponsored S.F. 2730, creating a Virginia area ambulance district. The bill was approved and sent to the Taxes and Tax Laws Committee. Sen. Bob Lessard (DFL-Intl. Falls) sponsored S.F. 2821, permitting the city of Cohasset to own and operate a natural gas utility. Lessard said the city has encountered problems with fuel oil pollution. The bill was approved and sent to the floor.

Taxes and Tax Laws

Education bill advances

Members of the Taxes and Tax Laws Committee said they were pleased to note a \$3 million property tax decrease provided by the 1996 omnibus education bill, S.F. 1884, authored by Sen. Lawrence Pogemiller (DFL-Mpls.). "We really dislike property taxes in this committee," said Chair Douglas Johnson (DFL-Cook).

Senators approved the bill Thurs., Feb. 15, and forwarded it to the Finance Committee. Pogemiller said the bill is "only" 152 pages long, allowing the education committee "to catch its breath" after several large funding reforms enacted last session. The Senate's property tax levy is \$1.6 million more than the governor's proposal, Pogemiller said, to fund a pilot program in Minneapolis public schools providing laptop computers for secondary students to use at home.

Committee members let stand a section of S.F. 1884 that allows school districts to ask voters for excess levy referenda that increase with inflation. Sen. Gen Olson (R-Minne-

trista) suggested allowing the increases only for levies lasting five years or less. Senators approved a Pogemiller amendment that requires districts to print a schedule of the increases on the referendum ballot, as well as two technical amendments to the bill. Senators voted down an Olson amendment to increase the dependent credit for home-schooled children to \$3,000.

Senators also approved S.F. 2304, authored by Sen. John Hottinger (DFL-Mankato), the Department of Revenue's technical bill. The bill was amended to reinstate a "substandard unit" classification, forcing owners of rundown rental properties to pay higher tax rates. Pogemiller said he was disappointed to learn cities had not been using the classification, which was instated along with a \$100 million buy-down of non-homestead property taxes. The bill goes to the floor.

The department's policy bill, S.F. 2424, was also approved and sent to the floor. The bill was authored by Sen. William Belanger (R-Bloomington). A major component of the bill is a phase-out of the fuel tax credit for "gasohol" -- gasoline containing ethanol. Patricia Lien of the Department of Revenue said the credit was rendered unnecessary by state laws mandating ethanol additive. The phase out, decreasing the credit 20 cents per gallon per year, will eliminate the tax entirely by 1999.

One section replaces the "nexus" standards that determine which out-of-state healthcare providers must pay the MinnesotaCare tax. Several of the seven provisions that define a nexus have been declared unconstitutional, department representatives said. They are replaced with a broader standard stating that businesses subject to Minnesota revenue tax under the U.S. Constitution may be subject to MinnesotaCare taxes. The bill also adds outstate wholesale drug distributors, subject to Minnesota revenue tax, to the list of businesses that must collect MinnesotaCare sales taxes.

S.F. 2424 also repeals a \$50 per day penalty for dry-cleaners not in compliance with environmental regulations, requires retailers to present a sales tax exemption slip within 60 days of the commissioner's request, and clarifies legal penalties for persons falsely claiming a homestead.

Senior homestead bill tabled

When retired people are forced to sell their homes, rising home values are often the culprit, according to Sen. Edward Oliver (R-Deephaven). Oliver presented a bill relieving this market-value burden to the Property Tax Subcommittee of the Taxes and Tax Laws Committee on Tues., Feb. 2.

His bill, S.F. 2718, freezes market value increases for homeowners 65 or older. People must live in the home five years or more to qualify, and after selling the home, they are not eligible for freezes in other homes, Oliver said.

Oliver called the bill "a modest attempt" to prevent retired persons from being forced

out of their homes. But Sen. William Belanger (R-Bloomington) said that the freeze should be means-tested. "Let's take me," said Belanger. "I'm a whole lot more able to pay the property taxes on my home than say, the young couple next door bringing up kids." Sen. Lawrence Pogemiller (DFL-Mpls.) said the bill represents a massive property tax shift from homes to businesses and apartments. By 1999, Committee Chair John Hottinger (DFL-Mankato) noted, the bill withholds \$1.2 billion in market value growth from the tax base. Senators voted to lay the bill on the table.

The subcommittee approved nine bills at the meeting; all were forwarded to the full committee. A bill authored by Sen. Sandra Pappas (DFL-St. Paul), S.F. 2603, accelerates a state takeover of funding for Aid to Families with Dependent Children, Medical Assistance, General Assistance and other "income maintenance" programs. Counties now pay half the cost of these services. The takeover costs the general fund \$50 million this year, Pappas said, but it reduces property taxes by \$28 million over five years. Another Pappas bill, S.F. 835, provides \$20.5 million in bonding authority to the Met Council to replace buses, build and repair Park and Ride lots and transit hubs, and refurbish administrative buildings.

The subcommittee also approved S.F. 365, authored by Sen. Ted Mondale (DFL-St. Louis Park), a hodgepodge of provisions relating to metropolitan government. The bill provides unlimited levy authority to the Metropolitan Council for the "right of way" loan fund; allows a land swap of the Met Center property and Kelly Farm in Bloomington to facilitate airport expansion; and provides \$200,000 of Liveable Communities funds to townships to plan for growth. Mondale said he wants to amend the bill to limit the right-of-way levy authority, but will wait until full committee to do so.

Senators also approved S.F. 2823, authored by Sen. James Metzen (DFL-South St. Paul), requiring school districts to include notice of a pending referendum in Truth in Taxation statements; S.F. 2211, authored by Sen. Warren Limmer (R-Maple Grove), expanding the disabled homestead property tax classification; S.F. 2525, authored by Sen. Arlene Lesewski (R-Marshall), requiring Rock and Murray counties to impose an aggregate gravel tax; S.F. 2030, authored by Sen. Gary Laidig (R-Stillwater), increasing the levy authority of Valley Branch Watershed District; S.F. 2602, authored by Sen. Allan Spear (DFL-Mpls.), creating special service districts in Minneapolis and Little Canada; and S.F. 2674, authored by Sen. Randy Kelly (DFL-St. Paul), extending a St. Paul rental tax equity program.

Senators did not vote on S.F. 2787, sponsored by Sen. Jim Vickerman (DFL-Tracy), a bill that sets tax rates for wind plants. Hottinger set the bill aside to be considered along with several other wind tax bills.

Horse sales remain taxable

Are horses livestock or pets? Committee Chair Sen. Sandra Pappas (DFL-St. Paul) asked that question as members of the Taxes and Tax Laws Subcommittee on Sales and Income Tax considered extending a tax exemption to the sale of horses, their feed and medicine.

According to Sen. Gary Laidig (R-Stillwater), his bill S.F. 2782 merely clarifies the intent of last session's conference committee on the matter. Laidig said current law exempts materials needed to breed and board horses, so the Department of Revenue is offering the exemption only to professional breeders and boarders, not to people who just own horses.

Laidig said the bill is consistent with state policy. "A horse is livestock," he said. But several committee members said that for some people, horses are expensive pets. "When I bought my two schnauzers, I paid tax on them," said Sen. Ember Reichgott Junge (DFL-New Hope). The bill failed on a four-four vote.

The subcommittee also voted against S.F. 560, authored by Sen. Charles Berg (DFL-Chokio), a bill that modifies tax refunds to tribal governments. The bill required that the refund be based on a "reasonable estimate" of per capita consumption of items purchased off a reservation by reservation residents. Under current law, the commissioner of revenue negotiates refund agreements with the tribes, taking into account tribal revenue earned by taxes on non-Indians. Pat Lien of the Department of Revenue objected to the bill, saying it would be "bad faith" on the part of the state to withdraw current agreements.

Pappas' bill S.F. 2807 incorporates suggestions of the Sales Tax Advisory Committee. The bill accelerates the phasing-out of sales tax on replacement capital equipment, exempts farm machinery from sales tax, and exempts businesses from sales tax on products consumed while providing a taxable service. It also raises the minimum purchases necessary to owe use tax to \$770 annually. The bill was referred to the full committee without recommendation.

The subcommittee approved five bills and forwarded them to the full committee. Among them was S.F. 2568, authored by Sen. Steve Murphy (DFL-Red Wing), a bill that increases the sales tax on alcohol and directs the resulting revenue to Minnesota's revolving loan fund for chemical dependency treatment. The committee amended the bill to raise the tax by 1 percent, to a total of 10 percent. The tax raises \$14 million annually, according to Department of Revenue estimates. Andy Anderson of Pine Tree Manor Treatment Center urged the committee to view the tax as "an insurance policy" for those who will run into problems with alcohol. But John Berglund, representing the Minnesota Licensed Beverage Association, said alcohol taxes are regressive and unfair to low- and middle-income people.

Other bills approved by the subcommittee are S.F. 2502, authored by Sen. Phil Riveness (DFL-Bloomington), allowing veteran's organizations to pay property taxes with gaming profits; S.F. 2842, authored by Sen. James Metzen (DFL-South St. Paul), exempting ice arena construction materials from sales tax; and S.F. 1630, authored by Sen. Florian Chmielewski (DFL-Sturgeon Lake), allowing Hermantown to impose a half-cent sales tax. Two Pappas bills were also approved: S.F. 2493, providing an income tax credit for contributions to neighborhood assistance programs and S.F. 2841, offering a tax credit to businesses that hire graduates of targeted job training programs.

The subcommittee voted to lay over S.F. 2523, presented by Sen. Ted Mondale (DFL-St. Louis Park), a bill that gives tax credit to companies who increase wages faster than inflation for employees earning \$9 an hour or less.

Apartment tax bill okayed

Members of the Taxes and Tax Laws Subcommittee on Property Tax took a swing at high rents Weds., Feb. 21, by approving a bill to gradually lower rental property taxes.

The bill, authored by Committee Chair John Hottinger (DFL-Mankato), lowers the class rate for general apartments from 3.4 percent to 2.8 percent by 1999. It lowers the class rate for apartment buildings of four units or less from 2.3 percent to 2 percent during the same time period.

Glen Dorfman of the Minnesota Association of Realtors supported S.F. 2837, saying it makes no sense to tax low-income renters more than wealthier homeowners. "Property taxes are paramount for those of us who say we care about renters," he said. Dorfman urged Senators to lower rates even faster than the bill specifies. Jack Horner of the Multi Housing Association also supported the bill, saying current tax policy has done nothing to change the percentage of home ownership in the state. To the contrary, he said, higher rents prevent renters from saving for down payments on homes.

The bill also changes the criteria qualifying affordable housing to be taxed at a lower rate. Buildings currently qualify by participating in various housing programs. Under the bill, units occupied by a person who earns 60 percent or less of the median income will qualify. Once occupied, the unit continues to qualify until its resident earns more than 85 percent of the median income.

Sen. Linda Runbeck (R-Circle Pines) said that the tax shift caused by S.F. 2837 is small enough that most people won't notice it. The bill was one of 18 approved and forwarded to the full committee.

A bill sponsored by Sen. Carol Flynn (DFL-Mpls.) aims at attracting middle-income people to live in downtown Minneapolis. The bill, S.F. 2620, creates lower property tax rates for landlords who convert vacant warehouses to apartments and renovate apartment buildings at least 20 years old. Flynn said the bill may relieve

Committee update

congestion caused by commuters. "If the people just lived downtown, we wouldn't have to build any more capacity," she said.

Senators voted to remove a prohibition on using tax-increment financing, or TIF, to develop on land previously given "green acres" property tax relief. Green acres laws are designed to delay development and help family farms remain viable in areas with rising land values. A bill sponsored by Sen. Leonard Price (DFL-Woodbury) allows TIF to be used to locate manufacturing businesses on green acres land in the Metro Area, as current law allows in Greater Minnesota. Kirsten Barsness, economic development director of Cottage Grove, testified on behalf of S.F. 2840, saying the prohibition encourages businesses to locate in other states.

The subcommittee approved special legislation affecting TIF districts in many cities. The bills include S.F. 2302, authored by Sen. James Metzen (DFL-South St. Paul), authorizing special TIF spending in South St. Paul; S.F. 2484, authored by Sen. Don Betzold (DFL-Fridley), allowing Brooklyn Park to create a distressed housing district; S.F. 2670, authored by Sen. Keith Langseth (DFL-Glyndon), extending a Breckenridge redevelopment district; and S.F. 2614, authored by Hottinger, exempting Morris from certain TIF requirements. Other special TIF bills approved are S.F. 2729, authored by Sen. Jerry Janezich (DFL-Chisholm), extending a Mountain Iron TIF district; S.F. 2748, authored by Sen. LeRoy Stumpf (DFL-Thief River Falls), extending an East Grand Forks TIF district; S.F. 2804, authored by Sen. Gene Merriam (DFL-Coon Rapids), allowing Coon Rapids to create a TIF district to fund \$4.3 million in highway improvements; S.F. 2815, authored by Price, extending a Woodbury TIF district; and S.F. 2833, authored by Sen. Dick Day (R-Owatonna) allowing Owatonna to use TIF to build low-income housing on former "green acres" land. Pappas' bill S.F. 2645 extends the TIF interest-rate reduction program from 12 to 15 years, to conform with federal specifications.

The subcommittee approved Langseth's bill S.F. 2839, allowing border city enterprise zones to exist until terminated by city government; and Sen. Phil Riveness' (DFL-Bloomington) bill S.F. 2803, designed to benefit homeowners impacted by airport noise. S.F. 2803 allows cities to create housing replacement districts in noisy areas, offers "this old house" exemptions to homes near the airport, and extends the "urban revitalization" income tax credit to those who buy homes in certain noise-impacted neighborhoods. Also approved were S.F. 2387, authored by Sen. Ted Mondale (DFL-St. Louis Park), creating joint powers councils to govern public housing projects in the suburbs; S.F. 2451, authored by Sen. Steven Novak (DFL-New Brighton), allowing the Metropolitan Airports Commission to bond against airport revenues and passenger terminal charges; and S.F. 2777, another Novak bill, making technical

changes to allocation of federal low-income housing tax credits.

Transportation and Public Transit

Tax plan approved

A bill that raises the state gas tax was approved by the Transportation and Public Transit Finance Division Fri., Feb. 16.

S.F. 2622, sponsored by Division Chair Sen. Keith Langseth (DFL-Glyndon), increases the tax by five cents over two years, and indexes it to the consumer price index.

The bill transfers a percentage, to be determined later, of motor vehicle excise tax revenue to the transit assistance fund. If a law is enacted in the future that reduces the percentage of excise tax revenue to the fund, any increase in the gasoline excise tax rate over its January 1, 1996 level, is reduced by a corresponding percentage.

The measure adds three members to the nine-member screening board, and changes the basis of the apportionment among the counties of county state-aid highway money from miles to lane miles, to compensate for multi-lane roads.

The division approved S.F. 2432, which allows a licensed motor vehicle lessor or dealer who transfer license plates from one vehicle to another to get a refund for the unexpired months of registration. Sponsor Sen. Steve Murphy (DFL-Red Wing), said the five dollar per transfer fee partially offsets the refunds. Sen. Terry Johnston (R-Prior Lake), said she opposes the measure "because of the financial impact on scarce resources." The bill was approved on a split voice vote.

S.F. 2391, which appropriates \$100 thousand to the Cass County town of Shingobee for road improvement, won approval from the division. Sponsor Sen. Harold Finn (DFL-Cass Lake), said ownership of the road, connecting two state highways around Walker, has been "subject to controversy as to ownership." He said the township will take jurisdiction if the road is brought up to standards. All three bills were sent to the Transportation and Public Transit Committee.

Gas tax bill advances

A bill that raises the state gas tax was approved by the Transportation and Public Transit Committee Fri., Feb. 16, and sent to the Taxes and Tax Laws Committee.

S.F. 2622, sponsored by Sen. Keith Langseth (DFL-Glyndon), raises the gas tax five cents over two years, and puts an unspecified amount of motor vehicle excise tax revenue into the transit budget.

Sen. Dick Day (R-Owatonna) expressed reservations about additional revenue for transit, noting declining ridership. "For the amount of money that is spent," he said, "we could buy everybody a car."

Sen. Steve Murphy (DFL-Red Wing), responded that the Metro transit system may

need to be upgraded, and "how can we do that with current funding?" Sen. William Belanger (R-Bloomington), said the problem with transit is that it "doesn't go where people go."

Sen. Arlene Lesewski said she objected to a provision of the bill that indexes the gas tax to the consumer price index.

The committee rejected S.F. 2432, which provides operators of rental agencies, who move license plates between vehicles, rebates for unused license registration time. Murphy said the cost of the rebates is partially covered by a five dollar transfer fee. Sen. Terry Johnston (R-Prior Lake), opposed the measure, saying "we're giving a break to a particular group of people that we're not giving to all our citizens."

Two other bills won committee approval. S.F. 2391 grants the town of Shingobee in Cass County \$100 thousand to improve the Ah-Gwah-Ching cutoff road. Sponsor Sen. Harold Finn (DFL-Cass Lake), said the road connects two state highways, but its jurisdiction is in question. He said the township will take responsibility if the road is brought up to standards. The bill was sent to the Finance Committee.

H.F. 2068, sponsored by Sen. Paula Hanson (DFL-Ham Lake), designates Anoka County Road No. 7 as POW/MIA Memorial Highway. Sen. Keith Langseth (DFL-Glyndon), noted a county can rename a county road, but said the state designation adds to the symbolism. The bill goes next to the full Senate.

Transit bill approved

The Transportation and Public Transit Finance Division approved a supplemental spending budget Tues., Feb. 20, that includes \$9 million to replace the Department of Transportation headquarters in Bemidji.

Division Chair Sen. Keith Langseth (DFL-Glyndon), said the bill appropriates \$42.76 million from the trunk highway fund, but the amount available for transit from the general fund is still undecided, and some items are left blank.

S.F. 2702, sponsored by Langseth, includes \$20.5 million in MnDOT trunk highway facility projects. Paul Janssen, building engineer, Department of Transportation, said the new headquarters is the department's top priority. The money also goes for repairing or replacing 29 chemical and salt storage buildings, renovating the Rochester district office and state patrol center, and asbestos removal.

The bill earmarks \$110,000 to match federal aid for repair of the Stone Arch Bridge in Minneapolis. The Cass County town of Shingobee receives \$100,000 to improve the Ah-Gwah-Ching cutoff road. The Department of Public Safety gets \$131,200 to hire four radio communication operators.

Jim Solem, regional administrator, Metropolitan Council, outlined the organization's \$6 million supplemental budget request. He said \$3.6 million covers

Met Council and Metro Mobility budget shortfalls, and \$2.4 million helps hold down fares and redesign service. He said the Met Council is "substantially changing the transit system to use our resources better." Sen. Carol Flynn (DFL-Mpls.), noting the declining transit ridership, said "I'd like some assurance that essentially it's going to turn around." Solem said the system is trying to meet the needs of existing riders and to attract new riders, but "the automobile is very tough competition." Langseth agreed, saying "it seems no matter what we do, people prefer to drive rather than use transit."

Other items funded in the bill, that was sent to the Transportation and Public Transit Committee, include \$200,000 for a study of telecommuting, \$995,000 for critical operation systems for the Department of Public Safety, and \$200,000 for land acquisition at Fort Snelling.

Transportation budget bill approved

The Transportation and Public Transit Committee approved a partial transportation department supplemental funding bill Weds., Feb. 21, and sent it to the Finance Committee.

The S.F. 2702 appropriates \$42.76 million from the trunk highway fund to the Department of Transportation and Department of Public Safety, but most general fund appropriations are left blank.

Bill sponsor Sen. Keith Langseth (DFL-Glyndon) said the numbers will be filled in later, when the revenue available to the committee is known.

Most of the spending in the bill--\$42.69 million--goes to the Department of Transportation; half the amount for capital improvements and projects.

The most costly project--\$9-million--is a new state patrol headquarters in Bemidji. The measure funds construction of 29 salt and sand storage buildings at locations statewide, and an addition to the Rochester district office and state patrol center.

Also funded are land acquisition at Fort Snelling, asbestos removal, and four radio communication operators for the Department of Public Safety.

Curt Johnson, chair, Metropolitan Council, requested \$10 million in funding for transit to avoid default, defer a fare increase, and improve service. He told the committee "six million is the minimum to avoid disaster." Judy Ellison, acting director, management services section, office of transit, Department of Transportation, said MnDOT is asking for \$29.9 million for the biennium for transit projects in 80 Greater Minnesota counties. In response to a question from Sen. Dick Day (R-Owatonna), about the efficiency of transit operations in Greater Minnesota, she said the average cost per passenger for the system is \$2.53.

Committee Chair Carol Flynn (DFL-Mpls.), said hearings might be needed to "explore various types of transportation,"

including the use of school buses to carry non-student passengers. "Common sense tells us there ought to be a way to make school buses available to more people," she said.

The bill was approved on a voice vote and sent to the Finance Committee.

Floor action

Licensure bill debated

S.F. 842, a bill that relates to duties of the board of psychology and licensure provisions for mental health professionals, dominated floor debate Mon., Feb. 19. The measure, carried by Sen. Don Betzold (DFL-Fridley), establishes the Minnesota Psychology Practice Act.

The bill requires that a person practicing as a psychologist or a psychological practitioner in the state be licensed by the state of Minnesota. Licensees must pass exams in psychology and professional responsibility, pay a nonrefundable fee, and have no unresolved disciplinary actions or pending complaints against them. Furthermore, licensees must identify the academic degree upon which their licensure is based, as well as their level of licensure. The bill also stipulates that violation of the licensure requirement is a misdemeanor.

Sen. Gary Laidig (R-Stillwater) objected to a reciprocity provision related to senior practitioners. He argued that the provision grants preferential treatment to individuals coming from out-of-state. The bill gives the board authority to waive a two year supervision requirement for out-of-state PhD's who have 15 years of practice and no disciplinary actions during the person's entire period of licensure.

Laidig argued that if a Minnesotan with 15 years of practice is required to have two years of post doctoral supervision, so should senior practitioners coming from other states. "If it's good enough for Minnesotans, then it's good enough for others coming into the state," he said.

The Senate adopted the Laidig amendment to delete the provision on a roll call vote, 41-19, and the bill was progressed.

In other business, four measures were granted final passage on the Senate Calendar including S.F. 1941, authored by Sen. Steve Dille (R-Dassel), a bill that specifies compliance requirements for certain sewage treatment systems; H.F. 2207, carried by Sen. Steven Novak (DFL-New Brighton), a measure that changes the Midwest Interstate Compact on low-level radioactive waste; S.F. 2130, sponsored by Sen. Linda Berglin (DFL-Mpls.), a bill to exempt community integrated service networks that provide services for senior citizens from providing the standard health maintenance organization benefit set; and S.F. 2111, authored by Sen. Leroy Stumpf (DFL-Thief River Falls), a bill that changes requirements for a commodity council referendum.

One measure on the Consent Calendar, S.F. 2813, carried by Sen. Jerry Janeczich (DFL-Chisholm), was also granted final

passage. The bill regulates heavy and utility equipment manufacturers and dealers.

Members granted preliminary passage to several bills on the General Orders Calendar. S.F. 2009, sponsored by Sen. Dean Johnson (R-Willmar), allows the city of Willmar to enter into a joint venture with the Kandiyohi cooperative electric power association. S.F. 2146, authored by Sen. Steve Murphy (DFL-Red Wing), allows the use of safety cables on trailers and semitrailers; Murphy's H.F. 2188 modifies provisions relating to allowable truck lengths. S.F. 1981, carried by Sen. John Hottinger (DFL-Mankato), clarifies the definition of nonconformity in respect to hearing aids. Berglin's S.F. 2020, requests the commissioners of health and human services to obtain a federal waiver and S.F. 1874 requires a utilization review organization to provide patients with notification of its determination. S.F. 1939, authored by Sen. Don Kramer (R-Brooklyn Center), requires the commissioner of human services to review the adequacy of payment information provided to medical assistance recipients' billing statements, and H.F. 2625 carried by Sen. Don Samuelson (DFL-Brainerd), allows the city of Baxtor to expand its public utilities commission to five members.

Snowmobile trail funds okayed

In addition to acting on the bill for emergency deer funding and the motion to override the governor's veto of the bill requiring applicants to get their money back if their drivers licenses were not received in a timely manner at the Thurs., Feb. 22, floor session, Senators gave final passage to a bill authorizing an emergency appropriation for snowmobile trail maintenance. According to Sen. Douglas Johnson, chief author of S.F. 2802, the severe winter has created a crisis situation in maintaining snowmobile trails. Johnson said the emergency appropriation of \$600,000 is needed to counteract the effects of the severe weather on snowmobile trails. In addition, the bill includes a requirement to develop a plan for permanent funding, Johnson said. The measure was granted final passage on Special Orders with a vote of 59-5.

Members also granted concurrence and repassage to two measures. S.F. 1812, authored by Sen. Linda Berglin (DFL-Mpls.), provides for securing vacant buildings. S.F. 2121, sponsored by Sen. Thomas Neuville (R-Northfield), provides for the designation of the Czech Heritage Highway.

Senators also granted final passage to all of the bills given preliminary passage at the Mon., Feb. 19, floor session.

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Monday, February 26

Finance Committee

Chair: Sen. Gene Merriam

8:30 a.m. Room 123 Capitol

Agenda: S.F. 2308-Samuelson: Health and Family Services supplemental appropriations bill. S.F. 2347-Samuelson: MnJobs. S.F. 2852-Kroening: Jobs, Energy and Community Development supplemental appropriations bill.

Taxes and Tax Laws Subcommittee on Property Tax

Chair: Sen. John Hottinger

8:30 a.m. Room 15 Capitol

Agenda: Property tax article of the omnibus tax bill.

Taxes and Tax Laws Subcommittee on Income and Sales Tax

Chair: Sen. Sandra Pappas

10 a.m. Room 15 Capitol

Agenda: Income and sales tax articles of the omnibus tax bill.

The Senate will meet at 12 noon.

Finance Committee

Chair: Sen. Gene Merriam

6 p.m. Room 123 Capitol

Agenda: Finish morning agenda.

Tuesday, February 27

Jobs, Energy and Community Development Funding Division

Chair: Sen. Carl Kroening

8:30 a.m. Room 112 Capitol

Agenda: Capital budget recommendations.

Taxes and Tax Laws Committee

Chair: Sen. Douglas Johnson

8:30 a.m. Room 15 Capitol

Agenda: Omnibus tax bill.

Finance State Government Division

Chair: Richard Cohen

10 a.m. Room 318 Capitol

Agenda: Bonding requests.

The Senate will meet at 12 noon.

Environment and Natural Resources Finance Division

Chair: Sen. Steve Morse

6 p.m. Room 15 Capitol

Agenda: Department of Natural Resources-Reinvest In Minnesota: wildlife habitat, Reinvest In Minnesota: wild and natural areas acquisition, Reinvest In Minnesota: fish and wildlife fisheries improvement, Reinvest In Minnesota: fisheries acquisitions, Fish culture rehabilitation, Forestry-recreation and rehabilitation, roads and bridges. S.F. 2783-Olson: Lake Charlotte. Board of Water and Soil Resources-Reinvest In Minnesota reserve program's PWP. Area II Minnesota River Basin grant-in-aid program. S.F. 2719-Morse: CRP land transfer. S.F. 2725-Merriam: Wetlands bonding.

Wednesday, February 28

Jobs, Energy and Community Development Committee

Chair: Sen. Steven Novak

10 a.m. Room 107 Capitol

Agenda: Confirmation hearings: Jay Novak - Commissioner, Department of Trade and Economic Development; Gary Bastian - Commissioner, Department of Labor and Industry; Demetrius Jelatis, Minnesota Housing Finance Agency; W. Baker, Board of Invention; R. Marshall Johnson, Public Utilities Commission; Jo Van Hovel, Minnesota Housing Finance Agency; John Hawk, Board of Invention; Lance Teachworth, Bureau of Mediation Services.

Commerce and Consumer Protection Committee

Chair: Sen. Leonard Price

10:30 a.m. Room 112 Capitol

Agenda: Confirmation appointment of David Gruenes as Commissioner of the Department of Commerce. Primary source report presentation.

The Senate will meet at 12 noon.

Environment and Natural Resources Finance Division

Chair: Sen. Steve Morse

6 p.m. Room 15 Capitol

Agenda: Bonding recommendations.

Thursday, February 29

Finance State Government Division

Chair: Richard Cohen

10 a.m. Room 318 Capitol

Agenda: Bonding requests.

Rules and Administration Committee

Chair: Sen. Roger D. Moe

10:30 a.m. Room 112, Capitol

Agenda: Report of Bill Referral Subcommittee, Report of Audit Subcommittee, late bills (J.R. 2.03).

Environment and Natural Resources Finance Division

Chair: Sen. Steve Morse

6 p.m. Room 15 Capitol

Agenda: Bonding recommendations.

The Senate will meet at 12 noon.

Friday, March 1

Transportation and Public Transit Committee

Chair: Sen. Carol Flynn

9 a.m. Room 112 Capitol

Agenda: Presentation by the Center for Transportation Studies and University of Minnesota on future trends and financing of transportation.

Finance State Government Division

Chair: Richard Cohen

10 a.m. Room 318 Capitol

Agenda: To be announced.

The Senate will meet at 12 noon.

Briefly

The Minnesota Senate Week in Review

March 1, 1996

Daily floor sessions begin

Attention in the Senate moved from committees to the floor this week. Policy committees have completed their work and the Senate began daily afternoon sessions. Bills under consideration included the processing of the major omnibus supplemental appropriations bills. The Taxes and Tax Laws Committee and the Finance Committee continued to review bills throughout the week.

Omnibus tax amendments heard

Senators continued work on the 1996 omnibus tax bill during a meeting of the Taxes and Tax Laws Committee Thurs., Feb. 29. Among other provisions, S.F. 2115 overhauls transportation funding by increasing the gas tax and the Metro Area sales tax. The bill is carried by Committee Chair Douglas Johnson (DFL-Cook).

The five-cent per gallon gas tax increase is dedicated to road improvements. One cent of the tax is reserved for decreasing vehicle registration costs and accelerating the depreciation schedule upon which the cost of license-plate "tabs" is based. Committee members added an amendment, offered by Johnson, requiring that no gas-tax proceeds be used for administrative costs of the Minnesota Department of Transportation.

The half-cent Metro Area sales tax contained in the bill funds bus service, replacing a property tax now levied by Metropolitan Council Transit Operations. Senators defeated an amendment, proposed by Sen. Edward Oliver (R-Deephaven), to index payments from the sales tax to "opt-out" communities that operate local bus routes. Judy Cook, of the Minnesota Retailer's Association, objected to the sales tax, saying it will not actually reduce anyone's property taxes. "I think we're kidding ourselves if we think that local units of government are not going to use that capacity," said Cook.

Other major components of the bill institute a "fiscal disparities" tax-sharing program on the Iron Range and provide \$13 million in low-interest loans and grants for Iron Range economic development. The bill also provides property tax relief for apartments in small towns, apartments built into former warehouses, and older, remodeled apartments. The bill exempts used farm equipment, wind energy, and ice-arena construction materials from the sales tax, as well as the first \$12 million of pari-mutuel racetrack betting at Canterbury Park.

Senators approved an amendment offered by Sen. William Belanger (R-Bloomington) that exempts from tax the sale of horses, horse feed, horse medicine and other horse-related products. By approving an amendment from Sen. Ted Mondale (DFL-St. Louis Park), Senators included relief provisions in the bill for neighborhoods impacted by airport noise. They also amended the bill to reduce a tax credit for donations to any higher education institution from \$150 to \$50.

No property-tax provisions were discussed. Johnson said he still hopes to negotiate a property-tax reform package this session. Several committee members agreed. "The longer we wait, the harder it's going to be," said Sen. Linda Runbeck (R-Circle Pines).

K-12 funding bill approved

The Senate acted on S.F. 1884, the omnibus school funding bill, during the Tue., Feb. 27, floor session. The measure, sponsored by Sen. Lawrence Pogemiller (DFL-Mpls.), passed after lengthy debate and the offering of numerous amendments.

Pogemiller opened the discussion by saying the bill contained all of the governor's recommendations except the school voucher program. Pogemiller also commended the work of the Education Committee because the bill reduces the property tax recognition shift to 17.2 per cent for FY 1996, and down to 6.5 per cent for every year thereafter.

Sen. Douglas Johnson (DFL-Cook) offered an amendment changing the name of the state's arts high school to the "Lola and Rudy Perpich Minnesota Center for Arts Education" in honor of the former governor and his wife. The amendment was adopted.

An amendment allowing the Sleepy Eye school district to begin classes before Labor Day was offered by Sen. Dennis Frederickson (R-New Ulm). Frederickson said the amendment allows the district to coordinate their schedule with two private schools within the district. Sen. Gene Merriam (DFL-Coon Rapids) favored the amendment, but suggested the statute prohibiting schools from starting before Labor Day should be repealed. Merriam said the law was put in place so "parents could go to resorts through Labor Day." Sen. LeRoy Stumpf (DFL-Thief River Falls) argued against Merriam's suggestion, and said another reason for the prohibition is the frequency of "hot days in August" that cause schools to close or get out early.

Frederickson's amendment was adopted.

Sen. Arlene Lesewski (R-Marshall) offered an amendment appropriating \$12 million for school districts to purchase computer, network and telecommunications equipment under a matching grant program. Stumpf argued against the proposal, saying school districts could choose between buying or leasing equipment, rather than being required to purchase it. The amendment failed on a 12-52 vote.

Charter schools may accept operational funding from any source under an amendment offered by Sen. Gen Olson (R-Minnetrista). Olson likened charter schools to public schools and said the restriction on receiving operational gifts should be removed. The amendment was unanimously adopted.

Members considered several additional amendments to the supplemental bill. Sen. Pat Pariseau (R-Farmington) offered an amendment to allow teachers to announce that a moment of silence may be observed. Pariseau said that the amendment was simply to allow students to have a quiet time at the beginning of the day. Sen. Jane Krentz (DFL-May Township) said, "It is very difficult to argue against a provision that is permissive and this vague but the fact is, teachers can already do this. Pariseau responded that "It is true, it is allowed, but many teachers feel constrained by what is not allowed. Krentz moved to amend the amendment by altering the wording to remove a reference to "first class of the day." The amendment to the amendment was adopted. In support, Sen. Douglas Johnson (DFL-Cook) said, "This is not partisan; one of the problems is that we are losing students because parents are uncomfortable, this offers some comfort to parents." The amendment was adopted on a 43-21 roll call vote.

An amendment, offered by Sen. Warren Limmer (R-Maple Grove), also sparked considerable debate. The amendment permits school districts to not accept, under open enrollment, students who have a history of violent behavior. Pogemiller said that there is a limited reason to be against the amendment but that his concern was about what the statistics will show five years from now. The amendment was adopted on a 52-9 vote. An amendment, offered Sen. Kenric Scheevel (R-Preston), encourages school districts to negotiate an incentive package to reward outstanding teachers. The amendment was adopted and the bill was given final passage on a vote of 65-0.

Committee update

Commerce and Consumer Protection

Committee recommends appointee

The Commerce and Consumer Protection Committee Weds., Feb. 28, voted unanimously to recommend that the full Senate confirm the appointment of David Gruenes as commissioner of the Department of Commerce.

Gruenes, who currently serves as acting commissioner, is a former banker and state Legislator from St. Cloud. He told the committee, chaired by Sen. Leonard Price (DFL-Woodbury), that his goals for the department are to provide good customer service and strong regulatory control of the banking and insurance industry, and to help strengthen the economy.

The committee also heard the results of a study ordered by the Legislature on whether Minnesota's "primary source law," which now applies to beer and wine, should be extended to apply to distilled spirits. Under the law, no brand may be imported into the state without the consent of the brand owner, usually the manufacturer of the product. That means the owner, or primary source, can prevent a wholesaler from buying that brand from any source other than the brand owner.

Crime Prevention

Budget bill okayed

The Crime Prevention Committee approved its 1996 supplemental budget bill, S.F. 2856, Thurs., Feb. 22, and referred the measure to the Finance Committee. The \$16.4 million budget directs funds to several initiatives aimed at reducing crime before it happens, said author Tracy Beckman (DFL-Bricelyn).

"The more we learn about the reasons behind crime, the more we realize that we have to keep backing up our efforts, starting them earlier and earlier," Beckman said. "We've got truly preventative measures here." The proposal includes funds for crisis nurseries, home-visit nurses and community programs targeted at youth, he said.

The bill earmarks approximately \$7.1 million for the Dept. of Corrections, \$6.5 million for the Dept. of Public Safety and \$400,000 for the Dept. of Administration; the \$400,000 is to conduct a systems-wide corrections study and a prison industries study. It also contains \$3 million for 20 additional police officers to be assigned to community-based and school liaison programs. Additionally, the measure establishes a community notification plan, an automobile theft prevention program and provisions that require background checks of individuals working with vulnerable adults.

The committee, chaired by Sen. Allan Spear (DFL-Mpls.), also reviewed a prison evaluation study prepared by Lichtman Associates, a New Jersey-based consulting firm. The study was commissioned by the Legislature to analyze the operation and architectural plans developed by the Dept. of Corrections and BWBR Architects to construct and operate an 800-bed prison. The estimated cost of the project, \$100 million, is the largest bonding proposal in the state's history, said consultant and author David Bogard.

Bogard highlighted the study's major findings and recommendations for members. Changes include reducing staff from 522 to 350 and reducing per diem rates from \$98 dollars per day to \$71 per day. He told members that the variables must be constantly measured against the goal of the facility. "You have to constantly ask the question, 'what is our intention here.'"

Prison plan scrutinized

The Crime Prevention Finance Division reviewed the Dept. of Corrections's Legislative Report on the proposed 800 bed close custody facility Tues., Feb. 27. DOC Deputy Commissioner Jim Bruton and Bruce Tabor, director of the Dept. of Administration's Building Construction Division, were present to respond to Senator's questions.

Several members voiced objections about the \$100 million project. "Why are we considering an 800 bed facility when we know that the day the prison opens we'll need 1200 beds?" Chair Tracy Beckman (DFL-Bricelyn) asked. "It doesn't make sense," Beckman continued, "and it seems to me that we're building ourselves into a problem here."

Bruton told members that the bed increase is driven by stiffer penalties and a burgeoning prison population.

Sen. Gene Merriam (DFL-Coon Rapids) raised concerns about the scope and goals of the prison's preliminary analysis. "It's painfully clear to me that the analysis wasn't done up front and now we're asking questions that the professionals didn't address two years ago."

Both Sen. Jane Ranum (DFL-Mpls.) and Sen. Randy Kelly (DFL-St. Paul) expressed dissatisfaction with the project's escalating cost. Two years ago the price of the prison was \$80 million, Ranum pointed out, "but today it's a \$100 million project. I know I wasn't the only person who was alarmed by the \$20 million jump," she added.

Commissioner Bruton said that the earlier figure had not included inflation costs.

Ranum also pressed for information concerning the facility's proposed Rush City site. "I want to know why these other

sites were ruled out?" she asked. "Are there problems, for example with the land, that totally rule out these other sites?"

Sen. Allan Spear (DFL-Mpls.) said that the agencies had devoted too much effort to the facility's siting process, and not enough effort to the issues of design and cost. He added that miscommunication between department heads and Legislators has significantly impacted the present situation. "What you weren't hearing was that we weren't certain about this project at all," Spear said, "that we weren't ready to commit to the whole concept."

Education

Bonding budget passes

The Higher Education Division Thurs., Feb. 22, approved a bill authorizing \$149.555 million in bonding projects.

The capital budget, which covers the University of Minnesota and Minnesota State Colleges and Universities (MnSCU), is \$2 million under the amount proposed by the governor, and considerably below the \$274 million in bonding the higher education institutions requested. Division Chair, Sen. LeRoy Stumpf (DFL-Thief River Falls), said the items included in the bill closely follow the institutions' priorities. He said to make the "tight dollar go as far as possible," the list is "low on repair and maintenance... a very straight-forward proposal."

The division approved two major construction projects as part of the University of Minnesota's \$96.2 million bonding package -- an archival research facility and a library in Duluth. Other projects funded include improvements on the Crookston campus and additions and renovations for the science building in Morris.

An amendment was approved that gives the University authority to issue bonds for building construction and to relocate a power plant. Sponsor Sen. Lawrence Pogemiller (DFL-Mpls.), said the plan involves buying down current debt using the proceeds from the transfer of the hospital and parking ramp to the Fairview Health System, and using the increased bonding capacity to pay for new spending.

The \$53.355 million budgeted for MnSCU includes funding for a plant at Mankato State University, storm drainage construction at Moorhead State University, a parking lot at Alexandria Technical College, and construction of an energy plant at Anoka Community College. A request for \$3.8 million to acquire land for a Metro Tech campus in Minneapolis was cut by \$2 million. Stumpf said the expenditure is "premature." The bill does not include any of the \$30 million

requested by St. Cloud State University for a library. An amendment offered by Sen. Dave Kleis (R-St. Cloud), to add funding failed on a 5 to 6 roll call vote.

The bonding recommendations were sent to the Education Committee.

Higher ed bonding okayed

Education Committee members approved \$149 million in bonds that will provide much-needed repair, but little new construction, at Minnesota's colleges and universities.

At a meeting Fri., Feb. 23, Co-Chair LeRoy Stumpf (DFL-Thief River Falls) told the committee that the Higher Education Division relied heavily on the recommendations from Minnesota State Colleges and Universities and the University of Minnesota. The largest expenditure in the bonding proposal is for asset preservation and renewal funds. Of this amount, MnSCU is slated for \$24.3 million and the U of M for \$27 million.

The bill does not fund the governor's proposal to build a \$30-million library at St. Cloud State. MnSCU did not want to pay the system match required for the library, said Stumpf, because it might require a tuition increase. "They don't want to put the price of a new facility on the backs of the students," said Stumpf.

Instead, the bill routes money to repair and infrastructure projects not included in the budget. The money will finance projects at Mankato State, Winona State, Anoka Community College, St. Cloud State, Hutchinson Technical College, Vermillion Community College, Minneapolis Community College, Willmar Technical College, Mesabi Community College, Staples Technical College, Moorhead State and U of M's Crookston facility.

Rather than issue state bonds for a new magnetic resonance imaging facility for the Academic Health Center, the division gave bonding authority to the U of M. The university is expected to earn \$80 million from a proposed merger between its hospital and Fairview hospital, and could use the money to retire existing bonds, said Stumpf. The bill also provides bonding authority to build a new architecture building and to relocate the river-front power plant, should the university choose to pursue either project.

The bill provides \$1.4 million to expand Metro State's St. Paul campus, but does not fund the university's request of \$2 million to acquire a new Minneapolis campus. Stumpf said funding the request could have driven a policy decision that has not yet been made by the MnSCU board of trustees. The bill also funds land acquisition at the St. Cloud State University and Moorhead State University campuses.

Sen. Deanna Wiener (DFL-Eagan) asked committee members to respect the MnSCU board's first bonding request, even if the result is disappointing. "The whole bonding bill is what the University (of Minnesota) used to get alone," she said. "I'm really disappointed in the amount that we have -- the peanuts to fund the campuses."

The committee defeated the only two amendments formally offered. Sen. Ember Reichgott Junge (DFL-New Hope) moved to amend the bill to fund the second phase of construction for a library at North Hennepin Community College. Reichgott Junge requested that the item be kept next on the waiting list, should the Finance Committee offer the division a higher spending target. Sen. Dave Kleis (R-St. Cloud) offered an amendment to fund the St. Cloud library, but remove money provided for land acquisition and planning for a library at University of Minnesota-Duluth. He noted the St. Cloud library has been in the works for years, and that the Legislature has already invested money in planning for the library.

Environment and Natural Resources

Bonding requests heard

Requests for bonding proceeds with a common goal of protecting Minnesota's water resources were the theme of a Fri., Feb. 23, meeting of the Finance Division of the Environment and Natural Resources Committee. The division, chaired by Sen. Steven Morse (DFL-Dakota), heard presentations from a variety of local government officials on specific projects, as well as state agency officials on comprehensive statewide programs.

The panel heard from Terry Kuhlman of the Dept. of Trade and Economic Development's Public Finance Authority, which administers funding programs for pollution control, drinking water and wastewater treatment systems. Kuhlman explained to division members that when the federal government first passed the Clean Water Act in 1972, many municipalities used federal money to build wastewater treatment systems. "Many of those systems are now needing upgrading and expansion," Kuhlman said. Thus, there will be a high demand for funding in the next five years, according to Kuhlman.

Under the department's wastewater infrastructure fund, grants are given to municipalities based on the projected cost of the system improvement and the municipality's ability to pay. The department is seeking \$57 million in bonding proceeds through the next three biennia for the fund, in addition to \$20

million for the water pollution control revolving fund and \$19 million for the drinking water revolving fund to leverage federal grants, Kuhlman stated.

Later, the division heard the Dept. of Natural Resources (DNR) bonding requests for dam repair and abandoned well sealing projects from Waters Division Director Kent Lokkesmoe. The department is seeking \$6.2 million in bond sales through the next six years to repair six dams, remove a dam in Appleton on the Pomme de Terre River, and set up a reserve fund for emergencies that may arise, according to Lokkesmoe. The well sealing project, Lokkesmoe explained, is a result of much of the state wildlife management land acquired in previous years containing abandoned wells. The DNR is asking for \$1.6 million in the next four years to seal those wells.

Peggy Adelman, of the Pollution Control Agency, presented a \$200,000 request for ten automated water quality monitoring stations. The purpose of the monitoring stations, Adelman explained, is to monitor trends in water quality through time, and determine the effectiveness of "best management practices" implemented in a watershed.

The panel also heard several bonding appropriation bills for specific projects exemplifying the needs addressed by the agency requests. Those bills included S.F. 2151, sponsored by Sen. Steve Murphy (DFL-Red Wing), for a combined sewer overflow grant to the city of Red Wing; S.F. 2330, sponsored by Sen. Jim Vickerman (DFL-Tracy), for a water tower in the Red Rock rural water system; S.F. 2735, sponsored by Sen. Bob Lessard (DFL-Int'l. Falls), authorizing road culvert work to prevent degradation of a trout stream; S.F. 2579, also carried by Lessard, connecting Hermantown to the Western Lake Superior Sanitary District; S.F. 2153, authored by Murphy, to repair the Lake Zumbro hydroelectric dam; and S.F. 2171, sponsored by Sen. LeRoy Stumpf (DFL-Thief River Falls), for drinking and wastewater systems. The division took no immediate action on any bill.

Bonding requests continued

The Finance Division of the Environment and Natural Resources Committee continued hearings on bonding requests for environmental protection and recreational development projects, Tue. evening, Feb. 27.

Much discussion was generated by S.F. 2117, a bill sponsored by Sen. Don Kramer (R-Brooklyn Park), that appropriates \$3.1 million dollars for a stormwater runoff pretreatment system. Kramer explained that the area served by the system is the Brookdale Mall. Division Chair Steven Morse (DFL-Dakota)

Committee update

questioned why the state should completely fund the project. Kramer cited limited local revenues due to deteriorating property values in the area, potential environmental problems and the survival of the Brookdale Mall as justification for the request.

Sen. Gene Merriam (DFL-Coon Rapids) questioned why the watershed district wasn't considered as a tax levy mechanism to finance the project.

Kent Lokkesmoe, of the Dept. of Natural Resources (DNR), stood for questions about the department's flood mitigation grant program. A proposed floodwall in Stillwater generated considerable discussion. Merriam noted the similarity between the current project description and the description of a smaller appropriation from two years ago. "Sounds like we're buying the same used car with more miles on it," Merriam said. Lokkesmoe explained that since the earlier request, federal authorities have changed the specifications of the project in order for the state to qualify for federal funds. The new specifications raised the cost of the project and the amount the state must contribute, Lokkesmoe said.

The division also discussed bonding requests from the Board of Water and Soil Resources (BWSR). The request includes a \$7.5 million appropriation to acquire wetlands and riparian areas, and for wellhead protection, according to BWSR director Ron Harnack. Also included is a \$250,000 request for a flood control project known as Redwood 22. Tim Seck, representing the Minnesota Center for Environmental Advocacy, testified against the project. Seck said the project provided "minimal flood reduction" and the environmental costs were too great. Seck also distributed copies of letters from the DNR and U.S. Dept. of the Interior opposing the project as designed. Harnack said 5 owners of land needed for the project are opposed to the project, and estimated court proceedings would take three to six months to acquire the land.

Earlier, Sen. Tracy Beckman (DFL-Bricelyn) presented S.F. 2452, a request for \$250,000 to plan the development of the Blue Earth/Minnesota River Trail in Southwest Minnesota. Beckman said the trail route had not yet been determined and the money would be used for planning purposes. Morse suggested that Beckman, "step back and let local groups set up the route."

The committee also discussed S.F. 2725. The measure, sponsored by Merriam, provides \$4 million for wetland replacement costs when an existing road undergoes improvement. The bill places the same wetland replacement ratio requirements on local governments for

road repair as is found in existing wetland law for all other purposes. "We should stay to the same standard we impose on others," said Merriam. The panel took no action on the requests.

Finance

Funding bills to floor

The Finance Committee Thurs., Feb. 22, approved and sent to the floor two supplemental appropriation bills.

S.F. 2849 provides \$10 million for the Higher Education Services Office, The University of Minnesota, and Minnesota State Colleges and Universities (MnSCU).

Bill sponsor LeRoy Stumpf (DFL-Thief River Falls), chair of the Higher Education Division of the Education Committee, said while it's "not a large sum of money," the items in the bill will have a "big impact on higher education in the future."

The measure includes \$2.75 million for a data and video network and equipment to connect academic health centers and students in St. Paul, Minneapolis, and Duluth; \$3.297 million to MnSCU for an "electronic academy" to implement new technologies in the classroom and to develop new academic programs; and \$2 million for an increase in the living and miscellaneous expense allowance for students receiving financial aid.

Smaller appropriations include money for training health specialists to serve rural communities; developing a statewide on-line information system for libraries; and establishing an applied research, design, and development center at Bemidji State University.

The committee approved and recommended for introduction in the Senate as a committee bill a \$5.785 million state government funding package.

Most of the appropriation --\$5.755 million--goes to the Department of Finance to continue its statewide operating systems project, which includes accounting, payroll, human resources, procurement, and information access. The amount is below both the \$20 million in the governor's proposed budget and the department's \$13 million funding request. Bill sponsor, Sen. Richard Cohen (DFL-St. Paul), says a provision allows the department to raise, on a one-time basis, up to \$8.5 million by charging various state agencies and departments for special request work. The provision does not apply to the Legislature. Committee Chair Gene Merriam, (DFL-Coon Rapids), noted a provision of the bill under which the appropriation comes from cuts in other budgets, and said he wanted members to be aware of the arrangement before voting.

The rest of the appropriation --\$300,000-- goes to the Department of Human Rights to reduce the backlog of open cases under investigation and for an alternative dispute resolution program. The appropriation is contingent upon the department reaching performance deadlines, something Cohen called "carrots rather than sticks" and Sen. Roy Terwilliger (R-Edina) called "micro-managing."

The committee accepted an amendment, offered by Sen. Steven Morse (DFL-Dakota), which establishes an excess police state aid holding account in the general fund. The amendment calls on the Legislative Commission on Pensions and Retirement to study the use of police state aid to fund the employer contribution to the public employees police and fire fund for local government firefighters and propose remedial legislation, if determined necessary.

Spending bills to floor

The Finance Committee Fri., Feb. 23, approved and sent to the Senate floor supplemental appropriations bills covering crime, the environment, and transportation.

The transportation bill, S.F. 2702, totals \$48.63 million, with \$6 million coming from the general fund and the remainder from the trunk highway fund.

Bill sponsor Sen. Keith Langseth, (DFL-Glynden), said there "isn't a lot in the bill this year." He said the package includes \$37 million for state road construction, \$5.6 million for design and construction engineering, and \$200 thousand for a telecommuting study. Funding is also included for repair of the Stone Arch Bridge in Minneapolis, the Department of Public Safety's critical operations systems, and four public safety radio dispatchers.

Langseth said a request from the governor for 40 highway patrol officers was rejected, but "if we can get some additional money in the gas tax, we'll take a look."

Committee Chair Sen. Gene Merriam (DFL-Coon Rapids), questioned the absence of appropriations under sections of the bill for urban and rural transit, saying "we can't pass a blank check." Amendments offered by Sens. Jane Ranum (DFL-Mpls), and Steven Morse (DFL-Dakota), and accepted on voice votes, added \$4.59 million for Metropolitan Council Transit Operations and \$1.56 million for Greater Minnesota transit assistance.

The \$16.4 million criminal justice appropriations bill expands the state sexual offender registration statute, creates an Automobile Theft Prevention Board, and requires Hennepin County to develop a chemical dependency pilot

project. It includes money for a Juvenile Violence Prevention Task Force, a prison industry study, and crisis nurseries.

S.F. 2856, sponsored by Sen. Tracy Beckman (DFL-Tracy), also requires that notice of the release of certain offenders, such as child sex offenders, be given to specified parties; expands the state applicant background study requirements; and authorizes a grant program to fund the hiring of law enforcement officers.

The committee approved an amendment concerning housing prisoners at private prisons. The amendment, offered by Sen. Gary Laidig (R-Stillwater), struck language requiring the commissioner to contract with a private prison in Appleton to house state prisoners. The revised section requires negotiations when jail space is needed outside state facilities. Laidig said the changes are needed to allow flexibility and hold down costs.

The \$9.9 million environment and natural resources bill appropriates money to the Pollution Control Agency, the Department of Natural Resources, The Department of Agriculture, and the Office of Environmental Assistance. S.F. 2167, sponsored by Sen. Steven Morse (DFL-Dakota), includes funding for trail maintenance, an electronic state park permit tracking system, forest management, and a study of the effect of wetland regulations on property values. It anticipates \$325,000 in revenue from state park fees.

The measure also covers the cost of landfill cleanup settlements, research on potato blight, and funding for the Minnesota Dairy Producers' Board.

Welfare bill to floor

The Finance Committee Mon., Feb. 26, approved and sent to the full Senate a measure designed to change Minnesota's welfare system, and began consideration of the health and family services omnibus bill.

The welfare reform bill, S.F. 2347, creates the MNJOBS program, which is designed to get public assistance recipients into the job market. Sponsor Sen. Don Samuelson (DFL-Brainerd), called the measure a "combination jobs program, and welfare reform program," with the "main purpose to emphasize work."

A provision of the measure that led to considerable discussion involves a 30 day residency requirement. Samuelson said there is a "strong feeling in the Legislature for the requirement." Sen. Phil Riveness (DFL-Bloomington) said a study in the 1980's of residency requirements shows them to be a "wash" economically, but "the public demands that we have some kind of safeguards." Under the bill, the requirement can be waived in cases of "unusual hardship."

The bill requires that both parents of a household seek work, but exempts one care giver in families with children under three years old. Sen. Pat Piper (DFL-Austin) said, "I always thought that taking care of children is real work." Deborah Huskins, assistant commissioner, Department of Human Services, responded that the provision is a federal requirement, something the state might not have proposed.

Committee Chair, Sen. Gene Merriam (DFL-Coon Rapids), questioned the bill's priorities, saying "look at AFDC and general assistance grants, we're spending money on the government bureaucracy and we're cutting program assistance." He continued, "I'm amazed at why we're spending more and more money on bureaucracy, less on poor people."

An amendment, offered by Samuelson, and accepted by the committee put some money figures into the bill. \$102,000 is appropriated for applying for the necessary federal waivers to implement and administer the MNJOBS program; \$450,000 is added to the AFDC child care entitlement fund for two-parent families that are mandatory participants in the program; and \$256,000 is appropriated to apply for federal waivers, and pay any resulting legal costs, to implement the 30 day residency requirement. Five million dollars are earmarked for increasing the funding to the basic sliding fee child care program.

The health and family services omnibus bill, S.F. 2308, is also sponsored by Samuelson. The package includes \$20 million in appropriations, including \$600,000 for senior nutrition programs, \$477,000 for ICF/MR buy backs, and \$350 thousand for adult day care.

The bill is a compilation of twenty separate bills, including S.F. 659, birth defect registry system; S.F. 1878, nursing home rate exception; S.F. 2080, prostrate cancer screening; and S.F. 2732, outreach grants for adult mental health for the deaf and hard of hearing.

Merriam questioned a provision that permits illegal aliens to receive general assistance. Samuelson said the provision is an effort to correct an amendment last year that cut off about 1,000 children from assistance.

Amendments considered

The Finance Committee continued consideration of a health care and family services omnibus bill Mon. evening, Feb. 26, and adjourned shortly before midnight without taking action.

The committee, chaired by Sen. Gene Merriam (DFL-Coon Rapids), worked through a series of amendments offered to S.F. 2308, a \$20 million supplemental appropriations bill encompassing language from 20 separate bills.

The committee approved an amendment, offered by Sen. Pat Piper (DFL-Austin), to take \$800 thousand from lottery board prize money and transfer it to the Department of Human Services to treat compulsive gamblers. "It is important," she said, "that in dealing with compulsive gambling, the money come from the fund."

An amendment, sponsored by Sen. Carl Kroening (DFL-Mpls.), that was approved, deletes a section of the bill concerning reporting to the Legislature regarding proposed health coverage mandates. Kroening said he objects strongly to a provision that permits the commissioner to work through state regulatory authority. Kroening said the measure allows the commissioner to "bypass the legislature." The committee approved removing the section on an 11 to 8 roll call vote.

The committee approved an addition proposed by Sen. Steven Morris (DFL-Dakota), that adds four certified beds to a licensed nursing home in Winona. Sen. Phil Riveness (DFL-Bloomington) expressed reservations about "precedence" saying he doesn't want this to open a "floodgate of requests that may be tough to re-cork."

After lengthy discussion, members approved adding language, sponsored by Sen. Thomas Neuville (R-Northfield), concerning a Fairbault nursing home that he said was forced into voluntary receivership. He said a party is willing to buy the facility, contingent on the state waiving receivership. Neuville said the waiver is not an appropriation, and estimated the cost of continued operation while residents are relocated at up to \$500,000.

The committee also approved amendments offered by Sen. Don Samuelson (DFL-Brainerd), limiting grants from a \$350,000 appropriation to adult day care facilities; by Morse, directing the commissioner of human services to determine the number of medical assistance recipients receiving long-term care assistance who became residents of Minnesota within five years prior to eligibility; and by Riveness, rewriting a provision to require commissioner to gather information about the effectiveness of telemedicine devices as a worthwhile alternative to in-person home visits from nurses and other home care personnel.

Health care bill to floor

The Finance Committee Tues. evening, Feb. 27, approved and sent to the full Senate a \$20 million health care and family services supplemental budget bill. The 147 page bill, for which 85 amendments were drafted, was approved after debate that spanned three committee meetings.

Committee update

Before final approval, the committee agreed to an amendment, offered by Chair Gene Merriam (DFL-Coon Rapids), limiting general fund spending by the Department of Human Services to \$5 billion in the biennium ending June 30, 1999 -- a cut of about \$400 million from the original budget cap. Merriam said he is concerned the bill as written allowed a "disproportionate share of the revenue growth" to go to the department. The amendment also calls on the commissioner to submit a proposal to the Legislature to limit the increase in general fund appropriations to the department so as not to exceed the cap.

The committee approved an amendment, offered by Sen. Richard Cohen (DFL-St. Paul), and amended by Merriam. The amendment goes to a section of the bill intended to stop nursing home residents from giving away their wealth to qualify for Medicaid. Under the bill, if an applicant for medical assistance transfers wealth within five years before applying for Medicaid, and the transfer is not reported on the Medicaid application, the human services department can recover the amount of the transfer from the person who receives it, regardless of whether the recipient knows the transfer was made for the purpose of making the giver eligible. Under the Cohen amendment, the state has to prove a charitable organization has knowledge of the intent of the giver. The Merriam amendment changes it to any recipient, not just a charitable organization, must have knowledge of intent, in order for the state to recover the transfer.

An amendment, offered by Sen. Carl Kroening (DFL-Mpls.), and accepted by the committee, takes language out of the bill that allows the commissioner to accept donations from "non state-sources" to pay for cost-benefit studies, something Kroening called a "slush fund." The changes limit a \$30,000 appropriation for a cost-benefit analysis to subjects specified by the Legislature -- hearing loss coverage, screening of newborns, screening for prostate cancer, and alternative medicine. Another amendment adopted by the committee, authored by bill sponsor Sen. Don Samuelson (DFL-Brainerd), removes a requirement that the commissioner conduct abroad study of the state's health care delivery system.

The omnibus health care and family services bill, which includes items contained in 20 separate bills, was sent to the full Senate.

Jobs, energy bill debated

The Weds., Feb. 28, Finance Committee meeting was devoted to an item by item discussion of the appropriations contained in the omnibus jobs, energy and

community development supplemental appropriations bill. The measure, S.F. 2852, carried by Sen. Carl Kroening (DFL-Mpls.), contains \$12.6 million in general fund appropriations, \$2.8 million from the workers compensation special compensation program and \$140,000 from the petroleum tank clean-up account. In addition, Kroening explained that \$470,000 of the general fund appropriation is "pass-through" money from assessments on electric utilities for stray voltage.

Highlights of the measure include \$3 million for the Minnesota investment fund, \$6 million for the Minnesota Youth Program, \$500,000 for the Minnesota Workforce Center System, \$1 million for energy assistance, \$200,000 for an employment support program for the mentally ill, \$2.8 million for the Daedalus Project imaging system in the Dept. of Labor and Industry, \$1 million for Historical Society salaries, \$300,000 for family homeless prevention and assistance, \$100,000 for the Minnesota Film Board, \$25,000 for a grant to the Minnesota Cold Weather Research Center at International Falls and the \$470,000 for the stray voltage project.

The committee, chaired by Sen. Gene Merriam (DFL-Coon Rapids), adopted two amendments. The first amendment, offered by Kroening, provided an additional \$65,000 for the cold weather research center grant and \$135,000 for family homeless prevention and assistance. Kroening said that an additional \$200,000 had been made available for appropriation and the amendment reflected the additional funds. The amendment was adopted. A second amendment, changes the name of the cold weather program to the Minnesota Cold Weather Resource Center and made some additional conforming changes. The amendment, also offered by Kroening, was also adopted.

An amendment, offered by Sen. Pat Piper (DFL-Austin), to shift a \$140,000 appropriation from the petroleum tank release cleanup fund, originally earmarked for legal services relating to the clean-up account in the environmental fund, to home energy assistance was defeated.

Continued discussion on the bill and committee action is slated for the next hearing.

Jobs, Energy and Community Development

Appointments okayed

The Weds., Feb. 28, meeting of the Jobs, Energy and Community Development Committee was devoted to taking action on gubernatorial appointments.

The panel, chaired by Sen. Steven Novak (DFL-New Brighton), recommended confirming the appointments of Jay Novak as commissioner of the Dept. of Trade and Economic Development, Gary Bastian as commissioner of the Dept. of Labor and Industry, R. Marshall Johnson to the Public Utilities Commission, John Hawk to the Board of Invention and Lance Teachworth to the Bureau of Mediation Services.

Metropolitan and Local Government

Airport parking debated

Free parking privileges at the airport were eliminated under a bill approved by the Metropolitan and Local Government Committee Fri., Feb. 23. The bill, H.F. 2321, sponsored by Sen. John Marty (DFL-Roseville), prohibits the Metropolitan Airports Commission (MAC) from providing free parking at the Minneapolis-St. Paul International Airport, except for commission employees and members who are at the terminal on official business. The bill also make exceptions for other persons attending a meeting of the commission or performing volunteer work at the terminal.

Marty presented the bill, saying that the public was rightly outraged by the abuse of VIP valet parking in the heated garage at the airport. Even if public parking areas are full or closed, VIP parking is available to a list of people who may push a button, enter the heated garage and obtain valet parking at times when the general public may not. It is not appropriate, said Marty, for those with lower incomes to subsidize this privileged treatment through their parking fees. He said the MAC argues that the public and media should not be concerned with the issue because the VIP parking is not funded by tax dollars. "The parking is funded by fees...the difference between fees and taxes is only a matter of semantics." The MAC has no idea of the revenue losses generated by this privilege, Marty said.

The committee, chaired by Sen. Jim Vickerman (DFL-Tracy), heard testimony from two of the MAC's fifteen commissioners, Darcy Hitesman and Tommy Merickel. Merickel said parking is the single largest source of revenue at the airport. He said approximately \$26 million is generated from parking. The MAC has no knowledge of what is being lost on the VIP parking because there are no restrictions on the use of special admittance cards, and no records as to who has used the garage, said Merickel.

Hitesman presented a chronology of the parking decision making process to illustrate the inaction by the MAC and the necessity of legislative action. Among

other areas of inaction related to the parking issue, the chronology states that Hitesman and Merickel provided copies of a revised policy to commissioners at a full commission meeting. The policy outline was to be sent with a request from the MAC to the Ethical Practices Board. The outline and request were never sent.

Sen. Deanna Wiener (DFL-Eagan) said she thought it was a shame that the Legislature must address the issue because the MAC hasn't taken action. Sen. Carol Flynn (DFL-Mpls.) said she thought a greater abuse was uncovered. Public parking raises \$26 million while landing fees paid by airlines amount to only \$20 million. The procedures tend not to support the public, said Flynn.

Sen. Pat Pariseau (R-Farmington) offered an amendment removing language from the bill providing employees of the MAC and MAC commissioners free parking. The amendment failed as did another amendment, offered by Pariseau, granting the governor the right to choose MAC commissioners, and allowing the governor the ability to remove MAC members at will. Currently, thirteen of the commissioner are appointed by the governor, and two are appointed by the mayors of St. Paul and Minneapolis. The amendment failed. The bill was approved and re-referred to the Rules and Administration Committee.

Taxes and Tax Laws

School bonds levied on market-value

Come November, school building bonds need to be levied against market value, under a bill approved by the Taxes and Tax Laws Property Tax Subcommittee Thurs., Feb. 22.

The bill, S.F. 2629, removes tax capacity as the basis for debt service levies. Minnesota's tax capacity system charges higher rates to businesses, apartments and summer cabins than homestead properties, said Pogemiller. Under market value, each dollar of value is charged at the same percentage rate, regardless of the type of property.

"As members know I've never liked the market-value approach," said bill author Sen. Lawrence Pogemiller (DFL-Mpls.). "But it makes no sense to do one and not the other." Sen. Carol Flynn (DFL-Mpls.) objected to the provision, saying that she doesn't want to "compound the mistakes of the past."

The subcommittee, chaired by Sen. John Hottinger (DFL-Mankato), approved the bill and sent it to the full committee.

Senators also approved a second Pogemiller bill, H.F. 2415, modifying procedures for awarding money from the

state's small-issue bonding pool. The bill institutes a point system for choosing among manufacturing projects, and ranks rental housing third on the list of bonding priorities for the pool. "There is difficulty in getting adequate, affordable rental housing in Central Minnesota," said Pogemiller.

Sen. Cal Larson (R-Fergus Falls) asked the committee to approve an amendment to H.F. 2415 reserving \$10 million of the \$55 million small-issue bonding pool for the city of Brandon. Larson said Brandon wants to use the money to encourage the development of "Velkommen Village," a cultural center, in an area that was formerly a fish farm "that didn't work out very well."

Tonja Orr of the Housing Finance Agency objected to the amendment, saying that it would "subvert the process" of competitive applications and point scoring. "It would be very easy to have set-asides for the entire amount" of the bonding pool, Orr said. No vote was taken on the amendment.

Garbage tax shifted

The omnibus tax bill gained a new provision before being approved Mon., Feb. 26 by the Taxes and Tax Laws Sales and Income Tax Subcommittee, chaired by Sen. Sandra Pappas (DFL-St. Paul). The bill was forwarded to the full committee.

Apartment residents pay five times more in solid-waste generator waste assessments than homeowners, said Sen. Carol Flynn (DFL-Mpls.). Subcommittee members approved Flynn's amendment to spread the tax equally among all households, a shift that increases the rate for most homes from \$2 to \$3.81 per year. Senators approved the amendment, with

The omnibus bill costs \$7 million in tax credits and exemptions -- \$3 million less than the committee's target and \$17 million less than the governor's supplemental budget. Sen. Douglas Johnson (DFL-Cook) said the state simply can't afford to spend more. "We heeded the governor's warnings about the future," said Johnson.

The bill includes a tax credit of \$150 or less apiece for people who donate to higher education. Another section provides up to a \$12,000 tax credit for corporations for each employee hired from RISE, a job-training program which targets low-income, African American men. The tax credit compensates corporations for RISE's placement and retention fees, but the corporation must pay the trained employee at least \$20,000 per year to be eligible for the tax credit.

The bill also offers several exemptions, including sales of used farm equipment, revenue from the first \$12 million of

parimutuel race-track betting at Canterbury Park, and unsold pull-tabs and tipboards held by charitable organizations. Exemptions for wind energy and ice-arena construction materials are extended by one year, and out-of-state purchases of less than \$770 per year are exempted from Minnesota use tax.

Omnibus bill reviewed

The Taxes and Tax Laws Property Tax Subcommittee had its first review of the 1996 omnibus tax bill Mon., Feb. 26. Senators approved S.F. 2115, authored by Sen. Douglas Johnson (DFL-Cook), and re-referred the bill to the Sales and Income Tax Subcommittee.

Two major components of the bill affect the Iron Range. One article begins a "fiscal disparities" tax-sharing program in the taconite tax relief area. The program will be almost identical to the Metro Area fiscal disparities program, which pools and redistributes a portion of new commercial and industrial growth within the region, said Sen. Jerry Janezich (DFL-Chisholm). The bill also includes \$10 million in low-interest loans and \$3 million in grants, funded from the taconite tax, to encourage economic development on the Iron Range.

The bill removes a \$300,000 cap on the value of homes that qualify for "this old house" tax credits, if 45 percent or more of a city's housing stock was built before 1945 and city property values fall below the state median. The credits allow homeowners to keep their taxes down after improving an older property.

Under the bill, judges may shorten the time an owner has to reclaim a tax-delinquent home, if the home is determined to be abandoned. Another provision expands special service district uses, allowing them to be put in place to improve common areas of condominiums or apartment buildings. The bill also removes the requirement for legislative authorization to start special service districts. Apartments in cities of 10,000 or less, apartments in border cities, apartments made from former warehouses, and remodeled post-war apartments are targeted for tax relief. General tax-rate relief for apartments, along with other property tax reform provisions, is not included in the omnibus bill.

The Met Council is given authority in the bill to issue \$20.5 million in bonds to purchase new buses, and the Metropolitan Airports Commission is allowed to bond against its revenue. The bill exempts St. Paul's Holman Field from city and school district taxes, so it can offer competitive rates to relieve commercial traffic at

1996 Committee Assignments

Agriculture and Rural Development (12)

Chair: Moe, R.D. Vice Chair: Hanson
Office: 208 Telephone: 296-7405
Meets: M,W; 12 noon-2 p.m.; Room 107
Members:

Berg	Lesewski	Sams	Vickerman
Dille	Morse	Scheevel	
Fischbach	Murphy	Stevens	

Commerce and Consumer Protection (15)

Chair: Price Vice Chair: Wiener
Office: 235 Telephone: 296-4158
Meets: M,W; 12 noon-2 p.m.; Room 112
Members:

Anderson	Hottinger	Limmer	Solon
Belanger	Janezich	Metzen	
Chandler	Kroening	Oliver	
Day	Larson	Samuelson	

Crime Prevention (13)

Chair: Spear Vice Chair: Anderson
Office: 120 Telephone: 296-4191
Meets: M, W, Th; 2-4 p.m.; Room 15
Members:

Beckman	Kelly	Limmer	Neuville
Belanger	Knutson	Marty	Ranum
Cohen	Laidig	Merriam	

Crime Prevention Finance Division (9)

Chair: Beckman
Office: 306 Telephone: 296-5713
Members:

Cohen	Knutson	Merriam	Ranum
Kelly	Laidig	Neuville	Spear

Education (23)

Co-Chair: Pogemiller Co-Chair: Stumpf
Co-Vice Chair: Krentz Co-Vice Chair: Murphy
Office: 235 Telephone: 296-4185
Meets: T, W, Th; 10-12 noon; Room 112
Members:

Beckman	Langseth	Ourada	Robertson
Hanson	Larson	Pappas	Scheevel
Janezich	Moe, R.D.	Price	Solon
Kleis	Neuville	Ranum	Wiener
Knutson	Olson	Reichgott Junge	

Education Funding Division (15)

Chair: Pogemiller Vice Chair: Krentz
Office: 235 Telephone: 296-7809
Members:

Beckman	Langseth	Ranum	Stumpf
Hanson	Larson	Reichgott Junge	
Janezich	Olson	Robertson	
Knutson	Pappas	Scheevel	

Higher Education Division (11)

Chair: Stumpf Vice Chair: Murphy
Office: 235 Telephone: 296-4185
Members:

Kleis	Neuville	Price
Larson	Ourada	Solon
Moe, R.D.	Pogemiller	Wiener

Environment and Natural Resources (19)

Chair: Lessard Vice Chair: Riveness
Office: 111 Telephone: 296-1113
Meets: T, 2-4 p.m.; F, 10-2 p.m.; Room 107
Members:

Anderson	Frederickson	Mondale	Price
Berg	Johnson, J.B.	Morse	Stevens
Chandler	Laidig	Novak	
Dille	Lesewski	Olson	
Finn	Merriam	Pariseau	

Environment and Natural Resources Finance Division (12)

Chair: Morse
Office: G-24 Telephone: 296-5649
Members:

Berg	Johnson, J.B.	Merriam	Price
Finn	Laidig	Olson	Riveness
Frederickson	Lessard	Pariseau	

Ethics and Campaign Reform (11)

Chair: Marty Vice Chair: Reichgott Junge
Office: G-9 Telephone: 296-5712
Meets: 12 noon-2 p.m.; Room 107
Members:

Cohen	Johnson, D.J.	Pariseau
Day	Laidig	Pogemiller
Johnson, D.E.	Moe, R.D.	Sams

Family Services (15)

Chair: Piper Vice Chair: Betzold
Office: G-9 Telephone: 296-9248
Meets: T, Th; 12 noon-2 p.m.; Room 15
Members:

Berglin	Kiscaden	Riveness	Stevens
Chandler	Kramer	Robertson	
Fischbach	Krentz	Samuelson	
Johnson, J.B.	Ourada	Solon	

Finance (21)

Chair: Merriam Vice Chair: Riveness
Office: 122 Telephone: 296-4157
Meets: M, T, W, Th; 4-6 p.m.; Room 123
Members:

Beckman	Johnston	Larson	Samuelson
Cohen	Kelly	Morse	Spear
Frederickson	Kroening	Neuville	Stumpf
Johnson, D.E.	Laidig	Piper	Terwilliger
Johnson, J.B.	Langseth	Ranum	

Finance State Government Division (12)

Chair: Cohen Vice Chair: Riveness
Office: 317 Telephone: 296-5931
Members:

Frederickson	Kroening	Morse	Terwilliger
Johnston	Langseth	Neuville	
Kelly	Merriam	Piper	

1996 Committee Assignments

Gaming Regulation (9)

Chair: Berg

Office: 328

Meets: T, W; 8-10 a.m.; Room 107

Members:

Johnson, D.E.	Marty	Neuville	Spear
Lessard	Mondale	Scheevel	

Governmental Operations and Veterans (14)

Chair: Metzen

Office: 303

Meets: T, W, F; 8-10 a.m.; Room 15

Members:

Beckman	Kramer	Riveness	Stumpf
Fischbach	Morse	Runbeck	Terwilliger
Kleis	Pogemiller	Stevens	Wiener

Health Care (11)

Chair: Berglin

Office: G-9

Meets: T, W, Th; 10 a.m.-12 noon; Room 15

Members:

Betzold	Kramer	Samuelson
Finn	Oliver	Terwilliger
Kiscaden	Piper	Vickerman

Vice Chair: Sams

Telephone: 296-4151

Health Care and Family Services Finance Division (13)

Chair: Samuelson

Office: 124

Members:

Berglin	Kiscaden	Riveness	Stevens
Betzold	Kramer	Sams	Terwilliger
Fischbach	Piper	Solon	Vickerman

Telephone: 296-4875

Jobs, Energy and Community Development (14)

Chair: Novak

Office: 322

Meets: T, W, Th; 10 a.m.-12 noon; Room 107

Members:

Anderson	Dille	Kelly	Limmer
Chandler	Frederickson	Kroening	Metzen
Chmielewski	Johnson, D.J.	Lesewski	Runbeck

Vice Chair: Johnson, J.B.

Telephone: 296-1767

Jobs, Energy and Community Development Finance Division (11)

Chair: Kroening

Office: 124

Members:

Anderson	Dille	Lesewski	Novak
Chandler	Frederickson	Limmer	
Chmielewski	Johnson, J. B.	Metzen	

Telephone: 296-4302

Judiciary (13)

Chair: Kelly

Office: 323

Meets: M, W; 12 noon-2 p.m.; Room 15

Members:

Berglin	Flynn	Knutson	Robertson
Cohen	Kiscaden	Krentz	Spear
Finn	Kleis	Reichgott Junge	

Vice Chair: Betzold

Telephone: 296-5285

Metropolitan and Local Government (16)

Chair: Vickerman

Office: 226

Meets: M, W, Th; 2-4 p.m.; Room 107

Members:

Betzold	Janezich	Oliver	Runbeck
Day	Johnston	Pappas	Wiener
Flynn	Langseth	Pariseau	
Hottinger	Lessard	Robertson	

Vice Chair: Mondale

Telephone: 296-4150

Rules and Administration (27)

Chair: Moe, R.D.

Office: 208

Meets: On call

Members:

Belanger	Kelly	Metzen	Spear
Berg	Knutson	Neuville	Stumpf
Berglin	Laidig	Novak	Terwilliger
Flynn	Larson	Olson	Vickerman
Frederickson	Lessard	Piper	
Johnson, D.E.	Marty	Pogemiller	
Johnson, D.J.	Merriam	Price	

Vice Chair: Reichgott Junge

Telephone: 296-4150

Taxes and Tax Laws (20)

Chair: Johnson, D.J.

Office: 205

Meets: M, T, W, Th; 4-6 p.m.; Room 15

Members:

Belanger	Hottinger	Oliver	Reichgott Junge
Berglin	Marty	Olson	Runbeck
Day	Mondale	Pariseau	Sams
Dille	Murphy	Pogemiller	
Flynn	Novak	Price	

Vice Chair: Pappas

Telephone: 296-4839

Transportation and Public Transit (14)

Chair: Flynn

Office: 120

Meets: T, W, F; 8-10 a.m.; Room 112

Members:

Belanger	Hanson	Langseth	Ourada
Chmielewski	Johnston	Lesewski	Pappas
Day	Krentz	Murphy	Vickerman

Vice Chair: Ranum

Telephone: 296-4274

Transportation and Public Transit Finance Division (8)

Chair: Langseth

Office: G-24

Members:

Belanger	Day	Hanson	Vickerman
Chmielewski	Flynn	Johnston	

Telephone: 296-3205

Committee update

Minneapolis-St. Paul International Airport.

The bill permits cities to use tax-increment financing, or TIF, to develop former "green acres" property for manufacturing or qualifying affordable housing projects. Green-acres laws offer tax breaks to certain farmland, in an effort to preserve family farms and delay development. Senators asked Sen. Warren Limmer (R-Maple Grove) to draft a narrower version of his proposal to allow Maple Grove to use TIF to build a commercial and low-income housing area on gravel pit sites. Sen. Lawrence Pogemiller (DFL-Mpls.) said the bill would allow anyone to use TIF to build retail centers on former gravel pits. No vote was taken on the amendment.

Senators approved an amendment from Sen. Carol Flynn (DFL-Mpls.) to convert \$2.5 million from HACA now given railroad authorities to criminal justice aid to counties. They also approved an amendment from Sen. Steve Murphy (DFL-Red Wing) to phase in valuation increases in "open space" property such as golf courses and archery ranges.

Gas tax rolled into omnibus

A five-cent gas tax increase and half-cent Metro Area sales tax were attached to the 1996 omnibus tax bill at a meeting of the Taxes and Tax Laws Committee Tues., Feb. 27.

The sales tax funds Metro Area bus service, replacing a property tax now levied by the Met Council. The gas tax revenue, under the Minnesota Constitution, must be spent to repair and maintain roads. Sen. Steven Novak (DFL-New Brighton) successfully moved to delete a section indexing the gas tax. The amendment was approved on a divided voice vote.

No vote was taken on the entire omnibus bill, S.F. 2115, authored by Chair Douglas Johnson (DFL-Cook). Johnson said a bipartisan group of Senators has been meeting to try to craft a compromise property tax reform proposal and transportation funding package, either of which could be incorporated in the bill.

A tax-law change likely to save Northwest Airlines millions of dollars was also amended onto the bill. Sen. William Belanger (R-Bloomington) offered the amendment to include the contended tax provision, which was recommended by the governor but rejected earlier in the session by the Sales and Income Tax Subcommittee.

Belanger said the change is a question of fairness, because Minnesota is the only state to tax revenue from airplane leases on the basis of location of the leasing airline's headquarters, rather than the

landing of planes within the state. The bill saves money for companies that lease airplanes to Northwest Airlines, the only airline headquartered in Minnesota, in turn reducing the airline's lease costs. Under the amendment, some airplane lessors will have to start paying Minnesota taxes, but the measure still costs the state \$3.5 million annually. Warren Spannis, counsel to Northwest Airlines, said taxes based on headquarters "does a disservice to the entire tax code" and is very likely unconstitutional.

Sen. Sandra Pappas (DFL-St. Paul) said Northwest executives showed "extremely bad timing" in requesting the change now, in a time of record company profits following significant support from the state. "I just think the public is going to be outraged," said Pappas. Sen. Steve Murphy (DFL-Red Wing) said, however, that he'd rather provide tax relief to "the economic engine of the state" than cabin owners. The amendment passed 12-7 on a roll-call vote.

Senators rejected an amendment, proposed by Sen. Phil Riveness (DFL-Bloomington), to provide relief to residents who live under the noisy skies near Minneapolis-St. Paul International Airport. The amendment extends "urban revitalization" income-tax credits and housing replacement TIF privileges to airport neighborhoods affected by noise. "It's still going to be noisy in the homes. Why would we be providing incentives for people to build or rehabilitate homes and move in there?" asked Johnson.

Senators approved a portion of Riveness' amendment allowing watershed districts to levy for storm sewer projects. Other approved amendments allow Maple Grove special use of a TIF district to redevelop a gravel pit, and convert regional rail authority HACA payments to county criminal justice aid. Senators tabled a Belanger amendment outlining a Bloomington land-swap of an undeveloped farm held by the Mall of America for the old Met Center site.

Horse-track poker okayed

A proposal to bring poker games to Canterbury Park is galloping into the home stretch, after being approved and sent to the floor by the Taxes and Tax Laws Committee Weds., Feb. 28.

The bill allows a Class A race-track to host "unbanked" card gambling, in which the players bet one another, and are charged for the service, either by a percentage of winnings or seat-time. "The players do not play against the house, they play against themselves," said Sen. Jerry Janeczich (DFL-Chisholm), sponsor of S.F. 2052. Janeczich said financially ailing Canterbury Park could earn \$3 million to \$5 million annually from the games,

which he sees as a more modest proposal than slot machines or other casino games.

Under the bill, the card games are regulated by the state Racing Commission. According to Pat Lien of the Department of Revenue, allowing the games at the race-track also allows Indian casinos the right to host unbanked card games. "Most of the people in the state are saying we don't want an expansion of gambling," said Committee Chair Douglas Johnson (DFL-Cook). Johnson said charitable pull-tabs once seemed a modest measure, too. But John Abbot, counsel to the race-track, said the poker games are 18 times less profitable than games already permitted in casinos. A motion from Sen. Leonard Price (DFL-Woodbury) to limit bets to \$25 and the number of tables to 50 failed on a 7-7 vote.

The committee approved three bills and sent them to the floor. H.F. 2112, authored by Sen. Steven Morse (DFL-Dakota), allows municipalities to bond to create a revolving loan fund dedicated to fixing septic systems or sealing contaminated wells. Property owners may apply for the low-interest loans, which are repaid as special assessments on the improved property.

H.F. 2415, authored by Sen. Lawrence Pogemiller (DFL-Mpls.), modifies procedures for awarding money from the state's small-issue bonding pool. The bill institutes a point system for choosing among manufacturing projects, and ranks rental housing third on the list of bonding priorities for the pool. The subcommittee also approved an amendment to the bill from Sen. Steven Novak (DFL-New Brighton), making technical changes to the low-income housing tax-credit program.

S.F. 2365, authored by Sen. Ted Mondale (DFL-St. Louis Park), authorizes the Metropolitan Council to negotiate a land-swap of undeveloped Bloomington farmland, held by the Mall of America, for the old Met Center site. The farm is needed for runway expansion. The bill also expands the Met Council's use of the right-of-way loan fund to acquire property needed for road construction, although it was amended in the committee to retain levy limits for the fund.

The committee did not vote on S.F. 2482, authored by Sen. Jane Krentz (DFL-May Township), reallocating a portion of HACA payments into a performance aid program. Krentz said the bill wasn't ready for approval.

Monday, February 26

Higher Ed bill approved

Sen. Roger D. Moe designated six bills as Special Orders to be considered for final passage at the Mon., Feb. 26 floor

session. Debate began with S.F. 2849, the higher education supplemental appropriation bill, authored by Sen. LeRoy Stumpf (DFL-Thief River Falls). The bill contains a \$2 million appropriation for state student financial aid grants and \$170,000 for a state-wide, on-line information system for university libraries. The Board of Trustees of the Minnesota State Colleges and Universities was granted \$3.3 million to develop an electronic academy in an effort to implement new and innovative uses for technology within the classroom and \$150,000 to update electronic capability for instructors in farm business management programs. Stumpf said that the bill appropriates \$3.2 million to the University of Minnesota for several major initiatives creating a more efficient delivery system. The system will include better use of technology for linking university efforts and includes projects to improve the services of academic health centers, to create training programs for rural health care and to re-engineer technology transfer services for the academic health center, Stumpf said.

Sen. Martha Robertson (R-Minnetonka) offered an amendment to eliminate an appropriation of \$35,000 for an attorney loan repayment program. The program is designed to offer financial aid to lawyers working for charitable, non-profits who have a household income of less than \$30,000. Stumpf said the money must be matched by public, non-government dollars, and is designed to help those who want to work in traditionally low-salary areas of the law for the poor.

Several Senators spoke against the amendment, stating that legal services are not very well funded. Sen. Ellen Anderson (DFL-St. Paul) said that there are few options for low income people needing legal assistance. The program, she said offers a way for lawyers to be able to afford to work in the public sector. "The legal system is set up so that only those with money have access to legal services," said Anderson. Sen. Jane Ranum (DFL-Mpls.) agreed with Anderson, noting that there are few people from low-income communities in attorney positions.

Sen. Gene Merriam (DFL-Coon Rapids) supported the amendment and questioned whether anyone felt there was a need for more attorneys. The amendment was adopted, removing the \$35,000 appropriation.

An amendment, offered by Sen. Dennis Frederickson (R-New Ulm), increases appropriations to the University of Minnesota Academic Health Centers. The increase would result in an appropriation of \$14.5 million. Frederickson said that University is a leader in the health care industry, and attracts grants for

medical technology and businesses in the state. He said that money is needed to uphold this tradition. The amendment failed. The bill was given final passage on a 62-2 vote.

Sen. Richard Cohen (DFL-St. Paul) presented the state department appropriations bill, S.F. 2857. The appropriations include a \$5.4 million appropriation to the Department of Finance for the statewide systems project. Flexibility is given to the commissioner of finance to transfer portions of the appropriation to the commissioner of administration and the commissioner of employee relations. The Department of Human Rights was appropriated \$300,000 for an alternative dispute resolution program and to reduce the backlog of open cases under investigation by the department. The bill allows the Department of Finance to charge back state agencies. An amendment, offered by Stumpf, requires consultation with the University and MnSCU in the development of billing policies and procedures. The amendment was adopted and the bill received final passage.

Sen. Bob Lessard (DFL-Intl. Falls) presented S.F. 2760, a bill providing an exception to alien ownership of agricultural land for production of timber and forestry products. The bill allows Blandin Corp. to continue ownership of forestry land with agriculture land on it. Under the bill, Blandin is granted exemption to the law prohibiting companies from directly or indirectly acquiring or obtaining title to agricultural land unless at least 80 percent of each class of stock issues and outstanding or 80 percent of the ultimate beneficial interest of the entity is held directly or indirectly by citizens of the United States or permanent resident alien.

Merriam offered an amendment to extend the exception not only to Blandin, but to any other corporation that meets qualification. Frederickson and Sen. Steve Morse (DFL-Dakota) opposed opening up the exception further to other companies. Fredrickson said that it is desirable to keep agriculture land in the hands of operating farmers. The amendment opens up the potential of foreign ownership of agriculture land in the state, he said. The Merriam amendment was approved and the bill received final passage.

A bill, stating that whoever flees the scene of an accident in which death or injury occurs is guilty of criminal vehicular operation, received approval by members with little debate. The bill, S.F. 2011, authored by Sen. Deanna Wiener (DFL-Eagan), strengthens the sentencing guidelines for those who flee, and increases the penalty to 48 months rather than the current 6 month penalty.

Sen. Don Betzold (DFL-Fridley) presented S.F. 1791, a bill requiring every health plan that provides maternity benefits to provide coverage of a minimum of 48 hours of inpatient care following a vaginal delivery and 96 hours of inpatient care following a cesarean section for the mother and her newborn. Betzold said that the bill does not mandate a medical practice, rather, it allows mothers to decide whether or not to stay.

Sen. Sheila Kiscaden (R-Rochester) said that the Health Technology Advisory Committee suggested evaluation on whether new mothers and babies are getting proper care be made on a case by case basis, based on guidelines drawn up by the American Academy of Pediatrics. The issue should be taken up between the health care providers and the insurers, said Kiscaden.

An amendment, offered by Merriam, removes health care cost containment provisions in the law. Merriam said the amendment would allow the free market system to work in the health care industry. The amendment was challenged by Betzold on grounds of germaneness. Merriam withdrew his amendment and the bill received final passage on a note of 55-8.

Tuesday, February 27

Transportation bill gains

The omnibus transportation and public transit supplemental appropriations bill also gained final passage at the Tues., Feb. 27, floor session. S.F. 2702, carried by Sen. Keith Langseth (DFL-Glyndon), provides for \$42.6 million for state road construction and design, \$4.5 million for metro transit and \$1.56 million for rural transit. The measure also contains a \$200,000 appropriation for convening a telecommuting community dialogue process to gather information on existing telecommunication systems, conduct public opinion polls via the Internet and develop recommendations on improving the integration and coordination of telecommunication systems. In addition, the bill provides \$100,000 for a grant to Shingobee in Cass County to improve the Ah-Gwah-Ching cutoff road, and \$110,000 for work on the Stone Arch Bridge in Minneapolis.

Most of the debate on the measure occurred over an amendment, offered by Sen. Ted Mondale (DFL-St. Louis Park), to require the Metropolitan Council to report on the construction of the bridge across the St. Croix River in Stillwater. Mondale said that the amendment does not stop the project from going forward but allows the Legislature to take one last look at the project. Sen. Gary Laidig (R-Stillwater) said that the bridge has been

Committee update

studied extensively and that there is no shortage of documentation. Langseth also opposed the amendment, saying that there has been ample opportunity to study the proposal. The amendment failed on a 15-49 roll call vote. The bill was granted final passage on a 59-5 roll call vote.

Wednesday, February 28

Environment funding debated

The Senate convened Wed., Feb. 28, to debate the environment and natural resources supplemental appropriations bill. The bill, S.F. 2167, authored by Sen. Steve Morse, appropriates a general fund total of \$2.3 million for programs and projects. In all, the measure contains just under \$10 million from all funds, said Morse. The bill includes \$1 million for maintenance and improvements to metropolitan parks, \$1 million for state parks and \$630,000 for Reinvest in Minnesota Critical Habitat. The University of Minnesota received an allocation of \$80,000 for turf grass research and a \$200,000 appropriation for Minnesota Institute for Sustainable Agriculture. Allocations for the Department of Natural Resources (DNR) include \$247,000 for state park computerization, \$1.3 million for off-highway recreation areas, and \$35,000 for a pilot project involving distribution of no-trespassing signs.

Sen. Bob Lessard (DFL-Int'l Falls) offered an amendment to reallocate money from the general fund as well as from the assessment on timber, natural resources, facilities and road damage. The amendment adds the reallocated \$100,000 to the amount appropriated for snowmobile trails grants, for which matches by non-state sources must be made, said Lessard. Lessard explained the increase appropriation is necessary to the success of the snowmobile industry in Minnesota. Without the industry, he said, there would not be money for other programs. The amendment was adopted.

Discussion turned to the no-trespassing sign appropriation. Morse explained the pilot project as one in which the DNR meets with conservationists, farmers and other groups to develop a uniform no-trespassing sign. The provision eliminates property owner responsibility for posting no-trespassing signs, described by Morse as a "burden on the private land owner." The pilot project would begin in three counties with possible implementation in others, said Morse. Sen. Steve Dille (R-Dassel) offered an amendment that deletes the allocation for trespassing signs. Dille's amendment reallocates the money for grants and establishes a one-on-one

educational delivery team system to provide new technologies to farmers to enhance the productive potential and financial management of dairy farms in the state. The amendment failed to gain approval.

An amendment to eliminate \$20,000 for a study on environmental justice was offered by Sen. Charles Berg (DFL-Chokio). Opposition was voiced by from Sen. Janet Johnson (DFL-North Branch), who said the study was needed to examine relationships of hazardous sites in the state on people affected by the sites. Johnson said that the lives of many low-income residents in the St. Paul area alone may have been adversely affected by environmental issues. The Berg amendment failed.

Berg offered an additional amendment to remove \$200,000 in appropriations from the Minnesota Institute for Sustainable Agriculture. Morse opposed the amendment, saying the sustainable system development program is a necessarily program to balance the interests of economics, the environment and the community. The amendment failed on a 17 to 45 vote.

Sen. Ellen Anderson (DFL-St. Paul) offered an amendment eliminating the fee increases for state park entrance. The amendment eliminates \$100,000 from the snowmobile fund, \$35 from the no-trespassing signs, \$40,000 from various agriculture programs and \$35,000 from turf grass research. Morse defended the entrance fee increase, stating that the Parks and Trails Council supports the measure. The amendment failed.

An amendment restricting the construction, renovation or operation of a steam producing facility with a steam producing capacity within a designated portion of the Mississippi River was offered by Sen. Lawrence Pogemiller (DFL-Mpls.). Pogemiller said the Mississippi River is one of the state's greatest resources and needs protection. The amendment failed on a 26 to 34 roll call vote.

Crime prevention bill okayed

The latter portion of the Weds., Feb. 28, floor session was devoted to consideration of the omnibus crime prevention supplemental appropriations bill. The \$15.4million package contains appropriations for a broad range of crime prevention initiatives, said chief author, Sen. Tracy Beckman (DFL-Bricelyn). According to Beckman, S.F. 2856 earmarks more than half the funds for prevention programs. In addition, Beckman said that the bill provides an emphasis on reform provisions and on assisting local jurisdictions deal with juvenile programs.

The bill contains provisions for community notification of sex offender release, background checks on employees in contact with vulnerable adults, violence prevention grants, a prison industry study and a system wide corrections study, an auto-theft prevention program and grants for crisis nurseries and home visiting, Beckman said. The measure also extends the number of months for the challenge incarceration program and increases the number of individuals participating in the program, Beckman said. In addition, Beckman said that the bill increases youth intervention program grants, increases the number of youth neighborhood centers, expands grant programs for truancy, establishes a program targeted for at-risk 8 - 13 year olds and provides grants for hiring new law enforcement officers.

Speaking in support of the bill, Sen. Randy Kelly said, "This is one of the better crime prevention bills I've worked on; this is a bipartisan bill, keeping in mind the priorities of the administration and the concerns of the public."

Members considered a number of amendments to the measure. One amendment, offered by Sen. Dave Kleis (R-St. Cloud), to prohibit smoking by inmates in any state correctional facility, generated considerable discussion. Kleis argued that medical costs for inmates are increasing and that a prohibition on smoking will help contain the rising health care costs. The amendment failed on a 28-31 roll call vote. However, Kleis re-offered the amendment later in the debate with additional language to allow the use of tobacco in traditional Indian spiritual or cultural ceremonies. The second version of the amendment was adopted 33-28.

An amendment, offered by Sen. Thomas Neville (R-Northfield), requiring the commissioner to maximize the use of inmate labor throughout the state, was also adopted. In addition, members adopted an amendment, offered by Neville, to prevent recommendations of the Sentencing Guidelines Commission, adjusting sentence lengths for specific crimes, from taking effect.

The bill gain final passage on a 60-1 roll call vote.

In other action, members refused to concur on changes made to S.F. 2012, a bill authorizing memorial names for portions of two trunk highways. The measure designates a part of Highway 22 as Victory Drive and a section of Highway 15 as Veterans Memorial Highway.

Senators objected to the provision added by the other body that authorizes the Dept. of Transportation to reimburse the requesting community's costs for the signs. But author Tracy Beckman (DFL-

Bricelyn) said that the department had agreed to the change and that the cost of the signs is minimal -- approximately \$300.

Sen. Gene Merriam (DFL-Coon Rapids) spoke against the provision. "It's shifted the cost from the communities who've asked for the signs to the taxpayers of the state."

Sen. Deanna Wiener (DFL-Eagan) argued that the reason the communities are allowed to name the highways is because they also agreed to assume the costs related to the signs. "We authorized naming because of the commitment that the communities would bear the cost," Sen. Carol Flynn (DFL-Mpls.) added. Flynn's move to send the measure to conference committee was approved.

Members granted preliminary passage to several bills on General Orders including S.F. 1844, authored by Sen. Thomas Neuville (R-Northfield), a bill that changes provisions regulating appointments to the Rice County Hospital Board; S.F. 2317, carried by Sen. Linda Berglin (DFL-Mpls.), a bill that clarifies that the Minneapolis Andrews facility is entitled to nursing home reimbursements; and Flynn's S.F. 2194, a measure that gives the Metropolitan Council authority to determine an allocation method for wastewater services. S.F. 2089, sponsored by Sen. Ellen Anderson (DFL-St. Paul), extends the authority of probation officers in non-CCA counties; S.F. 1978, carried by Sen. Dallas Sams (DFL-Staples), establishes reciprocity between Minnesota

and other states for hunting licenses; S.F. 1464, sponsored by Sen. Mark Ourada (R-Buffalo), changes provisions regulating water levels; S.F. 2527, authored by Sen. John Marty (DFL-Roseville), exempts some campaign materials from disclaimer requirement; Beckman's S.F. 1968 increases penalties for assaults against firefighters and emergency medical personnel; and Wiener's S.F. 2624 clarifies insurance policies for day care centers operating out of private homes. Two measures carried by Sen. Allan Spear (DFL-Mpls.), S.F. 2322, a bill that prohibits individuals convicted of domestic abuse or stalking from owning a gun for three years, and S.F. 2385, a bill that provides uniformity for probation services, were also approved.

Floor action

Bills granted final passage on Special Orders, Monday, February 26

S.F. 2849-Stumpf: Omnibus higher education supplemental appropriations. 62-2

S.F. 2857-Cohen: Omnibus state government supplemental appropriations. 53-9

S.F. 2760-Lessard: Provides an exception to alien ownership of agricultural land for production of timber and forestry products. 56-6

S.F. 2011-Wiener: Provides that whoever flees the scene of an accident in which death or injury occurs is guilty of criminal vehicular operation and prescribes penalties. 61-0

H.F. 2008-Betzold: Regulates childbirth and postpartum care health insurance benefits. 55-8

S.F. 2332-Merriam: Modifies provisions relating to health care professional sexual misconduct cases. 62-0

S.F. 2419-Piper: Authorizing the placement of a plaque on the Capitol grounds recognizing the service of women veterans from all wars. 61-0

S.F. 2272-Sams: Extends the repealer of the prohibition on exclusive relationships. 61-0

S.F. 2188-Murphy: Clarifies local conflict of interest provisions relating to economic development. 60-0

S.F. 2149-Murphy: Modifies provisions relating payment of wages upon termination and reduces the age requirement for newspaper carriers under the children labor law. 64-0

S.F. 2296-Piper: Establishes a new trail in Freeborn and Mower Counties. 59-2

H.F. 2365-Lessard: Omnibus forestry bill that modifies open burning restrictions, modifies provisions relating to timber sales. 63-0

S.F. 2148-Murphy: Holding members of a team of science advisors to study the effects of stray voltage in the earth immune from law suits based on the team's report and indemnifying members for court costs. 63-0

S.F. 1796-Krentz: Increases the penalty for intentionally discharging a firearm under dangerous circumstances and expands the scope of transit vehicle crime. 63-0

S.F. 1938-Krentz: Authorizes continued detention of juveniles in jails and lockups under certain conditions such as bad weather that makes travel hazardous. 63-0

S.F. 2552-Hottinger: Modifies provisions governing the calculation of workers compensation premiums, modifies provisions relating to independent contractors and changes terms of a pilot program. 62-1

S.F. 2088-Lesewski: Authorizes the use of certain incinerators and expands the eligible installation dates. 60-4

Bills granted concurrence and repassage Tuesday, February 27

S.F. 2584-Metzen: Eliminates some duties of the directors of the Minnesota Veterans Homes Board. 50-8

S.F. 2813-Janezich: Regulates heavy and utility equipment manufacturers and dealers and modifies the definition of truck parts. 54-0

Floor action

Bills granted final passage on Special Orders Tuesday, February 27

H.F. 1884-Pogemiller: Omnibus K-12 education supplemental appropriations. 65-0

S.F. 2702-Langseth: Omnibus transportation and public transit supplemental appropriations. 59-5

Bills taken from the table and granted final passage Wednesday, February 28

H.F. 2411-Murphy: Prohibits trespassing on agricultural land for outdoor recreation, modifies posting requirements, provides criminal and civil penalties, and establishes an appeals procedure. 57-0

Bills granted preliminary passage on General Orders Wednesday, February 28

S.F. 1844-Neuville: Provides for the reorganization, administration and operation of a hospital district in Rice County.

S.F. 2317-Berglin: Clarifies a rate exception for group residential housing.

S.F. 1844-Neuville: Provides for the reorganization, administration and operation of a hospital district in Rice County.

S.F. 2194-Flynn: Allows the Metropolitan Council to determine an allocation method for wastewater services.

S.F. 2089-Anderson: Authorizes peace officers and probation officers to detain probationers based on an order from the court services director of county probation agencies not organized under the Community Corrections Act.

S.F. 2322-Spear: Limits the right to possess a pistol for persons convicted of violating an order for protection and for persons convicted of a stalking or harassment crime, increases the penalty for committing domestic assault in the presence of a minor and requires domestic abuse assessments.

S.F. 2385-Spear: Clarifies jurisdiction of probation service providers, requires reports and reviews, requires policies to be adopted and requires probation service providers to collect and maintain information.

S.F. 1978-Sams: Allows nonresidents under age 16 to take small game if they are from a state with reciprocity with Minnesota.

S.F. 1968-Beckman: Increases penalties for assaulting a firefighter or a provider of emergency medical services.

S.F. 2624-Wiener: Clarifies coverage under homeowner's insurance for day care services.

S.F. 1464-Ourada: Modifies provisions relating to certain water level control permits.

S.F. 2527-Marty: Provides an exemption from the political disclaimer law for certain campaign materials.

Bills granted final passage on Special Orders Wednesday, February 28

S.F. 2167-Morse: Omnibus environment and natural resources supplemental appropriations. 46-16

S.F. 2856-Beckman: Omnibus crime prevention supplemental appropriations. 60-1

Bills granted concurrence and repassage Thursday, February 29

S.F. 1800-Stevens: Changes procedures for disposition of closed armories. 59-0

S.F. 2009-Johnson, D.E.: Allows the city of Willmar to enter into a joint venture with the Kandiyohi Cooperative Electric Power Association for the provision of electric power. 60-0

Bills granted final passage on the Senate Calendar Thursday, February 29

S.F. 2317-Berglin: Clarifies a rate exception for group residential housing. 59-1

S.F. 1844-Neuville: Provides for the reorganization, administration and operation of a hospital district in Rice County. 57-0

S.F. 2194-Flynn: Allows the Metropolitan Council to determine an allocation method for wastewater services. 59-0

S.F. 2089-Anderson: Authorizes peace officers and probation officers to detain probationers based on an order from the court services director of county probation agencies not organized under the Community Corrections Act. 60-0

S.F. 2322-Spear: Limits the right to possess a pistol for persons convicted of violating an order for protection and for persons convicted of a stalking or harassment crime, increases the penalty for committing domestic assault in the presence of a minor and requires domestic abuse assessments. 61-0

S.F. 2385-Spear: Clarifies jurisdiction of probation service providers, requires reports and reviews, requires policies to be adopted and requires probation service providers to collect and maintain information. 60-0

S.F. 1978-Sams: Allows nonresidents under age 16 to take small game if they are from a state with reciprocity with Minnesota. 59-2

S.F. 1968-Beckman: Increases penalties for assaulting a firefighter or a provider of emergency medical services. 57-0

S.F. 2624-Wiener: Clarifies coverage under homeowner's insurance for day care services. 61-0

S.F. 1464-Ourada: Modifies provisions relating to certain water level control permits. 61-0

S.F. 2527-Marty: Provides an exemption from the political disclaimer law for certain campaign materials. 61-0

Bills granted final passage on Special Orders Thursday, February 29

S.F. 2308-Samuelson: Omnibus health care and human services supplemental appropriations. 43-18

**Membership Listing
1996 Session**

Party	Phone	Name	Room	Dist.	Party	Phone	Name	Room	Dist.
DFL	5537	Anderson, Ellen R.	120 Cap.	66	DFL	5645	Marty, John	G-9 Cap.	54
DFL	5713	Beckman, Tracy L.	306 Cap.	26	DFL	4154	Merriam, Gene	122 Cap.	49
R	5975	Belanger, William V., Jr.	113 SOB	41	DFL	4370	Metzen, James P.	303 Cap.	39
DFL	5094	Berg, Charles A.	328 Cap.	13	DFL	2577	Moe, Roger D.	208 Cap.	2
DFL	4261	Berglin, Linda	G-9 Cap.	61	DFL	7-8065	Mondale, Ted A.	226 Cap.	44
DFL	2556	Betzold, Don	G-24 Cap.	48	DFL	5649	Morse, Steven	G-24 Cap.	32
DFL	9307	Chandler, Kevin M.	111 Cap.	55	DFL	4264	Murphy, Steve L.	301 Cap.	29
DFL	4182	Chmielewski, Florian	325 Cap.	8	R	1279	Neuville, Thomas M.	123 SOB	25
DFL	5931	Cohen, Richard J.	317 Cap.	64	DFL	4334	Novak, Steven G.	322 Cap.	52
R	9457	Day, Dick	105 SOB	28	R	4837	Oliver, Edward C.	121 SOB	43
R	4131	Dille, Steve	103 SOB	20	R	1282	Olson, Gen	119 SOB	34
DFL	6128	Finn, Harold R. "Skip"	306 Cap.	4	R	5981	Ourada, Mark	145 SOB	19
R	2084	Fischbach, Michelle	132C SOB	14	DFL	1802	Pappas, Sandra L.	120 Cap.	65
DFL	4274	Flynn, Carol	120 Cap.	62	R	5252	Pariseau, Pat	109 SOB	37
R	8138	Frederickson, Dennis R.	139 SOB	23	DFL	9248	Piper, Pat	G-9 Cap.	27
DFL	3219	Hanson, Paula E.	328 Cap.	50	DFL	7809	Pogemiller, Lawrence J.	235 Cap.	59
DFL	6153	Hottinger, John C.	120 Cap.	24	DFL	7-8060	Price, Leonard R.	235 Cap.	57
DFL	8017	Janezich, Jerry R.	328 Cap.	5	DFL	7-8061	Ranum, Jane B.	325 Cap.	63
R	3826	Johnson, Dean E.	147 SOB	15	DFL	2889	Reichgott Junge, Ember	205 Cap.	46
DFL	8881	Johnson, Douglas J.	205 Cap.	6	DFL	7-8062	Riveness, Phil J.	317 Cap.	40
DFL	5419	Johnson, Janet B.	322 Cap.	18	R	4314	Robertson, Martha R.	125 SOB	45
R	4123	Johnston, Terry D.	117 SOB	35	R	1253	Runbeck, Linda	107 SOB	53
DFL	5285	Kelly, Randy C.	323 Cap.	67	DFL	7-8063	Sams, Dallas C.	G-9 Cap.	11
R	4848	Kiscaden, Sheila M.	143 SOB	30	DFL	4875	Samuelson, Don	124 Cap.	12
R	6455	Kleis, Dave	151 SOB	16	R	3903	Scheevel, Kenric J.	129 SOB	31
R	4120	Knutson, David L.	133 SOB	36	DFL	4188	Solon, Sam G.	303 Cap.	7
R	8869	Kramer, Don	131 SOB	47	DFL	4191	Spear, Allan H.	120 Cap.	60
DFL	7061	Krentz, Jane	235 Cap.	51	R	8075	Stevens, Dan	127 SOB	17
DFL	4302	Kroening, Carl W.	124 Cap.	58	DFL	8660	Stumpf, LeRoy A.	G-24 Cap.	1
R	4351	Laidig, Gary W.	141 SOB	56	R	6238	Terwilliger, Roy W.	115 SOB	42
DFL	3205	Langseth, Keith	G-24 Cap.	9	DFL	5650	Vickerman, Jim	226 Cap.	22
R	5655	Larson, Cal	153 SOB	10	DFL	7-8073	Wiener, Deanna	303 Cap.	38
R	4125	Lesewski, Arlene J.	135 SOB	21					
DFL	4136	Lessard, Bob	111 Cap.	3					
R	2159	Limmer, Warren	132D SOB	33					

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Preview

The Minnesota Senate Week at a Glance

Monday, March 4

Finance Committee

Chair: Sen. Gene Merriam
8 a.m. Room 123 Capitol
Agenda: To be announced.

Taxes and Tax Laws Committee

Chair: Sen. Douglas Johnson
8:30 a.m. Room 15 Capitol
Agenda: S.F. 2115-Johnson, D.J.:
Omnibus tax bill.

The Senate will meet at 11 a.m.

****Tentative****

Taxes and Tax Laws Committee

Chair: Sen. Douglas Johnson
5 p.m. (if necessary) Room 15 Capitol
Agenda: Continuation of S.F. 2115-
Johnson, D.J.: Omnibus tax bill.

Tuesday, March 5

The Senate will meet at 9 a.m.

Wednesday, March 6

The Senate will meet 12 noon.

Conference Committee

Co-Chairs: Sen. LeRoy Stumpf and Rep.
Willard Munger
6 p.m. Room 118 Capitol
Agenda: H.F. 787 Wetlands bill.

Thursday, March 7

The Senate will meet at 9 a.m.

Electric Energy Task Force

Co-Chairs: Sen. Steve Novak and Rep.
Willard Munger
5 p.m. Room 107 Capitol
Agenda: Review of proposals.

Friday, March 8

The Senate will meet at 9 a.m.

Ethics and Campaign Reform Committee

Chair: Sen. John Marty
9:30 a.m. Room 107 Capitol
Agenda: Confirmation of the Governor's
appointments to the State Ethical
Practices Board: Elsa Carpenter, Carolyn
Rodriguez, Nancy Wilson, G. Barry
Anderson, and Sidney Pauly.

Editor's Note: It is expected that
conference committees on the major bills
will begin this week. Please check the
Legislative Gopher, the Legislature's
World Wide Web Page, the Senate
Hotline or the Senate Information Office
for the latest information.

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Gopher URL:

gopher.revisor.leg.state.mn.us (port 70)

Briefly

The Minnesota Senate Week in Review

March 8, 1996

Senate passes omnibus jobs funding bill

Businesses seeking certain state grants and loans must pay a living wage under the omnibus jobs, energy and community development bill approved by the Senate Thurs., March 7.

S.F. 2852, authored by Sen. Carl Kroening (DFL-Mpls.), restructures the former Economic Recovery Fund into a new Minnesota Investment Fund, offering \$3 million in grants and loans for economic development. However, money from the fund is available only to businesses which pay employees 110 percent of the federal poverty wage for a family of four, or at least \$16,600 per year. The employer may include any employee benefits in calculating the wage.

Sen. Linda Runbeck (R-Circle Pines) offered an amendment to remove several restrictions on the fund, including the living wage provision and prohibitions against using the fund to build casinos, retail businesses or sports stadiums. Instead, her amendment requires grant recipients to meet pre-arranged wage and employment goals, or repay the grant. The provisions of S.F. 2852, she said, "mandate to the point of total rigidity."

Sen. Phil Riveness (DFL-Bloomington) opposed the changes, saying the more-restrictive regulations impose a "floor of decency" on public dollars given to business. "We've been subsidizing jobs that pay less than the prevailing wage," he said. Runbeck's amendment was defeated 29-35. Later, Senators approved an amendment by Sen. Douglas Johnson (DFL-Cook) that relaxes prohibition against using the Minnesota Investment Fund solely to attract out-of-state businesses or retain Minnesota businesses. The bill had required money to such businesses be spent on employee training; Johnson's amendment allows inter-state competition to be one of at least two reasons for funding the business.

The omnibus bill also appropriates \$6 million for youth summer jobs programs, to offset anticipated federal cuts in programs that employ at-risk young people. Another \$2.8 million is dedicated to Department of Labor computer upgrades; \$1 million goes to raise salaries of Minnesota Historical Society employees. Other expenditures include \$500,000 to leverage federal workforce center funding, \$310,000 to assist homeless people, \$100,000 to the

Minnesota Film Board, and \$90,000 to the Cold Weather Resources Board in International Falls.

The bill dedicates \$1 million in immediate funding for energy assistance to low-income households. It also institutes a pilot program that allows Minnegasco to impose a customer surcharge of up to \$6 million to fund energy assistance for low-income customers. The surcharge, about five cents per week to Minnegasco customers, is intended to compensate for federal cuts, said Kroening.

Runbeck offered an amendment to require customer bills to note the cost of the program. "We ought to try to identify for the taxpayer why those charges are showing up," said Runbeck. But Sen. Kevin Chandler (DFL-White Bear Lake) said Runbeck's amendment scapegoats low-income families. "The purpose is solely and only to make people mad about how much they pay to help poor people," he said. Chandler successfully amended Runbeck's amendment to require as well a line-item on the monthly bill stating the salary of Minnegasco's CEO. Runbeck withdrew the amendment.

Senators also approved an amendment from Sen. Jerry Janezich (DFL-Chisholm), allowing the Iron Range Resources and Rehabilitation Board to negotiate an equity interest in any project it helps fund. Janezich said investing in businesses will help the Iron Range survive when there is nothing left to be mined.

Tax bill to floor

The Rules and Administration Committee met Thurs., Mar. 7, and advanced the omnibus tax bill to the Senate floor. Sen. Douglas Johnson (DFL-Cook), chief author of the bill, S.F. 2115, urged members to advance the bill to the floor without recommendation. Johnson said that discussions with other members of the Taxes and Tax Laws Committee and the administration are on-going and that his intention is to keep the bill alive in order to work out a "truly bipartisan property tax reform proposal." Johnson said the current version of the bill contains structural property tax relief and reform but that more work needs to be done.

The measure provides for a constitutional amendment, that would be before voters next November, to require that two-thirds of the cost of operating the state's

schools be financed from sources other than property taxes. The second portion of the proposed constitutional amendment establishes a permanent property taxpayers' trust fund for use for property tax relief.

Johnson said the bill extends the sales tax to new clothing and creates a new business activities tax on large companies. In addition, an additional half percent is added to the sales tax in the Metro Area. The measure raises \$515 million in revenue to lower proper taxes in nearly all classifications, Johnson said. The increased revenue is also partially offset by an additional \$50 million low income credit and elimination of a variety of business taxes, he said. Johnson also said that if structural change is not implemented, future increases in property taxes will fall most heavily on residential property owners.

Sen. Dean Johnson (R-Willmar) said the bill would gather more support without the new revenue and questioned whether the measure would lower future property tax increases. Sen. Douglas Johnson countered that "everyone is focusing on the revenue increases in the bill rather than the structural reform. Sen. John Hottinger (DFL-Mankato) added that the constitutional amendment will provide a mechanism to restrain schools and local government spending.

The bill also contains numerous other provisions including a five cent per gallon gasoline tax increase to pay for highway improvements.

In other action, the committee, chaired by Sen. Roger Moe (DFL-Erskine), also debated a bill proposing a constitutional amendment to affirm the right of citizens to hunt or take game and fish. S.F. 1111, authored by Sen. Bob Lessard (DFL-Intl. Falls), specifies that the constitution be amended to say that it is the fundamental right of citizens to hunt or take game and fish in a safe, sustained-yield manner, subject only to harvest licensure, seasons, limits, and restrictions on methods of taking, as prescribed by law, that are necessary for the conservation and enhancement of the state's game and fish resources. Sen. John Marty (DFL-Roseville) successfully offered amendments to specify that "time of day," "location" and "species" be included in the restrictions listed in the measure. The bill was advanced to the floor on a 20-4 vote.

Committee update

Education

Learning to stay awake

Irritability, lack of focus, cat-naps on the desk-top -- traits once viewed as evidence of teenage insolence -- are now cited as indicators of chronic sleep deprivation among American high school students.

According to Dr. Mark Mahowald, director of the sleep disorder center at Hennepin County Medical Center, studies have shown that the onset of adolescence sparks a physical shift in sleep schedules. Teenagers feel drowsy later at night than younger children, and naturally wake up later in the day. Because of the biological basis for their late-night restlessness, said Mahowald, expecting teens to fall asleep at 10 p.m. is equivalent to asking adults to fall asleep at 7 or 8 p.m. Early-morning high school starts have some students waking up at 5:30 a.m., exacerbating the problem of teenage sleep deprivation, said Mahowald.

Parents, educators, and students testified before the Education Committee Fri., March 1, telling Senators that the beginning of high school and junior high days, commonly at 7:30 a.m., is too early to allow a full night's sleep.

"During the first three hours of class you see even the best students nodding off," said Ann Vardeman, a 13-year-old middle school student. Vardeman suggested that Minneapolis and St. Paul schools could use city buses to facilitate later start times.

Jenny Norman, a 17-year-old student at St. Paul's Central High School, told the committee she wakes at 5:45 a.m. in a dark and sleeping household. "I don't eat in the morning," she said. "I'm always running late and my stomach doesn't take food that early."

"Most kids at my school drink pop, just before they go to first hour, for the caffeine," said Chris Ribelin, 18, also a Central student. Ribelin works from 4 to 11 p.m. three nights a week, and has to wake up for school at 6 a.m.

Several Education Committee members said later starts make sense. Among other things, a high school day more akin to parental work days might alleviate the 3 to 5 p.m. "juvenile crime window" described by police, said Sen. Ember Reichgott Junge (DFL-New Hope). A Hopkins University study found that adolescents who start school at 9:30 a.m. learn better than those who start at 7:30 a.m., and a Brown University professor found that sleep-deprived teens nod off in "10-second micro-sleeps," missing

important information. The Minnesota Medical Association passed a resolution in 1993 urging school boards to start high school classes later in the morning.

The Minnesota PTA also endorses later starts. Director Valerie Amundsen said that in light of new evidence, school boards and parents should no longer "assume that sleep is negotiable and they can make do with less." Parent Theresa Johnson pointed out that disorders like attention deficit-hyperactivity, or ADHD, are aggravated by lack of sleep.

The notion that school starts too early is nothing new to Diane Steen-Hinderlie. The founder of an advocacy group for later start times, she first raised the issue with her local school board three years ago. Steen-Hinderlie told the committee that later start times make sense for younger students, too, because they would eliminate some day-care needs. "No bus should deliver a kid for any earlier time than 8 a.m.," she said.

Mahowald said doctors are targeting schools as one of many factors keeping students from a full night's sleep, including jobs, athletics, school clubs, and weekend activities. While the latter factors are optional, said Mahowald, no one has a choice when school starts. In some schools, students are docked points or marked truant if they fall asleep during class. But sleepiness is not caused by boredom, laziness, or depression -- only by physiological need for sleep, Mahowald said. In Minnesota particularly, he said, the prevailing attitude is that "sleep deprivation means you're a better person."

While many of the Senators were sold on later start times, they questioned the state's role in shifting school schedules. "It's really the local school districts who have to make those determinations," said Sen. Martha Robertson (R-Minnetonka).

Committee Co-Chair Lawrence Pogemiller (DFL-Mpls.) agreed that the state shouldn't mandate school schedules. The informational hearing, he said, was a way to start Senators thinking about incentives for later starts. "We need to consider strategically what role we can play," he said. "My sense as chair is that this is an area we're going to do some work in."

Environment and Natural Resources

Bonding recommendations finalized

A formal recommendation for allocating \$145 million in bonding proceeds for

agricultural and environmental purposes was put into final form Weds., Mar. 6, in the Finance Division of the Environment and Natural Resources Committee. The recommendation is the culmination of a series of hearings on bonding requests from a variety of state and local agencies.

Division Chair Steven Morse (DFL-Dakota) presented a spreadsheet listing all the bonding requests, and a funding recommendation for each project. Morse placed each request into one of three categories depending on the support the request received from division members. Items on the "A" list were supported by most division members, "B" list items were supported by a few members, and items on the "C" list would need alternative funding sources, said Morse. Morse also distributed a draft of rider language to explain the purpose of each appropriation. Items on either list A or B are in the bill, but not items on list C, Morse said.

Total recommendations were \$27 million greater than the governor's recommendations, but the recommendations of two other Senate finance divisions were below the governor's by that same amount, Morse said.

The two priority items in the bill, Morse said, are \$30 million to the city of St. Paul to finance the building of a new Science Museum of Minnesota, and \$30.6 million to the Public Finance Authority to finance drinking water and wastewater system development in rural areas.

Other appropriations include \$50 million to the Dept. of Natural Resources (DNR) for preservation of assets on park lands, construction of new DNR offices and park facilities at various locations around the state, trail and dam improvements, land acquisition, various Reinvest in Minnesota (RIM) projects and Metro Regional Parks projects. Under the proposal, the Pollution Control Agency receives \$3.35 million for a sewer separation project in Red Wing.

The draft proposal appropriates \$15 million to the Board of Water and Soil Resources, with \$12 million of that amount going to enroll land in the RIM program that will be coming out of the federal Conservation Reserve Program within the next two years. The other \$3 million will be used to replace wetlands that are drained or filled for road improvements.

Other special projects receiving bond proceeds include the Lake Superior Center in Duluth. The center receives \$4 million if St. Louis County and the city of Duluth commit to underwriting the

operational costs of the center if necessary. The bill also allocates \$41 million to the Rural Finance Authority for its agricultural loan program.

Another item that generated lengthy discussion was a \$3 million appropriation to the Prairie Wetlands Environmental Learning Center at Fergus Falls. Originally, the bill required the city of Fergus Falls and the Environmental Education Advisory Board to study the best type of facility to build, and report back to the Legislature on the finding. Sen. Gene Merriam (DFL-Coon Rapids) offered an amendment requiring the center to build a 150 bed residential facility for student use. Additionally, the amendment requires the Legislature to reauthorize the appropriation in two years, but only after the center demonstrates progress toward the residential facility requirement. The amendment was adopted.

Under the proposal, the state agrees to pay half of the debt service on previously issued bonds for the Minnesota Zoo in exchange for the zoo agreeing not to raise admission fees until the year 2000. Steve Ordahl, of the zoo, said admission fees would have to be raised to \$12 for adults and \$8 per child without the state aid. Morse added that higher admission fees would make attendance decline, and the problem would worsen. Morse summed up the need for state aid by saying "It's not a catastrophe now, but we should act now to prevent a catastrophe from happening."

Sen. Gen Olson (R-Minnetrista) moved to have \$1 million earmarked for the Parnell impoundment project under the flood hazard mitigation grant section given higher priority. The division adopted the motion, but Morse cautioned against doing much of that. "Putting everything on the 'A' list makes everything meaningless," he said.

Sen. Leonard Price (DFL-Woodbury) offered an amendment adding one half million dollars each to three state park projects, and \$1.5 million to the Metro Regional Parks in exchange for reducing the RIM appropriation by \$3 million. The motion failed on a 6-6 vote. Sen. Harold "Skip" Finn (DFL-Cass Lake) then offered a similar amendment that makes the same appropriation increases, but eliminates a \$1.5 million appropriation to the Office of Environmental Assistance (OEA) for solid waste processing facilities.

Earlier the division discussed the need for greater solid waste processing capacity with Art Dunn and Sig Scheurle of the OEA. Scheurle said that although the

total capacity of all facilities is greater than the total need, there are regional needs for increased capacity. Dunn said a facility needs to charge \$70 per ton of processed waste in order to cover the total operating cost.

Sen. Dennis Frederickson (R-New Ulm) offered an amendment that reauthorizes bond appropriations from past years that were unused. One of the items was a \$122,000 appropriation for the completion of the Minnesota River Valley Trail. Bill Morrissey of the DNR explained that the department had experienced land acquisition problems for the trail, and the authorization expired before the money was spent. Sen. Merriam asked why the money had not been spent on another trail project and said the DNR needed to be more flexible in its use of funds.

Sen. Frederickson moved that the draft proposal and spreadsheet as amended be forwarded to the Capital Budget Subcommittee of the Finance Committee as the division's bonding recommendations. The motion was adopted.

Jobs consideration continues

The Finance Committee met Thursday morning, Feb. 29, to continue consideration of S.F. 2852, the jobs, energy and community development supplemental appropriations bill.

The measure, sponsored by Sen. Carl Kroening (DFL-Mpls.), includes \$12.6 in general fund appropriations; \$2.8 from the workers compensation special compensation program; and \$140,000 from the petroleum tank clean-up account.

Most of the committee's time was spent on a section of the bill that changes the name of the Economic Recovery Fund to the Minnesota Investment Fund, and appropriates \$3 million to the fund to provide economic development grants as part of the small cities development program.

Sen. Randy Kelly (DFL-St. Paul), called the amount "woefully inadequate for what we need to be doing to compete with neighboring states." He said it is "penny-wise and pound-foolish not to make this a higher priority." Committee Chair Gene Merriam (DFL-Coon Rapids), responded that economic development is more influenced by workers compensation rates and property taxes than "handouts for business." Kroening said incentives offered by other states, such as Wisconsin, do make a difference, and he said \$3 million "isn't competitive."

The committee accepted an amend-

ment, offered by Sen. Don Samuelson (DFL-Brainerd), that earmarks \$250,000 of the fund appropriation for capital improvements at a plant in Little Falls. Samuelson said the plant has been the only company in the world that makes paper covers for crayons, but now faces competition and needs to upgrade. Merriam said while the project is worthwhile, he is worried about the Finance Committee determining which projects deserve funding.

An amendment, offered by Sen. Phil Riveness (DFL-Bloomington), and accepted by the committee on a split voice vote, limits the grants to \$500,000 per project. Riveness said he authored the original grant language, and that was his intent, but the Department of Trade and Economic Development had found a way to exceed the amount by making grants to separate jurisdictions for the same project. Commissioner Jay Novak said while a situation could arise where a grant above \$500,000 is needed, he had no objection to the restriction.

After lengthy discussion about a section of the bill that extends the St. Anthony Falls Heritage Interpretive Zone in Minneapolis, Merriam adjourned the committee without acting on the bill.

Jobs bill to floor

The Finance Committee completed work on the omnibus jobs, energy, and community development supplemental spending bill Friday morning, Mar. 1, and sent it to the Senate floor.

S.F. 2852, carried by Sen. Carl Kroening (DFL-Mpls.), appropriates \$15.6 from the general fund, workers compensation special compensation fund, and petroleum tank clean-up account. Agencies and programs receiving appropriations include cold weather research, the film board, legal services, and family homeless prevention and assistance.

Committee Chair Gene Merriam (DFL-Coon Rapids), questioned a provision of the bill that funds a pilot program to compensate for the withdraw of federal funds for energy assistance through a surcharge on Minnegasco residential and non-interruptible customers. Merriam said all customers should contribute. An amendment, offered by Sen. Phil Riveness (DFL-Bloomington), and approved by the committee requires "all customer classes" to fund the program.

The committee spent considerable time discussing, but left unchanged, a section of the bill asking the commissioner of economic security to include in next

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year's biennium budget \$725,000 to implement a negotiated agreement between the department and providers of extended employment program services. Sen. Steven Morse (DFL-Dakota), said the settlement cleans up a backlog of cases and audits. Discussion involved state liability, and whether the amount should be included in the supplemental budget, or carried over, which would require interest payments.

The committee approved two amendment to, then deleted the section in the bill concerning, the St. Anthony Falls Heritage Interpretive Zone in Minneapolis. The provision, authored by Kroening, extends the zone to include the former Grain Belt brewery property. The committee approved an amendment by Kroening redrawing the zone boundaries, and an amendment by Sen. Dennis Frederickson (R-New Ulm), to include one member of the minority caucus on the St. Anthony Falls Heritage Board. The amendment deleting all language regarding the zone was offered by Sen. Roy Terwilliger (R-Edina), who said the subject matter doesn't fit with the rest of the measure's content. Riveness said he feared the provision could be a vehicle to which other projects could be attached, saying "we have to operate on the basis of the history of Conference Committee's. The amendment to remove references to the zone was approved, on a roll call vote, by a one vote margin.

H.F. 3217, the claim bill, was approved and sent to the full Senate. The measure appropriates \$94 million to cover claims made against the state. Money goes to the Department of Corrections, the Department of Transportation, the Department of Natural Resources, and the Department of Veterans Affairs. Bill sponsor, Sen. Randy Kelly (DFL-St. Paul), said the \$80,000 included in the bill for veterans' claims should be the final such payment the state will make. Riveness explained the money is not from an existing annual bonus, but is money granted to veterans who apply retroactively for bonuses previously passed by the Legislature. "This should be the last time we're doing this for veterans of these conflicts," Kelly said.

After lengthy debate, the committee approved an amendment, offered by Sen. LeRoy Stumpf (DFL-Thief River Falls), granting a \$4,200 sales tax refund to a pilot who was not given a farm implement sales tax deduction on the purchase of two pesticide spray planes. He applied after

the statute of limitations, but claimed he was misinformed about the tax rate by the Department of Revenue.

Salary, wage bill joined

The Finance Committee held a marathon meeting Sat., Mar. 2, and considered bills ranging from increasing judicial and administrative branch salaries to requiring a turkey stamp to hunt wild turkeys in the state.

The panel, chaired by Sen. Gene Merriam (DFL-Coon Rapids), approved a bill increasing the salaries for state agency heads and judges. The measure, S.F. 1827, sponsored by Sen. Roy Terwilliger (R-Edina), establishes the salaries in accordance with recommendations of a compensation council that is charged with reviewing recommendations of the commissioner of employee relations. Under the bill, the salaries for the highest level of state agency heads is limited to 85 percent of the governor's salary and the salaries for the next level of administrative employees is limited to 75 percent of the governor's salary. In addition, the bill specifies the level of compensation for tax court judges, administrative law judges and workers' compensation court of appeals and compensation judges. The measure also spells out the compensation for the heads of the state's higher education institutions.

Terwilliger said that commissioners of the various state departments and judges have not had a salary increase in several years and that the bill is necessary to keep salaries competitive enough to attract well qualified employees.

Sen. Randy Kelly (DFL-St. Paul) offered an amendment to include his bill requiring an increase in the minimum wage. The amendment specifies that for large employers the minimum wage must increase to \$4.75 an hour beginning Oct. 1, 1996 and to \$5.10 an hour beginning Oct. 1, 1997. Further, the amendment specifies that small employers must raise the minimum wage to \$4.50 an hour beginning Oct. 1, 1996 and to \$4.85 an hour beginning Oct. 1, 1997. Kelly said, increasing the minimum wage is a matter of equity, especially if the salaries of the state's top executives increase.

The amendment was adopted and the bill was forwarded to the full Senate for consideration.

A bill to expand eligibility for the MinnesotaCare program generated considerable discussion. S.F. 1873, authored by Sen. Linda Berglin (DFL-

Mpls.), expands the definition of eligible persons to include all individuals and households with no children who have a gross family income under 150 percent of federal poverty guidelines. Currently, individuals and households without children are eligible if their gross income is under 135 percent of federal poverty guidelines. Berglin said that the health care access fund has adequate monies to provide for the expanded coverage. Sen. Sheila Kiscaden (R-Rochester) assisted in the bill presentation and said that by allowing more individuals to be eligible for coverage, the bill would, in the long run, help cut health care costs because individuals would be able to seek preventive care. Kiscaden and Berglin emphasized that eligible participants still have to pay premiums for health care insurance coverage.

An amendment appropriating \$5 million from the health care access fund to the medical education and research trust fund touched off a debate about the uses of the health care access fund. Sen. Phil Riveness (DFL-Bloomington) argued against the amendment and said that the purpose of the fund was to ensure that people have access to health care, not to fund other programs. Kiscaden countered that one of the original goals of MinnesotaCare was to make sure that doctors are available in all parts of the state and that the fund provides for educating those doctors. However, Sen. Thomas Neuville (R-Northfield) also spoke against the amendment and said that rather than funding other programs, the tax on health care providers should be cut. The portion of the amendment appropriating funds to the education and research trust fund failed to gain adoption on a 4-14 roll call vote.

The bill was approved and sent to the Senate floor.

In other action, the panel approved an additional 14 bills and forwarded them to the Senate floor. S.F. 1811, sponsored by Berglin, allows the waiver of fees for requests for information concerning motor vehicle registrations if the request is from a neighborhood organization designated by the police to make the requests and the information is needed in order to identify suspected violations of prostitution and drug laws. Berglin said that the measure assists anti-crime neighborhood organizations. S.F. 2457, authored by Sen. Carol Flynn (DFL-Mpls.), ratifies several labor agreements and compensation plans between the state and various collective

bargaining units. S.F. 2284, authored by Sen. Dean Johnson (R-Willmar), makes changes in the National Guard reenlistment bonus program and the educational assistance grant program. Johnson said the bill allows the guard to have greater flexibility in the two incentive programs.

H.F. 2380, authored by Sen. Keith Langseth (DFL-Glyndon), specifies the percentages of the motorcycle safety fund that may be spent on administration and motorcycle safety instruction. S.F. 1164, also carried by Langseth, makes a number of housekeeping changes in various transportation laws. S.F. 1865, sponsored by Sen. Terry Johnston (R-Prior Lake), authorizes the issuance of special motorcycle license plates for Vietnam veterans. S.F. 1824, carried by Sen. Gary Laidig (R-Stillwater), requires the suspension of a driver's license for a person charged with fleeing a peace officer in a motor vehicle and requires the license to be revoked after a conviction for fleeing a peace officer.

S.F. 2172, authored by Sen. Steven Morse (DFL-Dakota), increases the amount of reimbursement available for cleanup of petroleum releases by certain responsible persons and requires corrective action performance audits under some circumstances. S.F. 2120, also sponsored by Morse, provides a process for resolving state claims for landfill cleanup costs and associated damages with insurers. The measure also authorizes an action by the state for recovery from insurers after a reasonable opportunity for settlement. A third bill sponsored by Morse, S.F. 2205, changes provisions of the consolidated food licensing law.

S.F. 2376, carried by Laidig, modifies provisions relating to the sale of trust lands, authorizes the commissioner of natural resources to pay outstanding real estate taxes and assessments and authorizes the sale of land. H.F. 2276, sponsored by Sen. Dennis Frederickson (R-New Ulm), grants authority for the Board of Water and Soil Resources to accept and administer federal grants, donations, gifts and other contributions to achieve the authorized objectives of the agency. H.F. 2413, carried by Sen. Janet Johnson (DFL-North Branch), clarifies procedures for the State Auditor to examine cemetery accounts and records and provides for the transfer of cemeteries to and from local units of government. Members also approved a proposal to authorize the settlement of an age discrimination suit by

making a deficiency appropriation to the corrections ombudsman. S.F. 1775, authored by Merriam, requires a turkey stamp to hunt wild turkey in the state and sets the fee at \$5.

Airport parking restricted

The Finance Committee Mon., Mar. 4, approved a bill that eliminates free, underground valet parking at the Minneapolis-St. Paul International Airport terminal.

Under H.F. 2321, presented by Sen. John Marty (DFL-Roseville), the Metropolitan Airports Commission can offer free parking, in other parking areas, to commission members and employees on official business, and to persons attending a commission meeting or performing volunteer work. Marty said city and state officials have been using the free valet parking for twenty years, the "public is subsidizing it, and that's wrong. We shouldn't be offering this."

Sen. Cal Larsen (R-Fergus Falls), questioned the use of free parking by some members of the Legislature, asking "under the ethics law, are we allowed to have parking out there? People have been abusing the system," he added, "it's absolutely wrong." Sen. Carl Kroening (DFL-Mpls.), opposed the measure, saying "to go after some nickel and dime operation while allowing a 20 percent tax on tickets is just ridiculous. This Mickey Mouse operation is not a big problem." The bill was approved on an 11 to 2 roll call vote.

The committee, chaired by Sen. Gene Merriam (DFL-Coon Rapids), approved and sent to the floor S. F. 2169, a bill that abolishes the Transportation Regulation Board. Sponsor Sandra Pappas (DFL-St. Paul), said the measure results from federal deregulation, which supersedes most of the board's duties. She said the bill deregulates the freight carrier and railroad industries and transfers the remaining passenger and charter transportation oversight functions to the Department of Transportation. Pappas offered an amendment, accepted by the committee, that appropriates \$182,000 to the department to cover the cost of the additional duties.

The committee approved three agriculture-related bills offered by Sen. Dan Stevens (R-Mora). S.F. 1801 exempts from the food licensing law persons who prepare and sell \$1,000 a year or less worth of food at a community events or farmers' markets. The committee accepted

an amendment, offered by Sen. Jane Ranum (DFL-Mpls.), that makes the license exemption available statewide.

H.F. 2116 changes provisions of a state law concerning aquatic pest control licenses, and updates fertilizer sale regulations.

S. F. 2093 reduces the penalty for producers who ship adulterated milk, if they pay the plant for the tank load of milk that had to be dumped. It also establishes an inspection and licensing program for farm bulk milk pick-up tankers. William Coleman, assistant director, Department of Agriculture, said the reduced fines will cost the department \$64,000 a year. All three agriculture bills go to the Senate floor.

The committee approved H.F. 2783, sponsored by Sen. Ellen Anderson (DFL-St. Paul), which permits a state employee to donate up to 12 hours of vacation leave to benefit a state lottery employee who has cancer and has run out of vacation time. An amendment, offered by Sen. Pat Piper (DFL-Austin), enables an employee at the St. Peter Regional Treatment Center to benefit from donated hours.

Bonding package approved

The Finance State Government Division Mon. evening, Mar. 4, approved a \$65.5 million bonding package that includes funding for a new state health building and parking ramp, a Korean War veterans memorial, a national volleyball center, and a performing arts theater.

The bill provides money for land purchases within the Capitol Complex, a television transmitter for the Austin school district, and a women's suffrage memorial.

The division ranked the 20 bonding projects included in the package in order of priority. Working from a proposed ranking prepared by Committee Chair Richard Cohen (DFL-St. Paul), members put an \$8.8 million Capitol building renovation project at the top of the list. The renovation includes design and reconstruction of the northeast and northwest terraces of the building. Unused funds may be spent for structural stabilization, enhancements of the Capitol Mall, Aurora Avenue safety improvements, cafeteria renovation, or sign improvements.

The next highest priorities on the division's list are: statewide asset preservation (CAPRA), \$12 million; statewide building access and safety, \$8.5 million; community ice center grants, \$6 million;

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Capitol area elevator renovation, \$1.7 million; and a worker retraining facility at the Ford plant in St. Paul, operated by Minnesota State Colleges and Universities, \$4 million.

Two amendments were offered to the MnSCU training center bonding section of the bill. Sen. Pat Piper (DFL-Austin), moved to reduce the grant to \$2.5 million, with Ford management and its unions providing the remaining \$1.5 million. "I would feel more comfortable with a match," she said. "Four million dollars is a lot of money to come from the state when we have many, many needs," she added. Sen. Dennis Frederickson argued against the Piper amendment, saying "this is one thing we can do to help create good, high-paying jobs." Piper then offered to withdraw her amendment if Ford officials present at the meeting gave assurance the new facility would include child care. However, Piper moved her amendment, which was defeated on a voice vote.

The division also voted down an amendment to raise the bonding amount to \$5 million, the amount requested by Ford, and by the governor. Sen. Thomas Neuville, amendment sponsor, moved to transfer \$1 million from capital budget renovation to Ford, saying "we have to send a strong message. We talk a lot about creating jobs, and this is a worthwhile project." Sen. Randy Kelly (DFL-St. Paul) urged caution, saying "if we give a subsidy to one of the most powerful companies in the world, who can we say no to?" He added, "we need to establish a process to determine what the state's role in training workers is."

The package, which is \$17 million below the governor's recommendation and \$65 million under what the various departments and agencies had requested, and the priority recommendations, were sent to the Capital Budget Subcommittee for consideration.

Jobs, Energy and Community Development

Bonding recommendations set

Both the Jobs, Energy and Community Development Finance Division, chaired by Sen. Carl Kroening (DFL-Mpls.) and the full Jobs, Energy and Community Development Committee, chaired by Sen. Steven Novak (DFL-New Brighton), met Weds., Mar. 6, to finish work on recommendations for projects to be funded through bond allocations. The recom-

mendations will be forwarded to the Finance Capital Budget Subcommittee for incorporation into the Senate's bonding bill.

The panel designated several projects as having the highest priority, among them a \$35 million proposal for expansion of the Minneapolis Convention Center and a \$33.8 million proposal for the Science Museum of Minnesota in St. Paul. Other projects include a \$4 million proposal for energy investment loans, a \$2 million proposal for Head Start programs, a \$4 million proposal for a water pollution control revolving fund and an \$18 million proposal for a multi-jurisdictional investment program for redevelopment projects in Minneapolis. The recommendations also include proposals for the North West Company Fur Post, historic sites network preservation, community rehabilitation and affordable rental housing, publicly owned transitional housing and wastewater infrastructure fund grants.

Taxes and Tax Laws

Reform plan salvaged

Although unable to forge a hoped-for bipartisan agreement, Senators added property tax reform measures to the omnibus tax bill that reduce property tax on apartments, cabins, homes and businesses, and offsets the cost with a sales tax on clothing and a business activities tax.

"We had a hard time getting over the hurdle and forging an agreement, but not because we didn't all really try," said Sen. Douglas Johnson (DFL-Cook), chair of the Taxes and Tax Laws Committee. The committee met for three hours the morning of Mon., Mar. 4, and five hours that evening, to work on the omnibus bill, approving 23 amendments and rejecting eight. The entire omnibus bill was approved and sent to the Rules and Administration Committee.

The property tax reform amendment Senators eventually approved is sponsored by Sen. John Hottinger (DFL-Mankato). Hottinger's plan calls for a constitutional amendment requiring the state to pay two-thirds of K-12 education funding. In return, the plan cuts \$400 million in local school taxes, restricts new referenda levies to 20 percent of the state aid formula, and increases property tax refunds to low income households by \$170 million.

Other measures in the proposal eliminate Homestead Agricultural Credit Aid, or HACA, increase Local Government

Aid \$50 million, and redistribute the aid on a new formula erasing all grandfather clauses. Hottinger said the amendment aims to prevent inflation of local levies by limiting increases to 3.5 percent per year. If a city or county levies more than the limit, the entire increase will be levied against market value instead of tax capacity -- causing homeowners to pay more.

The amendment is "revenue neutral," said Hottinger. Tax cuts are replaced with a new clothing sales tax, expected to raise \$280 million per year, and a Business Activities Tax, expected to raise about \$350 million per year. The BAT rate has not been set, but probably equals 0.15 percent of the net income, plus employee salaries, of any business operating in Minnesota, Hottinger said.

Hottinger urged the committee to keep his plan alive and continue to negotiate with interested parties. "If we are not to adopt a property tax proposal, I think we will have disappointed the people of this state," he said.

Sen. William Belanger (R-Bloomington), objected to the amendment, "We're going to start new taxes to buy down taxes." Furthermore, said Belanger, the taxes proposed in the amendment are much higher than necessary to offset the cuts.

Sen. Linda Runbeck (R-Circle Pines) said the clothing tax is the last major unlevied tax in Minnesota, and should be saved "for something even more dire."

Johnson said he was frustrated at his inability to reach a compromise proposal with business groups. He said business lobbyists won't acknowledge improvement in proposed tax reforms. "Your organizations are all driven by big corporations. I wasn't elected to this Legislature to only do what Dayton-Hudson wants or all the retailers at the Mall of America," said Johnson.

Senators heard testimony from the Minnesota Association of Retailers, Minnesota Chamber of Commerce, Minnesota Association of Realtors and Minnesota Multi-Housing Association on the proposal. Wayne Cox, executive director of Minnesota Citizens for Tax Justice, cautioned against being too prescriptive of tax law in the constitution. In California and Massachusetts, similar amendments "have caused more problems than they've dealt with," Cox said.

Sen. Linda Berglin (DFL-Mpls.), successfully amended the Hottinger plan to exclude fabric and sewing supplies from the clothing tax. The amendment was

approved and included in the omnibus bill.

The committee approved a redistribution formula to accompany the five-cent per gallon gas tax increase contained in the omnibus bill. An amendment, authored by Sen. Steven Novak (DFL-New Brighton), allocates county state aid for roads on a formula more dependent on population. Novak said the new formula "corrects an inequity" originating in 1957. A gas tax increase, he said, offers the opportunity to tinker with the formula, since no county will have its existing aid reduced. In the morning, the amendment failed 9-9, but was reconsidered in the evening and passed 11-9.

Sen. Lawrence Pogemiller (DFL-Mpls.) successfully amended the bill to provide tax incentives to relocate a riverfront metal shredder and steam plant. The amendment includes \$1 million in economic recovery grants for any large metal shredder built at least one mile outside any city.

The committee also approved amendments requiring school bonds to be levied against market value, requiring municipal governments to release employee salaries at Truth in Taxation hearings, exempting fixed-based operators at small public airports from property tax, and providing tax credits for contributors to neighborhood assistance programs.

Senators rejected a Berglin amendment, instituting a school property tax for the International Airport and directing the proceeds to a kindergarten prep program; a Novak amendment reducing cabin taxes; and an amendment offered by Sen. Gen Olson (DFL-Minnetrista) allowing families to invest money for higher education in "EdVest" savings accounts with tax-free interest.

Thursday, February 29

Human services funding okayed

After more than four hours of discussion and debate, Senators granted final passage to the omnibus health and human services supplemental budget bill, S.F. 2308, Thurs. evening, Feb. 29. The \$20 million "people's bill" contains funding for seniors, children, handicapped and disabled persons said author Sen. Don Samuelson (DFL-Brainerd).

"This bill funds programs, not bureaucracy," Samuelson told members. "If you support bills for people, then you'll support this bill."

The measure earmarks funds for senior

nutrition and companion programs, intermediate care facilities for the mentally retarded and an assessment program that screens infants for hearing loss. It also appropriates \$9.6 million to delay changes to the personal care attendant program for TEFRA children until July 1, 1997. "The bill's total appropriation is \$600,000 less than the governor's recommendation," Samuelson pointed out.

Before approving the measure, 43-18, several changes were made to the bill. Sen. Pat Piper's (DFL-Austin) amendment to establish a pilot treatment program in the Southeastern corner of the state for compulsive gamblers sparked debate.

Sen. Arlene Lesewski (R-Marshall) opposed the move. She argued that there is insufficient data available regarding the various methods for treating compulsive gambling and that funds should not be invested in programs until more is known about their efficacy.

Sen. Charles Berg (DFL-Chokio) agreed with Lesewski. "Before we establish any new programs we ought to first determine what works," Berg said. "To move forward with this now, is premature."

Questions concerning the geographical placement of the project were raised by Sen. Dennis Frederickson (R-New Ulm). "Why establish a program in the Southeastern part of the state?" he asked. He added that there might be more appropriate places for the program, such as areas where casinos exist. "Why not let the Dept. of Human Services decide where these programs should be?"

Piper pointed out that the six existing compulsive gambling treatment centers are located in other areas of the state, whereas Southeastern Minnesota lacks a treatment facility. "The Southeastern part of the state is heavily populated, yet has never had the advantages that other regions of the state have had," she said.

Additionally, Piper said that the pilot project differs significantly from current practice. At present, an individual must go to the facility to receive treatment, regardless of where the site is located or where the person lives, she pointed out. "We do not have a program whereby the money follows the client," she said. "Provider reimbursement lets a person go to a provider in the area where he or she lives."

Piper also argued that the problem of compulsive gambling is not limited to casinos. "There are other forms of

gambling that are highly addictive, including pull tabs," she said.

Members adopted the amendment, on a roll call vote, 34-23.

People moving into Minnesota must wait 30 days before applying for Medical Assistance benefits, under another amendment that was adopted. Sen. Edward Oliver (R-Deephaven) offered the amendment, which also exempts people born in the state, former residents, and those with close Minnesota relatives from the waiting period. The amendment also requires counties to waive the waiting period in case of medical emergency or unusual hardship.

Sen. Linda Berglin (DFL-Mpls.) objected to the amendment, saying, "I have not seen any evidence that people come here to get on the Medical Assistance program." Senators added language to the amendment stating that counties will be reimbursed for the costs of administering the 30-day ban. The amendment was approved 53-5.

Minnesotans will have access to the cheapest prescription drug prices the state can negotiate, under two amendments offered by Sen. John Marty (DFL-Roseville). Senators approved, on a 32-29 vote, a measure allowing pharmacies to buy drugs in bulk through the state contract, negotiated for universities, prisons and other public agencies. The prices contracted by the state are at least 15 percent lower than the manufacturers' price and as much as 40 percent lower, according to Marty. Another Marty amendment, also approved by Senators, requires health plan companies and hospitals to disclose their contract costs and any manufacturer rebates for each prescription drug. This allows patients to determine mark-up on prescription drugs.

S.F. 2308 gives the state authority to examine the financial records of applicants for medical assistance for "hidden" assets transferred to friends or relatives. Senators approved an amendment, authored by Sen. Thomas Neuville (R-Northfield), to limit the "look-back" provision to seven years prior to application. A related Neuville amendment applies the new regulations on asset transfers only to transactions made after March 1, 1996.

Senators rejected an amendment offered by Sen. Sheila Kiscaden (R-Rochester), that appropriates \$1.5 million for administrative costs related to enrollment and advocacy services. Kiscaden said the amendment allows the state to go

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ahead with medical and general assistance right away. "If we do not move forward this year," she said, "we lose this year's revenue source." Sen. Linda Berglin (DFL-Mpls.), called the proposal "unfair" because it "penalizes the counties that have led the way." Sen. Don Samuelson (DFL-Brainerd), said the change, which was defeated on an 8-50 vote, would "gut the bill."

The Senate accepted a Kiscaden amendment concerning background investigations. The new language requires a health care worker applicant to sign a release authorizing the commissioner to request information from the FBI, the Department of Human Services, and other departments and agencies, regarding criminal convictions, and reports about abuse or neglect of clients.

Senators rejected, on an 18-41 vote, an amendment by Sen. Edward Oliver (R-Deephaven), that would have permitted "for profit" HMOs. "I believe we've reached a stage in Minnesota," he said, "where we need some competition among health care providers. It's time to open up the field," he added. Sen. Linda Berglin (DFL-Mpls.), urged the Senate to defeat the amendment, saying "one of the protections we have in our state is that HMOs are not-for-profit." The bill, as amended, passed the Senate on a 43-18 vote.

Friday, March 1

Psychology board bill gains

With most major funding bills already passed by the Senate, members began to whittle away at the stack of bills awaiting floor action in a Fri., March 1, floor session.

A bill granting additional authority to the Board of Psychology, S.F. 842, sparked considerable debate. A provision in the bill allows the board to charge a psychology practitioner fines for misconduct or for investigative costs if a complaint were found to be valid. The bill's author, Sen. Don Betzold (DFL-Fridley), offered an amendment reducing the fine limit from \$10,000 to \$5,000. The amendment was adopted.

Sen. Linda Runbeck (R-Circle Pines) offered another amendment removing the board's authority to levy fines for investigative costs. "The board has no accountability," Runbeck said. It could lead to a "mini-Spanish Inquisition" she added. Betzold argued against the amendment, saying removal of the board's fining authority "allows a psychologist to take

financial advantage of a patient." Runbeck's amendment was adopted, and the bill passed 59-0.

A bill designed "to clean up campaigns by providing a penalty for violating the Fair Campaign Practices Act," according to sponsor, Sen. Ember Reichgott Junge (DFL-New Hope), also generated lengthy discussion. S.F. 1895 requires a candidate convicted of a violation of the Fair Campaign Practices Act to return the public subsidy they have received. Sen. Carl Kroening (DFL-Mpls.) found fault with the bill in certain cases. "In a three candidate race, two candidates get funding, and the third can violate the Fair Campaign Practices Act without penalty," Kroening said. Sen. Harold "Skip" Finn (DFL-Cass Lake) offered an amendment he called "an equalizer" that establishes a formula to reduce a challenger's subsidy when an incumbent is found guilty of violations. Robertson called it "an incredible incumbent protection act." Finn later withdrew his amendment because its effect was unclear, and Reichgott Junge moved to lay her bill on the table. The motion prevailed.

Earlier, the Senate took up Sen. James Metzen's (DFL-South St. Paul) bill lowering the minimum interest rate landlords must pay tenants for security deposits. The bill, H.F. 2672, reduces the rate from 4 percent to 2 percent. Sen. Charles Berg (DFL-Chokio), arguing against the reduction, said most brokerage houses pay 5 percent on investments. Metzen responded by saying that most renters only stay for a year or less, and added "most NOW accounts pay one and a half percent." Sen. Phil Riveness (DFL-Bloomington) offered a compromise amendment setting the interest rate at 3 percent. The amendment was adopted and the bill passed 34-26.

The Senate also passed S.F. 2066, sponsored by Sen. David Knutson (R-Burnsville). The measure provides a minimum mandatory sentence for a repeat domestic assault conviction. Illustrating the frequency of domestic assaults, Knutson cited 1994 statistics showing there were an average of 361 domestic assaults per day, compared to only 76 DWI occurrences per day in Minnesota. The bill passed unanimously with 59 votes.

Monday, March 4

Dove reprieve

The Senate granted preliminary passage to numerous bills during its afternoon

floor session Mon., Mar. 4. Topping the day's General Orders, was Sen. Janet Johnson's (DFL-North Branch) omnibus fish and wildlife bill, S.F. 2445. The bill contains provisions that regulate fees for hunting and fishing licenses, exemptions to the blaze orange requirement and commercial netting practices. "In all, there are 26 provisions in this bill," Johnson said.

Several amendments were proposed before Senators approved the measure. Sen. Gary Laidig's (R-Stillwater) amendment to establish a mourning dove hunting season in the Southwestern corner of the state, sparked heated debate amongst members.

Sen. Allan Spear (DFL-Mpls.) spoke against the amendment. He reminded Senators that attempts to create a season for hunting mourning doves have been heard and rejected on the Senate floor 18 times. "This is still a bad idea," Spear said. "The arguments haven't changed and there is still no reason to hunt this small song bird."

But Senator Bob Lessard (DFL-Int'l. Falls) argued in favor of the amendment. "Every sportsman's group in the state supports this move," Lessard said.

In spite of lengthy discussion, for and against, the amendment failed on a roll call vote, 25-34.

Turning to moose hunting, however, Lessard convinced members to adopt his amendment that loosens restrictions for obtaining a license. Lessard argued that the current practice of prohibiting all members of a hunting party that has taken a moose from reapplying for a license is unfair. "But this changes that practice," he said, "and means that only the person who actually took the animal would be prohibited from taking another moose."

Senators also granted preliminary passage to S.F. 2472, a bill regulating pawnbrokers. "Currently there are very few standards in place," said chief author Sen. Leonard Price (DFL-Woodbury). "This bill sets out some definitions and guidelines that will give consumers some protection."

The measure defines pledged goods, allows municipal licensing and regulations, prohibits citing pawnshops within 10 miles of a casino and requires that goods must be kept on the premises or in other storage areas. Furthermore, the bill establishes a cap of three percent per month on the principal and requires disclosure of monthly and annual percentage rates.

Sen. Ember Reichgott Junge (DFL-New

Hope) offered an amendment to ban the practice of title pawning. "These businesses are acting like regulated lenders, but are getting around the provisions that govern regulated lenders by calling themselves pawn brokers," Reichgott Junge said. "This practice should not be legal."

Reichgott Junge told members that the interest rates charged by the state's three title pawn brokers are inflated and unfair. She cited an example where a woman was charged an interest rate of 361 percent on a \$600 loan.

Sen. Kevin Chandler (DFL-White Bear Lake) spoke against the amendment. "What would you have these people do?" he asked. "This is their last option, not their first."

Also opposing the ban was Sen. Deanna Wiener (DFL-Eagan). She argued that an individual might encounter a situation where the option to obtain a cash loan, in spite of accompanying steep interest rates, is preferable.

Sen. Jane Krentz (DFL-May Township) countered, saying, "that's exactly why we shouldn't allow this -- these people are driven to desperate means." She said that the exorbitant interest rates would only create further financial difficulties for those already suffering economic hardship.

Members voted down the Reichgott Junge amendment.

Omnibus liquor bill debated

Members debated several additional bills on the General Orders Calendar during the latter portion of the Mon., Mar. 4, floor session, including the omnibus liquor bill. The bill, S.F. 2116, was presented to the full Senate by Sen. Sam Solon (DFL-Duluth). It includes sections defining licenses required by vendors, provides for temporary on-sale licenses and provides for authorized tastings of liquor.

An amendment, offered by Sen. Linda Runbeck (R-Circle Pines), limits the establishment of a municipal liquor store within one mile of an existing private liquor store that is located outside of the city. Runbeck's amendment met opposition from Sen. Kevin Chandler (DFL-White Bear Lake), who said that cities should make decisions related to liquor competition on their own. Sen. William Belanger (R-Bloomington) agreed with Chandler, stating that the amendment relates to zoning practices. Such decisions, said Belanger, should be reserved for decision by the municipality, not the state. The amendment was adopted and

the bill was granted preliminary passage.

A bill allowing doctors from states other than Minnesota to dispense prescriptions within Minnesota was also debated by members. Authored by Sen. Edward Oliver (R-Deephaven), S.F. 2643 authorizes the dispensing of a prescription written by a physician, osteopath, podiatrist, dentist, or veterinarian licensed in any state or jurisdiction of the United States if the prescription is being filled by a mail-order pharmacy located in Minnesota or is for a person who is physically present in Minnesota at the time the prescription is filled but is not a resident of Minnesota. Sen. Sheila Kiscaden (R-Rochester) requested the bill be held over because she felt it was substantially different from the original bill as it left committee. Oliver accepted the request and progressed S.F. 2643.

Sen. Don Samuelson (DFL-Brainerd) presented members with a bill allowing nurses to perform medical care procedures and techniques at the direction of a physician, podiatrist, or dentist licensed in another state, United States territory, or Canadian province. Under current law, nurses may need a Minnesota licensed doctor to re-evaluate the patient, creating double billing.

The author offered an amendment clarifying that nothing in the section requires a nurse to perform a medical procedure or technique at the direction of a physician, podiatrist or dentist that is illegal in this state. While several Senators said they felt the amendment was not necessary, as nurses licensed in Minnesota are already required to follow Minnesota law, the amendment was adopted. The bill received preliminary passage.

A judge who has been elected to office and resigned in good standing, and is not receiving retirement benefits, may be appointed to serve as a judge under S.F. 2435. The bill's chief author, Sen. David Knutson (R-Burnsville) said that S.F. 2435 authorizes a judge who has retired in good standing to be appointed to serve as a judge of any court.

Sen. Jane Ranum (DFL-Mpls.) questioned whether or not a judge who has not practiced law in 20 years could fulfill the duties of a judge. Knutson responded that the bill's intent was not to drag unqualified, incapable individuals back into practice. Sen. Gene Merriam (DFL-Coon Rapids) expressed concern over the ability for a judge to serve, under the bill, without going through a re-election process. "I know a lot of judges who don't

like to run for re-election. However, the constitution says that a judge must run for re-election before serving on a court," said Merriam. The bill was approved for preliminary passage.

Tuesday, March 5

Variety of bills gain

Senators met for a relatively brief floor session Tues., Mar. 5, and considered a number of bills on the General Orders Calendar for preliminary passage. Bills ranging from trolleys to adoption were considered and advanced.

One of the measures that generated debate was a bill delaying the effective date of provisions relating to the recycling of used motor oil filters. S.F. 2499, authored by Sen. Dan Stevens (R-Mora), sets forth the timing and implementation schedule for a plan to recover and recycle motor oil filters. Stevens offered an amendment to require an industry group representing retailers and manufacturers to submit a plan for recovering and recycling used motor oil and used filters to the commissioner of the Pollution Control Agency by Sept. 1, 1996.

Further, the amendment requires the plan to be implemented by June 1, 1997 and that all the requirements of the plan be met by Dec. 31, 1999. Finally, the amendment specifies that the commissioner report to the Legislature by Feb. 1, 2000 on the amount being recycled. Sen. Gene Merriam (DFL-Coon Rapids) and Sen. Steven Morse (DFL-Dakota) both argued against the amendment and said that the bill had come out of committee specifying different dates for meeting the various requirements. Stevens offered an amendment to change effective dates from 2000 to 1998 and from 1999 to 1997. The amendment to the amendment was adopted as was the entire amendment. The measure was then granted preliminary passage.

Members also granted preliminary passage to the "Not a drop" proposal that prohibits young people under 21 from driving after consuming any amount of alcohol or drugs. S.F. 2193, carried by Sen. David Knutson (R-Burnsville), creates a separate law for the prohibition and provides for drivers license suspensions.

A bill authorizing the issuance of charter permits for the Capitol City Trolley also gained preliminary approval. H.F. 2322, sponsored by Sen. Sandra Pappas (DFL-St. Paul), allows the trolley to be rented out for private occasions.

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Pappas said the measure was a way to increase the use of the trolley within the city of St. Paul.

S.F. 1888, making changes in provisions relating to adoptions, also gained preliminary passage. The measure, authored by Sen. Sheila Kiscaden (R-Rochester), requires notification of the placement or adoption of a child to the other birth parent, requires background checks for adoptions and permits court-ordered grandparent visitation with an adopted child. Members adopted an amendment, offered by Sen. Richard Cohen (DFL-St. Paul), providing for hearings for grandparent visitation in divorce proceedings.

Two measures sparked heated debate and were progressed. S.F. 2255, authored by Sen. Don Betzold (DFL-Fridley), provides for declaring vacancies in the elected offices of mayor or council member in statutory cities and S.F. 1117, carried by Sen. Lawrence Pogemiller (DFL-Mpls.), expands the Minneapolis health insurance subsidy to include eligible Minneapolis teachers who retired before June 30, 1983. Betzold said that S.F. 2255 was designed to provide a mechanism for cities to deal with elected officials who do not show up and perform the duties of their offices for extended periods of time. Betzold said that statutory cities were in a unique position because they do not have charters and thus have no method of changing procedures for declaring vacancies. Sen. Pat Pariseau (R-Farmington) successfully offered an amendment to have the same procedures for declaring a vacancy applied to members of county boards who do not perform the duties of the office to which they were elected. However, members determined that the amendment needed further clarification and delayed taking action on the measure. Controversy also erupted over S.F. 1117 when members questioned the use of funds for a health subsidy for the retired teachers rather than using the funds for the Minneapolis pension fund. Pogemiller said that the revenue available for the subsidy would not be increased under the bill, but rather the number of individuals eligible for the subsidy would be increased. No action was taken on either measure.

Wednesday, March 6

Data practices bill okayed

The Senate granted final passage Weds., Mar 6, to S.F. 2410, the omnibus data practices bill that governs procedures for

the release of information. Chief author Jane Ranum (DFL-Mpls.) told members that the measure balances the rights of individuals with the interests of public safety. Included in the bill are provisions covering medical records, driver's license information, birth certificates and personnel files.

Debate over release of student information by Minnesota schools to various organizations, individuals and businesses dominated floor discussion. The amendment, offered by Sen. Leonard Price (DFL-Woodbury), to end the current practice of indiscriminate release of information, prompted lengthy debate.

Price argued that the privacy rights of students must be protected. "We're just asking to give kids the same protection that we receive as adults," he said. Presently, information contained in school directories, which includes names and addresses, telephone and social security numbers, is freely available, Price told members. "That information is released without any screening by the school," he added.

Besides the issue of safety, Price told members that there is no limit to the number of organizations that can buy directory information and use it for mailing lists. "This isn't just a one time occurrence," he said. "The information is sold to others, who sell it to others," Price continued. "There are a lot of people involved in telemarketing that like these directories, but there are a lot of parents who want this information to be private."

Several members spoke against the amendment.

Sen. Ember Reichgott Junge (DFL-New Hope) said that parents can already request that the information be kept private. Additionally, she cautioned that restricting access to student data might result in a child missing an opportunity that he or she could have otherwise taken advantage of, such as scouting programs.

But Price countered that parents are frequently unaware of their option to make information private, adding that the procedure for notifying parents is often ineffective. Forms may be sent home he said, but for a wide variety of reasons they don't reach parents. "Children lose them, forget about them -- they're often buried in the bottom of a child's bookbag, only to be found at the end of the school year," he explained.

Sen. Sheila Kiscaden (R-Rochester) expressed concern about unwanted effects of the amendment. "I'm afraid that an

unintended consequence of this might be to undermine parental involvement."

Sen. David Knutson (R-Burnsville) opposed the amendment because he said that it interferes with the rights of individual school districts. Sen. Deanna Wiener (DFL-Eagan) also objected to giving the state control over a policy that is currently determined by local school boards: "We have to remember that one size does not fit all here," she said.

Additionally, Reichgott Junge pointed out that restricting the release of student information might interfere with a police investigation. Sen. Carl Kroening (DFL-Mpls.) added, "if you're restricting information to liaison police officers, then you're doing that community a disservice."

On a roll call vote, Senators voted down the Price amendment, but agreed to retain language that requires "conspicuous notice" of the right to keep a student's data private.

Among the amendments adopted to the data practices bill was Ranum's criminal justice information systems initiative. Included in the initiative is a provision that establishes a computerized juvenile history record system.

"This amendment takes a thoughtful approach to handling juvenile records," said Ranum. "It provides the courts with better information." She told members that computerized information sharing will halt the practice of juveniles moving from one county to another to escape his or her criminal record.

Health task force approved

Turning to the General Orders Calendar, members approved S.F. 1875, directing the Minnesota Health Care Commission to establish a task force to study health care taxes. Sen. Linda Runbeck (R-Circle Pines) offered an amendment requiring the Minnesota Health Care Commission to conduct several studies. Included on the list was a study of the effects of the MinnesotaCare antitrust exemption on mergers and consolidations in the state and on the costs of health care; a study to identify the factors, such as insurance, mandates and antitrust legislation, that may limit the effectiveness of managed competition in the health care field; a study to determine the effects of limited community rating on access to health insurance; and a study of effects of legislation in other states making children legally responsible for the care of aging parents. The amendment

was adopted. Members granted S.F. 1975 preliminary passage.

Sen. Don Betzold (DFL-Fridley) presented H.F. 2526, a bill making it a crime to obtain cellular telephone service through cellular counterfeiting. The bill also requires forfeiture of cloning paraphernalia used to create cloned cellular telephones. Betzold said a need for the bill illustrates the way in which technology becomes the impetus for new crimes.

The bill also sets penalties for the crime. H.F. 2526 was approved by members.

S.F. 2054, attempts to provide more safety for pedestrians, said chief author Sen. Randy Kelly (DFL-St. Paul). The bill requires a driver to stop to yield right-of-way to pedestrians within a crosswalk. An increase in penalty for failure to yield to a pedestrian in a crosswalk was included in the bill, as was a requirement for the commissioner of transportation to

include information pertaining to crosswalk right-of-way in driver's manuals. Additionally, the bill requires preparation and distribution of publicity concerning traffic regulations.

Kelly explained that, under current law, motorists are only required to slow down when approaching a crosswalk. "We need to be more cognizant of safety issues," said Kelly. The bill was granted preliminary passage.

Floor action

Bills granted final passage on Special Orders Friday, March 1

S.F. 842-Betzold: Modifies duties of the Board of Psychology, changes types of licensure, changes licensure provisions and provides for discipline. 59-0

H.F. 2672-Metzen: Changes the interest rate on security deposits and provides for legislative review. 34-26

S.F. 2066-Knutson: Requires mandatory minimum penalties for repeat domestic assault offenders. 59-0

Bills granted preliminary passage on General Orders Monday, March 4

S.F. 1902-Pappas: Changes the name of the Council on Affairs of Spanish

Speaking People to the Council on the Affairs of Chicano-Latino People and changes the composition of the council and of appointment process for the Asian Pacific Minnesotans.

S.F. 2449-Betzold: Allows the state and county to establish a county store for surplus property.

S.F. 1702-Spear: Limits liability for non-profit private correctional treatment agencies that treat individuals committed by court or administrative order.

S.F. 1906-Marty: Eliminates the requirement that charges file with the commissioner of human rights be notarized.

S.F. 2445-Johnson, J.B.: Omnibus fish and wildlife bill. Clarifies status of game refuge designations, removed the residency requirement for youth hunting, permits nonresident students to take big game, modifies provisions relating to special permits, commercial fishing, taking deer, blaze orange, trout and salmon stamps and sturgeon and pallefish, and removes provisions relating to wild rice.

S.F. 1788-Kramer: Requires information to be included in lottery publications, prize announcement signs, electronic messages, and on-line lottery tickets.

S.F. 2668-Flynn: Creates a state court action for relief for damages caused by a federal court action affects public participation by the plaintiff (SLAPP suits).

S.F. 1803-Novak: Extends the municipal tort claims protections to nonprofit firefighting corporations.

H.F. 2284-Betzold: Regulates reductions in monthly payments for overpayment of support or maintenance and requires the commissioner of human services to present to the Legislature a proposal regarding child support payments.

S.F. 2478-Hottinger: Modifies and expands provisions for sanctions in frivolous civil actions.

H.F. 2420-Solon: Authorizes the cities of Duluth, Proctor, Cloquet, Hermantown, Scanlon and Thomson to establish a program to prevent the inflow and infiltration of storm water into each city's sanitary sewer system and authorizes each city to make loans and grants to property owners in connection with the program.

H.F. 2752-Price: Provides for the licensing and regulation of pawnbrokers and provides penalties.

S.F. 1893-Stevens: Adds provisions for child support enforcement.

S.F. 2116-Solon: Omnibus liquor bill. Modifies eligibility for liquor manufacturers and wholesaler licenses, allows persons holding either the proper license or permit to charge for possession, exempts certain types of wine tastings from authorized tastings, regulates malt liquor furnished for sampling and provides for the issuance of on-sale licenses for Wadena, Eagan and West St. Paul.

S.F. 2418-Riveness: Legislative Auditor's housekeeping bill.

H.F. 2558-Samuels: Modifies provisions governing the practice of nursing and allows nurses in Minnesota to accept orders from physicians in another state.

S.F. 2435-Knutson: Authorizes a judge who has resigned in good standing to be appointed to serve as a judge of any court and provides that the fee for the examination to be admitted to practice law be set by the Supreme Court.

Bills reconsidered and granted final passage

S.F. 1945-Hanson: Regulating persons who may do elevator work. 37-25

S.F. 1587-Ourada: Authorizes the sale of tax-forfeited state land. 60-1

Floor action

Bills granted preliminary passage on General Orders Tuesday, March 5

- S.F. 2275-Reichgott Junge:** Requires a victim's account of domestic assault or harassment to be considered in determining an arrested person's release, requires notice to law enforcement agencies, battered women's programs and sexual assault programs of release of arrested persons and requires notice of bail hearings to victims of domestic assault and harassment.
- S.F. 2310-Sams:** Provides for exemption from liability for rustic roads.
- H.F. 2889-Dille:** Provides for the consolidation of Norwood and Young America into the city of Norwood-Young America.
- S.F. 2491-Kroening:** Changes the name of the Ethical Practices Board to Board of Campaign Finance and Public Disclosure.
- H.F. 2670-Vickerman:** Clarifies authority and procedures for the Minnesota Municipal Board.
- S.F. 2363-Johnson, J.B.:** Clarifies the offenses labeled as juvenile petty offenses.
- S.F. 2499-Stevens:** Delays the effective date of requirements relating to used motor oil filters.
- H.F. 2580-Samuelsan:** Modifies restrictions for nonresident fish houses.
- S.F. 2687-Johnson, D.J.:** Ratifies sales of county fee lands in Lake County.
- S.F. 2349-Lesewski:** Increases the penalty for violation of laws regulating utilities.
- H.F. 2322-Pappas:** Authorizes the Transportation Regulation Board to issue charter carrier permits so the Capitol City Trolley may be chartered for operation within the city of St. Paul.
- S.F. 2342-Vickerman:** Provides for deregulation of motor carriers of property, establishes a carrier registration system, allows relief from safety regulations during declared emergency, creates exemptions from certain workplace drug and alcohol testing and requires alcohol testing.
- S.F. 2346-Lesewski:** Defines the term criminal justice agency in the law governing the data communications network to include detention facilities licensed by the commissioner of corrections and provides appropriate persons with broader access to the detention information system that is supported by the state operated computer network under control of the commissioner of public safety.
- S.F. 1864-Reichgott Junge:** Classifies data on members of the criminal alert network.
- S.F. 2714-Terwilliger:** Clarifies the misdemeanor manslaughter statute.
- S.F. 2319-Knutson:** Makes technical and style changes to provisions relating to the Dept. of Public Safety and clarifies provisions relating to response to state emergencies.
- S.F. 2193-Knutson:** Creates a separate law to prohibit persons under 21 years of age from driving a motor vehicle after consuming any amount of alcoholic beverages and provides for license suspension.
- S.F. 840-Cohen:** Modifies campaign finance provisions by changing the treatment of spending limits and public subsidy in certain cases.
- S.F. 1888-Kiscaden:** Requires notification of placement or adoption of a child to the other birth parent, requires background checks for adoption, requires affidavits for an emergency order requiring updates to adoption study, defines content of postplacement assessments and reports, permits court-ordered grandparent visitation with an adopted child, provides for recognition of adoptions which occur in foreign countries and defines when adoption records shall become public records.

Bills granted final passage on Special Orders Wednesday, March 6

- S.F. 2410-Ranum:** Omnibus data practices. Provides for the classification of and access to government data. 48-7
- S.F. 2213-Knutson:** Provides for enforcement of the requirement that drivers provides proof of automobile insurance and permits drivers to avoid penalties by providing proof of insurance on the date of the first court appearance rather than within 10 days after the officers demand for proof. 61-0

Bills granted preliminary passage on General Orders Wednesday, March 6

- H.F. 2483-Cohen:** Clarifies the process for applying for a writ of certiorari.
- H.F. 2858-Samuelsan:** Provides for use of the National Guard Education Center at Camp Ripley as the state education and training center.
- S.F. 1875-Berglin:** Directing the Minnesota Health Care Commission to establish a task force to study health care taxes.
- H.F. 2044-Anderson:** Prohibits retroactive termination of a person's coverage without the consent of the covered person.
- H.F. 2526-Betzold:** Makes it a crime to obtain cellular telephone service through cellular counterfeiting, requires forfeiture of cloning paraphernalia and prescribes penalties.
- S.F. 2192-Knutson:** Clarifies the application of consecutive sentencing provisions for impaired driving and driver's license offenses arising out of a single course of conduct.
- H.F. 2938-Betzold:** Revisor's bill. Corrects erroneous, ambiguous, and omitted text and obsolete references in statutes.
- H.F. 2401-Lessard:** Exempts Itasca County from bidding requirements on the sale of the Itasca County Medical Center.
- H.F. 2788-Scheevel:** Modifies restrictions for temporary on-sale liquor licenses.
- S.F. 2054-Kelly:** Requires a driver to stop to yield right-of-way to pedestrians within crosswalks, increases the penalty for failure to yield to pedestrians in crosswalks, requires information pertaining to crosswalk right-of-way in the driver's manual and requires distribution of publicity concerning traffic.
- H.F. 2509-Ranum:** Clarifies the definition of acts constituting a public nuisance.

- H.F. 2391-Novak: Regulates reimbursement from the petroleum tank release cleanup fund, transfers enforcement authority to the commissioner of Commerce and makes various technical changes.
- H.F. 2285-Riveness: Clarifies and extends Metropolitan Airports Commission noise mitigation spending requirements.
- H.F. 2846-Sams: Authorizes the conveyance of tax-forfeited lands in various counties.

Bills granted final passage on the Senate Calendar Thursday, March 7

- S.F. 1902-Pappas: Changes the name of the Council on Affairs of Spanish Speaking People to the Council on the Affairs of Chicano-Latino People and changes the composition of the council and of appointment process for the Asian Pacific Minnesotans. 58-1
- S.F. 2449-Betzold: Allows the state and county to establish a county store for surplus property. 59-0
- S.F. 1702-Spear: Limits liability for non-profit private correctional treatment agencies that treat individuals committed by court or administrative order. 61-0
- S.F. 1906-Marty: Eliminates the requirement that charges filed with the commissioner of human rights be notarized. 61-1
- S.F. 2445-Johnson, J.B.: Omnibus fish and wildlife bill. Clarifies status of game refuge designations, removed the residency requirement for youth hunting, permits nonresident students to take big game, modifies provisions relating to special permits, commercial fishing, taking deer, blaze orange, trout and salmon stamps and sturgeon and pallefish, and removes provisions relating to wild rice. 61-1
- S.F. 1788-Kramer: Requires information to be included in lottery publications, prize announcement signs, electronic messages, and on-line lottery tickets. 58-4
- S.F. 2668-Flynn: Creates a state court action for relief for damages caused by a federal court action that affects public participation by the plaintiff (SLAPP suits). 63-0
- S.F. 1803-Novak: Extends the municipal tort claims protections to nonprofit firefighting corporations. 63-0
- H.F. 2284-Betzold: Regulates reductions in monthly payments for overpayment of support or maintenance and requires the commissioner of human services to present to the Legislature a proposal regarding child support payments. 62-0
- S.F. 2478-Hottinger: Modifies and expands provisions for sanctions in frivolous civil actions. 62-0
- H.F. 2420-Solon: Authorizes the cities of Duluth, Proctor, Cloquet, Hermantown, Scanlon and Thomson to establish a program to prevent the inflow and infiltration of storm water into each city's sanitary sewer system and authorizes each city to make loans and grants to property owners in connection with the program. 62-0
- H.F. 2752-Price: Provides for the licensing and regulation of pawnbrokers and provides penalties. 64-0
- S.F. 1893-Stevens: Adds provisions for child support enforcement. 65-0
- S.F. 2116-Solon: Omnibus liquor bill. Modifies eligibility for liquor manufacturer and wholesaler licenses, allows persons holding either the proper license or permit to charge for possession, exempts some wine tastings from authorized tastings, regulates malt liquor furnished for sampling and provides for the issuance of on-sale licenses for Wadena, Eagan and West St. Paul. 58-4
- S.F. 2418-Riveness: Legislative Auditor's housekeeping bill. 62-1
- H.F. 2558-Samuelsen: Modifies provisions governing the practice of nursing and allows nurses in Minnesota to accept orders from physicians in another state. 66-0
- S.F. 2435-Knutson: Authorizes a judge who has resigned in good standing to be appointed to serve as a judge of any court and provides that the fee for the examination to be admitted to practice law be set by the Supreme Court. 66-0
- S.F. 2275-Reichgott Junge: Requires a victim's account of domestic assault or harassment to be considered in determining an arrested person's release, requires notice to law enforcement agencies, battered women's programs and sexual assault programs of release of arrested persons and requires notice of bail hearings to victims of domestic assault and harassment. 66-0
- S.F. 2310-Sams: Provides for exemption from liability for rustic roads. 66-0
- H.F. 2889-Dille: Provides for the consolidation of Norwood and Young America into the city of Norwood-Young America. 66-0
- S.F. 2491-Kroening: Changes the name of the Ethical Practices Board to Board of Campaign Finance and Public Disclosure. 61-5
- H.F. 2670-Vickerman: Clarifies authority and procedures for the Minnesota Municipal Board. 66-0
- S.F. 2363-Johnson, J.B.: Clarifies the offenses labeled as juvenile petty offenses. 65-1
- S.F. 2499-Stevens: Delays the effective date of requirements relating to used motor oil filters. 62-0
- H.F. 2580-Samuelsen: Modifies restrictions for nonresident fish houses. 65-0
- S.F. 2687-Johnson, D.J.: Ratifies sales of county fee lands in Lake County. 65-1
- S.F. 2349-Lesewski: Increases the penalty for violation of laws regulating utilities. 65-1
- H.F. 2322-Pappas: Authorizes the Transportation Regulation Board to issue charter carrier permits so the Capitol City Trolley may be chartered for operation within the city of St. Paul. 61-5
- S.F. 2342-Vickerman: Provides for deregulation of motor carriers of property, establishes a carrier registration system, allows relief from safety regulations during declared emergency, creates exemptions from certain workplace drug and alcohol testing and requires alcohol testing. 64-1
- S.F. 2346-Lesewski: Defines the term criminal justice agency in the law governing the data communications network to include detention facilities licensed by the commissioner of corrections and provides appropriate persons with broader access to the detention information system that is supported by the state operated computer network under Dept. of Public Safety control. 65-1
- S.F. 1864-Reichgott Junge: Classifies data on members of the criminal alert network. 66-0
- S.F. 2714-Terwilliger: Clarifies the misdemeanor manslaughter statute. 58-8
- S.F. 2319-Knutson: Makes technical and style changes to provisions relating to the Dept. of Public Safety and clarifies provisions relating to response to state emergencies. 64-1
- S.F. 2193-Knutson: Creates a separate law to prohibit persons under 21 years of age from driving a motor vehicle after consuming any amount of alcoholic beverages and provides for license suspension. 61-4

Floor action

- S.F. 840-Cohen: Modifies campaign finance provisions by changing the treatment of spending limits and public subsidies. 66-0
- S.F. 1888-Kiscaden: Requires notification of placement or adoption of a child to the other birth parent, requires background checks for adoption, requires affidavits for an emergency order requiring updates to adoption study, defines content of postplacement assessments and reports, permits court-ordered grandparent visitation with an adopted child, provides for recognition of adoptions which occur in foreign countries and defines when adoption records shall become public records. 65-1
- H.F. 2483-Cohen: Clarifies the process for applying for a writ of certiorari. 65-0
- H.F. 2858-Samuelson: Allows the National Guard Education Center at Camp Ripley to be used for education and training center. 65-0
- S.F. 1875-Berglin: Directing the Minnesota Health Care Commission to establish a task force to study health care taxes. 65-0
- H.F. 2044-Anderson: Prohibits retroactive termination of a person's coverage without the consent of the covered person. 66-0
- H.F. 2526-Betzold: Makes it a crime to obtain cellular telephone service through cellular counterfeiting, requires forfeiture of cloning paraphernalia and prescribes penalties. 66-0
- S.F. 2192-Knutson: Clarifies the application of consecutive sentencing provisions for impaired driving and driver's license offenses arising out of a single course of conduct. 64-1
- H.F. 2938-Betzold: Revisor's bill. Corrects erroneous, ambiguous, and omitted text and obsolete references in statutes. 64-1
- H.F. 2401-Lessard: Exempts Itasca County from bidding requirements on the sale of the Itasca County Medical Center. 63-3
- H.F. 2788-Scheevel: Modifies restrictions for temporary on-sale liquore licenses. 65-0
- S.F. 2054-Kelly: Requires a driver to stop to yield right-of-way to pedestrians within crosswalks, increases the penalty for failure to yield to pedestrians in crosswalks, requires information pertaining to crosswalk right-of-way in the driver's manual and requires distribution of publicity concerning traffic. 66-0
- H.F. 2509-Ranum: Clarifies the definition of acts constituting a public nuisance. 63-1
- H.F. 2391-Novak: Regulates reimbursement from the petroleum tank release cleanup fund, transfers enforcement authority to the commissioner of Commerce and makes various technical changes. 63-2
- H.F. 2285-Riveness: Clarifies and extends Metropolitan Airports Commission noise mitigation spending requirements. 62-3
- H.F. 2846-Sams: Authorizes the conveyance of tax-forfeited lands in various counties. 62-2

Bills granted final passage on Special Orders Thursday, March 7

- S.F. 2852-Kroening: Omnibus jobs, energy and community development supplemental appropriations. 46-15
- S.F. 2347-Samuelson: Proposing human services reform measures. Makes changes to the Minnesota Family Investment Plan Program, provides for case management services to caregivers, requires family support agreement for some families on assistance, defines case manager and two-parent families, adds provisions for employment and training services, establishes the MNJOBS Program, requires the commissioner to take steps to prevent assistance recipients from obtaining assistance via an ATM or cashing assistance checks at gambling establishments, provides injury protection for tribal JOBS programs, appropriates money to the sliding fee child care program and appropriates money for the AFDC child care entitlement program. 60-1

Bills granted preliminary passage on General Orders Thursday, March 7

- H.F. 2155-Betzold: Makes technical changes in provisions relating to real estate and probate laws.
- H.F. 168-Solon: Regulates insurance nonrenewals based on loss experience.
- H.F. 2525-Janezich: Provides for the relocation of an existing new motor vehicle dealership under specific conditions.
- S.F. 2571-Reichgott Junge: Allows owners of residences to identify who may use the residence address on a driver's license.
- S.F. 2227-Kiscaden: Allows physicians to prescribe and administer controlled substances in cases of intractable pain.
- H.F. 2377-Wiener: Repeals obsolete laws.
- H.F. 2478-Pappas: Restricts the provision of immigration services, regulates notaries public, establishes penalties and prohibits notaries from offering immigration services.
- S.F. 2056-Novak: Department of Trade and Economic Development housekeeping bill.
- H.F. 2222-Lesewski: Excepts certain contracts from certain contract management requirements, abolishes certain reports and provides for a comprehensive annual report by the Department of Economic Security and provides a mission statement for the department.
- H.F. 2154-Novak: Adds conditions for manufactured home park owners to recover possession of land.
- H.F. 3162-Lessard: Permits the city of Cohasset to own and operate a gas utility.
- S.F. 2636-Larson: Clarifies provisions relating to private business, trade, and correspondence schools and modifies licensing standards.
- H.F. 1998-Knutson: Regulates the investment and management of trust assets and provides standards for prudent trust investments.
- S.F. 2517-Stumpff: Changes Candidate Advisory Council membership and changes the Council on Vocational Technical Education membership.
- H.F. 2330-Kleis: Requests the St. Cloud area planning organization to assess and report on the land use planning and coordinating issues of the region.

**Membership Listing
1996 Session**

Party	Phone	Name	Room	District	Party	Phone	Name	Room	District
DFL	296-5537	Anderson, Ellen R.	120 Cap.	66	DFL	296-5645	Marty, John	G-9 Cap.	54
DFL	5713	Beckman, Tracy L.	306 Cap.	26	DFL	4154	Merriam, Gene	122 Cap.	49
R	5975	Belanger, William V., Jr.	113 SOB	41	DFL	4370	Metzen, James P.	303 Cap.	39
DFL	5094	Berg, Charles A.	328 Cap.	13	DFL	2577	Moe, Roger D.	208 Cap.	2
DFL	4261	Berglin, Linda	G-9 Cap.	61	DFL	7-8065	Mondale, Ted A.	226 Cap.	44
DFL	2556	Betzold, Don	G-24 Cap.	48	DFL	5649	Morse, Steven	G-24 Cap.	32
DFL	9307	Chandler, Kevin M.	111 Cap.	55	DFL	4264	Murphy, Steve L.	301 Cap.	29
DFL	4182	Chmielewski, Florian	325 Cap.	8	R	1279	Neuville, Thomas M.	123 SOB	25
DFL	5931	Cohen, Richard J.	317 Cap.	64	DFL	4334	Novak, Steven G.	322 Cap.	52
R	9457	Day, Dick	105 SOB	28	R	4837	Oliver, Edward C.	121 SOB	43
R	4131	Dille, Steve	103 SOB	20	R	1282	Olson, Gen	119 SOB	34
DFL	6128	Finn, Harold R. "Skip"	306 Cap.	4	R	5981	Ourada, Mark	145 SOB	19
R	2084	Fischbach, Michelle	132 SOB	14	DFL	1802	Pappas, Sandra L.	120 Cap.	65
DFL	4274	Flynn, Carol	120 Cap.	62	R	5252	Pariseau, Pat	109 SOB	37
R	8138	Frederickson, Dennis R.	139 SOB	23	DFL	9248	Piper, Pat	G-9 Cap.	27
DFL	3219	Hanson, Paula E.	328 Cap.	50	DFL	7809	Pogemiller, Lawrence J.	235 Cap.	59
DFL	6153	Hottinger, John C.	120 Cap.	24	DFL	7-8060	Price, Leonard R.	235 Cap.	57
DFL	8017	Janezich, Jerry R.	328 Cap.	5	DFL	7-8061	Ranum, Jane B.	325 Cap.	63
R	3826	Johnson, Dean E.	147 SOB	15	DFL	2889	Reichgott Junge, Ember	205 Cap.	46
DFL	8881	Johnson, Douglas J.	205 Cap.	6	DFL	7-8062	Riveness, Phil J.	317 Cap.	40
DFL	5419	Johnson, Janet B.	322 Cap.	18	R	4314	Robertson, Martha R.	125 SOB	45
R	4123	Johnston, Terry D.	117 SOB	35	R	1253	Runbeck, Linda	107 SOB	53
DFL	5285	Kelly, Randy C.	323 Cap.	67	DFL	7-8063	Sams, Dallas C.	G-9 Cap.	11
R	4848	Kiscaden, Sheila M.	143 SOB	30	DFL	4875	Samuelson, Don	124 Cap.	12
R	6455	Kleis, Dave	151 SOB	16	R	3903	Scheevel, Kenric J.	129 SOB	31
R	4120	Knutson, David L.	133 SOB	36	DFL	4188	Solon, Sam G.	303 Cap.	7
R	8869	Kramer, Don	131 SOB	47	DFL	4191	Spear, Allan H.	120 Cap.	60
DFL	7061	Krentz, Jane	235 Cap.	51	R	8075	Stevens, Dan	127 SOB	17
DFL	4302	Kroening, Carl W.	124 Cap.	58	DFL	8660	Stumpf, LeRoy A.	G-24 Cap.	1
R	4351	Laidig, Gary W.	141 SOB	56	R	6238	Terwilliger, Roy W.	115 SOB	42
DFL	3205	Langseth, Keith	G-24 Cap.	9	DFL	5650	Vickerman, Jim	226 Cap.	22
R	5655	Larson, Cal	153 SOB	10	DFL	7-8073	Wiener, Deanna	303 Cap.	38
R	4125	Lesewski, Arlene J.	135 SOB	21					
DFL	4136	Lessard, Bob	111 Cap.	3		6511	DFL Senators' Fax		
R	2159	Limmer, Warren	132D SOB	33		9441	R Senators' Fax		

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Preview

The Minnesota Senate Week at a Glance

Monday, March 11

The Senate will meet at 9 a.m.

Finance Capital Budget Subcommittee

Chair: Sen. Phil Riveness

3 p.m. Room 123 Capitol

Agenda: To be announced.

Tuesday, March 12

Rules and Administration Committee

Chair: Sen. Roger D. Moe

8 a.m. Room 107 Capitol

Agenda: H.F. 14-Berglin: Taiwan resolution. S.F. 918-Wiener: Abolishing the State Treasurer. S.F. 153-Reichgott-Junge: Recall of elected officials.

The Senate will meet at 10 a.m.

Wednesday, March 13

The Senate will meet at 9 a.m.

Thursday, March 14

The Senate will meet at 9 a.m.

Friday, March 15

The Senate will meet at 9 a.m.

Editor's Note: It is expected that conference committees on the major bills will continue this week. Please check the Legislative Gopher, the Legislature's World Wide Web Page, the Senate Hotline or the Senate Information Office for the latest information.

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Briefly

The Minnesota Senate Week in Review

March 15, 1996

Tax debate continues

A year without a property tax increase? That scenario could come true next year for Minnesota property owners, due to Senate passage of a one-year property tax freeze.

The freeze, approved on the Senate floor Mon., Mar. 11, amends the omnibus tax bill, S.F. 2115, authored by Sen. Douglas Johnson (DFL-Cook). Majority Leader Roger Moe (DFL-Erskine), who sponsored the amendment, said the freeze will save property owners \$180 million. Moe said the proposal is the only bipartisan agreement on property tax reform that is feasible this session. "What we're trying to do is force this issue of reform," he said.

Moe's amendment restricts property tax increases after the freeze to no more than 3 percent. Moe said, "the plan 'blows up' the property tax system in 1999 by eliminating K-12 education levies, Local Government Aid, Fiscal Disparities and Taconite Aid. It also suspends several mandates to local government, including 1997 Truth in Taxation hearings.

Moe said the freeze prohibits new school levy and building bond referenda after Aug. 1, 1996, but does allow renewal of existing excess school levies. Under the amendment, market value is frozen at 1996 levels for farms, homes, rental homesteads and cabins; and municipalities are barred from increasing their levies. New construction, however, may increase in value and be levied against.

Senators approved the Moe amendment 56-6.

Sen. Terry Johnston (R-Prior Lake) introduced an amendment to S.F. 2115 directing proceeds of the automobile sales tax to the state highway fund, on a phase-in that reaches 100 percent in four years. "People of the state do believe that historically, this money was intended to fund (roads)," she said. Sen. Douglas Johnson objected to the provision, saying it will drain \$400 million annually from the general fund. The amendment failed 18-43.

Sen. William Belanger (R-Bloomington) offered an amendment to alter the property tax system. "This is a small, modest step toward property tax reform," Belanger said. The amendment implements reform by using market values, eliminates HACA and increases school funding. Johnson opposed the amendment and said, "there are good ideas in this amendment but it takes a real piecemeal approach." The amendment failed on 9-55 roll call.

Senators considered more than two dozen amendments during the course of debate on the measure. Members adopted amendments altering the method of calculating the rebate of the cigarette tax to Indian tribes; delaying the implementation of fiscal disparities in the Taconite Relief Area by one year; prohibiting the use of the half cent Metro Area sales tax for light rail transit; providing for reimbursement for companies who have complied with governmental regulations in planning for a metal shredder on the Mississippi River and prohibited from completing the facility; and providing for a property tax refund for individuals over 65 years of age whose property taxes exceed 6 percent of their income and who have an income of less than \$31,000 per year.

Boating ban approved

A bill that prohibits children under the age of 12 from operating boats of more than 75 horsepower was granted final passage Weds., Mar. 13. Sponsored by Sen. Janet Johnson (DFL-North Branch), H.F. 2834 also requires that children between the ages of 12 and 17 possess a watercraft operator's license to operate boats of more than 30 horsepower and bans children under the age of 13 from operating personal watercraft.

Johnson told members that currently there is no law in Minnesota that prohibits small children from operating motor boats. The bill, she said, was triggered by last year's fatal accident caused by an eight-year-old boy driving a 175 horsepower boat. "The death of Aaron Sahli has raised the awareness of the lack of regulation in this area," she continued, "and it's time to correct this omission."

Sen. Bob Lessard (DFL-Int'l. Falls) spoke against the bill. "You can't pass a law for every contingency," he said. "Things are going to happen."

Lessard also objected to the provision that requires teens to possess a watercraft operator's license. He argued that the requirement would create administrative difficulties for the Dept. of Natural Resources. But Johnson told members that the DNR supports the program. "It passes on the respect for the power of motor boats," Johnson said.

Sen. Charles Berg (DFL-Chokio) raised concerns about the bill's effective date. An amendment, offered by Johnson to change the date to Jan. 1, 1997, was adopted by members.

Also among the measures Senators passed was the "gun safety" bill, S.F. 2328, but only after stripping out the controversial provision that would have required guns to be stored unloaded, locked and out of children's reach.

The surviving provision of the bill changes the definition of "child." Under the measure, those for whom protection from negligent storage of firearms is required is raised from 14 to 18 years of age.

Author Jane Ranum (DFL-Mpls.) told members that the bill's intent is "to reduce the number of guns deaths among children in Minnesota." She argued that two thirds of the deaths are preventable. "Requiring a locking device that renders a firearm inaccessible would prevent these tragic deaths," Ranum said.

Several members opposed the provision though, and Sen. Gene Merriam (DFL-Coon Rapids) successfully offered an amendment to remove the stipulation. "What we're governing is people in their own homes, and the action that they take there," he said. "I think this comes down too hard and invades personal freedom in the name of public safety."

Sen. Thomas Neuville (R-Northfield) urged members to support Merriam's amendment. A free society contains inherent risks, he argued. "What will we lock up next?" he asked. "Matches? Automobiles? Liquor? There are far more kids killed as a result of drunk driving than there are kids killed because of firearms not being locked up."

Sen. Ellen Anderson opposed the Merriam amendment. She told members that "compelling testimony from teenagers themselves, asking for tighter controls on guns," should not be ignored. "These kids were asking for some common sense measures -- parents have to take more responsibility," Anderson said.

Questions were raised about the need for quick access to a gun. "I keep my pistol so I can get at it," said Berg. He argued that there are many instances when having to unlock a gun would defeat the owner's ability to defend oneself or one's property.

"We're trying to legislate away the risks in life," Sen. Kenric Scheevel (R-Preston) said, "when what we need to do is to look at the underlying factors that are causing our youth to self-destruct."

On a roll call vote of 43-20, members adopted the Merriam amendment.

Committee update

Finance

Mandate bill to floor

The Finance Committee Thurs. evening, Mar. 7, approved a bill supporters say will increase the accountability of higher education by reducing the amount of Legislative and executive branch rules and regulations imposed on educational institutions.

H.F. 2206, the "mandate reduction bill", removes the University of Minnesota and Minnesota State Colleges and Universities (MnSCU) from many requirements placed on them by law and agency mandates. Sponsor Steve Murphy (DFL-Red Wing) said the system and campuses are given more flexibility and autonomy, but have to demonstrate fiscal responsibility and academic achievement. He said the bill moves the state toward "performance funding."

The measure includes provisions designed to give greater responsibility to higher education in deciding how to achieve statewide objectives, and to decentralize authority. It sets up statewide objectives and requires each system and campus to measure and report on their performance to the Legislature. The bill also requires campuses to convert to the semester system, revises immunization requirements, and gives campuses more spending authority.

An amendment, offered by Sen. Richard Cohen (DFL-St. Paul), and approved by the committee, deletes a section on interest income appropriations which he said has a \$1 million fiscal implication. Cohen said the amendment adds language to insure that environmental standards for resource recovery continue to apply to higher education. The committee accepted an amendment, offered by Sen. Steven Morse (DFL-Dakota), that limits state appropriations for repair or construction of parking facilities to one-third of the cost. Committee Chair Gene Merriam (DFL-Coon Rapids) noted that language in last year's bonding bill requires the institutions to develop policies that will result in the institutions eventually covering all repair and construction costs.

The committee approved, with no debate, S.F. 2209. The measure, carried by Sen. Paula Hanson (DFL-Ham Lake), revises a number of vehicle registration and license requirements. It defines "electric assisted bicycles," abolishes the vehicle registration tax exemption for representatives of foreign powers, and changes

the registration fee for fleet vehicles.

A bill that sets up a board to license and regulate professional counselors won approval. S.F. 891 sponsor Sen. Sam Solon (DFL-Duluth), said the board will eventually support itself through fees, and called the measure a "consumer protection bill." A \$190,000 start-up appropriation amendment, offered by Sen. Pat Piper (DFL-Austin), was approved.

The committee agreed to a \$44,000 funding request from the Department of Health for tuberculosis detection and treatment. S.F. 1866 sponsor, Sen. Don Betzold (DFL-Fridley), said the bill gives the health commissioner the authority to detain and treat persons believed to pose a public health threat by having, or suspected of having, active tuberculosis.

Another bill sponsored by Betzold, S.F. 2406, was approved by the committee. The legislation provides greater flexibility in the appointment of members of the Armory Building Commission, and authorizes the commission to use funds for construction.

S.F. 2466, carried by Sen. Keith Langseth (DFL-Glyndon), exempts the first hauls of farm and forest products from additional registration taxes when weight restrictions are exceeded by 10 percent or less. Langseth said it's difficult to estimate the weight in first hauls, and the measure "gives a break" to haulers for the first two violations by lowering the fines from an average \$1,000 to \$150.

The committee approved a \$250,000 payment in connection with a settlement of an age discrimination charge filed against the Department of Corrections Ombudsman by a former employee who was dismissed. Morse offered an amendment, which the committee accepted, that appropriates \$725,000 to the commissioner of economic security to implement a settlement and agreement between the department and extended employment program providers.

All bills received approval and were sent to the full Senate.

Bonding bill assembled

Members of the Finance Capital Budget Subcommittee met daily this week to assemble a bonding bill to fund "bricks and mortar" projects throughout the state. The panel, chaired by Sen. Phil Riveness (DFL-Bloomington), began the week with a \$564.8 million proposal to fund projects ranging from the St. Paul Science Museum to providing loans to municipalities for wastewater infrastructure grants.

Members reviewed the proposal Mon., Mar. 11, offered amendments to the language contained in the measure Tues., Mar. 12, and began amending the appropriations Weds., Mar. 13. Work on the proposal is scheduled to continue.

The bill authorizes the state to borrow money through the sale of bonds and then allocates the proceeds of the bond sales to various public works projects. Originally, the measure contained appropriations of \$53 million for MnSCU, \$76.3 million for the U of M, \$44.7 million for natural resources projects, and \$96.4 million for corrections projects. The proposal initially allocated \$4 million for "Mighty Ducks" community ice center grants and \$10 million for a Mariucci Ice and Tennis Facility to provide facilities for women's ice hockey. The measure also contains \$89 million to design and build a new 800 bed correctional facility.

When members began discussion of the measure, the proposal included \$12 million for the expansion of the Minneapolis Convention Center. However, amendments adopted at the Weds., Mar. 13, meeting reduced the allocation substantially. The amendments provided funding for renovation of the School of Architecture at the University of Minnesota, and for work at the Cambridge Regional Human Services Center for the Minnesota Extended Treatment Options Program. Members also approved amendments to increase funding for library construction at the Metro State St. Paul Campus and for improvements at Anoka Hennepin Technical College. Discussion on the proposal continued at a Thurs., Mar. 14, hearing.

Rules and Administration

Recall bill reviewed

The Rules and Administration Committee met Tues., Mar. 12, to consider changes to a bill calling for a constitutional amendment allowing for the recall of elected officials. S.F. 153, authored by Sen. Ember Reichgott Junge (DFL-New Hope), specifies that the question be placed on the ballot at the next election. Reichgott Junge offered an amendment that, in addition to detailing the question to be placed on the ballot, sets forth the language to implement the recall procedure. Reichgott Junge said that earlier versions of the proposal left the implementation language to be worked out after the constitutional amendment was adopted by the voters.

Under the proposal, elected officials are subject to recall for malfeasance or nonfeasance in the performance of the duties of an office subject to recall and conviction during the term of office for a serious crime. In addition, the amendment specifies that a petition for recall may not begin until the Supreme Court has determined that the facts of the specific conduct detailed in the petition are true and constitute grounds for recall. The measure also defines serious crime as a crime punished as a gross misdemeanor or misdemeanor and involves assault, intentional injury or threat of injury to person or public safety, driving while intoxicated, dishonesty, coercion, obstruction of justice or the sale or possession of controlled substances.

Discussion on the amendment centered on the definitions of serious crime and on the number of signatures needed for the petition to initiate a recall election.

Sen. Allan Spear (DFL-Mpls.), said that the measure does not address the instance where there is a wrongful act, such as sexual harassment, that does not rise to the level of a crime or fall within the duties of the office. Sen. David Knutson (R-Burnsville) said, "the complexity of this proposal is beyond belief and ultimately raises the question of what is the goal here." Other Senators questioned whether the amendment was really needed because of the internal processes already in place in the Senate. Reichgott Junge countered that the Senate's internal process is complimented by a recall procedure. A motion, by Sen. Charles Berg (DFL-Chokio), to send the measure back to the Ethics and Campaign Reform Committee failed on a voice vote. Reichgott Junge offered to delay putting the amendment on the bill in order to allow members more time to study the provisions. The bill was laid over and will be discussed again at a future hearing.

Earlier, committee members, chaired by Sen. Roger Moe (DFL-Erskine), advanced two additional measures. The first, H.F. 14, sponsored by Sen. Linda Berlin (DFL-Mpls.), is a resolution urging the United Nations to admit the Republic of China as a full member.

The second measure, S.F. 918, authored by Sen. Deanna Wiener (DFL-Eagan), proposes an amendment to the constitution to abolish the office of state treasurer. Wiener said that, should the constitutional amendment be approved, the duties of the state treasurer would be transferred to the Dept. of Finance.

Both bills gained committee approval and were advanced to the Senate floor.

Taxes and Tax Laws

Efficient power encouraged

Turning waste into energy is a good bargain, even if it means the loss of some tax dollars, the Taxes and Tax Laws Committee decided Thurs., Mar. 7.

The committee approved a bill that provides efficiency-based exemptions for equipment taxes levied against power plants. Sen. Steven Novak (DFL-New Brighton), author of S.F. 1147, said the bill progressively exempts percentages of equipment's value, based on percentage of efficiency. A plant must be at least 35 percent efficient to qualify, he said. The bill does not apply to wind-energy plants.

Officials from Koch Refining Company, who hope to add a co-generation plant to their Rosemount refinery, testified on behalf of S.F. 1147. Koch's power plant would burn the waste petroleum coke that is produced when oil is refined into gas, they said. "Emissions would be one-tenth of the amount coming from the cleanest current NSP coal-fired plant," said Novak. If built, the \$300 million, 180-megawatt facility would be one of the largest construction projects ever in Minnesota, Koch officials said.

But Committee Chair Douglas Johnson (DFL-Cook) questioned Koch's need for a tax break, since the brothers who own the Koch refinery each hold assets of \$2 billion. Jim Johnson, a process engineer for Koch, said Minnesota's tax code is unfair and uncompetitive with surrounding states. A 250-megawatt plant, he said, would pay \$1 million each year in Wisconsin property taxes but \$8 million in Minnesota. "No new plants will be built in Minnesota under the current tax structure," he said.

The committee amended the bill to increase the minimum qualifying efficiency to 40 percent. In addition, members approved an amendment requiring the commissioner of revenue to study inter-state disparities in utility taxes and report to the Legislature next session.

The bill was sent to the floor, along with two others approved by the committee.

S.F. 2588, authored by Sen. Terry Johnston (R-Prior Lake), allows "opt-out" communities that operate local circulator bus routes to levy locally up to 88 percent of the 1996 transit property taxes. The

Met Council retains the authority to levy the remaining 12 percent. The committee approved an amendment from Sen. Leonard Price (DFL-Woodbury), requiring that opt-out cities explain the levy to property owners at Truth in Taxation hearings. S.F. 1861, authored by Sen. Janet Johnson (DFL-North Branch), is a clean-up bill from the Legislative Commission on Waste Management.

Thursday, March 7

Work rule prevails

A bill that changes Minnesota's welfare program, S.F. 2347, was granted final passage Thurs., Mar. 8. On a roll call vote, 60-1, members agreed to add provisions that mandate work and training programs, a 30-day residency requirement and a job search rule for persons receiving AFDC assistance.

"This is an opportunity to help individuals who want to be employed," said chief author Don Samuelson (DFL-Brainerd). "They don't want ridicule, they don't want pity -- they want the chance to earn an honest living." One of the key components of the measure, MNJOBS, creates an intensive front-end effort to get public assistance applicants and recipients into the job market, Samuelson said. The controversial provision requires individuals to look for work within 30 days of their initial employment development interview. Exceptions to the requirement include pregnant women, primary caretakers of children under age three and those suffering from illnesses or experiencing personal or family crisis.

The bill also includes \$5 million to fund child care programs, prohibits withdrawal of AFDC funds from cash machines at casinos and imposes a 30-day residency requirement on AFDC and general assistance recipients.

Members adopted Sen. Sheila Kiscaden's (R-Rochester) amendment to the residency provision that safeguards assistance to individuals who have no permanent addresses. "The concern is about people who are homeless," said Kiscaden, who backed the move to establish a residency requirement. "This allows them to present other evidence that they're residents of Minnesota."

Sen. David Knutson's (R-Burnsville) attempt to establish a program of bonuses and sanctions to encourage teen recipients to complete a high school diploma or GED, was defeated. "There is no doubt that when you increase education, you

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decrease poverty," Knutson argued. But members raised concerns about the program's administrative costs and its cost-effectiveness and voted down the amendment.

After heated and lengthy floor debate, H.F. 2330, carried by Sen. Dave Kleis (R-St. Cloud), was granted preliminary passage. At issue was the request that the St. Cloud Area Planning Organization assess and report back to the Legislature the region's land use development and coordination plans. Several members argued against the bill, saying that the measure strips control from local units of government.

"There's an unwarranted fear that this will create a super-county," Kleis said. "That is not, and was never, the intention of this bill." He told members that the measure contains permissive language only. "This is not mandating anything -- it is simply saying that if we're going to examine issues, you should include these areas."

Sen. John Hottinger (DFL-Mankato) also spoke in favor of the bill. "This merely presents a list of issues that should be discussed; it doesn't predispose any outcomes."

Sen. Dan Stevens (R-Mora), offered an amendment to remove the contentious language. "Local planning and land use is best done on a local level, not a state level," he said. Members supported Stevens, adopting the amendment, 31-19.

Friday, March 8

Parenting leave expansion gains

The Senate worked in earnest on processing the accumulation of bills on General Orders Fri., Mar. 8. A total of 19 bills received preliminary passage.

Sen. Ellen Anderson (DFL-St. Paul) presented a bill that she said "makes a significant change in the lives or working parents." The bill, H.F. 2682, makes two changes to the current parenting leave law, according to Anderson. The measure expands the use of unpaid leave to school related activities instead of just parent-teacher conferences, and also allows an employee to use the leave within the first year of employment, Anderson explained.

Sen. Martha Robertson (R-Minnetonka) took issue with part of the use expansion. Robertson supported the leave use by first year employees, but objected to expansion of the leave use for extracurricular activities. Anderson defended the use expansion, saying "no business representative expressed opposi-

tion to the provision." Anderson also said the leave is still unpaid and the amount of time remains at 16 hours per year.

Robertson offered an amendment to maintain the current allowable uses of parenting leave and called the proposed expansion "an unfunded mandate." Anderson questioned Robertson's use of the term "unfunded mandate," and said the bill doesn't put any additional requirements on the employer. The leave is still unpaid, and the amount of time allowed is still 16 hours, Anderson argued. The amendment failed on a 16-44 roll call vote, and the bill was recommended to pass on a 52-8 roll call vote.

A bill establishing a process for sealing court records was the subject of lengthy discussion. S.F. 2254 originally dealt with expungement of court records, explained its sponsor, Sen. Don Betzold (DFL-Fridley), but was amended in committee to deal only with the sealing of records. Betzold explained that under current law, a convicted person needs only to find a judge sympathetic to their petition to get their court records sealed. Under the bill, the prosecuting attorney would be notified of the filing of a petition to seal a criminal record, and the petitioner would have to prove at a hearing that the benefits they receive from sealing the record outweigh the disadvantages to society. The measure also gives the prosecuting attorney the opportunity to testify at the record sealing hearing. Betzold further explained that expungement of a record means destruction of a record, and added "expungement still needs to be addressed." The bill was recommended to pass.

The Senate also granted preliminary passage to S.F. 2255, also authored by Betzold. The measure provides a process for filling vacancies in the offices of county commissioner, and mayor and city council members of statutory cities. Sen. Sheila Kiscaden (R-Rochester) successfully offered an amendment to provide a similar method for filling school board vacancies. Kiscaden then offered an amendment providing a method for filling vacancies in legislative seats. Betzold opposed the amendment, saying the state constitution already gives the authority to either legislative body to expel any member at any time by a two-thirds majority vote. "Why do we need the other body's consent and the governor's signature to discipline our own members?" Betzold asked. The amendment failed on a 10-45 roll call vote.

Tax debate begins

The Senate took up the omnibus tax bill the afternoon of Fri., Mar. 8. Members began, at the request of bill author Sen. Douglas Johnson (DFL-Cook), by deleting the eight articles of S.F. 2115 containing property tax reform provisions.

Johnson said he tried to negotiate a bipartisan agreement on reform and to arouse the interest of the governor. "I'm not happy to report this afternoon that those efforts failed," he said. "For the people of Minnesota I hope you would see that we tried our best." Sen. John Hottinger (DFL-Mankato), who authored the reform articles, said the push for reform benefitted from the "good faith effort" of several Republican Senators.

Deleting the articles removed two of the bill's new taxes, but S.F. 2115 still contains a five-cent per gallon gas tax increase to repair roads and a half-cent Metro Area sales tax to fund transit services. The sales tax replaces a Metro Area transit property tax.

Sen. Carol Flynn (DFL-Mpls.) amended the bill to return to the current formula for distributing County State Aid Highway (CSAH) funds. In committee, Sen. Steven Novak (DFL-New Brighton) added a provision to base the distribution formula for the new gas-tax proceeds more heavily on county population. "What we're talking about here is changing the formula the was put in the law in 1957," Novak told the Senate. But Sen. Dan Stevens (R-Mora) said it makes sense to base funds on lane miles. "If I drive 50,000 miles per year I pay for that with my gas tax," he said. Senators approved Flynn's amendment 33-31.

Sen. Don Betzold (DFL-Fridley) successfully amended the bill to reduce property taxes for owners of lake cabins and other "seasonal recreational property." In order to hold schools and municipalities harmless, the tax breaks will be covered by the state general fund, at a cost of \$23 million over the next biennium.

Sen. Dean Johnson supported the amendment, saying it helps "middle-income, hard-working folks who have scraped together a few bucks" to buy a cabin. But Sen. Douglas Johnson said cabin-tax breaks will benefit the rich, including owners of \$200,000 to \$300,000 second homes on Lake Vermillion. Johnson said the anti-cabin tax lobby has used intimidation and pressure tactics, especially pinpointing suburban legislators.

Sen. Roger Moe (DFL-Erskine) called the amendment "absolutely insane" and "the wrong thing to do." "These are not needy folks you're helping out here, ladies and gentlemen," he said. "These are second homes." Sen. Sandra Pappas (DFL-St. Paul) said many of her constituents would love to be able to buy one home, let alone two. "The people we should be helping if we're going to do property tax reform are the renters," she said.

The Betzold amendment was approved 38-25. Senators then defeated an amendment offered by Sen. Linda Runbeck (DFL-Circle Pines) to reduce the taxes even more. The Runbeck amendment reduced cabin class rates to just over the homestead rate on the first \$72,000 of value, and to the same rate as homes for the second tier of value. The amendment failed 1-58.

Members also turned down an amendment, offered by Sen. Charles Berg (DFL-Chokio), deleting provisions of the bill relating to the corporate franchise tax on the revenue from airplane leases. Those provisions in the bill reduce Northwest Airline costs and provide a windfall, Berg said. Berg said, "It seems to me we've done enough for Northwest Airlines in recent years." Sen. Douglas Johnson opposed the amendment and said that current law is unfair and that the airline has brought new jobs to Northern Minnesota. Sen. William Belanger (R-Bloomington) also argued against the amendment and said, "It is a fairness issue because Minnesota is the only state to tax revenue from airplane leases on the basis of location of the leasing airline's headquarters, rather than the landing of planes within the state." The amendment failed on a 20-43 roll call vote.

A proposal, offered by Sen. Thomas Neuville (R-Northfield), to provide tax breaks for families that establish educational savings plans was defeated on a close 31-32 vote. Opponents successfully argued that individuals could use other savings vehicles to accomplish the same purpose.

The sections of the bill containing fiscal disparity provisions for the Iron Range also came under fire. Sen. Bob Lessard (DFL-Int'l. Falls), offered an amendment to delete those sections of the bill. "We don't know what the effect will be throughout the Range and we need more time," Lessard said. Sen. Jerry Janeczak (DFL-Chisholm) argued against the amendment and said that the fiscal disparities provisions will make the area more economically viable. The amend-

ment failed on a 15-46 roll call vote.

Provisions in the bill aimed at prohibiting expansion of a controversial metal shredding facility on the banks of the Mississippi River and designed to discourage a University of Minnesota steam plant on the river also came in for extensive debate. Sen. Steve Dille (R-Dassel) offered an amendment to delete those provisions from the bill. Dille said that the companies involved had complied with all the all the requirements set forth by the state and city for the planning process and that it was unfair to change the rules in the middle of the game. "There is nothing wrong with developing a plan for the river that incorporates both recreation and industry," Dille said.

Sen. Lawrence Pogemiller (DFL-Mpls.), argued against the amendment and said, "It's a difficult balancing act between community interest versus private property interest. Both the U and the industry have been working through the process, but what the process does not deal with very well is the land use issue; these uses are no longer appropriate for the riverfront."

Sen. Sandra Pappas (DFL-St. Paul) echoed Pogemiller's statement and said, "It is a delicate ecosystem that we must protect."

Members divided the amendment and then offered amendments to the amendment. The result was that the provisions prohibiting the metal shredder and the steam plant stayed in the bill on a 30-30 roll call vote.

An attempt to remove the half cent Metro Area sales tax increase earmarked for transit funding also generated debate. Sen. Gene Merriam (DFL-Coon Rapids) offered the amendment and said transit should be funded, in the long run, by changing the dedication of the motor vehicle tax. Sen. Carol Flynn (DFL-Mpls.) opposed the amendment and said, "We have a serious shortfall now; this is an effort to get the money we must have to keep the buses on the street. Without it we are in danger of being the only major Metropolitan Area in the world without a transit system." The amendment failed 27-34.

An amendment to provide a tax credit for individuals purchasing long term health care insurance, offered by Oliver, was defeated on a voice vote.

Berg offered an amendment to alter the method of calculating the excess cigarette tax refund returned to Indian tribes for tobacco sales on reservations. Berg said that the current method results in the

Indian tribes receiving a windfall in revenue. Opponents of the amendment argued that the current method is the result of negotiations with sovereign nations and that it was inappropriate to change the process. The amendment failed on a 26-31 roll call vote.

Majority Leader Roger Moe (DFL-Erskine) moved to table the bill before a final vote was taken.

Monday, March 11

Limited farm partnership fails

In addition to consideration of the omnibus tax bill, Senators also took action on numerous other measures at the Mon., Mar. 11, floor session. Twenty bills were granted final passage and a total of 37 other measures were considered for preliminary passage. Most of the measures up for preliminary passage were approved with little debate. However, amendments to two of the bills sparked heated discussion.

A bill, H.F. 1704, that makes technical changes to the portion of the law relating to limited liability companies became a lightning rod for discussion about limited farm partnerships. Sen. Charles Berg (DFL-Chokio) offered an amendment to change the way farmers are defined in statute so that farmers could use a limited farm partnership vehicle for estate planning purposes. Berg said that the amendment specifies that none of the partners, who must be related, can be corporations, at least one of the related persons must reside on the farm, at least one of the related persons must be actively operating the farm, and that the agricultural land owned by the limited partnership has been owned by one or more of the related persons for at least five years. Berg said the amendment provides a valuable tool for farmers use in estate planning.

However, Sen. Steven Morse (DFL-Dakota) argued against the amendment. Morse said, "the sum and substance of the Berg amendment is the first step of moving away from control of farmland by the people who live on the farm." Morse said the amendment encourages transfer of land to limited partnerships rather than the sale of land to neighbors or beginning farmers. Berg countered that "Farmers are businessmen and should be entitled to the same rights as other businessmen."

Sen. Kenric Scheevel (R-Preston) also argued for the amendment, "Farming is, like the rest of society, experiencing explosive growth in technology; limited

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liability companies can share the risks for new technology and allowing the tools to do that will be good for agriculture's future." Sen. Pat Piper (DFL-Austin) said that the issue was one of stewardship of the land. Sen. Dean Johnson (R-Willmar) responded, "the implication is that if farms get bigger, somehow farmers are not good stewards of the soil and that is simply not true." Morse countered "we have a policy in this state of encouraging people who work the land to live on the land."

The amendment failed on a 26-33 roll call vote. The original bill, sponsored by Sen. Ember Reichgott Junge (DFL-New Hope) was then granted preliminary approval.

A bill authorizing the dispensing of a prescription written by a physician, osteopath, podiatrist, dentist or veterinarian licensed in any state in the U.S. also generated discussion. Sen. Edward Oliver (R-Deephaven) offered an amendment to his bill, S.F. 2643, to clarify that the prescription may be dispensed by a pharmacy located in Minnesota and delivered by mail or other courier, or for a person who is not a resident of Minnesota but who is physically present in the state at the time the prescription is dispensed. A second portion of the amendment specifies that the measure may not be construed to authorize a person licensed in another state to prescribe a controlled substance with the intent of assisting suicide. Oliver said that the amendment is designed to clarify that prescriptions may be dispensed for individuals visiting a medical facility in the state, such as the Mayo Clinic, and yet make it clear that nothing in the bill is aimed at opening up the law to assisted suicide. Sen. Allan Spear (DFL-Mpls.) said that the second portion of the amendment, relating to the prohibition on assisted suicide, would make it more difficult for pharmacies to dispense prescriptions. Spear moved to delete that portion of the amendment. Oliver argued against the motion and said that the section guards against prescribing for euthanasia. The amendment to delete the provision failed on a 25-36 roll call vote. The entire amendment was adopted on a voice vote and the bill given preliminary passage.

Senators also approved a bill, authored by Sen. John Marty (DFL-Roseville), S.F. 2720, allowing several parties to be listed after a candidate's name on voting ballots. Marty said the bill addresses a court decision giving minority parties the right to nominate candidates already nomi-

nated by another party. Sen. Sandra Pappas (DFL-St. Paul) attempted to amend the bill to allow a candidate's name to appear more than once on the ballot, if the candidate is endorsed by more than one party. Several Senators objected to the idea, saying it was too confusing and put the emphasis on the wrong aspect of voting. "Parties are secondary to individuals," said Sen. Pat Pariseau (R-Farmington). The Pappas amendment failed 5-49.

Tuesday, March 12

Presidential primary debated

A bill allowing towns with populations under 1,000 the opportunity to use mail balloting was elected to serve as a vehicle for a presidential primary amendment when the Senate convened in a floor session on Tue., Mar. 12.

The bill, S.F. 2283, sponsored by Sen. LeRoy Stumpf (DFL-Thief River Falls), originally expanded the mail ballot system to Minnesota's small towns. Stumpf cited the recent use of a similar system in Oregon to elect a U.S. senator that increased total voter participation to 66 percent. Stumpf added that the voting by mail process is easier for senior citizens.

Saying he "wants Minnesota to fully participate in the process" of electing the president, Sen. Douglas Johnson (DFL-Cook) offered an amendment to establish a binding presidential primary in the year 2000.

The Minnesota primary proposed by Johnson takes place the same day as North and South Dakota's primaries. The amendment penalizes state political parties that refuse to recognize delegates chosen by the primary by withholding party access to check-off funds and political contribution tax credits. "Let's not roll over and play dead, like we've done for so long," said Johnson.

Sen. John Marty (DFL-Roseville) objected to the idea. He said holding a primary departs from Minnesota's tradition of discussion-based precinct caucuses. "This is simply going to bring it from neighborhood discussion to the television ads, which have not been very promising," said Marty.

A primary would lend a vigor missing in Minnesota politics, said Sen. Dean Johnson (R-Willmar), who supported the amendment. "I think it's time to bring Minnesota to the dance," he said. Dean Johnson said if Minnesota held an early primary, candidates would tour the state

"visiting coffee shops" in cities like Erskine, Paynesville, Austin and South St. Paul. He also criticized the caucus system; he said constituents tell him, "I don't want to go fight with my friends, neighbors and customers."

Several Senators objected to mailing primary ballots for the primary. Sen. Ember Reichgott Junge (DFL-New Hope) successfully amended Johnson's amendment to hold the primary at regular polling sites. She said that in a pilot Richfield school referendum, many residents complained that the mail ballots were confusing and inconvenient.

Reichgott Junge also introduced an amendment to remove the penalties for not recognizing delegates; it failed 26-36.

Sen. Pat Pariseau (R-Farmington), who also objected to expanded use of mail ballots, moved to delete the sections concerning small towns that constituted Stumpf's original bill. After Stumpf objected, Senators rejected the Pariseau amendment 21-42. Pariseau then urged members to defeat the bill, since it expands mail balloting. The entire bill was defeated 30-33.

In other business, members approved a conference committee report on H.F. 2008, a bill that mandated insurance coverage for two-day maternity stays. Sen. Don Betzold (DFL-Fridley), the Senate author of the bill, says it will prevent doctors or insurance companies from pressuring mothers to leave early. Sen. Kevin Chandler (DFL-White Bear Lake), however, expressed concern that the bill mandates coverage and not the stay itself -- language that he said could become a loophole allowing continued pressure for early discharge.

Earlier, the Senate granted final passage to H.F. 2206, a bill sponsored by Sen. Steve Murphy (DFL-Red Wing) that, according to the author, removes many of the mandates on the higher education system. One provision of the bill, Murphy said, gives the presidents of the Greater Minnesota campuses the authority to close a campus due to bad weather, rather than have the decision made in St. Paul based on Metro Area weather conditions.

Stumpf offered an amendment increasing the part of campus parking facility construction costs provided by the state from one-third to two-thirds. Sen. Steven Morse (DFL-Dakota) spoke against the amendment saying, "why use taxpayer money to subsidize the use of the automobile when the transit system is in trouble?" The amendment was adopted, and the bill passed with a 60 to 0 vote.

Wednesday, March 13

Ethanol compromise okayed

The Senate also acted on H.F. 2205, a bill providing exemptions from the oxygenated fuel use requirement, at the Weds., Mar. 13, floor session. The bill's sponsor, Sen. Randy Kelly (DFL-St. Paul), offered a compromise amendment which he said "gives a limited choice of non-oxygenated fuels to consumers who choose it." Kelly said the ethanol industry receives a combined total of \$180 million per year in federal and state subsidies for 10 ethanol production plants in Minnesota. Kelly said the ethanol industry wants a 100 percent mandate to require the use of ethanol as the fuel oxygenator and to criminalize not using it. "It's heavy-handed," Kelly said.

Under the amendment, collector and off-road vehicles are exempt from the oxygenated fuel use requirement, and fuel retailers may offer the fuel for sale for use in those exempt vehicles when a carbon monoxide control period is not in effect. However, the retailer may only have one storage tank of non-oxygenated fuel for sale during that time.

Sen. Steven Morse (DFL-Dakota) supported the amendment. "We'll allow a few exceptions, and the market will prove that oxygenated fuel is acceptable," Morse said.

The amendment was adopted, and the bill given final passage with a 55 to 6 vote.

The Senate discussed at length S.F. 1873, sponsored by Sen. Linda Berglin (DFL-Mpls.). The measure expands eligibility for the MinnesotaCare program to people without children who make less than 150 percent of the federal poverty wage. Berglin said the balance in the program fund was sufficient to cover the enrollment increase.

Berglin then offered an amendment appropriating \$5 million from the fund to medical education institutions. Sen. Carl Kroening (DFL-Mpls.) opposed the amendment. "Why are we giving the money to doctors and would-be doctors?" Kroening asked. Berglin said the money would be used by clinics in underserved areas to set up training programs. Berglin also stated the appropriation increases the availability of health care in underserved areas because of a "correlation between where training is received and where a physician decides to practice." The amendment failed on a 28-34 roll call vote.

Sen. Pat Pariseau (R-Farmington) offered an amendment exempting dentists from the 2 percent health care provider tax used to fund the program, but the amendment was ruled not germane. The bill was given final passage on a 41-21 roll call vote.

Thursday, March 14

Extended liability approved

People who used contaminated blood products and became infected with HIV should have their day in court, says Sen. Warren Limmer (R-Maple Grove). On Thurs., Mar. 14, the Senate approved Limmer's bill S.F. 2198, extending the statute of limitations for civil lawsuits filed by HIV-infected people against drug companies that sold them HIV-contaminated blood products.

Thousands of American hemophiliacs became infected with HIV during the 1980s by using contaminated blood-clotting products, Limmer said. During that era, he said, people with AIDS were banned from their churches, fired from their jobs, ostracized and scape-goated, and lost all sense of privacy and security. Is it surprising, he asked the Senate, that these individuals did not call attention to their disease by filing high-profile lawsuits?

The extension provided by S.F. 2198 opens a window of time between passage of the law and June 1, 1997, for people who used infected blood products, their spouses and children, or their estates to file a civil suit. Limmer said the bill makes sense because of the social stigma attached to AIDS in the 1980s and because he believes there is reason to be "highly suspicious" that the drug companies knew of their products' risk. The bill specifically exempts health-care professionals, non-profit organizations, pharmacists and others who may have had a role in dispensing the products.

Sen. Kenric Scheevel (R-Preston) said it's unfair to target only the manufacturers. He introduced an amendment extending the statute of limitations for hemophiliacs to sue lawyers who warned them against filing a case or did not disclose the possibility of filing as an anonymous plaintiff. Scheevel said the amendment is severable, allowing it to become law even if the rest of S.F. 2198 is declared unconstitutional.

Sen. Ember Reichgott Junge (DFL-New Hope) said Scheevel was trying to shift the focus of the debate away from the real issue. "People have been wronged and

they don't have a remedy -- they can't get to the court," she said.

The Scheevel amendment was defeated 12-50.

Senators then defeated an amendment offered by Sen. Linda Runbeck (R-Circle Pines), making a plaintiff given an extension under S.F. 2198 liable for the defendant's legal costs, if the plaintiff rejects a settlement offer more favorable than the jury award. Runbeck said the amendment would help prevent the extension from being used to file "frivolous" lawsuits. But Limmer disagreed, saying the "loser pays" provision creates "A David and Goliath battle" for people with HIV and AIDS. The Runbeck amendment was voted down, 29-34.

Sen. Gary Laidig (R-Stillwater) said that extending the statute of limitations is an "extreme step" that offers a "false hope" to hemophiliacs with AIDS. "We can legislate, we can litigate, but I'm going to suggest maybe we ought to mediate," he said.

Laidig offered an amendment to create a "hemophilia relief fund" from donations from blood-product companies. The money in the fund is given out as claims negotiated by a board consisting of two HIV-infected hemophiliacs, two parents of hemophiliacs who died of AIDS, one hemophiliac, and five blood-product company representatives.

Laidig said no lawsuit to date has been decided in favor of a hemophiliac infected by a blood product. His amendment, he said, presents an opportunity to take a positive, problem-solving step, and allows the rest of Limmer's bill to take effect if a claim cannot be settled. Limmer, however, said that the corporate representatives would overpower the other board members. Reichgott Junge said she believes that the drug companies could simply choose not to contribute money to the relief fund. The amendment was defeated 22-38.

Sen. John Hottinger (DFL-Mankato) tried to amend the bill to reform joint and several liability provisions of Minnesota law. Hottinger's amendment would prohibit defendants from paying more than their share of liability, unless they were deemed responsible for 51 percent or more of plaintiff damages. Under current law, a defendant assigned more than 16 percent of responsibility can be made to pay an entire damage award. "Our present law frankly encourages litigation," said Hottinger. Senate President Allan Spear (DFL-Mpls.) ruled the amendment "clearly not germane" to the bill.

Floor action

Bills granted preliminary passage on General Orders Friday, March 8

- S.F. 2255-Betzold: Provides for filling vacancies in the elected offices of mayor, city council member, county commissioner and school board member.
- H.F. 2171-Morse: Clarifies powers of the Pollution Control Agency Citizens Board and commissioner.
- S.F. 2540-Kramer: Changes the date by which the commissioner of administration must present to the Legislature recommendations on private sector administration of the MinnesotaCare program.
- S.F. 2023-Hottinger: Requires a health plan company to offer at least one point-of-service product in each market in which it operates.
- H.F. 2310-Sams: Transfers certain authority from the commissioner of health to the Emergency Medical Services Regulatory Board, adds two members to the board, adds an exemption to the medical license requirement and specifies effective date of appointments and board actions.
- H.F. 2055-Johnson, J.B.: Requires notice to customers of the right to require written authorization before changing intrastate telecommunications carrier or local telephone company.
- H.F. 2682-Anderson: Modifies provisions governing school conference and activities leave.
- H.F. 2782-Metzen: Provides for creation of an advisory council on intergovernmental relations.
- S.F. 2260-Price: Modifies classifications for positions in the higher education system.
- H.F. 2953-Berglin: Providing for a study of long-term care insurance coverage for retiring state employees.
- H.F. 1303-Pappas: Requires state agencies to appoint persons to serve as liaisons with non-English speaking people served by the agencies, directs agencies to prepare communications service plans and requires the attorney general and the commissioner of administration to review and comment on the plans.
- S.F. 1885-Knutson: Clarifies foster care payment and placement, clarifies adoption assistance, defines egregious harm in the juvenile code and amends the parental rights termination statute.
- H.F. 2282-Morse: Modifies provisions of the Reinvest in Minnesota Resources Program.
- S.F. 2254-Betzold: Provides a statutory process for the sealing of certain criminal records, modifies grounds for sealing records in some cases, authorizes peace officers to issue citations for truancy, requires that juveniles taken into secure custody be formally booked and fingerprinted and requires that any known street names or aliases of juvenile offenders be included in the statewide juvenile information system.
- H.F. 2332-Laidig: Modifying water permit requirements and approving a consumptive use of water.
- H.F. 2190-Berglin: Provides for the cancellation of a recodification effort.
- H.F. 2068-Hanson: Designates a POW/MIA Memorial Highway.
- S.F. 1915-Oliver: Dept. of Commerce housekeeping bill.
- H.F. 2245-Berglin: Modifies requirements relating to home care providers and housing with service establishments and provides for licensure of housing with services home care providers.

Bills granted final passage on the Senate Calendar Friday, March 8

- H.F. 2155-Betzold: Makes technical changes in provisions relating to real estate and probate laws. 64-0
- H.F. 168-Solon: Regulates insurance nonrenewals based on loss experience. 65-0
- H.F. 2525-Janezich: Provides for the relocation of an existing new motor vehicle dealership under specific conditions. 52-13
- S.F. 2571-Reichgott Junge: Allows owners of residences to identify who may use the residence address on a driver's license. 64-0
- H.F. 2377-Wiener: Repeals obsolete laws. 64-1
- H.F. 2478-Pappas: Restricts the provision of immigration services, regulates notaries public, establishes penalties and prohibits notaries from offering immigration services. 65-0
- H.F. 2222-Lesewski: Excepts certain contracts from certain contract management requirements, abolishes certain reports and provides for a comprehensive annual report by the Department of Economic Security and provides a mission statement for the department. 65-0
- H.F. 2154-Novak: Adds conditions for manufactured home park owners to recover possession of land. 65-0
- H.F. 3162-Lessard: Permits the city of Cohasset to own and operate a gas utility. 64-0
- H.F. 1998-Knutson: Regulates the investment and management of trust assets and provides standards for prudent trust investments. 64-0
- S.F. 2517-Stumpf: Changes Candidate Advisory Council membership and changes the Council on Vocational Technical Education membership. 64-0
- H.F. 2330-Kleis: Requests the St. Cloud area planning organization to assess and report on the land use planning and coordinating issues of the region. 61-4

Bills granted final passage on the Senate Calendar Monday, March 11

- S.F. 2227-Kiscaden: Allows physicians to prescribe and administer controlled substances in cases of intractable pain. 64-0

- S.F. 2255-Betzold:** Provides for filling vacancies in the elected offices of mayor, city council member, county commissioner and school board member. 60-0
- H.F. 2171-Morse:** Clarifies powers of the Pollution Control Agency Citizens Board and commissioner. 64-0
- S.F. 2540-Kramer:** Changes the date by which the commissioner of administration must present to the Legislature recommendations on private sector administration of the MinnesotaCare program. 58-0
- S.F. 2023-Hottinger:** Requires a health plan company to offer at least one point-of-service product in each market in which it operates. 61-0
- H.F. 2310-Sams:** Transfers certain authority from the commissioner of health to the Emergency Medical Services Regulatory Board, adds two members to the board, adds an exemption to the medical license requirement and specifies effective date of appointments and board actions. 61-0
- H.F. 2055-Johnson, J.B.:** Requires notice to customers of the right to require written authorization before changing intrastate telecommunications carrier or local telephone company. 61-0
- H.F. 2682-Anderson:** Modifies provisions governing school conference and activities leave. 61-3
- H.F. 2782-Metzen:** Provides for creation of an advisory council on intergovernmental relations. 60-4
- S.F. 2260-Price:** Modifies classifications for positions in the higher education system. 63-0
- H.F. 2953-Berglin:** Providing for a study of long-term care insurance coverage for retiring state employees. 63-0
- H.F. 1303-Pappas:** Requires state agencies to appoint persons to serve as liaisons with non-English speaking people served by the agencies, directs agencies to prepare communications service plans and requires the attorney general and the commissioner of administration to review and comment on the plans. 48-16
- S.F. 1885-Knutson:** Clarifies foster care payment and placement, clarifies adoption assistance, defines egregious harm in the juvenile code and amends the parental rights termination statute. 64-0
- H.F. 2282-Morse:** Modifies provisions of the Reinvest in Minnesota Resources Program. 63-0
- S.F. 2254-Betzold:** Provides a statutory process for the sealing of certain criminal records, modifies grounds for sealing records in some cases, authorizes peace officers to issue citations for truancy, requires that juveniles taken into secure custody be formally booked and fingerprinted and requires that any known street names or aliases of juvenile offenders be included in the statewide juvenile information system. 61-0
- H.F. 2332-Laidig:** Modifying water permit requirements and approving a consumptive use of water. 62-1
- H.F. 2190-Berglin:** Provides for the cancellation of a recodification effort. 64-0
- H.F. 2068-Hanson:** Designates a POW/MIA Memorial Highway. 60-3
- S.F. 1915-Oliver:** Dept. of Commerce housekeeping bill. 58-4
- H.F. 2245-Berglin:** Modifies requirements relating to home care providers and housing with service establishments and provides for licensure of housing with services home care providers. 63-0

Bills granted preliminary passage Monday, March 11

- S.F. 2123-Terwilliger:** Clarifies the procedures peace officers must follow when deciding where to place a child placed on health and welfare hold, requires notices, clarifies the duties of related persons receiving a child on a 72-hour health and welfare hold, clarifies the reporting procedures and requirements for the placing officer to notify the county agency and the court, changes emergency licensing procedures and specifies review in certain cases.
- H.F. 1704-Reichgott Junge:** Makes various technical and conforming changes related to limited liability companies and regulates investment securities.
- S.F. 236-Hottinger:** Includes occupational therapists in the two year statute of limitation period for bringing suit against health care professionals.
- S.F. 1662-Berglin:** Requires retail establishments to post signs warning of the dangers of alcohol consumption by pregnant women and combines the notice with other signs required to be posted in retail establishments.
- S.F. 2196-Anderson:** Permits a mortgagee to provide a resident caretaker for a premises and authorizes entry into tenant's premises under certain circumstances.
- S.F. 1905-Laidig:** Adds to and deletes from various state parks.
- S.F. 2203-Frederickson:** Requires the Minnesota River Basin Joint Powers Board to coordinate cleanup efforts.
- H.F. 2040-Berglin:** Provides waiver of fees and surcharges imposed on motor vehicle registration data requests on behalf of local neighborhood crime watch organizations and requires landlords to request full name and date of birth from tenants and requires tenant screening reports and unlawful detainer case files to include certain information.
- H.F. 2380-Langseth:** Motorcycle safety program administration and instruction fund reorganization.
- S.F. 1775-Merriam:** Requires a \$5 dollar turkey stamp in addition to turkey hunting license for funding turkey habitat.
- S.F. 1865-Johnston:** Allows special motorcycle license plates for Vietnam veterans and imposes conditions on the issuance of driver's licenses to persons under 18.
- S.F. 2457-Flynn:** Ratifies collective bargaining agreements and compensation plans, regulates the salaries of certain higher education officers and prescribes the form and use of uniform collective bargaining settlement forms.
- S.F. 2284-Johnson, D.E.:** Changes the reenlistment bonus program for men and women of the Minnesota National Guard.
- H.F. 2413-Johnson, J.B.:** Clarifies procedures for examination of cemetery accounts and records by the state auditor and provides for transfer of cemeteries to and from local units of government.
- H.F. 3217-Kelly:** Provides for payment of various claims against the state.
- H.F. 2532-Kroening:** Provides for the appointment of employees by the Minneapolis Park and Recreation Board.

Floor action

- S.F. 2205-Morse: Changes provisions of the consolidated food licensing law.
- S.F. 2376-Laidig: Modifies provisions for the establishment of stand lands boundary lines, modifies provisions relating to the sale of trust lands, authorizes the commissioner of natural resources to pay outstanding real estate taxes and assessments, authorizes the commissioner to transfer natural resources to sell land and authorizes the private sale of land.
- H.F. 2415-Pogemiller: Modifies procedures for allocating bonding authority to cities for single-family housing and industrial development and makes technical corrections.
- H.F. 2116-Stevens: Changes provisions relating to plant pests, fertilizer and lime and changes licensing requirements for aquatic pest control applicators.
- S.F. 2093-Stevens: Reduces and eliminates penalties for violating the adulterated dairy products law, authorizes a dairy assistance program, requires inspection, requires permits of bulk milk pick-up tankers, changes standards for milk used for manufacturing purposes.
- S.F. 1801-Stevens: Exempts food sellers who sell less than \$10,000 annully and for less than 10 days per year from the food licensing laws.
- H.F. 1540-Pogemiller: Allows members of the Minneapolis Teachers Retirement Fund Association to purchase of allowable service credit for public school employment outside the state.
- H.F. 3013-Mondale: Modifies provisions relating to the environmental improvement pilot program, provides penalties and adopts Federal Trade Commission guidelines for environmental advertising.
- S.F. 2466-Lessard: Exempts first hauls of farm and forest products from additional registration taxes when weight restrictions are not exceeded by more than ten percent, allows use of safety cables on trailers and semitrailers and provides for maximum civil penalties for gross weight violations when not preceded by two or more violations within 12 months.
- H.F. 2321-Marty: Prohibits free underground valet parking at the Minneapolis-St. Paul International Airport.58-0
- H.F. 2630-Kiscaden: Allows a director of nursing to serve as a licensed nursing home administrator under certain circumstances.
- S.F. 2643-Oliver: Authorizes the dispensing of a prescription written by a physician, osteopath, podiatrist, dentist, or veterinarian licensed in any state or jurisdiction of the United States.
- S.F. 2406-Betzold: Provides greater flexibility in appointment of members of the armory building commission, authorizes the state armory building commission to use funds for construction, clarifies which municipalities may provide sites for armories, changes provisions for disposal of unused armory sites, clarifies authority for levying taxes for armory construction and clarifies the authority for conveyance of armories to the state.
- S.F. 1866-Betzold: Provides for the isolation and detention of persons with active tuberculosis who pose a danger to the public health, establishes standards and procedures for isolation and detention and requires reporting by licensed health professionals.
- S.F. 2720-Marty: Permits simultaneous candidacy for nomination by major and minor political parties with the candidates consent.
- H.F. 2152-Ourada: Abolishes specific highway service sign program, directs the commissioner to adopt rules to administer highway service signs, eliminates the limitation on funding advances for completing county state-aid highways in cities, prohibits motor vehicles from closely following ambulances responding to an emergency and provides for turnback to local units of various legislative routes.
- S.F. 2381-Johnson, D.J.: Regulates intrastate interLATA telecommunications services.
- H.F. 2778-Cohen: Authorizes a pilot project court combining family, probate, and juvenile court matters in the second judicial district.
- S.F. 1861-Johnson, J.B.: Modifies provisions relating to the management of waste and solid waste assessments and taxes.
- H.F. 2519-Morse: Increases the amount of reimbursement available for cleanup of petroleum releases by certain responsible persons.
- H.F. 2471-Janezich: Modifies provisions regarding mandatory arbitration for charitable hospital employers and employees.
- H.F. 2059-Dille: Makes technical changes to the veterinary practice act.

Bills taken from the table and granted final passage Monday, March 11

H.F. 3249-Johnson, D.J.: Omnibus tax bill.

Bills granted concurrence and repassage Tuesday, March 12

S.F. 2624-Wiener: Clarifies coverage under homeowner's insurance for day care services. 50-0

Bills granted final passage on the Senate Calendar Tuesday, March 12

S.F. 2123-Terwilliger: Clarifies the procedures peace officers must follow when deciding where to place a child placed on health and welfare hold, requires notices, clarifies the duties of related persons receiving a child on a 72-hour health

- and welfare hold, clarifies the reporting procedures and requirements for the placing officer to notify the county agency and the court, changes emergency licensing procedures and specifies review in certain cases. 58-0
- H.F. 1704-Reichgott Junge:** Makes various technical and conforming changes related to limited liability companies and regulates investment securities. 60-0
- S.F. 236-Hottinger:** Includes occupational therapists in the two year statute of limitation period for bringing suit against health care professionals. 60-0
- S.F. 1662-Berglin:** Requires retail establishments to post signs warning of the dangers of alcohol consumption by pregnant women and combines the notice with other signs required to be posted in retail establishments. 42-18
- S.F. 2196-Anderson:** Permits a mortgagee to provide a resident caretaker for a premises and authorizes entry into tenant's premises under certain circumstances. 62-0
- S.F. 1905-Laidig:** Adds to and deletes from various state parks. 62-0
- S.F. 2203-Frederickson:** Requires the Minnesota River Basin Joint Powers Board to coordinate cleanup efforts. 61-0
- H.F. 2040-Berglin:** Provides waiver of fees and surcharges imposed on motor vehicle registration data requests on behalf of local neighborhood crime watch organizations and requires landlords to request full name and date of birth from tenants and requires tenant screening reports and unlawful detainer case files to include certain information. 61-1
- H.F. 2380-Langseth:** Motorcycle safety program administration and instruction fund reorganization. 61-0
- S.F. 1775-Merriam:** Requires a \$5 dollar turkey stamp in addition to turkey hunting license for funding turkey habitat. 59-3
- S.F. 1865-Johnston:** Allows special motorcycle license plates for Vietnam veterans and imposes conditions on the issuance of driver's licenses to persons under 18. 61-0
- S.F. 2457-Flynn:** Ratifies collective bargaining agreements and compensation plans, regulates the salaries of certain higher education officers and prescribes the form and use of uniform collective bargaining settlement forms. 62-0
- S.F. 2284-Johnson, D.E.:** Changes the reenlistment bonus program for men and women of the Minnesota National Guard. 62-0
- H.F. 2413-Johnson, J.B.:** Clarifies procedures for examination of cemetery accounts and records by the state auditor and provides for transfer of cemeteries to and from local units of government. 62-0
- H.F. 3217-Kelly:** Provides for payment of various claims against the state. 61-0
- H.F. 2532-Kroening:** Provides for the appointment of employees by the Minneapolis Park and Recreation Board. 57-0
- S.F. 2205-Morse:** Changes provisions of the consolidated food licensing law. 60-0
- H.F. 2415-Pogemiller:** Modifies procedures for allocating bonding authority to cities for single-family housing and industrial development and makes technical corrections. 62-0
- H.F. 2116-Stevens:** Changes provisions relating to plant pests, fertilizer and lime and changes licensing requirements for aquatic pest control applicators. 62-0
- S.F. 2093-Stevens:** Reduces and eliminates penalties for violating the adulterated dairy products law, authorizes a dairy assistance program, requires inspection, requires permits of bulk milk pick-up tankers, changes standards for milk used for manufacturing purposes. 61-1
- S.F. 1801-Stevens:** Exempts food sellers who sell less than \$10,000 annually and for less than 10 days per year from the food licensing laws. 62-0
- H.F. 1540-Pogemiller:** Allows members of the Minneapolis Teachers Retirement Fund Association to purchase of allowable service credit for public school employment outside the state. 59-0
- H.F. 3013-Mondale:** Modifies provisions relating to the environmental improvement pilot program, provides penalties and adopts Federal Trade Commission guidelines for environmental advertising. 58-0
- S.F. 2466-Lessard:** Exempts first hauls of farm and forest products from additional registration taxes when weight restrictions are not exceeded by more than ten percent, allows use of safety cables on trailers and semitrailers and provides for maximum civil penalties for gross weight violations when not preceded by two or more violations within 12 months. 61-1
- H.F. 2321-Marty:** Prohibits free underground valet parking at the Minneapolis-St. Paul International Airport. 60-0
- H.F. 2630-Kiscaden:** Allows a director of nursing to serve as a licensed nursing home administrator under certain circumstances. 62-0
- S.F. 2643-Oliver:** Authorizes the dispensing of a prescription written by a physician, osteopath, podiatrist, dentist, or veterinarian licensed in any state or jurisdiction of the United States. 53-4
- S.F. 2406-Betzold:** Provides greater flexibility in appointment of members of the armory building commission, authorizes the state armory building commission to use funds for construction, clarifies which municipalities may provide sites for armories, changes provisions for disposal of unused armory sites, clarifies authority for levying taxes for armory construction and clarifies the authority for conveyance of armories to the state. 62-0
- S.F. 1866-Betzold:** Provides for the isolation and detention of persons with active tuberculosis who pose a danger to the public health, establishes standards and procedures for isolation and detention and requires reporting by licensed health professionals. 62-0
- S.F. 2720-Marty:** Permits simultaneous candidacy for nomination by major and minor political parties with the candidates consent. 57-1
- H.F. 2152-Ourada:** Abolishes specific highway service sign program, directs the commissioner to adopt rules to administer highway service signs, eliminates the limitation on funding advances for completing county state-aid highways in cities, prohibits motor vehicles from closely following ambulances responding to an emergency and provides for turnback to local units of various legislative routes. 59-0

Floor action

S.F. 2381-Johnson, D.J.: Regulates intrastate interLATA telecommunications services. 57-0

H.F. 2778-Cohen: Authorizes a pilot project court combining family, probate, and juvenile court matters in the second judicial district. 56-1

S.F. 1861-Johnson, J.B.: Modifies provisions relating to the management of waste and solid waste assessments and taxes and modifies provisions relating to toxics in products. 61-0

H.F. 2471-Janezich: Modifies provisions regarding mandatory arbitration for charitable hospital employers and employees. 60-0

H.F. 2059-Dille: Makes technical changes to the veterinary practice act. 53-5

Bills granted final passage on Special Orders Tuesday, March 12

H.F. 2206-Murphy: Removes mandates from higher education and requires increased accountability and performance for funding. 60-0

H.F. 2783-Anderson: Permits state employees to donate vacation leave for the benefit of a state employee. 51-3

Bills granted preliminary passage on General Orders Tuesday, March 12

S.F. 1956-Dille: Provides for an environmental permitting project and provides penalties.

H.F. 2298-Beckman: extends the effective period of exemptions granted by the Board of Government Innovation and Cooperation and grants ISD No. 2134, United South Central, a waiver from a law related to elections.

H.F. 2375-Reichgott Junge: Prohibits fees for preparing certain reports from being based primarily on the estimated cost of improvement.

S.F. 1117-Pogemiller: Expands the Minneapolis health insurance subsidy to include eligible Minneapolis teachers who retire before June 30, 1983.

H.F. 732-Metzen: Regulates the enforcement of copyright licenses on nondramatic musical works and similar works; requires notices and provides remedies.

Conference committee reports adopted and repassed Tuesday, March 12

H.F. 2008-Betzold: Provides for maternal and post-partum health insurance benefits. 53-6

Bills granted final passage on the Senate Calendar Wednesday, March 13

H.F. 2565-Larson: Modifies licensing standards for private business, trade, and correspondence schools and clarifies miscellaneous provisions. 58-0

H.F. 2256-Novak: Changes the classification of the director of tourism, modifies provisions relating to business finance programs and the competitiveness task force, abolishes the main street program and the rural development board and transfers authority for specific programs. 56-1

S.F. 1956-Dille: Provides for an environmental permitting project and provides penalties. 60-1

H.F. 2298-Beckman: Extends the effective period of exemptions granted by the Board of Government Innovation and Cooperation and grants ISD No. 2134, United South Central, a waiver from a law related to elections. 60-1

H.F. 2375-Reichgott Junge: Prohibits fees for preparing certain reports from being based primarily on the estimated cost of improvement. 55-4

S.F. 1117-Pogemiller: Expands the Minneapolis health insurance subsidy to include eligible Minneapolis teachers who retire before June 30, 1983. 53-7

H.F. 732-Metzen: Regulates the enforcement of copyright licenses on nondramatic musical works and similar works; requires notices and provides remedies. 57-0

Bills granted final passage on Special Orders Wednesday, March 13

H.F. 2834-Johnson, J.B.: Modifies the requirements for operation of a motor boat by young people, modifies the provisions for operation of a personal watercraft by young people. 58-5

S.F. 2328-Ranum: Gun safety bill. Requires guns to be stored unloaded and locked where children are present. 39-25

S.F. 1111-Lessard: Proposing an amendment to the Minnesota Constitution by adding a section affirming the right of citizens to hunt or take game and fish. 52-12

H.F. 2205-Kelly: Provides exemptions to the mandate for oxygenated gasoline. 55-6

H.F. 2115-Sams: Adjusts net worth definition for certain rural finance agency programs. 55-0

H.F. 2340-Sams: Provides for the registration of speech-language pathologists and audiologists by the Dept. of Health and provides penalties. 36-13

S.F. 2503-Price: Recodifies, modifies and expands provisions relating regulation and management of harmful exotic species, authorizes rulemaking and provides penalties. 53-0

S.F. 2874-Merriam: Authorizes settlement of a lawsuit for age discrimination and implements a settlement with extended employment program service providers. 49-0

- H.F. 2519-Morse: Increases the amount of reimbursement available for cleanup of petroleum releases by responsible persons. 53-0
S.F. 1873-Berglin: Expands the eligibility for the MinnesotaCare program for people without children to 150 percent of the federal poverty level. 41-21
H.F. 2129-Hanson: Provides for a representative of organized labor on the Pollution Control Agency Board. 50-9
H.F. 2402-Hanson: Dept. of Public Safety housekeeping bill. 61-0
H.F. 2112-Morse: Authorizing establishment of municipal individual sewage treatment system and contaminated well loan programs. 62-0
H.F. 2513-Anderson: Authorizes port authorities to use provisions of the uniform municipal contracting law. 61-0

Bills gaining concurrence and repassage Wednesday, March 13

- S.F. 2418-Riveness: Clarifies legislative audit jurisdiction, requires procedures for the appointment process, clarifies responsible officers to prosecute violations of law and recover public money, protects privacy of certain audit data and grants rights to witnesses in audit investigations. 58-2

Bills granted concurrence and repassage Thursday, March 14

- S.F. 2499-Stevens: Delays the effective date for used motor oil and motor oil filter recycling provisions and requires a plan for the collection and recycling of used motor oil and used motor oil filters. 55-0
S.F. 2571-Reichgott Junge: Allow owners of residences to identify who may use the residence address on a driver's license. 61-0

Bills granted final passage on Special Orders Thursday, March 14

- S.F. 2198-Limmer: Reviving and extending civil actions, initiated by HIV positive individuals infected by contaminated blood products, barred by the statute of limitations. 46-16.
H.F. 3052-Hottinger: Clarifies that existing law prohibits insurers from terminating agents as a result of contacts with any branch of government. 59-0
H.F. 2204-Anderson: Creates a nuisance action by individuals and neighborhood organizations against prostitution and drug dealing in the neighborhood. 37-22
H.F. 374-Novak: Exempts a large electric power generating plant from certificate of need proceeding when selected by the Public Utilities Commission from a bidding process to select resources to meet the utility's projected energy demand. 51-0
H.F. 3070-Kroening: Modifies the Neighborhood Revitalization Program. 57-0
S.F. 1886-Piper: Adds provisions for various Dept. of Human Services licensing programs. 59-1

1996 Senate Committee Assignments

Agriculture and Rural Development (12)

Chair: Moe, R.D. Vice Chair: Hanson
Office: 208 Telephone: 296-7405
Meets: M,W; 12 noon-2 p.m.; Room 107
Members:

Berg	Lesewski	Sams	Vickerman
Dille	Morse	Scheevel	
Fischbach	Murphy	Stevens	

Commerce and Consumer Protection (15)

Chair: Price Vice Chair: Wiener
Office: 235 Telephone: 296-4158
Meets: M,W; 12 noon-2 p.m.; Room 112
Members:

Anderson	Hottinger	Limmer	Solon
Belanger	Janezich	Metzen	
Chandler	Kroening	Oliver	
Day	Larson	Samuelson	

Crime Prevention (13)

Chair: Spear Vice Chair: Anderson
Office: 120 Telephone: 296-4191
Meets: M, W, Th; 2-4 p.m.; Room 15
Members:

Beckman	Kelly	Limmer	Neuville
Belanger	Knutson	Marty	Ranum
Cohen	Laidig	Merriam	

Crime Prevention Finance Division (9)

Chair: Beckman
Office: 306 Telephone: 296-5713
Members:

Cohen	Knutson	Merriam	Ranum
Kelly	Laidig	Neuville	Spear

Education (23)

Co-Chair: Pogemiller Co-Chair: Stumpf
Co-Vice Chair: Krentz Co-Vice Chair: Murphy
Office: 235 Telephone: 296-4185
Meets: T, W, Th; 10-12 noon; Room 112
Members:

Beckman	Langseth	Ourada	Robertson
Hanson	Larson	Pappas	Scheevel
Janezich	Moe, R.D.	Price	Solon
Kleis	Neuville	Ranum	Wiener
Knutson	Olson	Reichgott Junge	

Education Funding Division (15)

Chair: Pogemiller Vice Chair: Krentz
Office: 235 Telephone: 296-7809
Members:

Beckman	Langseth	Ranum	Stumpf
Hanson	Larson	Reichgott Junge	
Janezich	Olson	Robertson	
Knutson	Pappas	Scheevel	

Higher Education Division (11)

Chair: Stumpf Vice Chair: Murphy
Office: 235 Telephone: 296-4185
Members:

Kleis	Neuville	Price
Larson	Ourada	Solon
Moe, R.D.	Pogemiller	Wiener

Environment and Natural Resources (19)

Chair: Lessard Vice Chair: Riveness
Office: 111 Telephone: 296-1113
Meets: T, 2-4 p.m.; F, 10-2 p.m.; Room 107
Members:

Anderson	Frederickson	Mondale	Price
Berg	Johnson, J.B.	Morse	Stevens
Chandler	Laidig	Novak	
Dille	Lesewski	Olson	
Finn	Merriam	Pariseau	

Environment and Natural Resources Finance Division (12)

Chair: Morse
Office: G-24 Telephone: 296-5649
Members:

Berg	Johnson, J.B.	Merriam	Price
Finn	Laidig	Olson	Riveness
Frederickson	Lessard	Pariseau	

Ethics and Campaign Reform (11)

Chair: Marty Vice Chair: Reichgott Junge
Office: G-9 Telephone: 296-5712
Meets: 12 noon-2 p.m.; Room 107
Members:

Cohen	Johnson, D.J.	Pariseau
Day	Laidig	Pogemiller
Johnson, D.E.	Moe, R.D.	Sams

Family Services (15)

Chair: Piper Vice Chair: Betzold
Office: G-9 Telephone: 296-9248
Meets: T, Th; 12 noon-2 p.m.; Room 15
Members:

Berglin	Kiscaden	Riveness	Stevens
Chandler	Kramer	Robertson	
Fischbach	Krentz	Samuelson	
Johnson, J.B.	Ourada	Solon	

Finance (21)

Chair: Merriam Vice Chair: Riveness
Office: 122 Telephone: 296-4157
Meets: M, T, W, Th; 4-6 p.m.; Room 123
Members:

Beckman	Johnston	Larson	Samuelson
Cohen	Kelly	Morse	Spear
Frederickson	Kroening	Neuville	Stumpf
Johnson, D.E.	Laidig	Piper	Terwilliger
Johnson, J.B.	Langseth	Ranum	

1996 Senate Committee Assignments

Finance State Government Division (12)

Chair: Cohen

Office: 317

Members:

Frederickson	Kroening	Morse	Terwilliger
Johnston	Langseth	Neuville	
Kelly	Merriam	Piper	

Vice Chair: Riveness

Telephone: 296-5931

Gaming Regulation (9)

Chair: Berg

Office: 328

Meets: T, W; 8-10 a.m.; Room 107

Members:

Johnson, D.E.	Marty	Neuville	Spear
Lessard	Mondale	Scheevel	

Vice Chair: Janezich

Telephone: 296-5539

Governmental Operations and Veterans (14)

Chair: Metzen

Office: 303

Meets: T, W, F; 8-10 a.m.; Room 15

Members:

Beckman	Kramer	Riveness	Stumpf
Fischbach	Morse	Runbeck	Terwilliger
Kleis	Pogemiller	Stevens	Wiener

Vice Chair: Hottinger

Telephone: 296-4175

Health Care (11)

Chair: Berglin

Office: G-9

Meets: T, W, Th; 10 a.m.-12 noon; Room 15

Members:

Betzold	Kramer	Samuelson
Finn	Oliver	Terwilliger
Kiscaden	Piper	Vickerman

Vice Chair: Sams

Telephone: 296-4151

Health Care and Family Services Finance Division (13)

Chair: Samuelson

Office: 124

Members:

Telephone: 296-4875

Berglin	Kiscaden	Riveness	Stevens
Betzold	Kramer	Sams	Terwilliger
Fischbach	Piper	Solon	Vickerman

Jobs, Energy and Community Development (14)

Chair: Novak

Office: 322

Meets: T, W, Th; 10 a.m.-12 noon; Room 107

Members:

Anderson	Dille	Kelly	Limmer
Chandler	Frederickson	Kroening	Metzen
Chmielewski	Johnson, D.J.	Lesewski	Runbeck

Vice Chair: Johnson, J.B.

Telephone: 296-1767

Jobs, Energy and Community Development Finance Division (11)

Chair: Kroening

Office: 124

Members:

Telephone: 296-4302

Anderson	Dille	Lesewski	Novak
Chandler	Frederickson	Limmer	
Chmielewski	Johnson, J. B.	Metzen	

Judiciary (13)

Chair: Kelly

Office: 323

Meets: M, W; 12 noon-2 p.m.; Room 15

Members:

Berglin	Flynn	Knutson	Robertson
Cohen	Kiscaden	Krentz	Spear
Finn	Kleis	Reichgott Junge	

Vice Chair: Betzold

Telephone: 296-5285

Metropolitan and Local Government (16)

Chair: Vickerman

Office: 226

Meets: M, W, Th; 2-4 p.m.; Room 107

Members:

Betzold	Janezich	Oliver	Runbeck
Day	Johnston	Pappas	Wiener
Flynn	Langseth	Pariseau	
Hottinger	Lessard	Robertson	

Vice Chair: Mondale

Telephone: 296-4150

Rules and Administration (27)

Chair: Moe, R.D.

Office: 208

Meets: On call

Members:

Vice Chair: Reichgott Junge

Telephone: 296-4150

Belanger	Kelly	Metzen	Spear
Berg	Knutson	Neuville	Stumpf
Berglin	Laidig	Novak	Terwilliger
Flynn	Larson	Olson	Vickerman
Frederickson	Lessard	Piper	
Johnson, D.E.	Marty	Pogemiller	
Johnson, D.J.	Merriam	Price	

Taxes and Tax Laws (20)

Chair: Johnson, D.J.

Office: 205

Meets: M, T, W, Th; 4-6 p.m.; Room 15

Members:

Vice Chair: Pappas

Telephone: 296-4839

Belanger	Hottinger	Oliver	Reichgott Junge
Berglin	Marty	Olson	Runbeck
Day	Mondale	Pariseau	Sams
Dille	Murphy	Pogemiller	
Flynn	Novak	Price	

Transportation and Public Transit (14)

Chair: Flynn

Office: 120

Meets: T, W, F; 8-10 a.m.; Room 112

Members:

Belanger	Hanson	Langseth	Ourada
Chmielewski	Johnston	Lesewski	Pappas
Day	Krentz	Murphy	Vickerman

Vice Chair: Ranum

Telephone: 296-4274

Transportation and Public Transit Finance Division (8)

Chair: Langseth

Office: G-24

Members:

Telephone: 296-3205

Belanger	Day	Hanson	Vickerman
Chmielewski	Flynn	Johnston	

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Monday, March 18

The Senate will meet at 9 a.m.

Metropolitan and Local Government Committee

Chair: Sen. Jim Vickerman

After Session Room to be announced

Agenda: Metropolitan Council presentation on airport planning process. S.F. 1829-Mondale: Prohibiting construction of new major airport; requiring soundproofing; and construction of transitway.

Conference Committee

Chairs: Sen. Lawrence Pogemiller and Rep. Dee Long

4 p.m. Room 224 Capitol

Agenda: H.F. 1567-Public funds deposit and investment regulation.

Conference Committee

Chairs: Sen. LeRoy Stumpf and Rep. Willard Munger

6 p.m. Room 10 S.O.B.

Agenda: H.F. 787-Wetlands bill.

Tuesday, March 19

The Senate will meet at 9 a.m.

Wednesday, March 20

The Senate will meet at 9 a.m.

Thursday, March 21

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Friday, March 22

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Editor's Note: It is expected that conference committees on the major bills will continue this week. Please check the Legislative Gopher, the Legislature's World Wide Web Page, the Senate Hotline or the Senate Information Office for the latest information.

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Briefly

The Minnesota Senate Week in Review

ST. PAUL, MN 55105

March 22, 1996

Bonding bill passed

With scant discussion, the Senate granted final passage to the capital budget bill, S.F. 2879, Mon., Mar. 18. The \$587 million proposal contains funding for various projects including youth activity grants for at-risk neighborhoods, an 800 megahertz public safety radio system, a new Science Museum and the Minnesota Library Access Center. It also allocates monies for a new prison, the Minneapolis Convention Center, a St. Paul technical training center and wilderness trail preservation programs.

Sen. Phil Riveness (DFL-Bloomington) presented the bill to members, giving a brief explanation of the bonding process. "We try to look at what comes from various divisions and balance the outcome," he said. "There is a critical sequence for predesign, design and construction," Riveness continued. "We do more than just buildings now."

The bill earmarks \$153 million for higher education; \$26 million for K-12 education; \$134 million for environment and natural resources; \$59 million for state government; \$13 million for jobs, energy and community development; \$27 million for transportation and public transit; \$96 million for crime prevention; \$12 million for health and human services and \$66 million for grants to political subdivisions. It also includes a \$10 million appropriation for debt service forgiveness to the Minnesota Zoo.

Before granting final passage to the bill, members adopted three amendments. Sen. Bob Lessard's (DFL-Int'l. Falls) amendment allocates \$250,000 to repair state forest roads. Sen. Richard Cohen's (DFL-St. Paul) amendment specifies that the Minnesota State Arts Board shall survey the state's nonprofit arts community to assess the capital requests made by nonprofit arts facilities statewide. And Sen. Steve Dille's (R-Dassel) amendment clarifies that proceeds from bond sales must be depleted before using highway funds to pay for wetland replacement for public road projects.

Members objected to Sen. Lawrence Pogemiller's (DFL-Mpls.) attempt to appropriate \$28 million for the relocation of the University of Minnesota's steam plant. Pogemiller's amendment diverted funds from other projects, including the Anoka Ramsey Community College and the North Hennepin Community College.

"The steam plant blocks the type of development we need," Pogemiller argued. "Every major planner in the world would agree that when you have the chance to reclaim riverfront property, you do it."

After two unsuccessful moves to amend the amendment, Pogemiller withdrew his amendment.

Sen. James Metzen (DFL-South St. Paul) expressed disappointment with the amount set aside for the University of Minnesota ice rinks. "This was a \$9 million request," he said, "and to see that only \$1 million was authorized is a disappointment." Metzen voted against the bill, along with six other Senators.

Senate approves higher speed limits

Minnesota drivers will find new speed limits on approximately 2,000 miles of divided highways under a bill given final passage Mon., Mar. 19 by the Senate. The bill allows all divided, multi-lane highways to have a 65 mile per hour speed limit, while all non-divided roads maintain the current 55 mile per hour speed limit. Sen. Kenric Scheevel (R-Preston) offered the amendment to H.F. 1404, a comprehensive transportation bill sponsored by Sen. Keith Langseth (DFL-Glyndon).

Sen. Steven Morse (DFL-Dakota) offered an amendment to accompany the new increase in speed limits. Morse proposed eliminating the 10 mile per hour cushion before which a violation of the speed limit is reported to the driver's insurance company on those roads with a 65 mile per hour speed limit. The cushion, known legislatively as the Dimmler amendment, allows a police officer to fine an individual for exceeding the speed limit within ten miles, but not place the violation on the driver's record. Morse proposed to limit this cushion only to roads with a 55 mile per hour speed limit. The amendment failed on a 28-29 vote.

Three separate attempts were made by Senators to incorporate provisions labeling disregard for the mandatory seat belt law as a primary traffic offense. Sen. Steve Dille (R-Dassel), presented his seat-belt amendment saying, "This is a pro-life amendment. I am asking you to have some political courage and save 35 lives per year."

Sen. Charles Berg (DFL-Chokio) responded to the Dille amendment stating that it "is a anti-rural amendment." Rural drivers will be slapped with another citation, just for not having their seat-belt on, while the highway patrol doesn't stop drivers in the Metro Area unless it is serious." Under current law, police officers must detain motorists for a separate violation before a driver or passenger is be ticketed for

violating the seat-belt law. The seat-belt amendments failed.

State government funding repassed

The Senate met in a short floor session Weds., Mar. 20, to act on various pieces of legislation. The first of the omnibus supplemental appropriation conference committee reports was before the body for consideration. Over the course of the next few days, many of conference committees will complete work on a variety of bills and bring them before the Senate for adoption and repassage.

The conference committee report on the state government supplemental appropriations bill, S.F. 2857, was adopted and repassed. Sen. Richard Cohen (DFL-St. Paul), the bill's sponsor, explained the differences in the bill after the conference committee. The measure now includes an appropriation for a study on handling state records in the year 2000. Cohen said that when computers were first used 40 years ago, nobody thought about the problems created by only using two digits for year designations. Cohen also said the bill now contains provisions to penalize the operators of the Target Center if an insufficient amount of ice time is provided for amateur sports under the state buy-out agreement. Other new provisions also include changes in the national guard reenlistment bonus payment program, and a promotion to observe "Juneteenth." Juneteenth is a celebration of the first reading of the Emancipation Proclamation in Texas in 1865. The final version of the bill was passed on a 48 to 7 roll call vote.

In other action, the Senate also passed the conference committee report on H.F. 2330, sponsored by Dave Kleis (R-St. Cloud). Kleis said the bill provides for a study of regional planning issues in the St. Cloud area. Sen. Jim Vickerman (DFL-Tracy) urged rejection of the report because some provisions removed by the Senate were reinserted by the conference committee. Sen. Dennis Frederickson (R-New Ulm) said the language in the bill was reasonable and urged its passage. The bill passed with a roll call vote of 40-14.

The Senate also considered the conference committee report on S.F. 1981. The bill, sponsored by Sen. John Hottinger (DFL-Mankato), changes regulatory powers of the Commerce Department. Passage was given with a unanimous 54 votes.

Committee update

Finance

Capital budget bill okayed

The Finance Committee, chaired by Sen. Gene Merriam (DFL-Coon Rapids), made final changes to the capital budget bill Fri., Mar. 15, before passing the \$587 million package onto the full Senate. Sen. Phil Riveness (DFL-Bloomington), chair of the Finance Capital Budget Subcommittee, highlighted the measure's major provisions.

"The bill contains a reasonable debt ceiling that we can service at this point," Riveness told members. The measure appropriates more than \$96 million to the Dept. of Corrections, \$87 million to the University of Minnesota, \$67 million to Minnesota State Colleges and Universities and \$47 million to the Dept. of Natural Resources. The proposal earmarks \$89 million for a new 800-bed prison, \$24 million for wastewater infrastructure loans, \$9 million to purchase land for the Minneapolis convention center and \$1 million for a technical training facility to be operated jointly by MnSCU and the St. Paul Ford plant.

Sen. Carl Kroening (DFL-Mpls.) offered the controversial amendment that allocates \$1 million for the technical training facility. "This is an agenda setting process," he said. "People are always talking about doing business and education projects jointly and here's a project that actually does so -- this is worthy of our consideration."

Several members spoke in favor of the amendment. Sen. Richard Cohen (DFL-St. Paul) argued that the training facility would benefit the community. "The facility will be used by groups and individuals other than just Ford," he pointed out. "The plant will be used as a community and educational facility."

Sen. Dean Johnson (R-Willmar) agreed. Calling the facility "an investment," he told members that "the money we spend here will be returned to the state tenfold."

Riveness opposed the amendment on two counts. "How do you say no to other training programs of worthy Minnesota companies?" he asked. Furthermore, Ford posted \$4 billion in net profit last year, Riveness pointed out, "so why are we building them a training facility?"

Sen. Leroy Stumpf, (DFL-Thief River Falls), opposed the amendment. "I am in favor of the project," he said, "but against the amendment." The amendment decreases the appropriation to the library access fund by \$1.5 million.

Merriam objected to the timing of the request. He said that he was uncomfortable allocating funds to a proposal that appeared late in the Legislative Session.

After nearly two hours of debate, members adopted the Kroening amendment.

A second amendment, also adopted by the committee, softened language related to double-bunking of prisoners at maximum security facilities. Offered by Sen. Randy Kelly (DFL-St. Paul), the language reworked a previous Kelly proposal that mandated the design of one residential pod to accommodate two inmates per cell.

Under the amendment, however, the commissioner must only develop a "design alternative" to double-bunking. Additionally, the chairs of the Legislative bodies that have jurisdiction over criminal justice policy will advise the commissioner on which design to construct.

Sen. Allen Spear (DFL-Mpls.) spoke in favor of the amendment. He told members that the Dept. of Corrections objects to double bunking because it jeopardizes prison safety. "Double celling isn't a matter of comfort," he said. "It's a matter of security."

In other matters, the committee approved S.F. 2219, carried by Sen. James Metzen (DFL-South St. Paul). The measure, the Dept. of Administration's housekeeping capital budget bill, advances to the Senate floor.

Metropolitan and Local Government

MAC asks for new runway

Seven years and \$10 million later, a decision on the future of Minneapolis-St. Paul International Airport is finally coming in for a landing. The Metropolitan Airport Commission reports that adding a runway and revamping the terminal at the MSP airport is the most sensible way to accommodate anticipated increases in air traffic over the next 25 years. "A new airport is a luxury we do not need and cannot afford," said John Himle of MAC.

The Metropolitan and Local Government Committee began to hear testimony Fri., Mar. 15 on the conclusions reached from the "dual track" process studying expansion of MSP vs. construction of a new airport.

The dual-track study, which cost \$10 million, was conducted by the Metropolitan Airports Commission and Metropolitan Council over the last seven years.

The report concludes that a new north-south runway and revamped terminal at MSP will meet capacity needs until 2020, saving Minnesota taxpayers \$2.2 billion over the cost of a new airport.

MAC has been preserving 17,000 acres in Dakota County for a new airport, should one be needed. Himle said it's no longer necessary to "bank" the land. Dakota County residents told the committee to abandon land-banking and the prospect of a new airport. "We feel that the Legislature must let our people go," said Sen. Steve Murphy (DFL-Red Wing).

South Minneapolis resident Jess Erickson said common sense dictates the airport should stay in the location where it already has hangars, runways, roads, nearby hotels and restaurants, and "the biggest mall in the U.S." Gene Hugoson, commissioner of Minnesota Agriculture Department, warned that building the new airport would gobble up thousands of acres of Dakota County farmland and hasten the demise of Minnesota agriculture.

But opponents of the report's findings, many of them residents of South Minneapolis, Eagan, and Richfield, said it doesn't make sense to keep enlarging an airport amidst an urban area.

"The capacity of the airport will be expanded on the backs of the people who live close to it," said Greg Bastien, chair of the Nokomis East Neighborhood Revitalization Project. Worse than the north-south runway, said Bastien, is the possibility of a third parallel runway, which he calls "a sword of Damocles that hangs over South Minneapolis."

Sen. Jane Ranum (DFL-Mpls.) said that the data used in the dual-track study are flawed, underestimating airport capacity needs. "Our economy will not thrive unless we have infrastructure to grow into," she said.

Minneapolis Mayor Sharon Sayles Belton said her city has decided to support the report's conclusions, providing that the Legislature funds extensive sound-proofing of homes and schools and promises never to build the third parallel runway. She also said Minneapolis residents feel cheated, and should be allowed public hearings to learn about and comment on the expansion plan. "We can go forward a lot quicker when everyone understands all the facts and agrees on them," said Sayles Belton.

Minnehaha Parkway resident Gerry Sell urged Senators to visit schools in her neighborhood, where teachers have to

stop speaking "every 45 to 50 seconds, because there's a plane going over." At Washburn High School's outdoor graduation, she said, no one can hear the commencement speakers. The air traffic has grown steadily worse over the years, she said. "People in South Minneapolis are on the brink," said Sell.

New runway approved

Seven years of study and a proposal for a new airport are brought to an abrupt landing, under a bill approved Mon., Mar. 19 by the Metropolitan and Local Government Committee.

S.F. 1829, authored by Sen. Ted Mondale (DFL-St. Louis Park), gives the go-ahead for the Metropolitan Airports Commission to build a new runway at Minneapolis-St. Paul International Airport. The north-south runway, according to the recommendation of an extensive dual-track study, will accommodate air traffic for the next 25 years and save taxpayers \$2.2 billion from the cost of a new airport. The \$10 million "dual track" study considered whether to expand the MSP International Airport or to construct a new airport farther from the Metro Area.

Mondale's bill, approved on a voice vote, releases thousands of acres of Dakota County farmland now being "banked" for a new airport. It prohibits the Met Council from requiring any local unit of government to set aside land zoned for a new airport.

Representatives of the Metropolitan Council, who produced the report along with MAC officials, said the dual-track study has been exhaustive. "I don't think it's too much of a stretch to say this is the most studied airport decision in the history of the Western World," said Jim Solem, regional administrator for the council.

It's not over yet -- S.F. 1829 has several more stops before reaching the Senate floor. The bill was referred to the Transportation Committee and must also be heard by the Rules Committee, because it was approved after deadline.

The decision to build the new runway is accompanied by a commitment to mitigate the effects of airport noise on nearby homes, schools and public building, said Mondale. S.F. 1829 requires MAC to set aside \$135 million for sound-proofing and air-conditioning projects in noise-impacted neighborhoods.

The bill also bars aircraft that do not comply with "stage three" noise levels

from landing at MSP after Jan. 1, 2000. Use of quieter, stage-three aircraft, according to the dual-track report, will reduce from 22,090 to 7,620 the number of people suffering the worst noise from MSP.

Officials representing Bloomington and Eagan said the cities do not oppose the planned MSP expansion, provided that the new runway is accompanied by thorough noise mitigation. Richfield City Councilman Russ Susag said his city has not declared a position on expansion, except to say that the Legislature should not "exempt itself from environmental laws" by waiving required studies.

Doré Mead, a Minneapolis city council member, said by eliminating the Dakota County land-bank, MAC was in effect "using a fully developed urban area as a land bank."

Committee members approved two amendments offered Sen. Deanna Wiener (DFL-Eagan). The first prohibits MAC from building a third east-west runway without legislative approval. The second requires MAC to study environmental and noise impacts before building the planned north-south runway. Under the amendment, MAC is required to reserve money to mitigate noise caused by the new runway and to report annually to the Legislature on increases in MSP flights and passengers, lengths of travel delay and advances in aviation technology.

Senators also approved an amendment offered by Sen. Sandra Pappas (DFL-St. Paul) that prohibits construction of a new terminal on the west end of the airport without legislative approval.

Thursday, March 14

Nuisance bill granted passage

The Senate granted final passage to several bills on the Special Orders Calendar during the latter portion of the Thurs., Mar. 14 session. Among the bills was H.F. 2204, a bill sponsored by Sen. Ellen Anderson (DFL-St. Paul), to enable individuals and neighborhood organizations to create a nuisance action. Anderson said, many women feel it is dangerous to walk around in the neighborhood. Teenagers and women are continuously solicited, she said. The bill is an attempt to try giving police, prosecutors and neighborhoods more power, Anderson said.

Sen. Don Betzold (DFL-Fridley) focused on parallels Anderson made between her bill and a similar piece of

legislation in effect in Ohio. "The critical difference between the Ohio law and this law is that in Ohio, the nuisance law was used to close down drug houses," said Betzold. "Your bill applies not to property, but to people," he continued. "You are not even applying it to the prostitutes, but to others, eliminating one of the primary players."

Rising in opposition to the bill, Sen. Allan Spear (DFL-Mpls.) said that the bill was just another tool used to take people's property and get rid of undesirables. "Neighborhood groups often have images of what their neighborhood ought to be. We currently have in place, a criminal system to go after those who break the law."

"This isn't a bill just for Sen. Anderson's neighborhood," said Betzold. "Zealots are prevalent in many neighborhoods around the state," he said. Neighborhood groups and zealots will now have the power to be neighborhood enforcers, said Betzold.

The bill received final passage on a 37 to 22 vote.

Members then took up debate on H.F. 3052, a bill clarifying existing law to prohibit insurers from terminating agents as a result of contacts with any branch of government. Debate centered on whether or not the original law intended to include a legislative body.

An amendment, offered by Sen. Jerry Janezich (DFL-Chisholm), clarifies that the Legislature was included in the group, and establishes an effective date as the day following final enactment. The bill received unanimous approval and was granted final passage.

Friday, March 15

Insurance bill passes

A bill changing Minnesota's insurance laws, S.F. 1980, passed the Senate on Fri., Mar. 15, but not before the addition of several amendments. Most amendments were non-controversial, and generated little debate. One amendment, however, sparked lengthy debate and was amended before being adopted.

The amendment, offered by bill sponsor Sen. John Hottinger (DFL-Mankato), requires an impact assessment by the affected department commissioner of any health care mandate proposal considered by the Legislature. "We frequently don't have the background information on the effect of the proposal," Hottinger said. "Mandates sometimes drive buyers and

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vendors out of the market," he added. Sen. Don Betzold (DFL-Fridley) opposed the amendment, and said the assessment may not be neutral. Sen. Ellen Anderson (DFL-St. Paul) called the amendment "undemocratic" and said it "requires more hoops to jump through" to enact health care legislation. Hottinger responded, saying "it doesn't seem unreasonable to determine the cost to consumers of the proposal," and added it will make the Legislature exercise some discipline before making changes to health care insurance regulations. Anderson successfully offered an amendment to the amendment making the assessment optional. The Hottinger amendment was then adopted on a 31-25 roll call vote.

Another amendment, offered by Sen. James Metzen (DFL-South St. Paul), prohibits insurance companies from requiring their own agents to sell a minimal proportion of life or health insurance relative to other types of insurance. Metzen said a similar provision was passed a few years ago for independent insurance agents. The amendment was adopted, and the bill passed 57-0.

Earlier, the Senate considered H.F. 2369. The measure, sponsored by Metzen, makes changes to the consumer credit laws. Metzen offered an amendment with a provision that allows automobile dealers to not sign a sales contract, when a buyer has signed the contract, at the time the sale is negotiated. Anderson moved to remove that provision from the amendment. In support of Anderson's motion, Sen. Gene Merriam (DFL-Coon Rapids) asked, "who would sign a contract and walk away without a copy signed by the other party?" Anderson's motion failed on a voice vote and Metzen's amendment was adopted. The bill was given final passage on a 60-1 roll call vote.

The Senate also considered H.F. 2588, sponsored by Sen. Steven Morse (DFL-Dakota). The measure provides a process for funding the clean up of landfills by reaching settlements with the insurers of landfill operators. Morse said the three goals of the bill were to clean up contaminated sites, stop the litigation to determine the liability for the contamination, and provide a continued funding stream for the cleanup efforts.

Anderson offered an amendment providing an exception to the bond posting requirement when injunctive relief is sought to stop a development project. The exception only applies when the development project is a public

improvement. Sen. Dennis Frederickson (R-New Ulm) questioned whether the amendment was germane. Senate President Allan Spear (DFL-Mpls.) ruled it was not. The bill passed 60 -0.

Monday, March 18

Transportation bill okayed

The Senate granted final passage Mon, Mar. 19, to H.F. 1404, a transportation measure sponsored by Sen. Keith Langseth (DFL-Glyndon). The bill, containing an amendment to raise the speed limit, was far reaching in scope. An amendment was offered by Sen. Phil Riveness (DFL-Bloomington) allowing a motor carrier to specify that a physical examination certificate necessary for employment as a driver be issued by a specific health care provider. Providers may include a doctor of medicine, doctor of osteopathy, doctor of chiropractic, or advanced practice nurse duly licensed in Minnesota. Several Senators challenged the germaness of the amendment, stating that the bill does not deal with the scope of practice for medical professionals.

Sen. Sandy Pappas (DFL-St. Paul) said that H.F. 1404 is a housekeeping bill, making the amendment "entirely appropriate." The choice of providers is a matter of consumer choice, Pappas said. Truck drivers may want to use as chiropractors as their primary physician, as current law provides chiropractors with the right to sign life and death certificates, she said. Sen. Don Betzold (DFL-Fridley) said the potential harm lies with the public. If a truck driver has a disease that is beyond scope of chiropractic examination, such as diabetes or heart disease, the situation may create a public risk, said Betzold. Sen. Sheila Kiscaden (R-Rochester) said if the Senate adopts the amendment, "we are giving permission in a transportation bill for the diagnosis of health related problems that have not gone through health channels." The Riveness amendment prevailed on a 36-24 vote.

Sen. Terry Johnston (R-Prior Lake) offered an amendment to the transportation bill that prohibits the Department of Transportation from issuing a driver's license to anyone who is under the age of 18 years unless the person has applied for, been issued, and possessed the appropriate instruction permit for a minimum of six months. The Johnston amendment was adopted.

Next, Senators took up debate on S.F.

2419, a bill, sponsored by Sen. Steven Novak (DFL-New Brighton) clarifying a mandate for certain utilities to generate electric power using biomass fuel. The bill makes changes in definitions of agricultural biomass, the purposeful growing of agricultural crops for the production of energy. Sen. Bob Lessard (DFL-Int'l. Falls) offered an amendment to include peat as a biomass fuel source. The amendment failed.

Sen. Novak offered an amendment requiring biomass fuel be fired in an electric generating facility located within 200 miles of the site of the biomass production. The amendment also allows a biomass project to use as an interim fuel agricultural waste and other biomass for up to six years, provided the project developer demonstrates the project will use farm grown biomass as its regular fuel after the interim period, and that the fuel meets the location requirements.

Sen. John Hottinger (DFL-Mankato) offered an amendment deleting the provision requiring an interim time period. Additionally, the amendment supports a policy allowing extra fuel needed for a biomass facility to come from outside 200 miles of the site. Novak's amendment would exclude two facilities, making the process too inflexible, said Hottinger. "The amendment excludes viable projects when we should be building flexibility and innovation into the system. To exclude a Minnesota based program from using another fuel while getting established is building a fence," said Hottinger.

Sen. Dean Johnson (R-Willmar) said if Senators defeat the Hottinger amendment, they will help Minnesota farmers. The Hottinger amendment to the Novak amendment failed 23 - 39. The Novak amendment was adopted and H.F. 2419 was granted final passage.

Tuesday, March 19

Senate approves wage bill

Businesses that receive subsidies from state or local governments could be subject to a higher "minimum wage" for new workers under a bill that won Senate approval Tues. evening, Mar. 19.

S.F. 1997 requires companies getting economic development grants to pay workers hired as a result of the assistance at least \$7.28 an hour, defined in the bill as a "poverty level wage." Bill sponsor, Sen. John Hottinger (DFL-Mankato), said the amount equals the federal poverty

level for a family of four, and can include the cost of health and other benefits.

"We subsidize the creation of businesses," he said, "and we should make sure we get something in return." He said the bill insures "corporate accountability" by guaranteeing firms getting loans, grants, or tax increment financing pay a high enough salary to new workers so they don't require welfare or other taxpayer-funded benefits.

Hottinger said the measure includes numerous exemptions to the wage requirement, in response to objections to similar legislation in the past. He said many small businesses are exempt, as are some non-profits, and companies that place employees on training programs. He said other exemptions include employers receiving less than \$25,000 in government subsidies, and businesses that might otherwise accept a relocation offer from another state.

Senators had over-three hours of debate. Sen. Roy Terwilliger (R-Edina) said the bill sends the wrong message about the business economy because good, high-paying jobs come from a minimum of government interference. He also urged bill supporters to "tone down the rhetoric against the business community." Sen. Jane Ranum (DFL-Mpls.) responded that there is "nothing wrong with making constructive comments about business" in an effort to encourage the creation of high-paying jobs.

Sen. Dean Johnson (R-Willmar) said the bill simply isn't needed. He said Minnesota must "improve its reputation as a job creator and job retainer" and that the legislation "gives us the reputation as a socialist haven." Sen. Kevin Chandler (DFL-White Bear Lake) countered, "If businesses don't want government to mandate wages," he said, "they shouldn't come to government with their hands out."

Sen. Linda Runbeck (R-Circle Pines) called the bill's intention good, but added it stifles economic development. She said it is fiction that there are problems with wages in Minnesota --she said the middle class is shrinking because many of its members are moving to a higher wage bracket. Runbeck said low incomes are a function of age and generation. Sen. Sandra Pappas (DFL-St. Paul) said "Taxpayers have a right to demand living wages, not entry-level jobs in return for money used for grants or loans."

The Senate approved an amendment to the bill, offered by Hottinger, that he said

makes the wage provision more flexible by making sure there are opportunities to create jobs under unique circumstances. He said the additional language clarifies how the provisions apply to non-profits and small businesses; adds additional exemptions, including Minnesota Investment Fund money under some circumstances; and gives local governments more leeway in how they can use money to encourage economic development.

Members rejected, on a 22-39 roll call vote, an amendment offered by Runbeck to delete a section of the bill that requests the Legislative Auditor conduct a study to examine the economic impact of low-paying jobs in Minnesota, and the role of state government in increasing wages to a livable level. Runbeck said the study is not needed, while Sen. John Marty (DFL-Roseville) called it "one of the most important parts of the bill" because it will indicate how many full time employees receive subsidies for health care and other needs.

Sen. Thomas Neuville (R-Northfield) proposed an amendment to increase the wage requirement from 100 percent to 125 percent of the federal poverty level for a family of four. Hottinger resisted the change, saying he wants to pass a reasonable bill, and the amendment throws the balance of the bill out the window. The amendment failed on a voice vote.

Sen. Arlene Lesewski (R-Marshall) sponsored an amendment that changes the phrase "poverty level wage" in the bill to "state mandated wage." Her amendment was turned back on a 22-38 roll call vote.

Sen. Ellen Anderson (DFL-St. Paul) urged passage of the bill, saying "We are facing the decline of the American dream-- we're facing downward mobility." She continued, "People are not going to be able to maintain the standard of living of their parents." Neuville called the legislation's intent noble, but added, "There are many good and legitimate employers who pay less than \$7.28 an hour." The bill passed by a 39 to 23 margin.

Thursday, March 21

Supplemental bill approved

One of the highlights of the Senate's Thurs. afternoon, Mar. 21, floor session was passage of S.F. 2849, the Conference Committee report on the higher education supplemental funding bill.

Bill sponsor, Sen. LeRoy Stumpf (DFL-Thief River Falls), said the Senate and the other chamber both passed bills appropriating close to \$10 million, but the committee "had the luxury of having some additional money available," so the report contains \$16 million in spending. Stumpf, who chairs the Higher Education Division, said most of the additional money goes for the University of Minnesota Academic Health Center, bringing the center's total appropriation to \$6.6 million. Also included in the university's \$9 million total appropriation are \$2 million for information technology and \$400,000 for a joint distance learning project with Minnesota State Colleges and Universities (MnSCU).

MnSCU also receives \$400,000 for the joint project, as part of the system's \$5.3 million in supplemental spending. Other items funded are: an electronic academy, \$4.52 million; an applied research center in Bemidji, \$50,000; and computer hardware for a farm management program, \$150,000.

The bill appropriates \$1.7 million to the Higher Education Service Office (HESO). Included in the amount is \$50,000 for a public law loan program, an item not included in the original Senate bill.

Sen. Gene Merriam (DFL-Coon Rapids) questioned language in the bill outlining an agreement between the University of Minnesota Hospitals and Clinics and Fairview hospital and health care services. Under the agreement, Fairview pays the university \$500,000 each month. Sen. Don Samuelson (DFL-Brainerd) responded that the payment is "almost a paper transfer" permitted under federal law, without which Minnesota could face a substantial loss of federal Medicare funds. He said all parties agree to the language, and other states have similar arrangements. Sen. Linda Berglin (DFL-Mpls.) said the provision "protects the taxpayers of Minnesota," but Merriam called it a "gimmick that enables us to get more federal money."

The Conference Committee report was approved on a 56 to 5 vote.

Frequently called numbers:

Senate Information	296-0504
Senate hotline	296-8088
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Copies of bills (voice mail)	296-2343

Floor action

Bills taken from the table and granted final passage Friday, March 15

S.F. 2134-Betzold: Expands the criminal penalty for fleeing a peace officer to include the forfeiture of motor vehicles used in the offense and provides a penalty. 51-0

Bills granted final passage on Special Orders Friday, March 15

H.F. 2588-Morse: Provides a process for resolving state claims for landfill cleanup costs and associated damages with insurers and authorizes an action by the state for recovery from insurers after a reasonable opportunity for settlement. 60-0

H.F. 2369-Metzen: Regulates consumer credit, modifies rates, fees, and other terms and conditions, provides clarifying and technical changes, provides opportunities for state banks to develop their Minnesota markets through broader intrastate branching, regulates the use of credit cards by institutions, modifies interest rates, fee and other terms and conditions governing the use of credit cards and provides technical corrections. 60-1

S.F. 1980-Hottinger: Regulates insurance coverages, modifies agent cancellations or terminations, provides filing requirements for domestic insurers, regulates disclosures and policy and contract provisions, provides for the operation and administration of the medical malpractice joint underwriting association and the Minnesota Joint Underwriting Associations, regulates policy cancellations or termination and claims practices, regulates information handling practices, and establishes solvency requirements. 57-0

Bills granted final passage on Special Orders Monday, March 18

H.F. 3273-Riveness: Capital budget bill, provides for spending to acquire and to better public land and buildings and other public improvements of a capital nature and authorizes the issuance of bonds.

H.F. 24419-Novak: Clarifies the mandate for utilities to generate electric power using biomass fuel. 54-9

H.F. 1404-Langseth: Allows the commissioner of transportation to act as agent to accept federal money for nonpublic organizations for transportation purposes, increases the maximum speed limit on Metro Area freeways, increases the maximum lump sum utility adjustment amount allowed for relocating a utility facility, eliminates percentage limit for funding transportation research project and provides for federal research funds and research partnerships, allows counties more authority in disbursing state-aid highway funds, exempts charter buses from requirements of truck weight enforcement operations, regulates erection of highway signs identifying the entrance into a municipality, and makes technical corrections. 46-18

Bills granted final passage on Special Orders Tuesday, March 19

S.F. 2376-Laidig: Modifies provisions for the establishment of boundary lines for state lands, modifies provisions relating to the sale of trust lands, authorizing the commissioner of natural resources to pay specific outstanding real estate taxes and assessments, authorizes the commissioner of natural resources to transfer improvements on state owned land, authorizes the commissioner to sell certain land and authorizes the private sale of specific land. 59-0

S.F. 2686-Kelly: Allows police testimony on information from confidential informants in forcible entry and unlawful detainer actions. 59-0

H.F. 2163-Vickerman: Prescribes conditions for granting medical waivers to truck drivers, exempts drivers transporting agricultural items from certain federal regulations, and allows electronic filing of financial responsibility forms. 61-0

H.F. 2125-Frederickson: Authorizes the Pollution Control Agency to grant a variance from a specific rule. 60-0

H.F. 2841-Novak: Modifies provisions regarding minimum wages, increases penalties, modifies employer liability provisions and changes inclusions in earning statements. 60-0

S.F. 1997-Hottinger: Requires some businesses with state or local financial assistance to pay at least a poverty level wage. 39-23

S.F. 1824-Laidig: Requires suspension of a driver's license for a person charged with fleeing a police officer in a motor vehicle and requires revocation after conviction of that offense. 58-0

H.F. 66-Solon: Establishes the Board of Licensed Professional Counseling, requires professional counselors to be licensed, requires certain actions against occupational therapists to be commenced within two years, provides exceptions from x-ray operation examination requirements, requires rulemaking and provides penalties. 42-13

H.F. 14-Berglin: A resolution urging the United Nations to admit the Republic of China as a full member. 52-10.

Conference committee reports adopted and repassed Tuesday, March 19

H.F. 2625-Samuelson: Expands the public utilities commission of the city of Baxter from three to five members. 52-0

Bills granted concurrence and repassage Tuesday, March 19

S.F. 1086-Johnson, D.J.: Prohibits lobbying by a principal campaign committee or political party committee that issues refund receipt forms. 39-16

Bills granted concurrence and repassage Wednesday, March 20

S.F. 2342-Vickerman: Provides for the deregulation of motor carriers of property, establishes a carrier registration system, allows relief from safety regulations during declared emergency, creates exemptions from certain workplace drug and alcohol testing, requires alcohol testing, and changes the definition of warehouse operator. 51-0

S.F. 2275-Reichgott Junge: Requiring a victim's account of domestic assault or harassment to be considered in determining an arrested person's release, requires notice to law enforcement agencies, battered women's programs and sexual assault programs of release of arrested persons and requires notice of bail hearings to victims of domestic assault and harassment. 56-0

Conference committee reports adopted and repassed Wednesday, March 20

- H.F. 2321-Marty: Prohibits the Metropolitan Airports Commission from providing free parking. 53-0
H.F. 2330-Kleis: Requests the St. Cloud Area Planning Organization to assess and report on the land use planning and coordinating issues of the region. 40-14
S.F. 2194-Flynn: Includes the Metropolitan Council and its agencies employees in a definition of employee and allows the Metropolitan Council to determine an allocation method for wastewater services. 56-0
S.F. 2857-Cohen: Omnibus state departments supplemental appropriations. 48-7
S.F. 1981-Hottinger: Regulates the enforcement powers of the commissioner of commerce and clarifies the definition of nonconformity in respect of hearing aids. 54-0

Bills granted final passage on Special Orders Wednesday, March 20

- H.F. 2493-Morse: Modifies provisions of various local pension plans and makes miscellaneous benefit and administrative changes. 54-0
H.F. 1922-Morse: Authorizes cities to establish a municipal involvement process for certain trunk highway construction or reconstruction projects, provides for appointment of task forces for those projects and prescribes the powers of the task forces. 52-4

Bills granted final passage on Special Orders Thursday, March 21

- S.F. 2104-Stevens: Delays a requirement for lead-free markings for road pavement and modifies requirements relating to toxics in products. 36-23
H.F. 2385-Reichgott Junge: Establishes an evidentiary privilege for persons who preside at alternative dispute resolution proceedings. 57-0
S.F. 2127-Samuelson: Changes provisions related to the deaf and hard-of-hearing services division of the Dept. of Human Services. 58-0
H.F. 220-Pogemiller: Requires certain special primaries and elections to be conducted by mail. 34-28

Bills granted concurrence and repassage Thursday, March 21

- S.F. 2503-Price: Recodifies, modifies and expands provisions relating to the regulation and management of harmful exotic species and authorizes rulemaking. 58-0

Conference committee reports adopted and repassed Thursday, March 21

- H.F. 697-Solon: Permits the sale of long term care insurance policies with longer waiting periods and provides for disclosure. 56-1
S.F. 1996-Kelly: Provides for the establishment of visitation dispute resolution programs, requires specificity in visitation orders, and imposes penalties. 58-0
S.F. 2849-Stumpf: Higher education supplemental appropriations bill. 56-5
S.F. 2167-Morse: Environment and natural resources supplemental appropriations bill. 54-5

Preview

The Minnesota Senate Week at a Glance

Monday, March 25

Legislative Audit Commission

Chair: Rep. Ann Rest

8:30 a.m. Room 300 N SOB

Agenda: Review of survey on topic interest.

The Senate will meet at 10 a.m.

Tuesday, March 26

Senate Information Systems Subcommittee

Chair: Sen. Leonard Price

8 a.m. 237 Capitol

Agenda: Review of previous

subcommittee activity. Discussion of suggested policies. Examination of "User Policy" draft.

The Senate will meet at 9 a.m.

Wednesday, March 27

The Senate will meet at 9 a.m.

Thursday, March 28

The Senate will meet at 9 a.m.

Friday, March 29

The Senate will meet at 9 a.m.

Editor's Note: It is expected that conference committees on the major bills will continue this week. Please check the Legislative Gopher, the Legislature's World Wide Web Page, the Senate Hotline or the Senate Information Office for the latest information.

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<http://www.leg.state.mn.us>

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<gopher.revisor.leg.state.mn.us> (port 70)

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Party	Phone	Name	Room	District	Party	Phone	Name	Room	District
DFL	296-5537	Anderson, Ellen R.	120 Cap.	66	DFL	296-5645	Marty, John	G-9 Cap.	54
DFL	5713	Beckman, Tracy L.	306 Cap.	26	DFL	4154	Merriam, Gene	122 Cap.	49
R	5975	Belanger, William V., Jr.	113 SOB	41	DFL	4370	Metzen, James P.	303 Cap.	39
DFL	5094	Berg, Charles A.	328 Cap.	13	DFL	2577	Moe, Roger D.	208 Cap.	2
DFL	4261	Berglin, Linda	G-9 Cap.	61	DFL	7-8065	Mondale, Ted A.	226 Cap.	44
DFL	2556	Betzold, Don	G-24 Cap.	48	DFL	5649	Morse, Steven	G-24 Cap.	32
DFL	9307	Chandler, Kevin M.	111 Cap.	55	DFL	4264	Murphy, Steve L.	301 Cap.	29
DFL	4182	Chmielewski, Florian	325 Cap.	8	R	1279	Neuville, Thomas M.	123 SOB	25
DFL	5931	Cohen, Richard J.	317 Cap.	64	DFL	4334	Novak, Steven G.	322 Cap.	52
R	9457	Day, Dick	105 SOB	28	R	4837	Oliver, Edward C.	121 SOB	43
R	4131	Dille, Steve	103 SOB	20	R	1282	Olson, Gen	119 SOB	34
DFL	6128	Finn, Harold R. "Skip"	306 Cap.	4	R	5981	Ourada, Mark	145 SOB	19
R	2084	Fischbach, Michelle	132 SOB	14	DFL	1802	Pappas, Sandra L.	120 Cap.	65
DFL	4274	Flynn, Carol	120 Cap.	62	R	5252	Pariseau, Pat	109 SOB	37
R	8138	Frederickson, Dennis R.	139 SOB	23	DFL	9248	Piper, Pat	G-9 Cap.	27
DFL	3219	Hanson, Paula E.	328 Cap.	50	DFL	7809	Pogemiller, Lawrence J.	235 Cap.	59
DFL	6153	Hottinger, John C.	120 Cap.	24	DFL	7-8060	Price, Leonard R.	235 Cap.	57
DFL	8017	Janezich, Jerry R.	328 Cap.	5	DFL	7-8061	Ranum, Jane B.	325 Cap.	63
R	3826	Johnson, Dean E.	147 SOB	15	DFL	2889	Reichgott Junge, Ember	205 Cap.	46
DFL	8881	Johnson, Douglas J.	205 Cap.	6	DFL	7-8062	Riveness, Phil J.	317 Cap.	40
DFL	5419	Johnson, Janet B.	322 Cap.	18	R	4314	Robertson, Martha R.	125 SOB	45
R	4123	Johnston, Terry D.	117 SOB	35	R	1253	Runbeck, Linda	107 SOB	53
DFL	5285	Kelly, Randy C.	323 Cap.	67	DFL	7-8063	Sams, Dallas C.	G-9 Cap.	11
R	4848	Kiscaden, Sheila M.	143 SOB	30	DFL	4875	Samuelson, Don	124 Cap.	12
R	6455	Kleis, Dave	151 SOB	16	R	3903	Scheevel, Kenric J.	129 SOB	31
R	4120	Knutson, David L.	133 SOB	36	DFL	4188	Solon, Sam G.	303 Cap.	7
R	8869	Kramer, Don	131 SOB	47	DFL	4191	Spear, Allan H.	120 Cap.	60
DFL	7061	Krentz, Jane	235 Cap.	51	R	8075	Stevens, Dan	127 SOB	17
DFL	4302	Kroening, Carl W.	124 Cap.	58	DFL	8660	Stumpf, LeRoy A.	G-24 Cap.	1
R	4351	Laidig, Gary W.	141 SOB	56	R	6238	Terwilliger, Roy W.	115 SOB	42
DFL	3205	Langseth, Keith	G-24 Cap.	9	DFL	5650	Vickerman, Jim	226 Cap.	22
R	5655	Larson, Cal	153 SOB	10	DFL	7-8073	Wiener, Deanna	303 Cap.	38
R	4125	Lesewski, Arlene J.	135 SOB	21					
DFL	4136	Lessard, Bob	111 Cap.	3		6511	DFL Senators' Fax		
R	2159	Limmer, Warren	132D SOB	33		9441	R Senators' Fax		

Briefly

The Minnesota Senate Week in Review

March 29 and April 5, 1996

Session adjourns

The Minnesota Senate adjourned for the year, upon the motion of retiring Sen. Gene Merriam, at 2:15 p.m. Weds., Apr. 2. Prior to adjournment, members took action on the final two bills of the 1996 legislative session.

Senators approved a bill, H.F. 2102, containing many of the provisions contained in the omnibus tax bill. Negotiations in the tax conference committee had broken down and the other body sent the measure to the Senate just before adjourning for the year. Sen. John Hottinger (DFL-Mankato), chief sponsor of the Senate companion bill, said he was disappointed the other body had refused to vote on the property tax freeze and had sent the Senate a bill lacking many of the key provisions of the bills in the conference committee. "The tax freeze is not in this bill and property tax reform is not in here," Hottinger said. However, Hottinger added, "The bill does contain what is necessary for this year; the things that are important to the department. I am urging you to vote yes because it is the responsible thing to do." Sen. William Belanger (R-Bloomington) also expressed disappointment at the lack of results by the conference committee but urged support of the bill, "We have a responsibility to our colleagues and our constituents to do the best that we can; I urge support of this bill. The measure was given final passage on a vote of 49-14.

Earlier, members reconsidered a vote sending a bill making changes to waste management laws to conference committee. Senators had previously found amendments made by the other body to the bill, S.F. 1861, unacceptable. The measure, sponsored by Sen. Janet Johnson (DFL-North Branch), was then repassed by the Senate on a vote of 39-23.

After formal adjournment, Senators acknowledged five retiring members. Sen. Kevin Chandler (DFL-White Bear Lake), Sen. Ted Mondale (DFL-St. Louis Park), Sen. Phil Riveness (DFL-Bloomington), Sen. Carl Kroening (DFL-Mpls.) and Sen. Gene Merriam (DFL-Coon Rapids) were all honored for their years of service in the Minnesota Senate.

Bonding, recall bills passed

Conference committee reports containing bills to provide for \$522 million in

bonding, to stop the dual track planning process for the Twin Cities International Airport and to provide for the recall of elected officials were adopted and repassed in the wee hours of the morning Weds., Apr. 3, as the 1996 legislative session drew to a close. Senators delayed debate on a tax proposal sent over from the other body until later in the day.

The bonding proposal, one of the key items of the session, contains \$522 million in allocations for capital improvements and asset preservation throughout the state. Sen. Phil Riveness (DFL-Bloomington), explained the various provisions of the measure. Riveness said, "We struck a good balance between preserving our assets and new construction, a balance in terms of geography, in terms of projects for education and for the environment."

Included in the measure, H. F. 3273, are allocations of \$94 million for Minnesota State Colleges and Universities (MnSCU), \$94 million for the University of Minnesota, \$17.5 million for wastewater infrastructure program projects, \$89 million for a new 800 bed close-custody correctional facility, \$49.6 million for a variety of transportation projects, \$3.5 million for Head Start or other early childhood learning programs, crisis nurseries or child visitation centers, \$10 million for the Lake Superior Center, \$30 million for the Science Museum of Minnesota and \$12 million for the Minneapolis Convention Center. Riveness said the measure also contains a direct appropriation of \$5 million for a training facility to be operated jointly by MnSCU and the Ford Motor Company.

Discussion centered on questions from various Senators about differences between the conference committee version of the bill and the version of the bill as it left the Senate.

Sen. Gary Laidig (R-Stillwater) spoke in support of the measure. Laidig, who was a member of the conference committee, argued that the Senate conferees succeeded in providing for the highest priorities in capital asset preservation and construction.

The measure was approved 62-3.

Senators also granted final approval to the conference committee report prohibiting the construction of a new airport in Dakota County. H.F. 3012, sponsored by

Sen. Ted Mondale ends the "dual track planning process" and provides for implementation of the Minneapolis-St. Paul International Airport year 2010 long-term comprehensive plan. Mondale said that the conference committee made a good bill better and acknowledges that while we don't need a new airport at this time, we must continue to monitor the area's airport needs. The measure was repassed 56-9, with little debate.

The conference committee report on a bill proposing an amendment to the constitution to allow for the recall of elected officials touched off heated debate. H.F. 343, authored by Sen. Ember Reichgott Junge (DFL-New Hope), places the question on the ballot for the 1996 election and outlines the procedure for initiating recall.

Sen. David Knutson (R-Burnsville) argued against adopting the conference committee report. "The hurdles to recall are even higher than when this bill left the Senate; this is not public recall, this is not public involvement," Knutson said. Reichgott Junge countered that the bill provides protections against frivolous recall. "I believe this bill provides a good balance and that it offers a valuable tool to the public," said Reichgott Junge.

The conference report was adopted and the bill was repassed 34-30.

Two additional conference committee reports were adopted and repassed. H.F. 219, authored by Sen. Don Samuelson (DFL-Brainerd), contains the MNJobs provisions for welfare reform. Samuelson said that the changes made by the conference committee were mostly technical in nature and did not substantially alter the Senate position on the bill. The measure was repassed 58-6. The conference committee report on changes to the wetlands act, discussed earlier in the evening, was also adopted and repassed 63-2.

Subscription renewal

The last page of this edition of *Briefly* contains a subscription renewal for the Senate Publications Office mailing list. If you wish to continue receiving publications next session, please take a few moments to look over the form, make the necessary changes and return the form to the Senate Publications Office by May 1, 1996.

Committee update

Environment and Natural Resources

Prairie Island bill heard

At the Fri., Mar. 22, meeting of the Environment and Natural Resources Committee, Sen. Steven Novak (DFL-New Brighton) offered an amendment to a bill concerning the storage of nuclear waste at Northern States Power's Prairie Island facility that he said would "bring peace to Southeastern Minnesota."

Novak said the proposal, an amendment to S.F. 2495, contains a number of provisions, including a repeal of the 1994 requirement that NSP seek an alternative dry cask storage site within Goodhue County. The amendment also includes payments to the Mdewakanton Dakota Sioux Tribal Council of Prairie Island from two sources: \$8 million from the state, and, from NSP, \$2 million initially and a schedule of future payments totaling \$17 in lieu of property taxes, Novak explained.

Sen. Janet Johnson (DFL-North Branch) said that representatives of NSP had evaluated the cost of completing the alternative site search at \$18 million to \$20 million. She asked why NSP wasn't paying at least half of that amount to the Prairie Island community.

Tom Weaver, Public Affairs Director for NSP, said the utility is opposed to any payment requirement larger than \$2 million. Sen. Charles Berg (DFL-Chokio) said he was concerned about who would ultimately pay any additional amounts. "NSP won't pay-- it'll be the rate payers," Berg said.

Alan Childs, Sr., of the Prairie Island tribal community, cited the compensation paid to the residents of Love Canal, New York, as a similar example. Childs said the community would use the money to buy land for relocation.

Novak defended the proposal as being a product of a "political consensus" and hoped it would end the "controversy swirling around this issue." Committee Chair Bob Lessard (DFL-Int'l. Falls) announced the hearing would continue.

Prairie Island bill continued

The Environment and Natural Resources Committee continued its discussion on the Prairie Island nuclear waste storage issue at a Tues., Mar. 26, meeting. Before the committee was an amendment to S.F. 2495 that proposed an \$8 million payment to the Mdewakanton Dakota Sioux Tribal Council of Prairie Island, and the elimination of a 1994 requirement that Northern States Power (NSP) look for an alternative nuclear waste storage site within Goodhue County.

Bill Morris, of the Down River Alliance, testified against the alternative

storage site development elimination. In contrast to the comments of bill sponsor Sen. Steven Novak (DFL-New Brighton), Morris said the proposal "would not bring peace to Southeastern Minnesota." Morris also said his group is opposed to storage of nuclear waste on the Mississippi River because it makes people living downstream feel "politically expendable."

Kristen Eide Tollefson, a resident of Florence Township in Goodhue County where the alternative storage location is proposed, favored the site search elimination. She said Florence Township will consider seceding from Goodhue County if the storage site development proceeds. Sen. Gen Olson (R-Minnetrista) was concerned about other consequences of a new storage site. She asked, "If the Nuclear Regulatory Commission approves the new site, would that make Minnesota a magnet for nuclear waste from other sources?"

Sen. Steve Dille (R-Dassel) offered an amendment raising the limit of the number of casks that may be stored at Prairie Island from 17 to 25. Sen. Janet Johnson (DFL-North Branch) spoke against the increase saying it could also lead to Minnesota becoming a nuclear waste magnet. The amendment failed on a voice vote.

Discussion then turned to the \$8 million appropriation. Sen. Charles Berg (DFL-Chokio) questioned why the state was paying such a large amount when NSP only services one-third of the state. Novak said that NSP has 1.2 million customers which is more than half the state. Novak also said that many legislators on both sides of the issue consider it to be a statewide problem.

Sen. Gene Merriam (DFL-Coon Rapids) said that the proposal differs from the previous version of the bill by shifting the payment from NSP to the taxpayers. Novak defended the state appropriation by saying it was a political solution to the issue. Novak said the amendment also differs from the earlier version by not extending the life of the Prairie Island plant, by compensating the tribe, and by ending the alternative storage site search.

Novak then offered an amendment to his amendment that decreased the state appropriation to \$4 million and increased NSP's payment to \$6 million. Merriam then moved to amend the amendment so that NSP would pay the entire \$10 million. Merriam's motion passed 11-5 on a roll call vote.

Discussion then focused on a provision that makes the entire amendment non-severable. S Merriam asked, "If NSP successfully challenged the payment requirement in court, would the alternative storage site search elimination still stand?" Sen. Ellen Anderson (DFL-St.

Paul) attempted to prepare an amendment to address the issue, but realized it would take longer than time allowed. Committee Chair Bob Lessard (DFL-Int'l. Falls) then moved to lie the bill over. The motion was successful.

Finance

Bill aids hospital workers

The Finance Committee approved a measure Weds., Mar. 27, designed to help workers affected by the proposed integration of the University of Minnesota hospital and clinics and Fairview hospital and health care services.

S. F. 2175 appropriates \$1.8 million, an amount to be matched by the University, to maintain health and education benefits for University employees who become new employees at Fairview or a new entity.

Under the integration plan, the University sells the hospital and parking lot to Fairview for \$90 million. The University makes a permanent \$20 million cash investment in Fairview and makes available an additional \$20 million for four years. Hospital officials estimate from 600 to 800 of the existing staff of 4,000 employees may lose their jobs. Those workers would receive severance pay, and be eligible for assistance under the state's dislocated workers program.

The bill also has language intended to insure University hospital employees receive retirement benefits that reflect contributions made prior to the joint agreement.

Bill sponsor, Sen. James Metzen (DFL-South St. Paul), said the package includes transitional money to help employees while the merger takes place. He said the provisions were drawn up after months of negotiations among hospital officials, unions, and other interested parties. Committee Chair, Sen. Gene Merriam (DFL-Coon Rapids), commented it's "real easy to get parties together, as long as someone else is going to pay." He said he is concerned the bill, which requires Fairview to apply for grants to provide training or retraining to employees at risk of becoming dislocated workers as a result of the agreement, could kill the deal.

Sen. Cal Larson (R-Fergus Falls) said the matching fund requirement could lead to higher tuition at the University. Sen. Tracy Beckman (DFL-Bricelyn) said the Senate should be doing more to help those who will lose their jobs, not those who will retain their jobs. Sen. Carl Kroening (DFL-Mpls.) agreed, saying the "first order of business is to get those who lose their jobs back to work." He questioned the need for taxpayer funding, saying the University will see additional revenue from payroll reductions and the sale of assets. Sen. Janet Johnson (DFL-North Branch) said workers, not large

institutions are helped by the bill, which he called worth the money.

Sen. LeRoy Stumpf (DFL-Thief River Falls) said the bill will lead to employees working side by side with different benefits, something he called a ripe environment for an unhappy association. He offered an amendment that limits the time the transferred workers receive education and health benefits under the bill. Metzen said he objects strongly to restrictions that limit the University's flexibility in using the money. After lengthy debate, the amendment was defeated. The bill was approved and sent to the full Senate.

Another bill sponsored by Metzen won committee approval. S.F. 530 proposes an amendment to the Minnesota Constitution permitting the payment of a monetary bonus to veterans of the Persian Gulf War. The question would be on the 1996 general election ballot. Metzen said the bonus is offered in recognition and appreciation of those who were separated from their families and underwent hardship during the war. He noted veterans of other wars have been granted benefits as a result of their military service. The measure includes no appropriation; that would be determined by the Legislature if and when voters approve the amendment. The bill was referred to the Rules and Administration Committee.

The committee approved a measure that reduces the property tax recognition shift, an accounting practice under which the state requires school districts to factor future revenues into their budgets. Merriam said the bill is the result of a negotiated agreement between leadership in both chambers and the governor. The proposal increases the state's budget reserve to \$270 million and reduces the tax shift by \$682 million, or 85 percent, over the next two years. The bill includes a Senate recommendation to protect the budget reserve should the November budget forecast decline, and creates a school account if the November budget forecast is favorable.

The proposal was sent to the Senate floor for introduction.

Thursday, March 21

Lead paint ban lifted

A ban on the manufacture and distribution of lead paint is lifted, under a bill approved on the Senate floor Thurs., Mar. 21.

The ban was slated to go into effect in 1999. But a delete-all amendment to S.F. 2104, offered by author Sen. Dan Stevens (R-Mora), requires instead a report from businesses manufacturing paint, ink or fungicide containing lead, mercury, cadmium or chromium. The businesses

must report on the "technical and economic feasibility" of removing toxic metals from the product's manufacture. The commissioner of the Pollution Control Agency will use the reports to make a recommendation to the Legislature by Dec. 1, 1996, whether to ban products containing toxic metals.

Stevens sponsored the bill in response to complaints from Mn-DOT, he said. The department had not been able to find a lead-free yellow paint durable and bright enough for road-striping. Originally, S.F. 2104 delayed the ban for road-marking paint until July, 1998.

Sen. Jane Ranum (DFL-Mpls.) said Stevens's amendment would damage Minnesota's progressive ban against products containing toxic metals. Inner-city residents, Ranum said, are threatened by lead paint in buildings as well as on freeways. "By just going to reporting, we are retreating," she said.

Sen. Linda Berglin (DFL-Mpls.) said a great deal of evidence shows that lead poisoning is more frequent next to freeways, and Sen. Steven Morse (DFL-Dakota) said the toxin-ban protects Minnesota's fishing lakes, many of which contain high levels of mercury.

But Sen. Charles Berg (DFL-Chokio) supported Stevens, saying that it's already difficult for driver's to see road striping already in certain weather conditions.

Steven's delete-all amendment was approved 34-25; the bill then passed 36-23.

The Senate also approved H.F. 2385, authored by Sen. Ember Reichgott Junge (DFL-New Hope), a bill prohibiting mediators from being compelled to testify in court over proceedings during mediation or arbitration. But a mediator may, under the bill, be forced to testify about conduct that constituted a crime or professional misconduct. The vote was 57-0.

Supplemental budgets pass

In other action at the Thurs., Mar. 21, floor session, the Senate gave final approval to two conference committee supplemental budget reports.

S.F. 2849 contains \$16 million in spending for higher education. Sponsor, Sen. LeRoy Stumpf (DFL-Thief River Falls), said the Senate and the other chamber both passed bills appropriating close to \$10 million, but the conferees had the "luxury of having some additional money available."

Stumpf, who chairs the Higher Education Division, outlined the spending in the conference report. Over half the amount -- \$9 million -- goes to the University of Minnesota. Most of that amount -- \$8.6 million -- is earmarked for the Academic Health Center, which includes funding for information technology, rural health care, and re-engineering. Four-hundred thousand dollars, \$100,000

under the Senate amount, goes to start a joint distance learning project with Minnesota State Colleges and Universities (MnSCU).

MnSCU also receives \$400,000 for the project. The rest of MnSCU's \$5.3 million in supplemental spending includes \$50,000, equal to the original Senate appropriation -- for an applied research center in Bemidji; \$4.5 million -- above the original amount -- for an electronic academy; \$150,000, similar to the Senate bill, for computer hardware for a farm management program; and \$175,000 for a work skills upgrade program. The skills program was not funded in the original Senate bill. Sen. Cal Larson (R-Fergus Falls), who served on the conference committee, said conferees put the item in the bill because "as many businesses downsize, we think it is important to have a program like this. It will offer residents of our state greater opportunities for continued employment."

The supplemental bill includes \$1.7 million for the Higher Education Service Office (HESO). The total, below the \$2.17 million in the Senate bill, includes \$1.5 million for student financial aid, \$150,000 for an online library information system, and \$50,000 for a public law loan program. The Senate bill did not fund the loan program.

The higher education spending bill passed the full Senate on a 56-5 vote.

The Senate gave final passage to S.F. 2167, the conference committee report on supplemental agriculture, environment, and natural resources appropriations. Sponsor, Sen. Steven Morse (DFL-Dakota), said there are "not too many significant changes" in the report from the measure approved by the Senate. He said it increases spending in the future resources fund by \$500,000 due to increased revenues.

Included in the \$10.5 million package are money for pollution control, natural resources, the Board of Water and Soil, environmental assistance, and the Environmental Quality Board. Projects funded include urban pest management, \$75,000; turf grass research, \$50,000; and a study of deformed frogs, \$151,000. Money also goes to state parks, \$1 million; landfill insurance negotiations, \$456,000; disaster relief, \$240,000; and an off-road vehicle park, \$1.3 million.

Sen. Dennis Frederickson (R-New Ulm) questioned a \$200,000 expenditure for alfalfa research, an item not included in the Senate bill. Morse said the committee heard testimony on the matter and considers it a worthy project. He added that the state funding will be matched by the federal government.

Sen. Steve Dille (R-Dassel) said he is disappointed the conferees included \$20,000 for the Minnesota Dairy Produc-

Floor action

ers Board. "I had hoped it would be dropped," he said, "many people think it's a waste of money." He said the make-up of the board is "not well-balanced." Morse said the idea of the board "wasn't to represent big producers and big marketers, rather the people on the farm."

Sen. Jim Vickerman (DFL-Tracy) said he is pleased the committee retained a \$50,000 appropriation for a "Passing on the Farm" program. He said program will help keep young farmers on the farm.

S.F. 1996, sponsored by Sen. Randy Kelly (DFL-St. Paul), received final approval on a 58-0 vote. The conference committee report covers family law. It requires specificity in visitation orders and sets up mandatory visitation dispute resolution programs. Under the bill, a court can designate a law enforcement officer to accompany someone seeking to enforce or comply with visitation. The measure also establishes a \$500 penalty for violations of the law.

The Senate gave final passage to H.F. 220, which requires certain special primaries and elections to be conducted by mail. The 34 to 28 vote came after Sen. Roger D. Moe (DFL-Erskine), used a parliamentary maneuver to allow the Senate to reconsider the bill, which had been defeated earlier in the day.

Friday, March 22

Major bills to governor's desk

The Senate granted repassage to two major conference committee reports, S.F. 2856, the crime prevention omnibus bill and H.F. 2818, the health and human services omnibus bill, Fri., Mar. 22.

Senate author Don Samuelson (DFL-Brainerd) said that the \$12.5 million health and human services package funds numerous initiatives including programs for the elderly, the disabled, infants and children. Describing the proposal as "user friendly," Samuelson said, "we've done very well with the limited amount of resources available to us, and I urge your support."

Sen. Thomas Neville (R-Northfield) and Sen. Sheila Kiscaden (R-Rochester) argued against adoption of the conference committee report. Kiscaden acknowledged that the proposal contained many laudable programs, in spite of tight budgetary constraints. "But we probably have not come far enough to avoid a veto," she cautioned, reminding members of the measure's numerous fiscal tails.

Neville's objection, and subsequent motion to reject the conference committee report, revolved around the sale of Fairbault's St. Lucas Nursing Home to Americare, Inc. He told members that if the \$450,000 receivership fees are not waived, Americare will cancel the purchase agreement.

"Normally I'd want the private sector to handle this, but because the state controls nursing home reimbursements to such a great degree, this is the only option," Neville said. "If this isn't done within the next month, they will be forced to close."

The expense to the Dept. of Human Services for relocating the residents is estimated between \$750,000 and \$1 million. "The state will incur costs no matter what," Neville said, "not to mention all the human costs associated with such a relocation."

But Samuelson told members that the department assured him that the issue can be dealt with next session. "This is not a good enough reason to send this bill back to conference," he said. Members defeated Neville's motion 24-39, and approved the conference committee report, 47-17.

Senators also approved the conference committee report on the crime prevention omnibus bill, 63-1. The dissenting vote was cast by Sen. Gene Merriam (DFL-Coon Rapids). Merriam objected to a provision, which carries a price tag of approximately \$1 million, that adds 400 prison employees to a stepped-up pension plan.

Senate author Tracy Beckman (DFL-Bricelyn) told members that the \$17.3 million package responds to public concern about ever-increasing violent crime and addresses the fiscal impacts of growing crime on an already overburdened prison system.

The bill appropriates funds for preventative measures including community policing programs, crisis nurseries, juvenile treatment centers and visiting nurses. It also contains a community notification program and stiffer penalties for felons possessing firearms. "The bill supports the policy of using prison beds for hard-core offenders and alternatives for those who have committed lesser crimes," Sen. Allen Spear (DFL-Mpls.) said.

Neville spoke in favor of the bill. He said that it met the Crime Prevention Committee's three objectives: allocations for officers, preventative measures and prison cost containment. He also thanked members for "their bi-partisan efforts and cooperation."

Co-generation bill passed

The Senate passed a bill Fri., Mar. 22, that will provide a \$2 million tax break to a proposed co-generation power plant.

Sen. Steve Novak, sponsor of S.F. 1147, said the bill provides an exemption from equipment property tax to any plant producing power with more than 40 percent efficiency. Koch Industries, which lobbied for the bill, has proposed building a co-generation plant at its Rosemount oil-refinery.

The exemption provided by S.F. 1147 increases with efficiency, although wind-energy plants are not eligible for the tax break. The bill also requires the commissioner of revenue to study inter-state disparities in utility taxes and report to the Legislature next session.

Despite the tax break, Novak noted, the plant would still pay \$500,000 to \$1 million in regular property taxes. Novak said co-generation will be "important for Minnesota's environment and economy."

Sen. Janet Johnson (DFL-North Branch) said she hopes the co-generation plant will become a reality. Unfortunately, she said, proposals in the past have fallen when companies instead negotiate with NSP for reduced rates.

Sen. Douglas Johnson (DFL-Cook) said the bill is "outrageous" and misdirects state money to a wealthy business. "Koch Industries is a huge, huge corporation," he said. "It has operating income of \$3.66 billion." Sen. Charles Berg (DFL-Chokio) agreed. "This is corporate welfare at its worst," he said.

The Senate substituted H.F. 637 for the bill, and approved final passage on a roll-call vote of 41-22.

Tuesday, March 26

Campaign law amended

Minnesota can't let another election year go by without an effective campaign practices law, said Sen. Ember Reichgott Junge (DFL-New Hope), urging passage of her bill S.F. 1895. The bill, passed Tues., Mar. 26, modifies the campaign fair practices act to conform with language suggested in a recent court decision. The bill renders candidates liable for prosecution under the act if they knowingly disseminate false statements, or spread such material with "reckless disregard of the truth." Current law, which targets candidates who have "reason to believe" a statement is untrue, has been found unconstitutional.

Sen. Gary Laidig (R-Stillwater) introduced an amendment to S.F. 1895 prohibiting independent expenditures by a candidate's campaign committee. Laidig said the independent expenditures allow campaigns to skirt laws that prohibit transfer of their funds to another campaign. "If I had my way, there wouldn't be any independent expenditures," Laidig said.

Sen. Martha Robertson (R-Minnetonka) supported Laidig's amendment, saying campaign committees shouldn't be allowed to spend contributors' money "in a race that you have no business being involved with." Robertson said some candidates are "sitting on war chests" that could influence elections across the state.

Reichgott Junge, however, opposed the amendment, saying it ties the hands of

committees that want to respond to last-minute attacks against fellow candidates. The amendment failed 30-34. Robertson later amended the bill to require reporting of independent expenditures by candidates' principle campaign committees.

Sen. Phil Riveness (DFL-Bloomington) also amended the bill to include pictures or symbols in campaign material covered by the fair practices act. Riveness distributed a photo of himself, that was cropped by an opposing candidate in a way that altered the context of the event and used in campaign brochures. The amendment was approved on a voice vote.

Another amendment to the bill, offered by Sen. Don Betzold (DFL-Fridley), would raise spending limits for a candidate if the candidates' opponent had "banked" credits for radio and television ads. Betzold said some candidates spend thousands of dollars purchasing such credits before an election year begins. "The purpose is to get around the expenditure limits," he said. Betzold's amendment was defeated on a voice vote.

S.F. 1895 was approved 63-0.

The Senate also approved three conference committee reports.

S.F. 2445, authored by Sen. Janet Johnson (DFL-North Branch), is the omnibus fish and wildlife bill. Johnson said the bill retains the requirement that hunters wear one piece of blaze orange above the waist, but poses no penalties for those who fail to do so. A provision requiring all boaters to have a life jacket was retained, but the conferees compromised by delaying enforcement of the law, she said. The bill was approved 55-0.

S.F. 2123, authored by Sen. Roy Terwilliger (R-Edina), requires children on 72-hour protective hold to be placed in the least restrictive environment possible. S.F. 1919, authored by Sen. Linda Runbeck (R-Circle Pines), "cleans up" reemployment insurance laws. The conference committee removed Senate language that held business owners harmless for reemployment insurance costs when their businesses are seized by eminent domain. Sen. Jane Ranum (DFL-Mpls.) said she did not sign the conference committee report because she believes strongly that the Legislature must deal with the condemnation issues. The bill was approved 46-16.

Pawnbrokers bill approved

Senators granted repassage to several conference committee reports on the during the latter half of the Mar. 26, 1996 session. A conference committee report providing for the licensing and regulation of pawnbrokers was presented by Sen. Leonard Price (DFL-Woodbury). Price said that the Senate wanted to exclude storage service fees under bill, H.F. 2752, although the other body would not agree

to this exclusion. A compromise was reached, prohibiting the fee for storage and service from exceeding \$20 if the property is not in the possession of the pawnbroker. The bill was repassed on a 58 to 0 vote.

Other bills receiving repassage are H.F. 2580, a bill sponsored by Sen. Don Samuelson (DFL-Brainerd), providing for the sale of fish houses to nonresidents, provided that the house is never unattended, and H.F. 2375, a bill authored by Sen. Ember Reichgott Junge (DFL-New Hope), requiring the submission of a report to a municipality from the city engineer showing the need and cost-effectiveness of local improvements as well as prohibiting fees for preparing certain reports from being based primarily on the estimated cost of improvement. Senators also passed the conference committee report on H.F. 2171, sponsored by Sen. Steven Morse (DFL-Dakota), clarifying the powers of the pollution control agency board and commissioner.

Wednesday, March 27

Women's race bill okayed

The Senate granted final passage Weds., Mar. 27, to H.F. 2042, a bill that relates to the Human Rights Act. Author Sen. Ellen Anderson (DFL-St. Paul) told members that the impetus behind the bill was a lawsuit aimed at Bruegel's Bagels, the sponsor of an annual women's-only race. "This is an example of political correctness that has gone too far," she said of the lawsuit.

Anderson offered an amendment that limits participation of either gender in certain events under specific circumstances. "It changes the human rights law so that if you have a very good reason, you could have an all female event," she said.

Under the amendment, restrictions are allowed if they are necessary to preserve the unique character of the team, program, or event. Additionally, such restrictions can not substantially reduce comparable athletic opportunities for the other sex.

"This puts some narrow restrictions in place that says if you want to have a mother's day race for mothers exclusively, or a father's day race for father's only, you can do so," Anderson said. Members approved the amendment and the bill was granted final passage, 50-10.

Also granted final passage was H.F. 2816, a bill that regulates the sale of personal information about consumers of computer information services. Author Sen. Ted Mondale (DFL-St. Louis Park) offered an amendment that establishes a committee to study and recommend uniform standards for data privacy and information services. "Minnesota has the second largest population of on-line users

in the country," Mondale said, "and it behooves us to establish standards and get out front on this issue."

Sen. Gene Merriam (DFL-Coon Rapids) raised concerns about the committee's formation and its composition. "It seems that the group is heavily weighted toward members who have vested interests and not toward private citizens," he said. "Even if it is only to make recommendations, I'm not sure they're the ones who should be doing this."

Merriam offered an amendment, which members adopted, that directs the Information Policy Office to oversee the committee, rather than the Minnesota Government Information Access Council. Senators adopted the Mondale amendment and passed the bill, 52-0.

Sen. Linda Berglin's (DFL-Mpls.) resolution, S.F. 2061, to secure a state apology for past practices that may have injured individuals with developmental disabilities was voted down by members and diverted to the Rules and Administration Committee. "This is simply an apology to bring closure to the unfortunate things these people have experienced in the past. They are not looking for a way to sue the state," Berglin said, "they're simply looking for closure."

But several Senators challenged Berglin's resolution, arguing that it puts the state at risk for legal costs. "I am concerned about the resolution because the breadth and lack of specificity invites litigation," Sen. Ember Reichgott Junge (DFL-New Hope) said.

Sen. Charles Berg (DFL-Chokio) told members that the actions of the past were "predicated on the best knowledge that they had at the time. The resolution does more harm than good."

Thursday, March 28

Punitive damages limited

A bill setting restrictions on punitive damage awards for people harmed by medical products was passed by the Senate Thurs., Mar. 28, after lengthy debate. The bill's sponsor, Sen. Don Betzold (DFL-Fridley), said the bill only affects FDA approved products when the manufacturer has made a good faith effort to comply with the approval procedures. Betzold added that lawsuits tend to interfere with research and development, and passage of the bill could lower the cost of healthcare.

Sen. Kevin Chandler (DFL-White Bear Lake) said he was concerned that the bill would set up a "barrier to prevent ordinary people from suing when there have been deliberate acts of recklessness." Chandler asked if people could still sue in those situations. Betzold said that under the bill, a manufacturer could still be held

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liable for withholding evidence.

Other Senators expressed concern about using compliance with the FDA approval process as the standard for liability immunity. Sen. Ember Reichgott Junge (DFL-New Hope) said efforts are underway at the federal level to change the process in the name of improving and streamlining it, and thus the standards are changing. She cited an example where the approval process did not require enough information for the FDA to make a decision. Reichgott Junge offered an amendment that would make a manufacturer liable if they "proceeded to act with intentional disregard" for the health and safety of consumers. Betzold opposed the amendment, saying the rest of the bill was tied to the FDA approval process and that the amendment would set up an entirely different standard. He said that if a company violates the approval process or submits fraudulent information, they lose their protection. The amendment failed on a 24-36 roll call vote.

Sen. Pat Piper (DFL-Austin) raised the example of breast implants which she said began causing health problems in women fifteen years after approval. She asked if lawsuits could be filed in a similar case under the bill. Betzold said that the approval process is not just a one time event, but is an ongoing process. He said if problems arise from a product after initial approval, it could lose its approval later on. Betzold added that if a manufacturer later learns of a problem with a product, they have a duty to notify the FDA. The bill passed 37-25.

In earlier action, two other bills sponsored by Betzold were given final passage after compromises were reached in conference committee. One of the bills, S.F. 842, makes revisions to the powers and duties of the Board of Psychology. Explaining the compromise bill, Betzold said an amendment, offered on the Senate floor by Sen. Gary Laidig (R-Stillwater), dealing with interstate licensing reciprocity prevailed. The conference committee also changed the term "disciplinary fee" to "civil penalty," allowing the board greater leeway when imposing sanctions, Betzold said. Sen. Linda Runbeck (R-Circle Pines) supported the bill, but said there were still some areas of concern. The bill was repassed on a roll call vote of 56-0.

Betzold's other bill, S.F. 2255, establishes a procedure for filling vacancies in city councils and county boards when an elected member is chronically absent. Betzold highlighted the differences between the Senate bill and the compromise reached by the conference committee. One difference, he said, is that once a person is able to return, the county board is required to restore that person to the office to which they were originally elected, after a replacement has been

appointed to fill the vacancy. Another difference, Betzold said, was that a provision providing a similar process for school board vacancies was deleted because it was discovered that a similar provision already existed in statute. The bill also received a unanimous 56 votes on repassage.

Minimum wage bill approved

The Senate approved a bill raising the minimum wage large employers must pay from \$4.25 per hour to \$5.00 per hour by September 1996, and by September 1997, to \$5.35 per hour. The bill will affect Minnesota's 100,000 plus minimum wage workers, said author Sen. Randy Kelly (DFL-St. Paul).

Discussion of the conference committee report, originating from S.F. 302, led to contentious debate among members. There are many distortions that occur when trying to fix problems such as minimum wage, for one group, creating more problems for other groups, said Sen. Linda Runbeck (R-Circle Pines) "Minimum wage correlates with age, lack of skill, lack of education, lack of experience. It is a temporary fact of life," said Runbeck. Runbeck said that she believes the minimum wage issue has become a "moot issue, politically" and that DFL members are working in the interest of minimum wage earners who "don't vote".

"I can hardly believe my ears. To say we should ignore those individuals on minimum wage because they don't vote anyway. Twenty six percent of Minnesotans are working at minimum wage level and they have trouble meeting their own needs," said Sen. Linda Berglin (DFL-Mpls.).

Sen. Ember Reichgott Junge said that it is immoral to ask persons to work full time and still live in poverty. At minimum wage, an individual can work full time and make only \$8,600 per year, she said. "The majority of these individuals are women who want to be self-sufficient, and don't want to be on welfare," said Reichgott Junge. The bill passed on a 44-20 vote.

Senators gave overwhelming support to the omnibus education bill that emerged from conference committee, voting 62-1 for its passage. The bill added several House provisions but stayed within the Senate spending target of \$32 million, said author Sen. Lawrence Pogemiller (DFL-Mpls.). One new feature of H.F. 2156, adopted from the House version of the bill, is \$3.5 million for "first-grade preparedness" programs. The programs include both all-day kindergarten and kindergarten for four-year-olds. The Department of Children, Families and Learning will award the money to districts with the highest numbers of students receiving free or reduced-price lunches.

Suburban districts experiencing an influx of new low-income residents will be eligible for \$150,000 of low-income concentration grants, under another new provision of the bill. Also, \$300,000 in grants to districts exploring student discipline are made available in the conference committee report.

The bill retains measures favored by the Senate committee, Pogemiller said, including \$12 million to fund technology in the schools, \$5 million for after-school programs and \$3 million to develop the graduation rule.

The other body also wants to reinstate penalties for school districts which maintain fund balances. The Senate Education Committee, Pogemiller said, believes the penalties constitute "micromangement." A compromise was reached reinstating the penalties, but providing relief in the form of technology grants to the districts suffering penalties this year, said Pogemiller.

Senators also took up debate on H.F. 2204, the conference committee report on a nuisance action bill sponsored by Sen. Ellen Anderson (DFL-St. Paul). The report expanded the list of actions that could be classified as nuisance related activities to include gun sales, gambling and drug deals. The report also included a sunset provision of three years.

"By putting in the maximum due process laws, we have create a comfort level for Senators who thought the bill could be used to harass or discriminate," said Anderson.

Sen. Thomas Neuville (R-Northfield) commented on the inclusion of gambling as a nuisance act. "What about a group of people who have a weekly game?" asked Neuville. "Is that reason to bring action?"

Anderson said that the bill would only apply to criminal offenses. Neuville responded that criminal offenses may be the intent, but that the bill's language did relay this message. The bill failed on a 30-32 vote.

Friday, March 29

Mail voting expanded

More small towns will be allowed to conduct elections by mail, under a bill approved on the Senate floor Fri., Mar. 29.

H.F. 2101, authored by Sen. LeRoy Stumpf (DFL-Thief River Falls), is the second bill expanding mail ballots passed this session by the Senate. Under current law, towns of less than 400 can conduct elections via mail; Stumpf's bill extends the option to towns under 1,000.

"The bill is permissive, it reduces (election) costs by 40 percent, and it helps increase voter participation," said Stumpf.

Senators defeated an amendment

offered by Sen. Pat Pariseau (R-Farmington) that would have reduced the eligible population to 600. "I think there's good reason to go a little slower on this (mail-in balloting)," she said. Stumpf, however, said any amendment would effectively kill the bill, due to House rules and the impending adjournment of the session.

The amendment failed on a 24-35 vote; and H.F. 2101 was approved 35-28.

Senators confirmed the appointment of thousands of notaries public. They also confirmed William A. Smoley's seat as a trustee of Minnesota State Colleges and Universities.

The Senate passed several conference reports. S.F. 317, authored by Sen. Don Betzold (DFL-Fridley), provides statutory authority to cities to close businesses that are operating in violation of licensing ordinances. Betzold said the House added an effective date and clarified one provision of the bill. The bill was approved 57-0.

Recall debated

After nearly three hours of heated debate, Senators granted final passage Fri., Mar. 29, to H.F. 343, a bill that gives voters a process to remove elected public officials from office. The measure proposes an amendment to Minnesota's constitution and establishes a procedure for removal of state officers including Senators, Representatives, executive officers and judges. "This is a powerful new tool," author Sen. Ember Reichgott Junge (DFL-New Hope) said of recall. "Up until now the voters have been locked out."

Grounds for initiating recall procedures include malfeasance, nonfeasance or conviction of a serious crime while in public office. Additionally, recall is prohibited during the first six months or the last six months of an official's term.

Sen. David Knutson (R-Burnsville) objected to Reichgott Junge's proposal, saying that it contains cumbersome roadblocks. Knutson said, "recall is an effort to give power to the people, but this proposal doesn't do that."

Sen. Gary Laidig (R-Stillwater) also argued against the bill. Laidig said that the complexity of the recall process renders the tool ineffective. "This simply won't work," Laidig said. "It's carefully crafted to make darn sure it doesn't work and to give voters the idea that they are somehow able to participate in our legislative careers under this proposal, is a hoax."

But Reichgott Junge defended the proposal, saying that the entire recall procedure can be accomplished in 45 days or less. Furthermore, she argued that while court involvement might slow the process down somewhat, it also protects officials from single issue recall. "This is the happy

medium," she said. "I don't want to open the door to political terrorism."

Sen. Roger Moe (DFL-Erskine) rose to support the bill. "It does give the voters of Minnesota another tool -- one that can be used, but not abused," he said. On a close vote of 34-29, the bill was granted final passage.

Members also adopted the conference committee report on S.F. 1997, a bill requiring businesses that receive public financial assistance to pay workers at least \$7.28 per hour. Carried by Sen. John Hottinger (DFL-Mankato), the measure exempts several companies, including small family-owned operations, from the livable wage mandate.

"We're simply asking for accountability," Hottinger said. "When we provide taxpayer dollars to businesses, asking for accountability is not asking for too much."

Several members spoke against the measure, including Sen. Linda Runbeck (R-Circle Pines). "This is a backdoor way of establishing a new minimum wage," she said. "It essentially creates a new entitlement."

Runbeck also voiced concerns about the subsequent costs that accompany the livable wage. "Who pays when we decide to transfer wealth in this way to these lower paid workers?" she asked.

Sen. Dean Johnson (R-Willmar) expressed doubts about the impact of the bill. "The message is that government is moving into the free enterprise system and setting wages," Johnson warned. "If you keep sending the message of government intervention, then there will be companies around the nation and around the world that will not want to come to Minnesota."

Sen. Dennis Frederickson (R-New Ulm) claimed that the bill lacks flexibility. He said that some small companies can't meet the \$7.28 standard and will be forced to either lay off employees or shut down.

"One of the hallmarks of the bill is flexibility," Hottinger countered. There are numerous provisions for exemptions, he said. Under the bill, companies receiving less than \$25,000 annually in grant and loan assistance are not required to meet the livable wage standard.

Moe spoke in favor of the proposal. "This establishes a basic safety net," he said. "It puts into place a floor that will provide consistency in the long-run, a standard that will endure beyond Commissioner Novak's progressive policy."

Sen. Kevin Chandler (DFL-White Bear Lake) argued that in other instances where public financial assistance is provided, accountability is required. "If you apply for a student loan, you have to follow certain requirements," he said. "But when it comes to a corporation, just hand the money over."

Airport bill discussed

The Senate considered two more bills before adjourning Friday evening.

S.F. 1829 bans construction of a new Metro airport in Dakota County and ends the dual-track planning process. The bill, carried by Sen. Ted Mondale (DFL-St. Louis Park), also halts buying land in preparation for a new airport, directs the Metropolitan Airport Commission (MAC) to spend no less than \$135 million for noise reduction and land purchases near the Minneapolis St. Paul International Airport, and allows only quieter jets to use the airport after 1999.

Other provisions prohibit construction of a third east-west runway, allow adding a north-south runway, and divert smaller aircraft to nearby reliever airports.

Sen. Deanna Wiener (DFL-Eagan) offered an amendment to the bill that she said makes four changes: requires the approval, if construction of an additional east-west runway is considered, of cities that would receive a significant increase of aircraft noise as a result; increases the amount the MAC spends for noise mitigation to \$185 million; calls on the State Advisory Council on Metropolitan Airport Planning to review and comment on a yearly report from the MAC concerning operations at the Metro airport; and calls on the MAC to contract with the University of Minnesota to prepare an aviation service and facilities analysis, including an examination of the relationship between various levels of aviation service, and the relocation of commercial and industrial enterprises to the state.

On a motion from Sen. Terry Johnston (R-Prior Lake), the amendment was divided. Addressing the second section, which concerns the University study, Wiener said the Legislature needs more information about the relationship between air service and the relocation of economic areas. She said the study would cost no more than \$50,000. Johnston rose in opposition to the proposal. Sen. Martha Robertson (R-Minnetonka) also spoke against the study, saying there have already been seven years of research on present and future airport needs. The second section of the amendment was approved on a 42-20 vote.

Sen. Gene Merriam (DFL-Coon Rapids) divided the remaining part into two sections, isolating a provision that adds \$50 million to the amount the MAC spends on noise abatement. Merriam questioned the language that specifies a minimum amount to be spent. Mondale responded that the amount, which is mostly federal money, has been approved and funded, and the Legislature needs to assure airport-area residents that the dollars will be available in the future. He said the MAC has \$194 million budgeted for the entire program through 2002,

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while the provision spends \$9 million less. The partition was approved on a 40-23 vote.

The remaining part of the amendment requires the MAC to enter into a contract with affected cities if it considers constructing a third parallel east-west runway. Johnston noted such runway construction is prohibited elsewhere in the bill, and questioned why "permissive language" is being added. Wiener replied there is a "suspicion a third parallel will be built despite assurances," that it won't. Sen. Linda Berglin (DFL-Mpls.) added that laws can be changed or stricken, so the contract stipulation adds extra protection against an additional east-west runway. The Senate approved the final partition on a 48-15 vote. With all the sections of the Wiener amendment approved, Mondale asked that the bill be laid upon the table.

The Senate voted to reject a conference committee report on H.F. 3243, a measure appropriating \$28 million for economic development. The jobs, energy, and community development supplemental spending bill, carried by Sen. Carl Kroening (DFL-Mpls.), includes \$5 million for the Minnesota Investment Fund, \$100,000 for the Minnesota Film Board, and \$250,000 for the Job Skills Partnership board. Additional funding goes to the Housing Finance Agency, the World Trade Center Corporation, the Department of Economic Security, and the Department of Labor and Industry. The omnibus measure also contains money for the Minnesota Film Board, administration of contamination clean-up grants, and summer youth employment programs.

Kroening said the conference report is similar to the bill the Senate passed, but some changes were made to accommodate the other chamber and the governor. He noted several differences, including the establishment of a recreation zone in the Voyageur Recreation Area, funding for a St. Anthony Heritage Board, and a new rider transferring money to the World Trade Center.

Sen. Arlene Lesewski (R-Marshall), who served on the conference committee, said although the bill has many good points, she did not sign the report. She said her objections are: a \$5,000 appropriation for a study of the compatibility of metal materials shredding projects with tourism and other nonindustrial uses of the Mississippi River Critical Area; the addition of a "livable wage" provision to language about economy recovery grant; a \$9 million transfer from the reserve fund to establish an Energy Assistance Fund; and the exemption of a deputy registrar from new rules written by the Department of Public Safety. She moved the Senate reject the report and return it to the conference committee.

Marty and Merriam questioned the deputy registrar exemption provision, with Merriam calling it a "scandal." Kroening urged rejection of the Lesewski motion. Sen. Ellen Anderson (DFL-St. Paul) also urged rejection, saying the deputy registrar language "is not as scandalous as it is being made out to be." The motion to return the report to the conference committee was approved on a 37-24 vote.

Saturday, March 30

Executive branch salaries raised

The governor will get a \$7,000 raise over two years, under an amendment approved by the Senate Sat., Mar. 30. The governor's pay increase raises the salary caps for state commissioners, managers and superintendents whose paychecks are tied to the governor's, said amendment author Sen. Roy Terwilliger (R-Edina).

Terwilliger's amendment was attached to H.F. 2704, authored by Sen. Sandra Pappas (DFL-St. Paul), a bill that deregulates the transportation industry. The amendment increases the governor's annual salary to a total of \$117,369 in 1996 and \$120,185 in 1997.

The governor's raise, approved 38-21, was good news for state employees prohibited by Minnesota law from earning more than 95 percent of the governor's salary. Terwilliger said the attorney general will earn \$93,891 after the increase and a Supreme Court judge \$99,077.

Sen. Douglas Johnson (DFL-Cook) voted against the bill, saying the governor should not get a raise unless he agrees to raise the minimum wage. Under Terwilliger amendment, "the CEO of this state would make 17 times what the lowest wage earner in the state would make," said Johnson.

Senators defeated an amendment, offered by Sen. Phil Riveness (DFL-Bloomington), that would have increased a Legislator's pay by \$700 per year. Riveness noted that Minnesota already has one of the country's highest-paid governors. But Sen. Steve Morse (DFL-Dakota) successfully amended the bill to include the value of the governor's state-provided housing and automobile in future salary calculations.

The Senate approved Pappas' deregulation bill, H.F. 2704, on a 35-27 vote. The bill removes many regulations on the transportation industry and phases out the Transportation Regulation Board, due to a 1994 federal law that restricts states' ability to regulate the trucking industry. Pappas said truckers, cab drivers, freight and passenger carriers are more regulated than health care providers. "I don't think the sky is going to fall if we move ahead with deregulation," said Pappas.

Several author's amendments that were approved by the Senate reinstate some regulation of airport cab and van service and household movers. Senators defeated an amendment to H.F. 2704, authored by Sen. Steve Murphy (DFL-Red Wing), that would reinstate regulations, but transferred industry oversight to the Department of Public Service. "We can move in steps until we feel comfortable in deregulating an industry that has 80 years of rules built up around it," he said. Murphy's amendment failed 27-33.

Sen. Edward Oliver (R-Deephaven) sponsored a resolution, S.F. 2701, asking the U.S. Congress to raise the federal minimum wage. He said a higher wage in Minnesota than its neighboring states could mean trouble for border cities.

Several Senators said resolutions make little impact in Washington. "We might as well just pass a resolution encouraging Taiwan to raise its minimum wage," said Sen. Kevin Chandler (DFL-White Bear Lake).

Oliver said he offered the resolution in good faith. "The majority party wants to make this their issue and only their issue," he said, and laid the resolution on the table.

The Senate confirmed the appointments of Bruce Johnson as commissioner of the Department of Children, Families and Learning, and Wendell Maddox as a member of the state board of education. Also confirmed were board members of the Minnesota Center for Arts Education: Terry Anderson, Ellen Dahl, Ruth Grindahl, Renee Jensen, and Patricia Seurat.

The Senate also approved five appointments to the State Ethical Practices Board; G. Barry Anderson of Hutchinson, Elsa Carpenter of Minneapolis, Sidney Pauly of Eden Prairie, Carolyn Rodriguez of Apple Valley, and Nancy Wilson of Minnetonka.

Airport bill passed

The Senate approved a bill that bans construction of a new Metro airport in Dakota County and allows construction of a new north-south runway at the Minneapolis St. Paul International Airport. The move to end the "dual track process," a study of future aviation needs in the Twin Cities Metro Area, came as an amendment to H. F. 3012, the omnibus metropolitan government bill, sponsored by Sen. Ted Mondale (DFL-St. Louis Park).

The amendment stops the purchase of land in Dakota County and requires the Metropolitan Airports Commission (MAC) to spend \$185 million on noise reduction measures near the airport. It also restricts airport usage to quieter aircraft by 1999, and bans the construction of a third east-west runway, unless affected communities give their consent.

Calling the dual-track process a "smashing success," Mondale said, "it is clear we don't need a new airport in the foreseeable future." He said the provision that ends the process allows short term improvements at the existing airport to proceed, reduces noise, enhances safety and capacity, and allows other government units, affected residents and businesses to move ahead.

Sen. Phil Riveness (DFL-Bloomington) spoke in support of the amendment, saying there is no point delaying a decision, "it is time for people to get on with their lives."

Sen. Roger D. Moe and Sen. Jane Ranum (DFL-Mpls.) spoke in opposition to ending the airport study. Ranum said the result of the amendment is to limit airport capacity and competition and keep ticket prices above the national average. She said the selection process is being short circuited, and said an early conclusion "fuels cynicism." She said her constituents want the process to continue. Moe said he is not convinced the Legislature has spent the time needed on an issue of such economic importance to the state.

Sen. Pat Pariseau (R-Farmington) offered an amendment to the airport amendment that calls on the MAC to grant \$24 million, including \$9 million from an additional appropriation, to Dakota County cities and towns as compensation to be distributed to residents who had developmental restrictions on their property because of inclusion in the new airport search area. The amendment was defeated on a 27 to 32 vote.

Mondale urged the Senate to approve the amendment ending the airport study, saying the "process has worked magnificently. If we can spend \$10 million to save \$10 billion, we're way ahead of the game." Berglin, who voted against the amendment, said the region will need more runways in the future, and the proposal eliminates runway options. "Your bill will release the land," she said, "when we need it we'll pay ten times what we should for it." The amendment was approved on a 40 to 20 roll call vote.

The omnibus metropolitan government bill to which the airport amendment was attached modifies the levy limitation for the Metropolitan Council, permits the distribution of funds from the tax base revitalization account to development authorities, and allows the Metropolitan Council to issue bonds. It also modifies provisions of a Bloomington tax increment financing district. Mondale offered an amendment to the bill, which the Senate approved, that provides additional funds for the Planning Assistance Grant and Loan Program, by allowing the Metropolitan Council to transfer up to \$1 million of the proceeds of solid waste bonds.

The Senate approved an amendment, offered by Sen. Larry Pogemiller (DFL-Mpls.), allowing the port authority of Bloomington to redraw the redevelopment tax increment financing district consisting of what is known as the "Kelly property" so that it instead includes a parcel of land on the former Met Center site. The land is being held in reserve for future development, but that development is affected by a proposed new north-south runway at the Metro Airport. Pogemiller explained the new language is consistent with limitations the Legislature has put on tax increment financing in recent years.

Mondale offered an amendment to the Pogemiller amendment, which was accepted, that he said prevents the impairment of rights by holders of bonds and authorizes the use of tax increment holdings as back-up security. Mondale said the change, which he said the city of Bloomington requested, does not limit the use of Met Center tax increment financing.

Another Pogemiller amendment, also accepted, allows a contested housing development policy, upheld in a federal court case, to be implemented. Pogemiller said the decision allows low-rent public housing to be built in Metro suburban areas. The amendment sets up a joint powers board for housing to implement the court order. Mondale spoke in support of the amendment, saying there are a number of suburban communities that want to comply with the policy.

Sen. Gen Olson (R-Minnetrista) offered an amendment that she said is a modified version of S.F. 2691, the transportation policy bill, which passed the Senate earlier. Olson said there were problems with the bill in the other chamber. Senate sponsor Pappas supported the changes, calling them "pre-conference consultations." The amendment was adopted on a voice vote.

An amendment, offered by Berglin, that allows the Hennepin County Board to authorize absentee balloting without qualification was ruled not germane. The provision would have allowed the county to join Ramsey County in a pilot project testing the impact of issuing such ballots without question.

The metropolitan government bill, with the amendment ending the airport dual-track study, passed the Senate on a 40-20 vote.

Monday, April 1

MnJobs revived

A technical maneuver on the Senate floor Mon., April 1, blew fresh life back into the controversial welfare reform bill. Sen. Don Samuelson's (DFL-Brainerd) proposal, which contains a 30-day residency requirement for AFDC recipi-

ents and a provision requiring them to begin a job search after 30 days of enrollment in the program, was amended onto H.F. 219, a bill requiring insurance coverage for treatment of Lyme disease.

"We're confident this can get people into the job market quicker than we do today," Samuelson said of the MnJobs program. "This is not punitive -- it is for people who find themselves in the unfortunate situation of being unemployed."

The bill exempts pregnant women, non-English-speaking individuals and others from the mandatory job search provision, Samuelson said. "This is a very positive step in providing systems that give people opportunities to work." On a roll call vote, members granted H.F. 219 final passage, 63-1.

Other measures on Special Orders receiving final passage were S.F. 2515, a bill that protects railroad employees in merger and acquisition activities. Author Sen. Ellen Anderson (DFL-St. Paul) told members that the measure tightens up current law by providing greater assurances for workers.

Anderson offered an amendment, which was adopted, that defines affected employees and requires the divesting carrier to provide notice to the employees. She told members that both provisions had been agreed to by the Regional Rail Authority.

Sen. Linda Runbeck (R-Circle Pines) spoke against the bill. "It's effect is to delay the sale of shortline railroads and this will have a disastrous affect on rural Minnesota," she said.

Sen. Arlene Lesewski (R-Marshall) agreed with Runbeck, saying that many rural communities are losing rail access, which farmers have traditionally used to ship products to market. "The bill will make it more difficult, take longer, and cost more money, which means that we'll end up with no railroad," Lesewski said.

But Sen. Dallas Sams (DFL-Staples) urged members to support the railroad labor protection bill. He told members that the proposal will stop current practices that uproot families, especially families residing in rural regions.

Sen. Carl Kroening (DFL-Mpls.) also spoke in favor of the measure. "To vote for this bill is to vote for the common interests, for the interests of farmers and workers," he said. Senators granted final passage, 42-20, to the bill.

In other business, committee conference reports on S.F. 2340, Sen. John Marty's (DFL-Roseville) omnibus DWI bill and H.F. 637, Sen. Steven Novak's (DFL-New Brighton) cogeneration bill, were adopted and the bills repassed.

Spending bills passed

In other action, the Senate acted to salvage some of the omnibus health and

Floor action

human services bill. Sen. Linda Berglin (DFL-Mpls.) offered an amendment to H.F. 1584 containing the provisions acceptable to the governor from the vetoed omnibus health and human services funding bill. The amendment includes TEFRA and housing with services. Berglin said that one of the provisions left out of the amendment is the PMAP. Sen. Don Samuelson (DFL-Brainerd) explained that PMAP makes counties players in the health care debate. Berglin followed up with a warning to the Dept. of Human Services that the one-size-fits-all approach to health care delivery isn't a good idea and the state needed many examples of managed care delivery in the state. She said that without PMAP, medical assistance dollars will add to the size of the largest health care companies in Minnesota. The amendment was adopted, and the bill passed with a 63-1 roll call vote.

The Senate also took up the conference committee report on the supplemental transportation funding bill, S.F. 2702. Sen. Keith Langseth, sponsor of the bill, said the bill does not have a gasoline tax increase or any transfers of the motor vehicle excise tax (MVET), but it does appropriate \$42.76 million to the trunk highway fund. The compromise also had a provision allowing speed limits on rural divided highways to be raised to 65 miles per hour. Langseth added that the provision allowing speed limit violations of less than 10 miles per hour over the limit to not go on a driver's record (known as the "Dimmler amendment") was retained in the bill. Another provision delaying a ban on the use of lead-free paint to mark lanes on roadways also remained in the bill.

Sen. Dean Johnson (R-Willmar) asked Langseth about a Senate provision funding an additional 42 state troopers. Langseth answered that that provision along with the gasoline tax increase were included in another transportation funding bill, H.F. 1404.

The Senate passed the conference committee report on a roll call vote of 62-2.

Gaming bill okayed

Senators met Mon., Apr. 1, for a rare evening floor session to consider bills and conference committee reports. Only two measures sparked extensive debate. The first, the lawful gambling omnibus bill, H.F. 2318, sponsored by Sen. Charles Berg (DFL-Chokio), contains a number of provisions relating to lawful gaming. However, most of the debate centered on the amendments offered to the measure.

Sen. Carl Kroening (DFL-Mpls.) offered an amendment to exempt from taxation the first \$12 million of the "handle" at Canterbury Park and to allow the park to keep unredeemed tickets. Kroening said

the amendment results in about \$900,000 in additional revenue for the race track. In addition, Kroening said the track experienced at shortfall of about \$1 million last year and needed the additional revenue. Sen. Edward Oliver (R-Deephaven) questioned giving a tax break to the park. Kroening responded that the track contributes greatly to the quality of life in the state and that the company running the track needs the addition aid to keep the track going.

Sen. Gene Merriam also argued against the amendment, "Ten years ago we were promised all kinds of revenue from the race track but this amendment wipes out the last source of revenue from this facility." Berg supported the amendment and said that the provision just allows a five year hiatus from the tax. The amendment was adopted.

An amendment allowing senior citizen card tournaments also generated discussion. Sen. LeRoy Stumpf (DFL-Thief River Falls) offered an amendment allowing nonprofit organizations to conduct tournaments or contests for persons over the age of 55 consisting of the card games smear or whist. Debate on the amendment centered on whether the provision constitutes an expansion of gaming in Minnesota. Stumpf argued that the amendment was simply to allow traditional card tournaments to take place without the threat of arrests for illegal gambling hanging over the event. Sen. Dennis Frederickson (R-New Ulm) successfully offered an amendment specifying addition kinds of card games to allowed at the tournaments. The Frederickson amendment includes the card games of euchre, cribbage, bridge, and pinochle along with smear and whist. The amendment was adopted.

An amendment, offered by Sen. Ted Mondale (DFL-St. Louis Park), provides that the tax refund for unsold pull-tabs or tipboards after July 1, 1996 and before Jan. 1, 1998 is one percent of the face value of the unsold pull-tab or tipboard tickets and that the refund is to equal two percent of the face value after Jan. 1, 1998. The amendment was adopted. Sen. Bob Lessard (DFL-Int'l. Falls) offered an amendment reinstating the State Lottery Board and Sen. Don Kramer (R-Brooklyn Center) offered an amendment requiring lottery promotion material to include information about the approximate odds of winning and the fact that prizes are subject to taxation. Both amendments were adopted. The bill was granted final passage on a vote of 54-4.

A bill, S.F. 1887, directing the Dept. of Human Services to determine and pay compensation to an appeals panel, along with allowable fees and costs of patient's counsel was also the focal point of discussion. However, the debate was

concentrated primarily on an amendment, offered by Sen. Sheila Kiscaden (R-Rochester), to appropriate \$5 million from the Health Care Access Fund to help fund medical training for primary care physicians. Kiscaden argued that the state faces a critical situation in the lack of primary care providers in rural areas. The funds are needed to help provide the necessary training, Kiscaden said. Sen. Don Samuelson (DFL-Brainerd) said, "I strongly oppose the amendment, because I don't think we should start building this bill into another omnibus funding bill." Sen. Linda Berglin countered, "I would have preferred to see this as part of the MinnesotaCare package, but it will help expand access to affordable health care and if we want provider to be available in areas of the state that are underserved, we should support this amendment." Before a vote could be taken on the proposal, the amendment was ruled not germane to the bill and no vote was taken. The bill was then granted final passage 57-0.

In other action, members also granted final passage to a bill proposing an amendment to the constitution that would eliminate the office of state treasurer. S.F. 918, authored by Sen. Deanna Wiener (DFL-Egan), was granted final approval without debate. Senators also approved the conference committee report on H.F. 2419. The measure, sponsored by Sen. Steven Novak (DFL-New Brighton), clarifies the mandate placed on NSP to generate energy using biomass as fuel. The bill was repassed 57-0.

Finally, members approved a bill allowing persons on active duty in Bosnia and Herzegovina, Croatia and Macedonia to file extensions for income tax and property tax refunds. Chief author, Sen. Douglas Johnson (DFL-Cook), said S.F. 2884 is similar to bills passed in other years when members of the national guard and reserve have been called to active duty. The bill was granted final passage 57-0.

Tuesday, April 2

Nuisance bill passed

Senators granted final passage during the Tues., Apr. 2, session to the conference committee report on H.F. 2204, a bill creating a nuisance action by individuals and neighborhood organizations. The bill helps communities maintain order in their neighborhoods by addressing the problems related to drugs and prostitution, said the bill's sponsor, Sen. Ellen Anderson (DFL-St. Paul). During debate in the conference committee, sections of the bill related to gambling and alcohol abuse were removed, limiting the bill to prostitution, drug and firearm dealing, she said.

Sen. Don Betzold (DFL-Fridley) said that while he is opposed to illegal activi-

ties, the bill only allows citizens to "clog civil courts." Betzold said that the bill could create problems by allowing vigilante groups to drag people through the court system.

"Guns, prostitution and drug dealing are absolutely destroying our communities," said Sen. Randy Kelly (DFL-St. Paul). "It is fine for you people who live in the suburbs to say that we don't need this. The criminal laws are not working. Here is a chance to take some additional action," he said.

"Sen. Kelly is trying to turn this into an inner-city versus suburban fight," said Sen. Allan Spear (DFL-Mpls.). "I too represent the inner city and I understand that residents are tired of gun dealers and pimps making the neighborhood unbearable. We have to be careful not to let the problems that inner cities face stampede us." The bill passed on a 34-15 vote.

Senators also took up debate on H.F. 3243, the conference committee report on the jobs, energy and economic development omnibus bill containing appropriations totaling \$23.7 million for FY 97. Within this appropriation is \$4 million for the Minnesota investment fund, \$6 million for the Minnesota Youth Program providing for summer youth employment programs, \$9 million for home energy assistance, \$250,000 for the Job Skills Partnership Board, \$100,000 for the Minnesota film board, and \$550,000 for the Minnesota Housing Finance Agency.

The measure, sponsored by Sen. Carl Kroening (DFL-Mpls.), had been rejected at an earlier session because of provisions relating to deputy motor vehicle registrars. However, members reconsidered the vote to reject the conference committee report and repassed the measure 37-24.

Wetlands compromise heard

After a recess pending messages from the other body, the Senate began the Tues. afternoon, Apr. 2, session with consideration of H.F. 1800, a conference committee report on sustainable development for local government. Under the bill, the Office of Strategic and Long Range Planning develops and publishes a guide and a model ordinance to help local units of government plan for sustainable development, based on principles developed by the Environmental Quality Board, with advice from the governor's round table on sustainable development. Bill sponsor, Sen. Janet Johnson (DFL-North Branch), said the Senate conferees compromised on the definition of "sustainable development," a key element to the bill, but said the new language is "just slightly different" from the Senate wording. Johnson's motion that the Senate adopt the recommendations of the conference committee prevailed. The bill passed, 53 to 0.

Senate Majority Leader Roger Moe (DFL-Erskine) asked members to consider of H.F. 787, a revision of the state wetland act. Moe noted the conference committee report was not yet before the Senate, but said members can expedite the proceedings by hearing from conferees on the details of the conference committee report and completing discussion and debate. He said when the measure arrives from the other chamber, Senators will be prepared to vote.

Bill sponsor LeRoy Stumpf (DFL-Thief River Falls), said interested parties have "worked out all the controversies" during a ten month process of re-writing the law. Stumpf, who co-chaired the conference committee, said the wetland reform act of 1996 is an extensive overhaul of the original 1991 law, which "simply didn't work."

He said the new approach is built on the use of incentives, rather than mandates, to encourage compliance, and a comprehensive statewide wetlands management plan based on local input. He said past regulation, assuming one law would address all needs statewide, wasn't practical or workable. "This allows for local tailoring of environmental regulations in different regions around the state," he said.

Stumpf said the measure uses Federal Fish and Wildlife Department guidelines in defining eight types of wetlands, to relieve some of the current confusion about what a wetland is. He said the wetland replacement plans are based on "sequencing" or "prioritizing." To simplify the process, local government units can perform a site analysis.

The report sets up a procedure to replace wetlands in the Metro Area, and rewrites exemptions to the law. Stumpf said one section covers replacement credits, an "important component of the bill, which we addressed by increasing the credit for land coming out of the Conservation Reserve Program, land considered buffer areas, or land that surrounds a wetland." He said the comprehensive wetlands management protection plan gives "greatest flexibility to counties that have 80 percent or more of their wetlands, less to those who have less than 80 percent."

Stumpf said the bill appropriates \$130,000 for assistance to develop local wetland plans, \$120,000 in grants for local units of government to work on their plans, \$100,000 for counties to assess and inventory current draining systems, and \$50,000 for the Association of Minnesota Counties to hold public drainage workshops.

Conferee Sen. Steve Dille (R-Dassel) said the wetland reform update includes a broader definition of agricultural land, which provides more exemptions and gives farmers greater control over their

land. He said the proposal makes it easier for local governments to rebuild and improve roads that may adversely impact wetlands. All they have to do, he said, is "report to the state how many acres are adversely affected, and the state will replace the wetlands in very important areas." He said if a new road is in an "over 80 percent wetland area," the government unit can buy replacement credits at a discount.

Dille noted there is a \$3 million appropriation in the bonding bill for wetland replacement, half of which has to be used in the Metro area, and \$11.5 million for wetland restoration.

Conferee Sen. Dan Stevens (R-Mora) said the bill "simplifies the bureaucracy." He outlined the liability and compensation language and the duties of the Attorney General, and provisions that allow the state to intervene on behalf of local governments in private property disputes.

Sen. Bob Lessard (DFL-International Falls) told the Senate there are more wetlands in Koochiching and Beltrami than in the rest of the state, and said the bill "does absolutely nothing for northern Minnesota counties, to address their problems." He said the conferees did the best they could, but "if anybody thinks this is the end of it, it's not. We'll be back next year."

Stumpf acknowledged several Northern Minnesota counties have the burden of having many wetlands, but pointed out the bill allows counties to put a public value on those wetlands, exempt one type of wetland, set up banking provisions, and replace wetlands outside their counties. Dille recommended the counties develop their own county wetland ordinances, and design a system that works best for their needs.

Stumpf noted that roads are the reason most wetlands are impacted, and said the bill takes the burden off local units of government, and shifts it to the state. "The rationale," he continued, "is that this is really a state responsibility. This allows wetlands to be replaced in other parts of the state where they are needed."

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Floor action

Conference committee reports adopted and repassed Friday, March 22

- H.F. 2298-Beckman: Extends the effective period of exemptions granted by the Board of Government Innovation and Cooperations and grants Independent School District No. 2134, United South Central, a waiver from a law related to elections. 62-0
H.F. 2818-Samuelson: Omnibus health and human services supplemental appropriations bill. 47-17
S.F. 2856-Beckman: Omnibus crime prevention supplemental appropriations bill. 63-1

Bills granted final passage on Special Orders Friday, March 22

- H.F. 1800-Johnson, J.B.: Requires a sustainable development planning guide and a model ordinance to be developed for local government use by the office of strategic and long-range planning, adopts principles of sustainable development and requires reports. 63-0
S.F. 1147-Novak: Allows for a market value exclusion for electric power generation facilities based on facility efficiency and requires a study. 41-22

Conference committee reports adopted and repassed Tuesday, March 26

- S.F. 1919-Runbeck: Makes technical and administrative changes in provisions relating to reemployment insurance. 46-16
S.F. 2123-Terwilliger: Clarifies the procedures peace officers must follow when deciding where to place a child placed on a health and welfare hold, requires notices, clarifies the duties of related persons receiving a child on a 72-hour health and welfare hold, requires least restrictive placement for a child on a 72-hour health and welfare hold, clarifies the reporting procedures and requirements for the placing officer to notify the county agency and the court, changes certain emergency licensing procedures, authorizes petitions and appearances and specifies review in certain cases. 60-0
S.F. 2445-Johnson, J.B.: Clarifies status of game refuge designations, removes the residency requirement for youth hunting, permits nonresident students to take big game, modifies provisions relating to short-term fishing licenses, special permits, commercial fishing, taking deer, moose licenses, blaze orange, trout and salmon stamps and sturgeon and paddlefish, removes certain provisions relating to wild rice and requires review. 55-0
H.F. 2478-Pappas: Regulates notaries public, provides penalties and requires notaries public who provides services in another language to post signs clarifying that the notaries are not attorneys. 58-0
H.F. 2834-Johnson, J.B.: Aaron Sahli Child Boating Safety Act. Modifies the requirements for operation of a motor boat by a youth, modifies provisions for operation of a personal watercraft by a youth. 56-5
H.F. 2519-Morse: Increases the amount of reimbursement available for the cleanup of petroleum releases by responsible persons. 59-0
H.F. 2206-Murphy: Removes mandates from higher education and requires increased accountability and performance for funding. 58-3
H.F. 1567-Pogemiller: Regulates the deposit and investment of public funds, regulates agreements related to public funds, requires a study and makes conforming changes. 60-0
H.F. 2580-Samuelson: Modifies restrictions for nonresident fish houses. 58-0
H.F. 2375-Reichgott Junge: Prohibits fees for preparing certain reports relating to local improvements from being based primarily on the estimated cost of improvement. 57-2
H.F. 2171-Morse: Clarifies the powers of the Pollution Control Agency Board and the commissioner. 57-0
H.F. 2752-Price: Provides for the licensing and regulation of pawnbrokers and provides penalties. 58-0
H.F. 2782-Metzen: Provides for the creation of an Advisory Council on Intergovernmental Relations. 51-8

Bills granted final passage on Special Orders Tuesday, March 26

- S.F. 1895-Reichgott Junge: Requires the return of public subsidy by candidates who violate the Fair Campaign Practices Act. 63-0
H.F. 2218-Metzen: Dept. of Administration housekeeping bill; modifies performance report requirements, requires that interagency bills be paid promptly, prohibits state agencies from undertaking capital improvements without legislative authority, conforms leased space requirements to existing law, requires that state agencies comply with information policy office requirements regarding information systems equipment and data collection, modifies revolving fund authority, increases resource recovery goals and modifies collection requirements. 60-1

Conference committee reports adopted and repassed Wednesday, March 27

- S.F. 1902-Pappas: Relates to the Council on Affairs of Spanish Speaking People, the Council on Asian-Pacific Minnesotans, the Council on Black Minnesotans and the Indian Affairs Council, changes the name of the Council on Affairs of Speaking People to the Council on affairs of Chicano/Latino People, changes the composition and powers of the Councils on Affairs of Spanish Speaking People and Asian-Pacific Minnesotans, provides for appointments and eliminates an expiration date. 57-0
S.F. 1885-Knutson: Clarifies foster care payment and placement; clarifies adoption assistance, defines egregious harm in the juvenile code and amends the parental rights termination statute. 58-0
S.F. 1872-Berglin: Requires peace officers to undergo training in community policing techniques. 57-1
S.F. 2457-Flynn: Ratifies various state employee contracts, regulates the salaries of certain higher education officers, establishes a vacation donation sick leave account, prescribes the form and use of uniform collective bargaining settlement forms, and allows certain students to work for the Dept. of Transportation for 48 months. 60-0
S.F. 2720-Marty: Permits simultaneous candidacy for nomination by major and minor parties with their consent under certain conditions. 59-1
S.F. 2012-Beckman: Designates a portion of marked trunk Highway No. 22 as Victory Drive, designates a portion of marked trunk highway No. 15 as Veterans Memorial Highway and provides for reimbursement of costs. 58-1

S.F. 2116-Solon: Omnibus liquor bill; Modifies eligibility for manufacturer and wholesaler licenses, clarifies requirements for selling or furnishing alcoholic beverages, allows bed and breakfast facilities to furnish wine to guests without a license under certain circumstances, abolishes the state license for importation of sacramental wine, exempts certain types of wine tastings from statutory restrictions, allows off-sale retailers to offer samples of distilled spirits, allows brewers to furnish beer directly to retailers for tastings, allows off-sale retailers to sell distilled spirits in 50 milliliter bottles, allows on-sale retailers to prohibit the carrying of alcoholic beverages onto the licensed premises, specifies items that may be sold in municipal liquor stores, removes references to nonintoxicating malt liquor from statute, rules, and local licenses, authorizes on-sale licenses for tour boats on the St. Croix and Mississippi Rivers, requires establishments selling alcoholic beverages to post certain signs, directs the commissioners of public safety and health to design the signs, authorizes additional on-sale licenses in West St. Paul and Eagan, authorizes a seasonal on-sale license in Wadena and repeals a special law restricting on-sale licenses in Thief River Falls. 60-0

Bills granted final passage on Special Orders Wednesday, March 27

H.F. 2816-Mondale: Regulates the use and dissemination of personally identifiable information about consumers of computer information services. 52-0

H.F. 2042-Anderson: Provides that making equal opportunities in athletic programs available on the basis of sex is not an unfair discriminatory practice. 50-10

Conference committee reports adopted and repassed Thursday, March 28

S.F. 842-Betzold: Modifies Board of Psychology duties, changes types of licensure, changes licensure provisions, provides for discipline and provides penalties. 56-0

S.F. 2255-Betzold: Provides for filling of vacancies in the elected offices of mayor or council members in statutory cities and county commissioners. 56-0

H.F. 2369-Metzen: Omnibus banking bill, regulates consumer credit, modifies rates, fees and other terms and conditions, provides clarifying and technical changes, provides opportunities for state banks to develop their Minnesota markets through broader intrastate branching, modifies finance charge provisions and other provisions for certain cooperatives and provides technical corrections. 54-0

H.F. 2059-Dille: Makes changes to the Veterinary Practice Act. 56-1

H.F. 2413-Johnson, J.B.: Clarifying procedures for examination of certain cemetery accounts and records by the state auditor and provides for the transfer of cemeteries to and from local units of government. 60-0

S.F. 302-Kelly: Increases the minimum wage, requires large employers to pay \$5 per hour beginning Sept. 1, 1996 and \$5.35 per hour beginning Sept. 1, 1997, and requires small employers to pay at least \$4.75 per hour beginning Sept. 1, 1996 and \$5.10 per hour beginning Sept. 1, 1997. 44-20

S.F. 66-Solon: Establishes the Board of Licensed Professional Counseling, requires professional counselors to be licensed, requires certain actions against occupational therapists to be commenced within two years, provides exceptions from x-ray operation examination requirements, requires rulemaking and provides penalties. 55-7

H.F. 2156-Pogemiller: Omnibus K-12 education supplemental appropriations. 62-1

H.F. 2112-Morse: Authorizing the establishment of individual municipal sewer treatment system and well loan programs, specifies compliance requirements for existing individual sewage treatment systems, clarifies licensing requirements for sewage system pumpers and provides for temporary licenses. 59-0

H.F. 2207-Novak: Adopts changes to the Midwest Interstate Compact on Low-level Radioactive Waste and makes conforming changes. 62-0

S.F. 315-Sams: Changes and clarifies provisions of the Minnesota election law and the ethics in government law. 59-0

Bills granted final passage on Special Orders Thursday, March 28

S.F. 489-Betzold: Limits punitive damages in cases involving products or devices approved by the FDA. 37-25

H.F. 2417-Riveness: Modifies various provisions governing Minnesota public pension plans, makes various benefit and coverage modifications, redirects various state pension aids to first class city teachers retirement fund associations, requires certain school district employer contribution increases, establishes reporting requirements, makes changes to provisions on volunteer firefighter relief associations, creates a special task force, and makes various administrative modifications. 62-0

H.F. 532-Metzen: Proposes an amendment to the Minnesota Constitution permitting the payment of a monetary bonus to veterans of the Persian Gulf War. 58-0

S.F. 2175-Metzen: Provides for integration of University of Minnesota hospitals and Fairview hospital, modifies benefits for certain former participants in the Minnesota State Retirement System, authorizes additional service credits for certain University of Minnesota hospital and clinics employees, authorizes additional augmentation for employees of the University of Minnesota hospital and clinics who terminate participation in the Minnesota State Retirement System, and imposes conditions protecting the rights of employees on any integration of the University of Minnesota hospital and clinics and Fairview hospital and health care services. 60-2

S.F. 2886-Merriam: Sets the amount of the budget reserve, reduces the property tax recognition shift and provides for adjustments to appropriations following forecasts of general fund revenues and expenditures. 52-4

Conference committee reports adopted and repassed Friday, March 29

S.F. 1915-Oliver: Omnibus commerce department provisions; changes the enforcement authority of the commissioner, provides continuing education and reporting requirements for certain licenses, regulates inspections of cosmetology salons and schools, regulates disclosures of information and data, regulates securities registrations and exemptions, regulates franchise registrations and definitions, regulates cancellations of membership camping contracts, modifies the bond or insurance requirements for abstractors, regulates residential building contractors, regulates certain real estate disclosures, and regulates unclaimed properties and notaries public. 50-9

- H.F. 3052-Hottinger:** Clarifies that existing law prohibits the termination of insurance agents as a result of communications with any branch of government, including the Legislature. 61-0
- H.F. 2190-Berglin:** Makes technical changes in provisions relating to health insurance, allows re-entry into the small employer market under certain circumstances, establishes compensation for the reinsurance association, clarifies permitted investments and guarantees for integrated service networks, expands eligibility for MinnesotaCare to 150 percent of the federal poverty level and provides for the cancellation of recodification efforts. 36-25
- H.F. 2402-Hanson:** Dept. of Public Safety housekeeping bill, abolishes the vehicle registration tax exemptions for representatives of foreign powers, allows special license plates for certain persons to be issued to owner of certain trucks, removes restriction on time to apply for disability plates, changes fee and certain administrative procedures relating to the registration program for fleet vehicles, abolishes requirements to keep records of motor vehicles not using the highways and to prepare certain unnecessary reports, defines motorized bicycles to include electri-assisted bicycles, provides for operation of electri-assisted bicycles and makes various technical changes. 59-0
- S.F. 1980-Hottinger:** Omnibus insurance bill; regulates coverages, regulates premium taxes, modifies agent cancellations or terminations, provides certain filing requirements for domestic insurers, regulates disclosures and policy and contract provisions, provides for the operation and administration of the medical malpractice joint underwriting association and the Minnesota Joint Underwriting Association, regulates policy cancellations or terminations and claims practices, regulates information handling practices, establishes solvency requirements, regulates the provision of certain insured services and requires a study and a report. 58-5
- S.F. 1997-Hottinger:** Living wage bill; requires businesses with state or local financial assistance to pay at least a poverty level wage and requires the commissioner of revenue to set goals for jobs and wages for new tax expenditures. 41-23
- S.F. 2410-Ranum:** Omnibus data practices bill; provides for the classification of and access to government data. 57-2

Bills granted final passage on Special Orders Friday, March 29

- H.F. 2101-Stumpf:** Allows mail balloting in certain elections in additional cities and towns. 35-28
- H.F. 343-Reichgott Junge:** Proposes an amendment to the Minnesota Constitution providing for the recall of elected state officers. 34-29

Bills granted concurrence and repassage Friday, March 29

- S.F. 317-Betzold:** Permits cities to close certain unlawful businesses. 57-0

Conference committee reports adopted and repassed Saturday, March 30

- S.F. 2381-Johnson, D.J.:** Regulates intrastate intraLATA telecommunications services. 61-0

Bills granted final passage on Special Orders Saturday, March 30

- S.F. 2691-Pappas:** Establishes transportation policy for the Metropolitan Area, requires a performance audit of the metropolitan transportation system, requires a performance audit of the metropolitan transportation system, expands the Metropolitan Council's authority over metropolitan highways, requires the council to establish a community-based transit demonstration program, provides a service incentive for opt-outs, provides for legislative auditor to prepare a best practices report and requires the council to prepare a transit redesign plan for 1997. 59-2
- H.F. 2704-Pappas:** Abolishes the Transportation regulation Board and transfers duties and powers to the commissioners of public service and transportation, modifies laws governing motor carriers, clarifies the definition of warehouse operator, and sets the salary ranges for judges, constitutional officers and state agency heads. 35-27
- H.F. 3012-Mondale:** Modifies a levy limitation for the Metropolitan Council, allows for distribution of funds from the tax base revitalization account to development authorities, authorizes the Metropolitan Council to issue bonds, prohibits construction by the Metropolitan Airports Commission of a new major airport, requires inclusion of noise mitigation plans in the capital improvement plan, requires soundproofing of buildings, and prohibits construction of a third parallel runway and provides for implementation of the Minneapolis-St. Paul International Airport year 2010 long-term comprehensive plan. 40-20

Conference committee reports adopted and repassed Monday, April 1

- H.F. 637-Novak:** Allows for a market value property tax exclusion for an electric cogeneration facility based on the facility's efficiency, permits certain consumptive use of water, provides for electric supply agreements, and provides for an analysis of utility taxation. 39-24
- S.F. 2702-Langseth:** Omnibus transportation and public transit supplemental appropriations; increases speed limit to 65 miles per hour on divided highways outside the Metro Area, provides for the recording of speeding violations, authorizes special license plates, provides for designated parent agreements, authorizes tax levies for replacement transit service and provides for highway disputes between counties and municipalities. 62-2
- H.F. 2493-Morse:** Modifies provisions of various local pension plans, makes miscellaneous benefit and administrative changes, includes nonprofit firefighting corporations as municipalities in certain circumstances. 45-0
- H.F. 2282-Morse:** Modifies provisions of the Reinvest in Minnesota Resources program. 50-0
- H.F. 2419-Novak:** Regulates a mandate to generate electricity using biomass as a fuel, and modifies matching requirements for appropriations. 57-0
- H.F. 1648-Hottinger:** Limits admissibility of evidence regarding a retraction in libel actions against newspapers. 55-0
- S.F. 1187-Betzold:** Directs the Dept. of Human Services to determine and pay certain compensation of the appeals panel along with allowable fees and costs of patient's counsel, extends the state's authority to obtain a lien when covering medical care for a person, adds provisions to the notice required for monetary claims, and provides for a request for information to demonstrate the effectiveness of telemedicine devices as a high quality, lower cost alternative to in-person home visits from home care personnel. 57-0
- S.F. 918-Wiener:** Proposes an amendment to the Minnesota Constitution to abolish the office of state treasurer and transfers or repeal the powers, responsibilities and duties of the state treasurer. 54-1

Bills granted final passage on Special Orders Monday, April 1

- S.F. 2515-Anderson:** Protects interests of employees following railroad acquisitions. 42-20

- H.F. 219-Samuelson:** Provides for welfare reform, establishes the MNJobs Program, appropriates money for child care, requires coverage for treatment of Lyme disease. 63-1
- J.F. 1584-Berglin:** Requires the commissioner of human services to study and make recommendation on the administration of the community alternative care program and to study, requires a study and report on the effect on medical assistance waiver programs of medically fragile children in foster care, provides for the appropriations contained in the omnibus health and human services conference committee report without provisions allowing counties to contract directly with health care providers. 63-1
- H.F. 2318-Berg:** Regulates lawful gambling expenditures and reports, provides enforcement powers, removes the restriction on compensation to persons who participate in the conduct of lawful gambling. 54-4
- S.F. 2884-Johnson, D.J.:** Updates to changes in federal law, allows an extension to file individual income tax returns and property tax refunds for national guard and reserve members who are called to active duty, provides filing extensions for individuals who perform services for the peacekeeping efforts in Bosnia and Herzegovina, Croatia and Macedonia. 57-0

Bills granted concurrence and repassage Monday, April 1

- S.F. 2340-Marty:** Omnibus DWI provisions; defines the crime of motor vehicle operation resulting in bodily harm and prescribes penalties. 61-0

Conference committee reports adopted and repassed Tuesday, April 2

- H.F. 3243-Kroening:** Omnibus jobs, energy and community development supplemental appropriations. 37-24
- H.F. 2204-Anderson:** Provides for a nuisance action by individuals and neighborhood organizations. 34-15
- H.F. 1800-Johnson, J.B.:** Requires a sustainable development planning guide and a model ordinance to be developed for local government use by the Office of Strategic and Long-Range Planning, adopts principles of sustainable development and requires reports. 53-0
- H.F. 787-Stumpf:** Modifies provisions relating to public waters and wetlands. 63-2
- H.F. 2218-Metzen:** Dept. of Administration housekeeping bill; modifies performance report requirements, requires that interagency bills be paid promptly, prohibits state agencies from undertaking capital improvements without legislative authority, conforms leased space requirements to existing law, requires that state agencies comply with information policy office requirements regarding information systems equipment and data collection, modifies revolving fund authority increases resource recovery goals and modifies collection requirements. 61-0
- S.F. 840-Cohen:** Makes changes to provisions relating to campaign finance and changes the treatment of spending limits and public subsidy in certain cases. 48-15
- H.F. 374-Novak:** Exempts large electrical power generating plant from certificate of need proceeding when selected by the Public Utilities Commission from a bidding process to select resources to meet the utility's projected energy demand. 61-0
- H.F. 2318-Berg:** Regulates the imposition of certain taxes on pari-mutuel racing, provides for the handling of claims on unredeemed tickets, regulates expenditures from lawful gambling, provides enforcement powers, removes the restriction on compensation to persons who participate in the conduct of lawful gambling. 45-16
- H.F. 1648-Hottinger:** Provides for recovery of damages and injunctive relief for victims of bias offenses and imposes parental liability. 59-2
- H.F. 3273-Riveness:** Capital budget bill, provides for spending to acquire and to better public land and buildings and other public improvements of a capital nature and authorizes the issuance of bonds. 62-3
- H.F. 3012-Mondale:** Modifies a levy limitation for the Metropolitan Council, allows for distribution of funds from the tax base revitalization account to development authorities, authorizes the Metropolitan Council to issue bonds, prohibits construction by the Metropolitan Airports Commission of a new major airport, requires inclusion of noise mitigation plans in the capital improvement plan, requires soundproofing of buildings, and prohibits construction of a third parallel runway and provides for implementation of the Minneapolis-St. Paul International Airport year 2010 long-term comprehensive plan. 56-9
- H.F. 219-Samuelson:** Provides for welfare reform, establishes the MNJobs Program, appropriates money for child care, requires coverage for treatment of Lyme disease. 58-6
- H.F. 343-Reichgott Junge:** Proposes an amendment to the constitution to provide for recall of elected officials. 34-30

Bills granted final passage on Special Orders Tuesday, April 2

- H.F. 1844-Johnson, D.J.:** Provides for a property tax freeze for property taxes payable in 1997, provides for exceptions in cases where referenda have been previously approved, requires the Legislative Commission on Planning and Fiscal policy to prepare and recommend to the Legislature a property tax reform and education aids reform program and provides for a task force. 53-10
- S.F. 2871-Kelly:** Revisors bill; makes technical changes, corrections and clarifications. 63-0

Bills granted concurrence and repassage Wednesday, April 3

- S.F. 1861-Johnson, J.B.:** Makes changes to waste management provisions. 39-23

Bills granted final passage under suspension of the rules Wednesday, April 3

- H.F. 2102-Hottinger:** Makes technical changes to provisions relating to the Dept. of Revenue and contains many provisions of the omnibus tax bill. 49-14

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