Bring on the session

With a rap of the gavel at 12:00 p.m. sharp, Lt. Gov. Joanne Benson commenced the 1997 Senate, Tues., Jan. 7, signaling the start of the 80th Legislature.

Serving as Clerk Pro Tem, Sen. Dean E.J. Johnson (R-Willmar) called roll as his fellow Senators presented their certificates of election to Chief Justice A.M. Keith of the Minnesota Supreme Court. The entering Senator membership includes nine freshmen Senators, comprised of one Republican and eight DFL Senators. After a quorum was declared present, Chief Justice Keith administered the oath of office to the assembled body.

Citing Sen. Allan Spear's (DFL-Mpls.) long record of service, experience, and integrity, Sen. Sam Solon (DFL-Duluth) nominated Spear to resume his post as President of the Senate. Likewise, Sen. Pat Pariseau (R-Faribault) nominated Sen. William Belanger (R-Bloomington) for the position. A majority elected Spear, and Chief Justice Keith administered the oath of office. Lt. Gov. Benson welcomed Spear as he assumed his position as President.

Spear thanked the Senate and promised to govern the proceedings of the Senate equitably. He then proceeded with the election of officers for the Senate. Here recognized Sen. Roger Moe (DFL-Erskine) who nominated Patrick Flahaven for Secretary of the Senate. Flahaven was unanimously elected. The remaining officers were elected in one motion. Patrice Dworak, First Assistant Secretary; Colleen Pacheco, Second Assistant Secretary; Catherine Morrison, Engrossing Secretary; Sven Lindquist, Sergeant At Arms; Ralph Graham, Assistant Sergeant at Arms; and Thomas Stillday, Jr., Senate Chaplain, were all approved by the assembled body.

Before Chief Justice Keith took leave of the Senate, he congratulated the newly sworn in body. He recalled, "I'll never forget the day that I was elected to this body," and continued, "I've seen some of the greatest names in the history of the State debate in this chamber." Keith stressed that while the upcoming session will be enormously complex, "the State needs your wisdom."

Moehler moved to adopt several procedural resolutions. Among the adopted resolutions: Moehler was named Majority Leader and President Pro Tem; Dean E.J. Johnson was named Minority Leader; parking spaces were reserved for Senator members and their staff; the list of committees and their members was officially approved; the meeting schedules, rooms, phonenumbers, and contact names for the various committees were approved; a committee was assembled to notify the governor that the 80th Legislature is organized; and the Secretary was instructed to notify the House that the Senate is organized. A final resolution authorizing a weekly stipend of $50 per week for Senate interns, including $300 per week for student interns from outside the Metro Area, was approved.

Moehler welcomed everyone and counseled the new Senate, "We all agree that for the 80th Session, we have a very long list of complicated, complex, controversial issues. We will need the attention, commitment, and energy from all members." He called on Senators to work in a bipartisan manner because, "I think that's what the public wants to do."

Moehler continued, "The political debate has been rather shrill during the past few years. I would hope each of us would commit to bring more civility to the process. We are one State, one family, and we have to remember that in order to have Minnesota remain a leader." He concluded by reminding the Senate that, "We have been sworn in as State Senators, and we need to keep in mind that we answer to all Minnesotans."

Dean E.J. Johnson also pledged "a spirit of cooperation" for the coming session. He went on to say that there will be times of disagreement, "Wemay even disagree 100 percent, but what is important is to maintain respect for fellow legislators."

The Senate also held a brief floor session Thurs., Jan. 9, in order to introduce bills.

The case for ADR

On Weds., Jan. 8, the judiciary Committee addressed the problem of an over-litigious culture, hearing testimony on efforts by the state and the private sector to provide Minnesotans with alternative dispute resolution options. Committee Chair Jane Ranum (DFL-Mpls.), a former county prosecutor, alluded to her past experience with court backlogs and emphasized the need for alternatives to costly trials and lawsuits.

The committee heard from Office of Dispute Resolution Director Roger Williams, who traced the history of Minnesota ADR, beginning with the 1939 establishment of the state's Bureau of Mediation Services in response to disputes between employers and organized labor. In 1984, Minnesota's Community Dispute Resolution Program became the fourth project of its kind in the country, providing seed money for five metropolitan and two greater Minnesota community-based mediation centers offering ADR for all manner of disagreements except divorce mediation. Williams detailed a rise in ADR awareness surrounding 1986's Farmer-Lender Mediation Act and 1992's Minnesota Special Education Mediation Service. In the wake of these changes, he said, his office has become an intensive training ground for many new mediators with backgrounds "as varied as those in the legislature."

Williams closed by describing more recent developments, including 1994's sweeping Rule 114, which requires civil courts to offer an ADR option to disputing parties, and a fresh 1997 requirement that health care companies offer such options to unsatisfied enrollees.

Representatives from the state Department of Human Rights presented the committee with results of their nine-month workflow redesign, aimed at eliminating case backlog by incorporating ADR into the processing of claims. According to Acting Commissioner Dolores Fridge and Acting Deputy Commissioner Ken Nickolai, their office discovered that ADR was not the best option for all claimants. However, since instituting a preliminary screening procedure to determine claimant suitability for ADR, results have been more than encouraging. Fridge and Nickolai indicated that though transition costs have made it difficult to claim definite savings, their ongoing investigative caseload has...
Committee update

The number of one-time events, among them:

- A budget surplus was fueled by a stronger economy in 1998, resulting in $448 million in 1999 and $468 million in the biennium. Fiscal year balances of $468 million were remaining for the 1996-1997 biennium. This will leave a $522 million remaining balance for the 1996-1997 biennium.

- The current law has already committed $114 million in fund expenditures, which are expected to yield an additional $19.099 billion, or $646 million more in gross farm income.

- Commissioner Wayne Simoneau forecast a strong Minnesota economy through 2001. General fund revenues for the 1996-97 biennium are expected to reach $19.099 billion, or $464 million more than was expected. Projected general fund expenditures are expected to total $793 million, leaving a $793 million balance for the current biennium.

- Simoneau pointed out that current law has already committed $114 million of the projected $793 million surplus for the creation of a new school reserve account, and $157 million to fund a one-time school district payment schedule change. This will leave $522 million remaining for the 1996-1997 biennium.

- Fiscal year balances of $468 million in 1998 and $448 million in 1999 are forecast.

- Simoneau said that the existing budget surplus was fueled by a stronger economy in 1996, along with the number of one-time events, among them: higher wages, higher than expected tax returns, rapid 1995 stock-price increases, and increased capital gains and tax revenues.

- In addition, the 1996 Federal Agricultural Improvement and Reform Act increased expected gross farm income.

- Simoneau said that he wished to see $266 million of the surplus deposited in the budget reserve, currently at approximately $500 million. The 5 percent reserve target was established following the state's 1990 fiscal problems. Simoneau also advised fiscal restraint, observing that, while a recession is not expected, the Minnesota economy is nearly as good as it will get.

- Implementation of a property tax reform package is one possibility for the remaining $266 million surplus. Another is to return the surplus to the taxpayers.

- John Johnson (DFL-Tower) forecast a property tax reform solution using the available surplus. Johnson said that without a surplus, property tax reform would be unlikely. He noted that property tax reform would not necessarily mean a reduction in property taxes as many people are already in debt, but that the surplus might be used to fix the system without hurting some people already paying for others' relief.

- Steven Novak (DFL-New Brighton) said the state has an unusual opportunity to implement system tax reform. Novak said that even the governor has nothing to lose should he use the surplus for tax reform instead of an unproductive tax refund.

Revenue forecast is sunny

During his address to the first Committee on Taxes, Tues., Jan. 7, chaired by Douglas Johnson (DFL-Tower), Finance Commissioner Wayne Simoneau forecast a strong Minnesota economy through 2001. General fund revenues for the 1996-97 biennium are expected to reach $19.099 billion, or $464 million more than was expected. Projected general fund expenditures are expected to total $793 million, leaving a $793 million balance for the current biennium.

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Priorities highlighted

The Transportation Committee, chaired by Sen. Carol Flynn (DFL-Mpls.), discussed its priorities for 1997 at its opening meeting Thurs., Jan. 8. Members presented their concerns and areas of interest for the new session. Following the discussion, Department of Transportation Commissioner James Denn gave an overview of the department.

- A wide variety of concerns were expressed by the membership. The implications for the state's transportation needs in light of pending welfare reform were a priority raised by a number of Senators. "If we are going to put people into jobs, it won't work unless we can get them to and from those jobs," stated Flynn. In a related issue, Sen. Jane Ranum (DFL-Mpls.) highlighted the relationship between economic development and transportation. "By the year 2010, 35,000 people will need to get to downtown Minneapolis and downtown Saint Paul," she said. Sen. Sandra Pappas (DFL-St. Paul) endorsed 'rider-friendly routes changes' for mass transit.

- Members also raised rural transportation issues. Infrastructure, the condition of the state's highways, speed limits, and rural transit issues were mentioned as items for future consideration. Sen. Dick Day (R-Owatonna) reiterated the need for a stronger Highway Patrol. The funding of the patrol was mentioned as a concern by a number of legislators. Sen. Kevin Langseth (DFL-Glyndon) pointed out that another method of funding the Highway Patrol would be required should the Transfer Fund be discontinued.

- Other financial considerations, such as potential increases in the gas tax, the state's dedicated funding mechanisms and related transportation, the use of toll roads and the implementation of congestion-pricing surfaced as future items for the committee's deliberations. "Since license revenues are good, we have more money than we thought," said Langseth, "but not enough for the year 2000."

- This theme was taken up by Commissioner in his overview. "While the state is not facing an immediate funding crisis, there are transportation needs in Minnesota that cannot be met with existing levels of funding," he stated. But Denn spoke mostly about the current fiscal position of Transportation. "Dedicated savings within MnDOT, sound agency management, and slightly higher than projected state and federal transportation revenues," said Denn, "the funding picture is much improved. In addition, due to efforts made within our department, we have better practices and increased quality. "Hale said that figures showing road maintenance and internal operating expenditures coming in under projections.

- The meeting concluded with questions from the committee for Denn. In response to Sen. Randy Kelly (DFL-St. Paul), he stated "the department spent $50 million less than projected due to changes in spending habits." Kelly also asked if, given welfare reform, MnDOT would have jobs for those expected to be moved off welfare rolls. Commissioner responded with examples of existing hiring practices that have "helped the unemployed and have made the department more representative."

- Ranum asked if Minnesota was one of 21 states asking for changes in the intermodal Surface Transportation Efficiency Act (ISTEA) program for roadway funds. Denn stated "We are part of the group, but not to propose changes. We'd like to force discussion on how funds are distributed. We think it's unfair the way it's been done now."
# 1997 Senate Committee Assignments

## Policy Committees

### Agriculture and Rural Development (15)
- **Chair:** Simpson
- **Vice Chair:** Hanson
- **Office:** 328 Capitol
- **Meets:** Tues., Thurs., 2-3:45 p.m.; Room 107
- **Members:**
  - Bedman, Johnson, D.E.
  - Berg, Morse
  - Dille, Sams
  - Fischbach, Schevel

### Children, Families and Learning (31)
- **Chair:** Piper, Pogemiller, Stumpf
- **Office:** Thurs., Fri., 8-9:45 a.m.; Room 15
- **Members:**
  - Bedman, Johnson, D.E.
  - Berg, Murphy
  - Dille, Piper
  - Fischbach, Schevel

### Crime Prevention (17)
- **Chair:** Billings
- **Office:** 303 Capitol
- **Meets:** Tues., Weds., Fri., 2-3:45 p.m.; Room 107
- **Members:**
  - Bedman, Johnson, D.J.
  - Hansen, Knutson
  - Higgins, Langseth
  - Jansch, Langseth
  - Jung, Larson
  - Kelley, S.P.
  - Kiscaden, Lourey

### Commerce (16)
- **Chair:** Sonon
- **Vice Chair:** Wiener
- **Office:** 303 Capitol
- **Meets:** Tues., Thurs., 2-3:45 p.m.; Room 112
- **Members:**
  - Belanger, Kleis
  - Cohen, Larson
  - Day, Marty
  - Hattinger, Metzen

### Election Laws (11)
- **Chair:** Marty
- **Vice Chair:** Johnson, D.H.
- **Office:** 120 Capitol
- **Meets:** Mon., Weds., Fri., 2-3:45 p.m.; Room 107
- **Members:**
  - Anderson, Faley
  - Bedman, Junge
  - Belanger, Kelly, R.C.
  - Berglin, Kleis

### Environment and Natural Resources (19)
- **Chair:** Lessard
- **Vice Chair:** Anderson
- **Office:** 111 Capitol
- **Meets:** Mon., Weds., Fri., 12 noon-1:45 p.m.; Room 107
- **Members:**
  - Berg, Knutson
  - Dille, Sams
  - Fredericksen, Morse
  - Higgins, Novak
  - Johnson, J.B.

### Governmental Operations and Veterans (15)
- **Chair:** Metzen
- **Office:** 303 Capitol
- **Phone:** 296-4175
- **Meets:** Tues., Thurs., 12 noon-1:45 p.m.; Weds., 10-11:45 a.m.; Room 15
- **Members:**
  - Berg, Morse
  - Betzold, Pogemiller
  - Cohen, Price
  - Fischbach, Robertson

### Health and Family Security (17)
- **Chair:** Hottinger
- **Vice Chair:** Lourey
- **Office:** 120 Capitol
- **Phone:** 296-1323
- **Meets:** Tues., Thurs., Fri., 10-11:45 a.m.; Room 15
- **Members:**
  - Berg, Faley
  - Betzold, Kiscaden
  - Dille, Morse
  - Fischbach, Sams

### Jobs, Energy and Community Development (19)
- **Chair:** Novak
- **Vice Chair:** Kelley, S.P.
- **Office:** 322 Capitol
- **Phone:** 296-1767
- **Meets:** Tues., Thurs., Fri., 10-11:45 a.m.; Room 107
- **Members:**
  - Anderson, J. D. H.
  - Bedman, Johnson, D.J.
  - Fischbach, J. D. K.
  - Higgins, Kelly, R. C.
  - Jansch, Lesaske

### Judiciary (13)
- **Chair:** Ranum
- **Vice Chair:** Betzold
- **Office:** 306 Capitol
- **Phone:** 296-0249
- **Meets:** Mon., Weds., Fri., 12 noon-1:45 p.m.; Room 15
- **Members:**
  - Berglin, Faley
  - Cohen, Johnson, J. D. H.
  - Day, Limmer

### Local and Metropolitan Government (18)
- **Chair:** Wickerman
- **Vice Chair:** Higgins
- **Office:** 226 Capitol
- **Phone:** 296-4150
- **Meets:** Mon., Weds., Fri., 2-3:45 p.m.; Room 107
- **Members:**
  - Day, Kelley, S.P.
  - Dille, Langstang
  - Fredericksen, Lessard
  - Johnson, J. D.

### Rules and Administration (21)
- **Chair:** Moe, R.D.
- **Vice Chair:** Junge
- **Office:** 208 Capitol
- **Phone:** 296-2577
- **Meets:** On call
- **Members:**
  - Belanger, Johnson, J. D.
  - Berglin, Laidig
  - Cohen, Langstang

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**Note:**
- Phone numbers ending in (16) are for Minneapolis.
- Phone numbers ending in (19) are for St. Paul.
- Phone numbers ending in (31) are for the entire state.
### Budget Divisions

#### Crime Prevention and Judiciary Budget Division
- **Chair:** Kelly, R.C.
- **Office:** 323 Capitol
- **Phone:** 296-5285
- **Meetings:** Mon., Weds., Fri., 2-3:45 p.m.; Room 112
- **Members:**
  - Anderson
  - Bederman
  - Belanger
  - Betzold
  - Janezich

#### Economic Development Budget Division
- **Chair:** Bederman
- **Office:** 124G Capitol
- **Phone:** 296-5713
- **Meetings:** Mon., Weds., Fri., 2-3:45 p.m.; Room 112
- **Members:**
  - Anderson
  - Higgins
  - Janezich
  - Johnson, D.H.

#### Environment and Agriculture Budget Division
- **Chair:** Morse
- **Office:** G-24 Capitol
- **Phone:** 296-5649
- **Meetings:** Mon., Weds., Fri., 12 noon-1:45 p.m.; Room 107
- **Members:**
  - Berg
  - Dille
  - Frederikson
  - Higgins
  - Janezich

#### Family and Early Childhood Education Budget Division
- **Chair:** Piper
- **Office:** G-9 Capitol
- **Phone:** 296-9248
- **Meetings:** Tues., Weds., Fri., 8-9:45 a.m.; Room 15
- **Members:**
  - Higgins
  - Janezich

#### Governmental Operations Budget Division
- **Chair:** Price
- **Office:** 235 Capitol
- **Phone:** 296-4839
- **Meetings:** Tues., Thurs., 12 noon-1:45 p.m.; Weds. 10-11:45 a.m.; Room 15
- **Members:**
  - Betzold
  - Cohen
  - Frederikson

#### Health and Family Security Budget Division
- **Chair:** Samuelson
- **Office:** 124 Capitol
- **Phone:** 296-4875
- **Meetings:** Tues., Thurs., Fri., 10-11:45 a.m.; Room 15
- **Members:**
  - Bergin
  - Dille
  - Fishbach
  - Fdrey

#### Higher Education Budget Division
- **Chair:** Stumpf
- **Office:** G-24 Capitol
- **Phone:** 296-5308
- **Meetings:** Tues., Weds., 8-9:45 a.m.; Room 107
- **Members:**
  - Kelley, S.P.
  - Kisdamen

#### K-12 Education Budget Division
- **Chair:** Pogemiller
- **Office:** 235 Capitol
- **Phone:** 296-7809
- **Meetings:** Tues., Weds., Fri., 9-10:45 a.m.; Room 112
- **Members:**
  - Hanson
  - Janezich
  - Junge

#### Property Taxes and Local Government Budget Division
- **Chair:** Pappas
- **Office:** 120 Capitol
- **Phone:** 296-1802
- **Meetings:** Mon., Weds., Thurs., Fri., 4-6 p.m.; Room 112
- **Members:**
  - Belanger
  - Day
  - Flynn

#### Transportation Budget Division
- **Chair:** Johnson, J.B.
- **Office:** 122 Capitol
- **Phone:** 296-9612
- **Meetings:** Mon., Tues., Weds., Thurs., Fri., 4-6 p.m.; Room 123
- **Members:**
  - Hanson
  - Day
  - Flynn

#### Committee on Taxes
- **Chair:** Johnson, D.J.
- **Office:** 222 Capitol
- **Phone:** 296-9612
- **Meetings:** Mon., Tues., Weds., Thurs., Fri., 4-6 p.m.; Room 123
- **Members:**
  - Hanson
  - Day

#### Human Resources Finance Committee
- **Chair:** Berglin
- **Office:** 309 Capitol
- **Phone:** 296-4151
- **Meetings:** Mon., Tues., Weds., Thurs., Fri., 4-6 p.m.; Room 112
- **Members:**
  - Bederman
  - Juhnson, D.H.

#### Education Finance Committee
- **Chair:** Janezich
- **Office:** 317 Capitol
- **Phone:** 296-5308
- **Meetings:** Mon., Tues., Weds., Thurs., Fri., 4-6 p.m.; Room 107
- **Members:**
  - Dille
  - Juhnson, J.B.
The Minnesota Senate Week at a Glance

Monday, January 13

Personnel Subcommittee of the Rules and Administration Committee
Chair: Sen. Roger D. Moe
3:30 p.m. Room 123 Capitol
Agenda: Adoption of the rosters of permanent and temporary employees, other personnel issues.

Rules and Administration Committee
Chair: Sen. Roger D. Moe
10:30 a.m. Room 107 Capitol
Agenda: Personal issues, litigation expenses, other.

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

Election Law Committee
Chair: Sen. John Marty
12 noon Room 112 Capitol
Agenda: S.F. XX-Marty: Recodification of Chapter 10A.

Environment and Agriculture Budget Division
Chair: Sen. Steven Morse
12 noon Room 123 Capitol
Agenda: Joint hearing with Governmental Operations and Transportation Budget Divisions on an overview of Sustainable Development Principals.

Judiciary Committee
Chair: Sen. Jane Ranum
12 noon Room 15 Capitol
Agenda: The stated the judiciary: Changes and challenges. Sue Dosal, Minnesota state court administrator.

Crime Prevention Committee
Chair: Sen. Allan Spear
2 p.m. Room 15 Capitol

Local and Metropolitan Government Committee
Chair: Sen. Jim Vickerman
2 p.m. Room 107 Capitol
Agenda: Metropolitan Council presentation on growth options and related issues.

Tuesday, January 14

Children, Families and Learning Committee
8 a.m. Room 15 Capitol
Agenda: Organizational meeting and introductions.

Health and Family Security Committee
Chair: Sen. John Hottinger
10 a.m. Room 15 Capitol
Agenda: Department of Health overview.

Jobs, Energy and Community Development Committee
Chair: Sen. Steven Novak
10 a.m. Room 107 Capitol
Agenda: To be announced.

Agriculture and Rural Development Committee
Chair: Sen. Dallas Sams
2 p.m. Room 107 Capitol
Agenda: "Transportation Logistics" Gerard McCullough, Center for Transportation Studies; Ron Lifson, LDI Industries; Sherry Munyon, MN Chamber of Commerce; and Richard Murphy, Murphy Warehouse, Inc.

Joint Crime Prevention and Judiciary Committee
Chair: Sen. Allan Spear and Sen. Jane Ranum
12:00 noon Room 15 Capitol
Agenda: An overview of the mental health needs of adults and children in Minnesota. Patrick Harrison, DHS; Sharon Autio, DHS; Roberta Opheim, Ombudsperson for Mental Health and Mental Retardation. **Note: This is not the regular Crime Prevention Committee meeting time. The Committee will meet at the regular time on Wednesday, January 15, at 2:00 p.m. — or when the joint committee meeting concludes if later than 2:00 p.m. — if necessary to complete this agenda or Monday's (January 13) agenda.

Election Law Committee
Chair: Sen. John Marty
12 noon Room 112 Capitol
Agenda: S.F. XX-Flynn: Growe Commission recommendations.

Environment and Natural Resources Committee
Chair: Sen. Bob Olson
4 p.m. Room 112 Capitol
Agenda: Dept. of Human Services overview.

Wednesday, January 15

Transportation Committee
Chair: Sen. Carol Flynn
10 a.m. Room 112 Capitol
Agenda: "Transportation Logistics" Gerard McCullough, Center for Transportation Studies; Ron Lifson, LDI Industries; Sherry Munyon, MN Chamber of Commerce; and Richard Murphy, Murphy Warehouse, Inc.

Joint Crime Prevention and Judiciary Committee
Chair: Sen. Allan Spear and Sen. Jane Ranum
12:00 noon Room 15 Capitol
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Election Law Committee
Chair: Sen. John Marty
12 noon Room 112 Capitol
Agenda: S.F. XX-Flynn: Growe Commission recommendations.

Environment and Natural Resources Committee
Chair: Sen. Bob Olson
4 p.m. Room 112 Capitol
Agenda: Dept. of Human Services overview.

Thursday, January 16

Health and Family Security Committee
Chair: Sen. John Hottinger
10 a.m. Room 15 Capitol
Agenda: Department of Health overview.

Jobs, Energy and Community Development Committee
Chair: Sen. Steven Novak
10 a.m. Room 107 Capitol
Agenda: To be announced.

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

The Senate will meet in joint session with the House to hear the governor’s State of the State Address in the House Chamber at 12:00 noon.

Agriculture and Rural Development Committee
Chair: Sen. Dallas Sams
2 p.m. Room 107 Capitol
Agenda: Joint Crime Prevention and Judiciary Committee meeting.

Health and Family Security Committee
Chair: Sen. John Hottinger
10 a.m. Room 15 Capitol
Agenda: Dept. of Human Services overview.

Jobs, Energy and Community Development Committee
Chair: Sen. Steven Novak
10 a.m. Room 107 Capitol
Agenda: To be announced.

Legislative Coordinating Commission Subcommittee on Rulemaking Exemptions
Chair: Rep. Peggy Lippik
10:15 a.m. Room 300S SOB
Agenda: Public testimony and subcommittee action on the working draft (97-0381) dealing with rulemaking exemptions.

Judiciary Subcommittee on Data Privacy and Information Policy
Chair: Sen. Don Bzdok
12 noon Room 15 Capitol
Agenda: Overview of data privacy issues.

Crime Prevention and Judiciary Budget Division
Chair: Sen. Randy Kelly
2 p.m. Room 15 Capitol
Agenda: Overview of various state-funded crime prevention programs.

For more up-to-date information, consult the Senate’s World Wide Web site. The address is http://www.senate.leg.state.mn.us, or call the Senate Information Office at 296-0504 (toll free 1-888-234-1112).
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Capitol address: 75 Constitution Ave
State Office Building address: 100 Constitution Ave
St. Paul, MN 55155

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The Senate held a brief floor session on Mon., Jan. 13, to process bill introductions and to act on several housekeeping resolutions. The highlight of the session was the passage of a resolution memorializing the late Dr. Martin Luther King Jr. The resolution, sponsored by Sen. Linda Berglin (DFL-Mpls.), describing King's work for racial equality, was adopted unanimously.

Members also held a brief floor session Thurs., Jan. 16, prior to hearing the governor's state of the state address.

Recidivism discussed

The Crime Prevention Committee, chaired by Sen. Allan Spear (DFL-Mpls.), was updated, Mon., Jan. 13, on a promising criminal alert project that grew out of a tragic missing child case. Accompanied by Sen. Ember Reichelt of (DFL-New Hope), participants in the Crime Alert initiative described its merits and outlined reasons for its expansion. The program, which allows law enforcement agencies to alert communities by broadcast fax, after his child was abducted and slain, Minnesotan Clark Hussey championed the idea of using this method in the recovery of missing children. Under the direction of Golden Valley's Sheila Miller, the program's scope was expanded to handle alerts on a variety of criminal activities, targeting alerts to both those in danger of harm and those most likely to help apprehend an offender. Law enforcement can selectively fax information to particular businesses, schools and community groups. The U of M Police Dept.'s Joyce Rikal said the network helps a constituency like hers by linking her office to the Metro Area where university commuters reside. The Golden Valley Police Department's Joanne Paul told of a serial burglar identified from a network fax description and captured. J. unegand Miller suggested further funding to expand the technology.

Also on Monday, the committee heard results of the Legislative Auditor's report on Recidivism of Adult Felons presented by Deputy Legislative Auditor Roger Brooks and his staff. The study tracked two subject pools: 1,879 prisoners released in 1992 and 6,791 felons placed on probation in 1992 but not imprisoned. The report detailed how often these subjects had been rearrested, reconvicted and reimprisoned. The report also detailed new crimes committed; factors affecting outcomes; and placed Minnesota rates in national context. The auditor's staff said Minnesota's rates are comparable to others nationwide, although Minnesota's imprisonment rates per state resident than any state except North Dakota and spends more money per inmate. Some committee members voiced concern that the report found that prisoners involved in work and educational programs are as likely to reoffend as non-participants.

Of the 59 percent of prisoners and 42 percent of probationers who were rearrested, the auditors announced that serious offenders were less likely to be rearrested. Sen. Allan Spear (DFL-Mpls.) noted that this was because they had most likely served longer sentences, were older and therefore less likely to recidivate. While they did not control for this possibility, the auditors said that younger offenders were more likely to be repeat offenders, as were males, non-whites, offenders in the urban areas, and property offenders sentenced to probation.

According to the auditor, minor misdemeanors were not counted as repeat offenses, nor were domestic violence arrests. Sen. Jane Ranum (DFL-Mpls.) expressed concern that domestic violence was not factored in as a repeat offense, but was told that the BCA data was not reliable enough to be consistent use.

The auditors expressed frustration with the fact that, they said, 50 percent of the BCA records they sought were incomplete or difficult to access. "This is really troubling to me," said Sen. Randy Kelly (DFL-St. Paul). The BCA, he said, should exist as a clearinghouse for law enforcement, courts and agencies.

The committee will hear responses to the report at a later hearing.

State of the state

Gov. Arne J. Carlson opened his final State of the State speech with a call for unity and "to set as disparate politics for the well-being of the state." Titled "Strengthening Our Minnesota Community," the governor's speech outlined his accomplishments over the past six years and spoke of his legislative agenda for the 1997 session. Noting the severity of the winter and expressing fears of spring flooding, Carlson requested a $20 million disaster fund to assist agencies and communities due to the weather. He said, "I don't want any public official to place money over safety."

Carlson reviewed accomplishments that have occurred during his administration. He noted a control in the growth of state spending that resulted in a $1.4 billion surplus. Stating that taxes have been reduced by $356 million, he proposed a further $500 million in tax cuts. Carlson spoke of MinnesotaCare, calling it "a national model for health care reform." He also pointed out the creation of 313,000 new jobs and changes in workers' compensation that have led to further savings. Wetlands protection, an environmental partnership with business, and the creation of the Department of Children, Families, and Learning were mentioned as other highlights.

Setting forth his agenda for 1997, Carlson stressed the need for property tax reform and pay raises for state agency commissioners, legislators, and the judiciary. In the area of crime prevention, the governor said "While overall crime has decreased, the number of violent juvenile offenders has increased dramatically," and proposed the use of Camp Ripley for first-time juvenile offenders. He also proposed an arts initiative to help nonprofit organizations tour throughout Minnesota, a 10 cents per pack increase in the state tax on cigarettes to fund a new stadium and public ownership of the Minnesota Twins. Other proposals included tax-free higher education savings accounts and tax credits and deductions to expand education choices for parents and students.
Agriculture and Rural Development

Dept. of Ag overview

The Agriculture and Rural Development Committee began its business for the session on Tues., Jan. 14, with a report from the Dept. of Agriculture. Sen. Dallas Sams (DFL-Staples) convened the meeting with introductory remarks and introductions. Sharon Clark, deputy commissioner of the department, opened the presentation by highlighting the efficiencies achieved by its reorganization, which reduced the number of divisions from fifteen to nine. The heads of each division then presented issues and concerns important to the department and the state for the coming year.

Greg Buzicky, head of Agronomy and Plant Services, noted that his division was responsible for pest and fertilizer regulation, nursery inspections, quality control, and the noxious weed program. Fred Mitchell, head of Dairy and Food Safety, discussed the milk grading function of the dairy division, and stated that the food section was responsible for ensuring wholesomeness and quality in food establishments, grocery and convenience stores, and other facilities. Sen. Charles Berg (IND-Chokio) asked about the impact of a new federal food code. Mitchell responded, “It changes our approach in how we make inspections. We’ll need to identify critical areas in food processing and production to minimize the chance of a food-borne illness outbreak. We’ll move our focus from the floors, walls, and ceilings of food establishments to temperature control and personal hygiene.”

The testimony of Jerry Heil of the department’s Agriculture Marketing and Development division took up most of the remainder of the meeting. “Our mission,” said Heil, “is to facilitate the sustainable development of agriculture in the state of Minnesota. We work to expand markets, increase the value-added components of Minnesota agriculture, to preserve the environment, and to increase public awareness of the social and economic aspects of farming in the state.” He cited the “Buy Minnesota” program, ethanol initiatives, the Agriculture Preservation Program, and Agriculture in the Classroom as some examples of the division’s work.

Heil also emphasized the need to increase international trade efforts for Minnesota products. Kevin Edberg, an assistant to Commissioner Heil, said “We are missing major opportunities for international trade. We’re working with the Minnesota Trade Office to expand our markets.”

Edberg also underlined the importance of animal agriculture. “It’s critical for us to grow with the marketplace. That means adopting new technologies and production systems,” he said, “and working with local agencies to make economic growth compatible with environmental concerns and sustainable development.”

Sen. Tracy Beckman (DFL-Brickley) pointed out that small processing plants around his district are being bought by larger corporations and then closed down, and asked if this is a trend statewide. Edberg replied, “Yes, it is endemic to the industry of agriculture processing as a whole, as companies centralize their marketing efforts, seek greater profit margins and more productive efficiencies. The challenge is to stay current in production related advances and to be more competitive in order to insure local products and ownership.”

At a report on grain inspection by Jim Gyniewski of the Agricultural Certification Division, the department’s report was continued to Thurs., Jan. 16.

Children, Families, and Learning

Overview of Higher Education

Co-Chairs Lawrence Pogemiller (DFL-Mpls.) and Leroy Stumpf (DFL-Theif River Falls) grinned when Sen. Pat Piper (DFL-Austin) described himself as the “Holy Spirit of the Children, Families and Learning Trinity.” Hyperbole aside, the newly-created group took some time after the display’s conclusion, linking the state’s higher education network directly and indirectly affects the state’s economy and quality of life. Marshall offered the most detailed analysis and demonstrated with an animated arrow how healthy institutions effectively “recycle” money back into the state treasury. To the amazement of some legislators, an arrow materialized at the display’s conclusion, linking the state’s higher education network to the university system, foreshadowing requests awaiting the three discrete budget divisions as they meet separately over the next few weeks.

Crime Prevention

Felony transition programs discussed

The Crime Prevention Committee, chaired by Sen. Allan Spear (DFL-Mpls.), continued its consideration of adult felons on reentry Wednesday, Jan. 15, hearing testimony in reaction to the legislative auditor’s report. Department of Corrections Commissioner Gothriel LaFleur cited drug addiction among criminals as a major factor in recidivism. He urged the committee to fund those support services which help former prisoners reassemble into their communities. The Dept. of Corrections representa-
tives also spoke on the problem officer's role as the primary "broker of services" whom must "address the deficits" of their wards. The tribunal, such as the Assistant Commissioner for Community Service Richard Mcclane, services are limited. He said that "there has not been a new halfway house created for adult felons in 20 years." Subsequent testimony addressed the need for more "after-care." Lester Collins, Executive Director of the Council on Black Minnesotans, suggested the committee hear testimony from representatives from the National Black Community on its methods of providing young men with alternative to crime. Roger Clarke of the Side-By-Side Institute of Minnesota described his work with the state's most troubled, disruptive and violent youths, stressing the need for mental health support as a component of "culturally competent after-care." While Clarke said he agreed with the committee's need for updates on programs receiving state funds, he criticized what he called the funding bureaucracy, "these reports won't reflect the success of your funding efforts because we haven't received the money." Without programs like his, he said, kids come out of corrections with "the same old skills," and fall into the same old traps.

Committee members expressed concern about the auditor's findings that in-prison work and education programs have done little to prevent recidivism. Ellen Shelton, of the Minnesota Citizens Council on Crime and Justice, addressed his concerns, but reminded the lawmakers to continually ask the question, "compared to what?"

As Dept. of Corrections Deputy Commissioner Dennis Benson said, "we will never know what the recidivism rates would be in a 23 hour lock-up situation."

Because prison programs are a factor in Minnesota's comparatively high per diem costs, Benson went on to explain that the high rates also result from the state's decision to recycle its real estate, using vacant hospital beds and other buildings as corrections facilities. Initially conceived as a cost-saving measure, the use of multi-unit complexes with obstructed sight lines has resulted, he said, in trade-offs, like hiring more staff. Benson said staff is paid a respectable wage, in an effort to encourage career loyalty and build teams stable enough to implement strategic programs over time.

Senators David Knutson (R-Burnsville) and Thomas Neuville (R-Northfield) emphasized the importance of continuing to study recidivism. Spear concluded by suggesting that "while a full audit is not an affordable yearly option, a mechanism should be instituted, perhaps within the Dept. of Corrections, to collect such data on an ongoing basis.

**Election Laws**

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**Cleaning up Chap. 10**

The Election Laws Committee is re-codifying Chapter 10A, the statute relating to campaign finance, conflicts of interest, and registration of lobbyists. The hearing Monda, Jan. 13, gave Senate Counsel Peter Watson the opportunity to walk members through the 77 page bill. The bill, S.F. 45, sponsored by Committee Chair John Marty (DFL-Roseville), simplifies Chapter 10 language and removes all items deemed by the court to be unconstitutional. Committee members agreed that years of patchwork amending have resulted in a convoluted statute that frustrates first-time candidates and treasurers. Many of the bill's changes are relatively minor, spurred by stylistic and continuity concerns. Watson said that many changes resulted from suggestions made when a draft was reviewed by the Ethical Practices Board and circulated through the caucuses over the past few months. A one-page author's amendment, containing further similar changes was adopted into the bill before the walkthrough began.

While consolidating lobbyist reporting requirements or eliminating phrases like "transfer of funds" in favor of the simpler "contribution" does not generate controversy, other changes will be more significant. Acknowledging this, the committee did the bill over, giving members a chance to consider its more precise interpretive language regarding more controversial issues.

**Growe commission bill approved**

Secretary of State oven Growe appeared before the Election Law's Committee on Wed., Jan 15, asking for their support of S.F. 43. The bill, sponsored by Sen. Carol Flynn (DFL-Mpls.), contains election reform recommendations made by Growe's bipartisan commission. The Secretary of State presented the bill as a new version of the "christmastree" that languished last year after initially passing the Senate. This version, as explained by Flynn, pertains to all constitutional offices and aims to strengthen a party system suffering from a lack of participation. Growe explained that he encouraged a bipartisan activity, the bill actually changes the official term "partisan primary" to "party nominating election." If passed, the bill will move the primary elections from September to the second week in June, and push party caucuses up to the first week in February. It also stiffens petitioning requirements for appearance on a ballot with without party endorsement.

Committee Chair John Marty (DFL-Roseville) spoke against moving the primary date, offering an amendment to hold these elections the second week in August, which he said was the "original" recommendation of the Growe Commission. The August date was shifted to the last year, said Growe, mainly because skeptical legislators feared lower voter turnout due to summer vacationing.

"Most of my constituents don't own lake cabins," Marty said. He proceeded to describe a hypothetical grueling twenty-week election trek. Sen. Mark Ourada (R-Buffalo) concurred that elongated campaigns were desired by neither candidates nor the voting public. Sens. Ember Reichgott Junge (DFL-New Hope) and Linda Scheid (DFL-Brooklyn Park) spoke in favor of the June date. Junge said the move would allow parties time to heal before the general election and give voters more time to become informed about candidates. Flynn added that strengthening the parties makes it easier for citizens of ordinary means to run for office.

After voting down the Marty amendment, the committee approved S.F. 43 and sent it to the floor.

**Environment and Agriculture Budget Division**

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Sustainable living

A joint meeting of the Environment and Agriculture, Government Operations, and Transportation Budget Divisions, chaired by Sen. Steven Morse (DFL-Dakota), convened Monda, Jan. 13, to listen to testimony on covering sustainable development. Morse suggested that members use "today's discussion to develop some criteria that could be used in committee to guide formulation of policy."

Sen. Anet Johnson (DFL-North Branch) provided a brief overview of the Sustainable Development Act. The Act mandated the Environmental Quality Board to assemble and produce a development planning guide for communities. She said, "It is critical for communities like mine to develop sustainable development criteria."

Rolf Nordstrom, asst. director of the Minnesota Roundtable on Sustainable Development, provided a brief historical
Committee Update

Sustainable development concept. "Sustainable development," said Nordstrom, "is the idea that society must find ways to meet its needs without sacrificing the needs of future generations." He provided many examples of global environmental degradation to emphasize the crisis of the world may soon face if we continue at our present levels of consumption and pollution. He asserted that two major forces govern our everyday lives, Nature and Commerce. According to Nordstrom, a natural system is a cyclical process where the waste of one entity is the food for another. In commercial systems, the process is linear, where resources are extracted, refined into a product, and eventually discarded as waste. He then shared several examples where businesses are reusing and recycling, but eventually discarded as waste. He then shared several examples where businesses are reusing and recycling, but eventually discarded as waste. He then...
Scheurla first updated members on the budget for the Capital Assistance Program. The final CAP grant requests are under review, and if nonforeseeable expenses arise, the goal is to add $96,000, said Scheurla. Morase asked, “So are we in great shape for the biennium?” “I believe we are,” Scheurla said.

Osdoba returned to municipal solid waste’s system costs and financing. He reported that total costs for all MSW management activities is over $450 million annually, and that a large majority of these costs are paid through direct charges for collection and disposal. Osdoba also said that recycling is a cost effective, “despite what one might read in the media.” According to Osdoba, of the $450 million spent in 1995, $150 million was spent for recycling. The state recycles 45 percent of its waste, while $300 million was spent to manage garbage left over, he said.

The SCORE sales tax task force is still meeting and trying to “hammer out a recommendation,” said Osdoba. He said that the final report issued by the SCORE task force, released in November 1996, recommends that the moratorium on back taxes due from 1990-95, totaling $3 million, be extended indefinitely. Osdoba said that the deadline, Jan. 15, 1997, for a second report that recommends how to apply the tax in the future has been extended due to differing opinions on the task force. When asked what the final recommendation might say, Osdoba said that he did not know, but “there are several options they are considering.” Sen. John Johnson (DFL-North Branch) asked if more time would be necessary for the task force to work on the recommendation. Osdoba said, “Given the process and how it’s proceeded, I don’t think more time will really help.”

Scheurla reported on the status of the Waste Management Act examination process that was initiated by OEA Director Edward Garvey in 1996. He said that the process is designed to develop policy recommendations for the 1998 legislature and that the process has been designed to be inclusive as possible.

Environment and Natural Resources

Panel tours PCA

The Minnesota Pollution Control agency provided an open house and tour for the Environment and Natural Resources Committee Weds., Jan. 15. The committee is chaired by Sen. Bob Lessard (DFL-Int’l. Falls).

Health and Family Security

Department overview

Chair John Hottinger (DFL-Mankato) welcomed the new committee order, Tues., Jan. 14. Following brief staff introductions, Hottinger also highlighted for the audience a new committee telephone line; the hotline will be updated daily for meeting times and agendas. As opportunities for public testimony during the upcoming welfare reform debate, Hottinger announced the tentative meeting places outside the Capitol that will provide a less formal and imposing environment: Hutchinson, Faribault, and the St. Paul Technical College. Nadates or times have been set, he said.

Commissioner Anne Barry, Dept. of Health, introduced the department’s executive team for the upcoming session and then launched into a description of the “Vision and Guiding Principles” document. According to Barry, the department has been working on the document since Jan. 1, 1996, and almost the entire department, all 1200 employees, have had a hand in its development. The work in progress outlines the variables in today’s health care environment—health factors, changing management practices, political factors, and changing economic and demographic factors—that are driving rapid change. It also sets out five guiding principles that provide direction for the department as it works toward its vision, Barry said.

Sen. Dan Stevens (R-Mora) asked the commissioner to “share a little more about your priorities.” He asked how the legislative process may affect the department’s public health priorities. Barry said, “The department has spent a great deal thinking about that issue. What we believe will happen is that the confines of federal grant programs will change and loosen up.” The problem Stevens was alluding to, Barry said, occurs when the federal government provides a block grant for a specific program. The department, by law, must proceed with implementing the program even if there are other problems in the community that might need more attention, she said. The key, according to Barry, is working along with organizations outside the Dept. of Health to find solutions to a community’s health problems.

Assistant Commissioner Barbara Colombo, overseer of the Health Systems and Special Populations area in the department, outlined the general responsibilities of the four divisions under her direction. The division is accountable for minimum health care quality assurance, especially for vulnerable populations, she said. Colombo said that 46 percent of the agency’s budget is diverted to the Family Health division, and that much of this money is allotted to anti-tobacco outreach programs aimed at teenagers smoking. She said that smoking is the number one preventable public health problem in the state, and further provided some detail about the aggressive advertising campaign initiated by the department. According to the assistant commissioner, the state spends $513 million annually for smoking related health care costs.

Sen. Sheila Kiscaden (R-Rochester) asked Colombo to explain the difference between a population focused health care approach versus an individual focused approach. Colombo said that the primary duty of a public health agency is to examine population trends and use the data to develop community based approaches to solving health problems. “Therefore,” she said, “the primary duty is to identify a population’s health priorities and allocate resources to solve the problems. For that reason, the department is data dependent in order to identify trends and set priorities.” Colombo agreed with Kiscaden’s statement and said, “The department relies heavily on sound, scientific data for making decisions.”

Sen. Leo Foley (DFL-Anoka) asked if there were any studies done locally or nationally to identify the effectiveness of the anti-smoking messages aimed at teenagers. Colombo said she was not aware of any specific data or studies, and that, “The media messages make a difference with kids. Tobacco companies invest incredible resources to attract children, such as to develop Joe Camel. Therefore, we need to allocate resources to counter the tobacco messages.”

Stevens asked if there is any scientific data exploring the correlation between the increase in teen age tobacco use and illicit drug abuse. Colombo stated that tobacco is the “gateway drug for teenagers,” and that there is a high correlation between teenagers who smoke and illegal drug users.

Asst. Commissioner Kelli Johnson, overseer of the Health Protection area, provided an overview of the agency’s responsibilities, which focus on front-end
Committee update

prevention of illness and disease. She cited safe drinking water and food in restaurants as examples of areas of public health her agency regulates.

H umanservicesoverview

The Health and Family Security Committee met Thurs., Jan. 16, to listen to an overview of the functions and priorities for the Dept. of Human Services.

Chair John Hottinger (DFL-Mankato) welcomed Commissioner David Doth who introduced his senior management team and proceeded with a summary of the department's primary priorities: health care and welfare. Doth said, "In many ways, the department is different than a major business. We have planning, research, and development activities."

Doth then summarized the expenditures for fiscal year 1996-97 and the projected budget for the coming biennium. He said that of the projected $1 billion growth in state revenue, 75 percent will be consumed by Health and Human Services.

Turning to the department's health care programs, Doth briefly summarized the three important programs: Medical Assistance, General Assistance Medical Care, and MinnesotaCare.

Next, the commissioner outlined the priorities initiatives for the department for 1997. Health care, welfare reform, children, technology and information access, and workforce development—all are considered top priority for this coming year, he said.

Assistant Commissioner Tom Moss, supervisor of the department's finance and management operations, provided a brief overview of the various offices in his division. According to Moss, the Audits Office, Financial Operations, Health Care Systems Management, Office of Legal Management, and Management Operations are included in his office.

"With the introduction of new technology in the department, have you seen a reduction in staff?" asked Sen. Pat Piper (DFL-Austin). Moss said that the department has not seen a reduction in staff, but he has seen a savings in administrative costs.

Assistant Commissioner Tom Moss, supervisor of Aging Initiative and Project 2030, provided a survey of his division's responsibilities. Subdivisions in his office include Community Support, Continuing Care, and Minnesota Senior Health Options. Moss also summarized Project 2030. He said in looking at the future of senior health management and administration starting in the year 2030, one quarter of the state's population will be elderly. This will place strain on the state's funding stream, so solutions need to be considered now that will ameliorate foreseen problems, he said.

J obs, Energy, and CommunityDevelopment

Committee begins overview

Committee Chair, Sen. Steven Novak (DFL-New Brighton), convened the jobs, Energy, and Community Development Committee Tues., Jan. 14. For the first four hearings, Novak stated, the committee would hear overviews from state agencies concerned with industry regulation. On Tuesday, the Dept. of Public Services, the Public Utilities Commission, and the Attorney General's office each presented summaries to the committee.

Commissioner Kris Sanda spoke for the Dept. of Public Service and explained the functions of its three divisions: Telecommunications, Energy, and Utilities and Measures. "The mission of the department is to efficiently provide public interest advocacy, enforcement and regulatory services for all Minnesota consumers and to expand economic opportunities while improving the environment and our quality of life," she said.

Sanda cited the savings of over $13 million in rate reductions for Minnesota consumers as an example of the department's efforts in telecommunications. "Redefining basic needs and providing service for all is another issue. The touch tone phone, for example, is no longer a luxury, but a necessity," she said.

In the Energy Division, Sanda said, the department continues to take the lead on the issue of nuclear waste. "We brought a successful suit against the federal Dept. of Energy on wastestorage, but more work needs to be done," she said. In response to a question from Sen. Dennis Frederickson (R-New Ulm) about further federal involvement on the issue of nuclear waste, Sanda said, "Minnesota has contributed $250 million to the federal nuclear waste fund, and the federal government promised they'd take our nuclear waste in 1998. But I expect that the federal will offer to pay to store the waste. That is not acceptable, and we may have to sue again."

Sanda also pointed to the Wind Resources Assessment Program (WRAP), a project examining the potential of wind harvesting for energy purposes, as a successful program. She cited the Metrology Laboratory in the division of Weights and Measures for special praise as the "best mass measurement laboratory in the U.S."

Burl Haar presented the overview for the Public Utilities Commission. "The mission of the PUC is to create and maintain an environment of accessible energy fair and reasonable rates," he said. "We have a major responsibility. Legislatively, we have made every effort to protect individual consumers. Quasi-judicially, we are responsible for resolving specific disputes, such as those concerning rates." Said Sen. Ellen Anderson (DFL-St. Paul) asked Haar about the timeline for a decision on the proposed NPS merger. Haar replied, "The merger will come before the commission in March. I expect it to be several weeks before a decision actually comes down."

Eric Swanson spoke on behalf of the Attorney General's office. "Our office represents citizens and small business customers at the PUC, in the courts, and with other agencies," he said. "We've had an impact that has provided a number of benefits. Our services cost about a penny a month per customer. We introduced the nation's first anti-slamming legislation to prevent phone companies from charging long distance carriers without customer approval. And we assist hundreds of citizens who call our office with their concerns."

Before adjourning, Novak closed with announcements of various business before the committee this session, including the Minneapolis Convention Center issue, labor management concerns, and housing considerations in light of pending welfare reform.

D epartmental overview

The Jobs, Energy and Community Development Committee, chaired by Sens. Steven Novak (DFL-New Brighton), heard a Minnesota Department of Economic Security overview Thurs., Jan. 16. The overview consisted of reports from three divisions: Business and Community Development; the Minnesota Trade Office; and the Minnesota Office of Tourism.

Dept. of Economic Security Commissioner Jay Novak defined his department's purpose as that of creating jobs. To this end, he said, his department is a business and does not measure its annual success by the number of businesses it
brings into the state, but instead, by the number of quality jobs that it creates.

The commissioner said a growing number of good jobs in the state, 288,000 last year, is encouraging and places the state at a job growth rate 65 percent faster than the rest of the country. He said that manufacturing is growing more quickly in greater Minnesota than in the Twin Cities, and that every county enjoys lower unemployment than it did several years ago. Jay Novak also said that his department will continue expanding local company operations in foreign countries.

A report on Minnesota Technology, a Dept. of Economic Security enterprise and the successor to the Greater Minnesota Corporation, was of interest to the panel. Minnesota Technology strengthens the state's economy by helping companies become more competitive through the application and development of technology, the commissioner said. Minnesota Technology is part of the state's strategy to strengthen its economy and to maintain and create more high-skill, quality-wage jobs, according to the commissioner.

Judiciary

Judiciary prepares for change

The Judiciary Committee, chaired by Sen. Jane Ranum, met Mon., Jan. 13, with judges from metropolitan counties and greater Minnesota to explore modified and innovative methods to decrease and expedite swelling Minnesota Court caseloads.

Family breakdown, more-at-risk children, increasing family income disparity, an aging and less crime-tolerant population, as well as diminished reliance on churches and other community institutions once used to resolve disputes have contributed to overwhelming court caseloads, said Minnesota Supreme Court Justice Edward C. Stringer.

Conference of Chief Judges Chair William E. Walker said that today's system deals with a multiplicity of cases that are not necessarily appropriate for the courtroom. He said that many involve divorce, custody, mental health and elderly matters; and are routine, one-sided, often uncontested cases that do not require a trial judge's supervision.

In fact, only 10 percent of the cases filed are major cases, while 90 percent are minor cases involving civil, traffic, parking and other minor criminal matters, Walker said. This translates to an average annual per judge caseload of 700 major cases and 6,000 minor cases.

Walker said that to reduce the overload and to provide timely resolution of cases and controversies, a Conference of Chief Judges was assembled to establish a strategy to be in place by the year 2005. In part, the plan aims to resolve certain disputes before they reach the courts, he said.

Walker said the Conference of Chief Judges developed proposals including the resolution of civil, personal, family and wildfire cases through the use of alternative dispute resolution; promotion of early intervention or pre-trial diversion programs for some juvenile and adult non-violent acts; increased preventative community involvement to discourage criminal behavior; the consolidation of related dissolution, custody and domestic abuse cases using a one-judge-one-family approach; and the decriminalization of certain non-violent violations, such as city ordinance violations.

Hennepin County Judge Lucy Ann Wieland described Hennepin County Child Protection program changes. Under the new program, parents, case managers and judges work together to develop a case plan, and when necessary, to secure foster care, preferably among relatives. Judges and case workers attempt to resolve in 30 days what once may have taken months, Wieland said.

Hennepin County Judge John M. Stanoch described new rehabilitation programs aimed at pistol-toting kids and drug abusers. The firearm program emphasizes the bleak realities of gun violence and involves visits with emergency room trauma staff, murder victims' loved ones and prisoners convicted of gun-related crimes, he said. Those charged with narcotics use will receive immediate treatment evaluation, as well as assistance with employment procurement and housing, Stanoch said. He said the improved drug rehabilitation program attempts to help offenders become productive citizens instead of costly prisoners.

Mental health needs reviewed

A joint meeting, Weds., Jan. 15, of the Juvenile Committee, chaired by Sen. Jane Ranum (DFL-Mpls.), and the Crime Prevention Committee, chaired by Sen. Allan Spear (DFL-Mpls.), reviewed mental health needs among Minnesota children and adults. The committees also examined a correlation between mental illness and criminal justice system involvement.

Administrative Planning Director Patricia Harrison, Dept. of Human Services, cited statistics from a mental health and substance abuse survey involving 15-year-old adolescents in public schools and detention centers. Harrison said age 15 was chosen for study because it is a critical age in which high-risk behaviors are initiated.

The survey determined that indicators of psychological distress and substance abuse are higher among adolescents in special settings, such as correctional facilities and foster homes; that 10 to 20 percent of girls and boys in public schools felt pervasive feelings of sadness, hopelessness and anxiety; that one in five girls and almost one in five boys in public schools reported having attempted suicide; that one-half of public school students used alcohol; one in five, marijuana; and that alcohol, marijuana and inhalant use was higher among girls than boys.

In response to questions from Ranum, Spear and Sen. Linda Berglin (DFL-Mpls.), Harrison said that a history of sexual or physical abuse is a predictor of later mental health and substance abuse problems. Citing from the survey, she said that 53 percent of girls having attempted suicide had been sexually or physically abused, while male suicide attempts, though lower, also reflected high abusers rates. She said that abuse histories were also strongly associated with multiple drug use.

Children's Mental Health Director Janice Cooper, DHS, cited Minnesota children's mental health statistics and answered questions on methods proposed to meet children's needs. Cooper said that 32,500 severely emotionally disturbed children are currently receiving publicly funded treatment; that Minnesota schools have identified 16,000 children experiencing emotional and behavioral disorders, and that of this number, 15.5 percent are children of color and 80 percent are female.

The report also indicated a connection between homelessness and emotional problems. It stated that among 10,000 children expected to experience homelessness within a one-year period, 35 percent will subsequently be diagnosed with a serious emotional disturbance.

Spear asked Cooper to explain how her department planned to respond to the statistics that it had collected. Cooper said that the figures would be used to research and to implement programs intended to reduce future criminal behavior through identification and treatment of mental health problems.
Mental Health Program Division Director, Sharon Autio, DHSt, defined the committee’s “serious and persistent mental illness” (SMPI). Quoting from a fact sheet, Autio said that there are 32,000 adults with SMPI within the state, and that approximately 24,000 are receiving publicly funded services; she said she anticipated an increase in these numbers based on a recent federal estimate. According to Autio’s statements, those suffering SMPI are divided equally by gender, are between age 20-45, have at one or more times been employed, and typically suffer cycles of mental illness with resultant job loss.

Among 40,600 homeless adults, 11,000 reported having received inpatient mental health care. Autio said that studies have shown mentally ill persons are more prone to violence than the general population.

Sen. Sheila Kiscaden (R-Rochester) expressed concern that underlying the adult statistics lays serious problems that have not been addressed, such as the possibility of large numbers of untreated mentally ill individuals languishing in correctional institutions.

Autio, quoting from her survey, stated that no data regarding the incidence of serious mental illness among Minnesota prisoners was available, but that a recent survey had found that roughly 13 percent of prisoners relied on medications normally administered to those suffering serious mental illness.

She added that DHS mental health divisions are now working with the Dept. of Corrections to address mental health needs in correctional settings.

Pat Saleen, ombudsman for corrections, said that the system had recently studied mental illness policies in adult correctional institutions and had made beneficial changes necessary to meet the needs of those imprisoned. She said that many more inmates now receive treatment in a timely manner.

K-12 Education Budget Division

Elimination of caps bills

The K-12 Education Budget Division hearing Wednesday, Jan. 14, began with a shower of identical bills to reinstate $337 million for education. The meeting’s focus shifted, however, to a discussion of school district budget timelines that continually force the legislature into a school-funding crunch.

In response to the eight bills calling for repeal, Committee Chairman Lawrence Pogemiller (DFL-Mpls.) slowed the rush toward passage. He called for member to “honey in on reality,” and asked whether the $337 million is indeed “old money” or if it should be simply treated as a fresh appropriation request. The chair holds the school budget at 1995 rates, a reduction in the general education formula by $75 per student, and was adopted when gloomy state budget forecasts predicted an upcoming shortfall. The bills’ co-authors cited the state budget surplus as their reason for requesting cap repeal.

Pogemiller pointed out that while the foundation aid to schools has indeed not been adjusted for inflation in the past six years, the school budget has been increased considerably by additional appropriations. Sen. Keith Langseth (DFL-Glyndon) reminded members that while this is true, some districts “don’t get plugged into such programs and depend more on foundation aid than others.”

Testimony by Bob Meeks of the Minnesota School Board Association focused on the need for legislative alacrity in repealing the caps, informing the committee that school districts are currently doing multi-track planning, not knowing how much they will have to cut for the next year. Meeks said that most districts will have to cut whether the caps are repealed or not. “We cut programs, not people,” Meeks said, explaining that his euphemism really means putting teachers and other staff on unpaid leave. Districts must inform teachers of the need to save money by June 1, and plan for them much earlier. He said, “If this [the repeal] isn’t done pretty soon, we are going to have to go ahead and make the layoffs.”

Pogemiller expressed frustration with school district fiscal planning schedules, the assumptions schools must make and the pressure on local lawmaker to indicate early how much they will be cutting. Sen. Gen Olson (R-Minnetrista) suggested that future consideration might begin to changing the time line of school budgeting.

School and community groups testified on the kind of cuts they will be making with and without the cap repeal. In particular, Andy Walmeyer, a high school senior and editor of Stillwater High School’s newspaper, caught the committee’s attention, “There’s been a lot of debate today about what’s real and what’s not real. I’m here to tell you that I’m what’s real.” He went on to explain how budget cuts have meant crammed science labs and abbreviated extracurriculars. “I’m not going to debate with anyone if this is old money or new money,” he said, “It’s money we need, or the cuts will continue.”

Local and Metropolitan Development

Metro 2040 strategy outlined

The Metropolitan Council’s 25-year plan for addressing growth in the seven county Metropolitan Area was outlined in the opening meeting of the Local and Metropolitan Government Committee Monday, Jan. 13. The plan, dubbed Metro 2040, was presented by Kurt Johnson, chair of the Council, Craig Rapp, director of community development, and Jim Salem, executive director. Committee Chair, Sen. Jim Vickerman (DFL-Tracy), opened with brief remarks about the committee’s work for the session and the introduction of new members. “This will be a busy session,” said Vickerman. “In addition to the local and metropolitan government issues, we’ll be taking up gaming and some property tax issues as well.”

Growth projections set forth by the Metro Council show a population increase of 650,000 in the metro area by the year 2020, and Metro 2040 is designed “to meet the needs of a growing population through partnerships with the 189 jurisdictions involved and with the concerns of the citizens in mind,” said Johnson. “We listened to people at town meetings, in focus groups, and through phone surveys, and the items came through loud and clear: people are worried about the appearance of natural resources; they’re worried about how or if we can revalue the inner core and the fear of the loss of community values, the relationship between communities.”

Johnson said the Met Council is responding to these concerns with the Metro 2040 proposal. “After negotiation with all the communities impacted, by 2020 we will draw urban boundaries to keep growth orderly and configured. We hopeto channel 80 percent of future growth into areas where infrastructure already exists. And, we will pay unprecedented attention to revitalizing the inner core.” He cited, for example, a proposal in Metro 2040 to set up transit ways corridors dedicated to mass transit. “We aren’t going to build new roads; we have
our partnership with the state to keep 100,000 criminals in the state of Minnesota who are under county supervision. "There are pockets of jobs, rural and metro, and the transit system is not adequate to get these people where they'll need to go."

He added that the association's additional welfare reform goals for 1997 were to protect kids and families, to require rework, and to avoid further shifts in property taxes. The presentation by the League of Minnesota Cities was given by Jim Miller, executive director, and Del Haag, second vice president. Haag pointed out the league's infrastructure funding and rehabilitation concerns, particularly regarding upgrades in wastewater treatment. Miller disclosed the results of a survey of league members regarding changes and challenges faced by the cities.

Municipal agenda outlined

On Weds., Jan. 15, the local and Metropolitan Government Committee heard testimony from city, county, and municipal organizations about their missions and legislative agendas for this session. Property tax reform, juvenile crime, and the gas tax were among the issues raised.

Hennepin County Commissioner Peter Mclaughlin and Cottonwood County Commissioner Marlowe Nelson represented the Association of Minnesota Counties. Nelson, an executive board member of the association, said, "It is the mission of the Association to assist in the provision of effective county governance for the people of Minnesota. Some key county issues are fiscal and property tax reform, and preparation for welfare reform." Mclaughlin, association president, stressed the need for property tax reform in light of the issues of public safety. "There are 100,000 criminals in the state of Minnesota who are under county supervision as opposed to 4,000 criminals who are the state's responsibility. Funding from the state has not kept up with the increase in crime, and we need to renew our partnership with the state to keep increased public safety expenditures off the property tax," he said.

Committee Chair, Sen. Jim Vickerman (DFL-Tracy), voiced his concerns about welfare reform, and stated, "There may be lots of work in the Metro Area, but in my district we don't have enough jobs for the people who are going to need them."

McLaughlin agreed, and said, "This is a good time to bring up the fact that there are pockets of jobs, rural and metro, and the transit system is not adequate to get these people where they'll need to go."

He added that the association's additional welfare reform goals for 1997 were to protect kids and families, to require rework, and to avoid further shifts in property taxes. The presentation by the League of Minnesota Cities was given by Jim Miller, executive director, and Del Haag, second vice president. Haag pointed out the league's infrastructure funding and rehabilitation concerns, particularly regarding upgrades in wastewater treatment. Miller disclosed the results of a survey of league members regarding changes and challenges faced by the cities.

Transportation

Business leaders discuss needs

Cooperation among the public and private sectors was the subject of discussion in the Transportation Committee, chaired by Sen. Carol Flynn (DFL-Mpls.), Weds., Jan 15.

University of Minnesota Center for Transportation Studies Director Gerard McCullough defined the discussion when he pointed out that it's less important to identify a transportation mode, such as rail, air or truck, than it is to identify the numbers of households and businesses necessary to generate a transportation need. Needed transportation means jobs and increased tax revenues, McCullough said.

According to Sherry Munyon, Minnesota Chamber of Commerce, the need for freight transportation in Minnesota is high. She said that 122 million tons of manufactured freight are moved within the state each year. For this reason she advised improved communication between the public and private sectors concerning freight issues and the incorporation of those issues within the transportation planning process.

Murphy Warehouse Inc. President Richard Murphy, Jr. revealed that many transportation companies are no longer involved in trucking alone, but offer instead customized storage, product distribution, client inventory control, and local, national, and international delivery--a service mix that creates jobs within communities.

Murphy said that such diversified services are known as "logistics," a term that, in this instance, means getting the correct products to the right place at the right time, damage-free and at the right cost.

Doing so is not easily accomplished, Murphy said, because the state is off the beaten path. Its location requires continued investment in transportation infrastructure to retain local clients, he said. Competitive pricing and timely service are two obvious methods; however, Murphy said that the state's high commercial industrial tax makes competitive pricing difficult.

Flynn praised the state's success as a distribution center despite its regional location. She said its productive workforce and its comparatively defect-free products are a benefit that more than compensates for its higher taxes. She later observed that higher taxes often subsidize mobility programs necessary to move employees to jobs located in the suburbs.

LDI Industries Vice President of Manufacturing Ron Lifson, who also addressed the committee, recommended that the state become more regionally competitive and suggested that it negotiate with businesses instead of imposing inflexible restrictions.

Sen. Sandra Pappas (DFL-St. Paul) said that she was concerned that eroding commercial industrial tax structure would place greater tax burden on homeowners, and would result in fewer tax dollars and inadequate resources for growth.
Information Services

The Senate Information Office and the Office of the Secretary of the Senate are located in Room 231 of the Capitol. These offices distribute all published materials and handle inquiries about Senate committee meetings, Senate districts, Senator telephone numbers, bill reference numbers, and bills. Interested citizens may request copies of bills or ask to be put on the mailing list for Senate publications. If you want to know the name of your Senator or have any other questions about the Minnesota Senate, call 296-0504. The Senate Information Office has recently initiated toll-free telephone numbers to enable citizens of Greater Minnesota to obtain general information about the Minnesota Senate. The telephone numbers are 1-888-234-1112 (voice) and 1-888-234-1216 (TTY). Staff members are available to answer questions about the Senate and the legislative process. For daily recorded updates on committee meetings, call the Senate Hotline at 296-8088.

Hearing Interpreter Services

The Legislative Coordinating Commission has contracted with the Minnesota Foundation for Better Hearing and Speech to provide sign language interpreter services for deaf and hard of hearing people during this legislative session. The foundation's coordinator for this project will maintain an office in Room 90 of the State Office Building.

Requests for ASL interpreter services should be directed to the coordinator at 282-2231. Interpreter services are available to facilitate testimony, to interpret for meetings between members and constituents.

Listserv Available

Both the Senate and House have established "listservs" to automatically send daily committee schedules to subscribers with Internet e-mail access. These listservs are designed to make it easier for the public to keep up-to-the-minute information about Senate and House committee schedules. A "listserv" is a mailing list program designed to copy and distribute electronic mail to everyone subscribed on a particular mailing list. It is necessary to subscribe to each list separately.

Individuals may subscribe to the Senate and House listservs at any time and the schedules will be e-mailed on a daily basis. In cases of a major change in the schedule, updated schedules of information will also be sent to the listserv mailing list.

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

listserv@senate.leg.state.mn.us

In the message body type the following text:

subscribe sen-schedules

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

listserv@hsched.house.leg.state.mn.us

In the message body type the following text:

subscribe h-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.

Senate TV Services

Television coverage of Senate and House floor sessions and selected committee meetings is available in the Twin Cities, KTCI, channel 17, will carry Senate and House programming during the day through most of the session. KTCI reaches about one million households in the Twin Cities. In addition, this year Senate and House coverage is also available to hearing-impaired viewers of KTCI. The services will be extended to Greater Minnesota cable channels when statewide distribution begins in mid-March.

Capitol Report, the weekly legislative public affairs program produced by Senate Media Services, will air on the PBS broadcast network throughout the state this year. The program airs:

9:30 p.m. Tuesdays on KTCA 17, Twin Cities.
11:30 a.m. Sundays on KWCM 10, Appleton.
11:30 a.m. Sundays on KSMQ 15, Austin.
11:30 a.m. Sundays on KAWE 9, Bemidji.
11:30 a.m. Sundays on KAWB 22, Brainerd.
12:30 p.m. Sundays on WDSE 8, Duluth.

The Senate on the World Wide Web

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.

At present, this 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 http://www.leg.state.mn.us.

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

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231 Capitol 296-0504
Toll free 1-888-234-1112
Information, House
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Committee Hotline, Senate
296-8088
Committee Hotline, House
296-9283
Sergeant at Arms, Senate
G-1 Capitol/Chamber 296-1119/296-7159
Sergeant at Arms, House
45 State Office Building 296-4860
Legislative Reference Library
645 State Office Building 296-3398
Revisor of Statutes
700 State Office Building 296-2868
Capitol Information Desk
1st Floor Capitol 296-3962, 296-2739, 296-1503
Capitol Historic Site Program (tours)
B-59 Capitol 296-2881
TTY, Senate
296-0250
TTY, House
296-9996
Toll free 1-800-657-3550
The Minnesota Senate Week at a Glance

**Monday, January 20**

All Senate offices will be closed in observance of Martin Luther King, Jr. Day.

**Tuesday, January 21**

Family and Early Childhood Budget Division
Chair: Sen. Pat Piper
8 a.m. Room 107 Capitol
Agenda: Department of Children, Families and Learning; Office of Community Services overviews.

Higher Education Budget Division
Chair: Sen. LeRoy Stumpf
8 a.m. Room 107 Capitol
Agenda: Presentation by Legislative Auditor of findings of Special Education audit report; discussion of work plan.

K-12 Education Budget Division
Chair: Sen. Lawrence Pogemiller
8:30 a.m. Room 112 Capitol
Agenda: Presentation by Legislative Auditor of findings of Special Education audit report; discussion of work plan.

Legislative Coordinating Commission Subcommittee on Rulemaking Exemptions
Chair: Rep. Peggy Leppik
9 a.m. Room 300S State Office Building
Agenda: Public testimony and subcommittee action on the working draft dealing with rulemaking exemptions.

Health and Family Security Committee
Chair: Sen. John Hottinger
10 a.m. Room 15 Capitol
Agenda: Report on Minnesota’s nursing home costs compared to other states by the Legislative Auditor’s Office.

**Wednesday, January 22**

No Senate committee meetings will be held during the day due to a welfare reform conference.

Education Finance Committee
Chair: Sen. Keith Langseth
4 p.m. Room 123 Capitol
Agenda: Presentation by Legislative Auditor of findings of Special Education audit report; discussion of work plan.

Jobs, Energy and Community Development Committee
Chair: Sen. Steven Novak
10 a.m. Room 123 Capitol
Agenda: Labor and business issues.

Transportation Committee
Chair: Sen. Carol Flynn
12 noon Room 112 Capitol

**Thursday, January 23**

The Senate will meet at 9:00 a.m.

Health and Family Security Committee
Chair: Sen. John Hottinger
10 a.m. Room 15 Capitol
Agenda: Review the budgets of the courts.

Local and Metropolitan Government Committee
Chair: Sen. Jim Vukman
2 p.m. Room 107 Capitol
Agenda: Presentations by the MN Association of Small Cities, the MN Association of Townships, and the MN Association of Metropolitan Municipalities.

Health Care and Family Security Budget Division
Chair: Sen. Don Samuelson
4 p.m. Room 112 Capitol
Agenda: Report on Minnesota’s nursing home costs compared to other states by the Legislative Auditor’s Office.

**Friday, January 24**

Health and Family Security Committee
Chair: Sen. John Hottinger
10 a.m. Room 15 Capitol
Agenda: Continuation of organization introductions (non-welfare reform groups).

Agriculture and Rural Development Committee
Chair: Sen. Dallas Sams
12 noon Room 15 Capitol
Agenda: Joint Meeting: Senate Agriculture and Rural Development with House Agriculture Committee: alleged price fixing of milk.

Environmental Quality Board
Chair: Sen. Dallas Sams
12 noon Room 112 Capitol
Agenda: Presentation by Legislative Auditor of findings of Special Education audit report; discussion of work plan.

Government Operations Committee
Chair: Sen. Randy Kelly
2 p.m. Room 15 Capitol
Agenda: Review the budgets of the courts.

Local and Metropolitan Government Committee
Chair: Sen. Jim Vukman
2 p.m. Room 107 Capitol
Agenda: Presentations by the MN Association of Small Cities, the MN Association of Townships, and the MN Association of Metropolitan Municipalities.

Health Care and Family Security Budget Division
Chair: Sen. Don Samuelson
4 p.m. Room 112 Capitol
Agenda: Report on Minnesota’s nursing home costs compared to other states by the Legislative Auditor’s Office.

**Wednesday, January 22**

No Senate committee meetings will be held during the day due to a welfare reform conference.

Education Finance Committee
Chair: Sen. Keith Langseth
4 p.m. Room 123 Capitol
Agenda: Presentation by Legislative Auditor of findings of Special Education audit report; discussion of work plan.

Jobs, Energy and Community Development Committee
Chair: Sen. Steven Novak
10 a.m. Room 123 Capitol
Agenda: Labor and business issues.

Transportation Committee
Chair: Sen. Carol Flynn
12 noon Room 112 Capitol

**Thursday, January 23**

The Senate will meet at 9:00 a.m.

Health and Family Security Committee
Chair: Sen. John Hottinger
10 a.m. Room 15 Capitol
Agenda: Review the budgets of the courts.

Local and Metropolitan Government Committee
Chair: Sen. Jim Vukman
2 p.m. Room 107 Capitol
Agenda: Presentations by the MN Association of Small Cities, the MN Association of Townships, and the MN Association of Metropolitan Municipalities.
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Budget reviewed

Chair Keith Langseth (DFL-Glyndon) welcomed members to the first joint meeting of the three new finance committees, Thurs., Jan. 16. Co-Chair Linda Berglin (DFL-Mpls.) also welcomed members and said, "I hope this joint committee is a sign of things to come." Co-Chair Richard Cohen (DFL-St. Paul) added, "I'm optimistic that the new system will work."

Commissioner Wayne Simoneau, Dept. of Finance, began his presentation with an overview of the current budget for fiscal year 1996-97. According to the November forecast, said Simoneau, the state will have an available balance of $522 million. He then proceeded with the budget outlook for FY 1998-99. Simoneau said that after forecast revenues and projected expenditures have been accounted for, the state will have an estimated available balance of $468 million in 1998 and $448 million in 1999. He then offered several recommendations for consideration:

- Create an adequate reserve to manage risk;
- Avoid creating future fiscal "tails;"
- Anticipate the possibility of slower revenue growth and potential federal budget action.

State Economist Tom Stinson said that because the economy was revealed to be stronger in the November estimate than in the original end-of-session estimate, and due to a "lack of an district on the horizon," the department was able to forecast growth through 1999. Stinson said that several unanticipated, one-time events in 1996, spurred the economy more than originally estimated. For example, he said, the agricultural center was strong with good prices and high yields, the new farm bill added $260 million in income, and several large business mergers all added to the state's higher than expected revenue.

"There is a substantial upside risk, though," Stinson was quick to add. Data Resources, Inc., estimates real Gross Domestic Product for the state grew at a rate of 2.4 percent in 1996, and that growth rate is predicted to continue through mid-1999. While a recession is predicted for the near future, the 2.4 percent growth rate can easily slip to 2.0 or 1.9 percent, said Stinson, and this will substantially affect state revenues for the 1998-99 biennium. Therefore, said Stinson, one of his chief recommendations is to increase the state reserve.

Cohen asked how Minnesota has performed in relation to the nation. Stinson said that Minnesota has out-performed national job growth, and consequently, the state has a lower than average unemployment rate. "The problem," added Stinson, "is how do you fill the new job openings?" In the projections, it is assumed that migration will increase the new jobs that are created, but that is an assumption that might fail, said Stinson.

"If we are continuing in a recession, will it affect the revenue in the short term?" asked Cohen. "I suspect in the short term the economy has a low unemployment rate," Stinson responded. "The problem," added Cohen, "is how do you fill the new job openings?"

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"If we are continuing in a recession, will it affect the revenue in the short term?" asked Cohen. "I suspect in the short term the weather already has affected state revenues," responded Stinson. For example, the January sales tax receipts will be lower than usual as people do little shopping during inclement weather, especially in Western Minnesota, said Stinson. Furthermore, Stinson continued, there is some concern about a shorter growing season and an early frost, which would affect agricultural revenue.

Labor, business agendas

The joint Energy, and Community Development Committee, chaired by Sen. Steven Novak (DFL-New Brighton), met Tues., Jan. 21, to hear the concerns and legislative agendas of state labor leaders. Represented were the AFL-CIO, the Minnesota Chamber of Commerce, the Dept. of Labor and Industry, and the Minnesota Business Partnership.

Commissioner Gary Bastian of the Dept. of Labor and Industry pointed out that the state's job safety record is the among the best in the nation. "Time lost due to work-related injuries, the number of injuries, and the number of claims are all down, and savings in workers' compensation was about $100 million in December alone," he said. Gail Blackstone, assistant commissioner of Workplace Services for the department, outlined labor outreach programs. "We're rebuilding contacts in the Hmong community, for example, to explain labor standards and correct violations," she said.

Labor concerns were represented by Bernard Brommer, president of the Minnesota AFL-CIO. Wages were up in the state minimum wage, making it consistent with the rest of the country.

Other issues of importance to labor, summarized by Brommer, included maintaining the Dislocated Worker Fund, labor relations law, and greater study and attention to repetitive motion injury.

Bill Blazer, senior vice president of the Minnesota Chamber of Commerce, said, "There are six work force issues on our legislative agenda for 1997: drug/alcohol testing, unsettling the Dislocated Worker Fund, minimum wage, prevailing wage, wattage mandates, and workers' compensation." Sen. Randy Kelly (DFL-St. Paul) asked, "What would we have to do to get the Dislocated Worker Fund back on its feet?" Blazer responded, "I understand your concerns, but by reexamining this program, we can create a broader forum for discussion."

An overview of the legislative agenda of the Minnesota Business Partnership was presented by Duane Benson. "We represent 106 of the largest corporations in the state," Benson said. "Our agenda includes welfare reform issues, the budget surplus, property tax reform, fiscal reform in education, and health care issues," he said.
Committee Update

Agriculture and Rural Development

Stray voltage, loans discussed

The Agriculture and Rural Development Committee, chaired by Sen. Dallas Sams (DFL-Staples), continued to hear updates from state agencies with agricultural concerns. On Thurs., Jan. 16, Jim Boerboom of the Agriculture Department’s Rural Finance Authority presented a summary of the agency’s work and current agenda. He discussed a number of loan programs, including the Basic Farm Loan, Restructure Program, Ethanol Production Facility Loan Program, and the Agricultural Development Bond, also known as the Aggie Bond. The RFA helps lenders and borrowers restructure existing farm debt, said Boerboom. The AggieBond, for example, allows the borrower to finance real estate purchases, make farm improvements, buy farm machinery, even breeding livestock. “He added that the program needs more funding for 1997.”

Wally Sparby of the Farmer’s Home Administration testified on rural development issues. He noted that 99.9 percent of Minnesota farmers are participating in the new farm program. Sparby also stated that the Conservation Reserve Program, which had 1.9 million acres set aside in 1996, would have 1.2 million acres set aside this year. In response to a question from Sen. Charles Berg (IND-Chisago) about farmers impacted by the recent severe winter weather, Sparby said, “We’re trying to coordinate efforts with North Dakota, South Dakota, and Montana. But I’m worried we may have a shortage of hay and feed in Minnesota. If feed costs get too high, some assistance will have to be provided.” He also expressed concern about the possibility of spring flooding.

A presentation about the PUC’s Stray Voltage Research Program was given by Dr. Patricia Hoben, research director at the commission. Hoben brought the committee up to date on the timetable for the research, which was funded in part by the Legislature last year. “The purpose of the research is to examine the potential for adverse effects by electric currents, on dairy cow health and milk production, arising from the practice of bonding the utility distribution system to the earth,” said Hoben. She added that mail and telephone surveys of Minnesota and Wisconsin dairy farmers are being conducted. “We’re really getting data,” she said, “and we’ll start sharing that immediately.” She stated that studies would begin in May and laboratory studies in June, with pilot field study findings to be presented in September.

Crime Prevention and Judiciary Budget Division

Evaluation and funding stability discussed

Introductory remarks at the first meeting of the Senate Crime Prevention and Judiciary Budget Division, Fri., Jan. 18, focused on the budget for crime prevention programs already in place and building evaluative mechanisms into new program proposals. Chair Randy Kelly (DFL-St. Paul) reminded the group that public safety and human services are the two fastest growing budget areas for local governments, and urged members to concentrate efforts on systemic change and avoid simply “moving dollars around.”

Fiscal Analyst Chris Turner’s preliminary budget overview itemized the crime prevention budget of $266 million. Total appropriations, he said, amount to 5.2 percent of the general fund and 3 percent of the overall state budget. When Turner mentioned increases in monies distributed directly to counties for discretionary crime prevention spending, Sen. David Knutson (R-Burnsville) requested a report showing exactly how the money is being spent. Sen. Jim Rumen (DFL-Minneapolis) also called for a closer program oversight, saying, “Without goals or things like electronic monitoring or alternatives to incarceration, we may just be giving out money without accountability.”

After Turner’s presentation, members discussed broad criminal justice concerns. “We’re all getting a lot of money for law and order and punishment,” said Crime Prevention Committee Chair Allan Spear (DFL-Mpls.), “but when you spend 90 million dollars for a new prison, it’s hard to keep that guideline.” In reference to the recent legislative auditor’s findings on Minnesota’s relatively high prison per diem, Spear said other states are dealing directly with the cost of incarceration, woe may be deciding funds without accountability.

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Environment and Agriculture Budget Division

Water infrastructure reviewed

“We will spend a lot of time today talking about water and wastewater infrastructure needs,” said Chair Steven Morse (DFL-St. Paul), as he called the division in order, Tues., Jan. 21.
Marilyn Lundberg, director of the Water Resources Committee, presented the Environmental Quality Board's (EQB) report "Saving Resources." According to the report, there are three basic findings: communities' needs are growing; land use decisions determine future water needs; and federal funds are decreasing, leaving the state and local governments with increased burdens.

Lundberg outlined the current infrastructure situation. In the public sector, there are 10,000 water systems, and 600 wastewater systems, while for individuals around the state, 25 percent are on private water systems and 27 percent are served by on-site systems. In addition, public water and wastewater needs are expected to exceed $1.5 billion by the year 2000.

"Land use has a great affect on infrastructure cost," Lundberg said. As development continues to spread into rural areas, it spreads to areas with insufficient infrastructure, and the "huge population boom" in the 1990s exacerbates the problem, she said.

Lundberg also outlined the three major sources of funding for infrastructure: the state revolving fund, the wastewater infrastructure fund, and rural utilities service.

According to the report, said Lundberg, counties and cities throughout the state are in need of updated plans for their future infrastructure needs. Many county plans are over 20 years old, and 15 counties lack plans entirely. As for cities, if a city has an infrastructure plan, it is most likely antiquated, she said.

Morse highlighted information from the report that states that between 1967 and the 1990s, more than $1 billion in infrastructure grantees have been provided by the state and federal government. "That is a huge sum of money, and it is a source that has been cut off," she said.

Executive Director Terry Kuhlman, Public Facilities Authority, overviewed the Drinking Water Revolving Fund. The purpose of the fund, he said, is to provide low interest loans and other types of financial assistance to public drinking water suppliers to improve or construct drinking water storage, conveyance, and treatment systems. He said that in order for Minnesota to receive the $42 million in federal capitalization grants, the state requires a match of $8 million for FY 1997.

Kuhlman also outlined the Wastewater Infrastructure Fund and the purpose of which is to provide supplemental assistance to municipalities seeking financing for high cost wastewater treatment projects. After listening to Kuhlman, Morse said, "We need to be careful because we want to encourage infrastructure redevelopment with this program, but we don't want to subsidize and encourage new construction."

Victoria Cook, Pollution Control Agency, followed with a survey of the Individual Sewage Treatment Systems (ISTS) grant program. The program, she said, provides grants to municipalities to resolve sewage treatment problems in areas where individual and small cluster systems are too expensive in the environmental alternative. "I see the program funding 'gap' projects, where a community does not necessarily need a centralized system, and instead, can borrow cost-effectively with individual sewage treatment systems," Cook said. She outlined the application process and said that with an annual budget of $200,000, her division has only been able to assist a quarter to a third of the projects that have applied. "In order to encourage planning efforts in more communities, some type of incentive may be necessary, such as low interest loans, or subsidization grants," she said.

### Family and Early Childhood Budget Division

**Community services overview**

The Family and Early Childhood Budget Division, chaired by Sen. Pat Piper (DFL-Austin), met, Tues., Jan. 21, and received a mission and goals description from the Minnesota Department of Children, Families, and Learning Commissioner Robert J. Wedl.

Wedl described the department's mission as seeking the best ways to help children and families of Minnesota communities, measure program results, strengthen those efforts found to work well, and to seize opportunity for positive change. Included in the department's goals Wedl mentioned are coordination and integration of state and locally administered family and children's programs, improved program flexibility and design; effective problem-preventing strategies; improved public accountability through research, information and the development of measurable outcomes; and the encouragement of pervasive and nurturing community involvement for all children; and parental support in their dual roles as breadwinners and parents.

Assistant Commissioner for Community Services, Barbara Yates, offered the division an overview of services offered. Among the programs she mentioned were Early Childhood Family Education, providing children with learning and development programs; Learning Readiness, offering pre-kindergarten skill training; Child Care Assistance, that parents may pursue employment or education; Family Services Collaboratives allowing state and community run children's service systems; Head Start, a state and federally funded program offering parents and children the chance to work together on health, social services, and education activities. Other department programs Yates mentioned included: violence prevention education; community crime prevention; school breakfast and lunch programs; energy assistance and the Minnesota Food Shelf Program.

She said that many programs, particularly those involving food and housing may be affected by the welfare reforms, and that interagency cooperation and "working across lines" will be necessary to offer the best service possible. "Wedl don't fit into tidy boxes anymore," she said of her department's programs.

Piper pointed out the importance of more business and community cooperation in child care and other programs.

### Governmental Operations and Veterans

**Panel discussion**

The Governmental Operations Committee and the Governmental Operations Budget Division held a joint panel discussion on rule making in the evening of Thurs., Jan. 22. The panels are chaired by Sen. James Metzen (DFL-South St. Paul) and Sen. Leonard Price (DFL-Woodbury), respectively.

### Higher Education Budget Division

**Technology and higher education**

The Higher Education Budget Division, chaired by Sen. LeRoy Stumpf (DFL-Thief River Falls), held its first meeting of the session Tues., Jan. 21. Stumpf opened by stating that the changing nature of technology, as it relates to higher education, would be the theme for the next three meetings. Dr. Marvin Marshak, senior vice president, Academic Affairs, at the University of Minnesota, then gave a presentation on technology initiatives and distance learning.

Marshak spoke of the "electronic commons in which our ability to be..."
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Competitive globally depends upon maintaining initiatives in technology as it relates to higher education." In addition, he said, "I can't overemphasize enough that the purpose of technology is not to have students by themselves interacting with a screen. We want them to use technology to interact with each other, to encourage teamwork." Marshak also talked about barrier-free education, "free of the traditional barriers of distance, time, economic class or disability, or disabilities. We want students to pick the place and the pace of their education by giving them greater access."

Marshak also agreed with Sen. Cal Larson (R-Fergus Falls) that the change by the University of Minnesota to a semester-based calendar from one based on quarters "would provide a great opportunity to examine the curricula in each of our schools to make them reflect the needs of information age." Sen. Deanna Wiener (DFL-Eagan) expressed concern about privacy issues and asked, "How about students and families without Internet access?" Marshak replied, "With regard to your question about privacy, security and privacy issues are important, and we use the very best encryption technology to protect students. As far as access goes, it is our goal to have a PC for each student. This is a crucial financial issue for us, and we'll build it into the budget. We will not succeed if we restrict technology to a few."

He added that at the Crookston campus of the U of M every student has a laptop; at the Twin Cities campus, he sees a range of PCs available, "from a $250 Web TV unit up to laptops."

Judith Eaton, Chancellor of MnSCU, echoed many of Marshak's comments and concerns in her presentation to the division. The MnSCU initiative, known as the Electronic Academy Grant Program, is a plan to transform the system's campuses into centers of electronically accessible instruction, community development and culture from around the world, she said. The program has three goals: to increase access, to provide just-in-time education focused on business and industry, and to maintain a competitive position. "We in the public sector must represent a commitment to low-cost educational opportunity for students," she said. Dr. J. im Benson, President of Bemidji State University reiterated the value of just-in-time education, and stated, "This gives our students access to 11:00 in the morning data, not one-year-old or three-year-old data."

**Health and Family Security**

**Human Services Overview**

Chair J ohn Hottinger (DFL-Mankato) called the Health and Family Security Committee to order, Fri., Jan. 17, to continue listening to an overview of the functions and priorities for the Dept. of Human Services.

Asst. Commissioner Judy Wang, supervisor of the Children's initiative, provided a brief overview of the responsibilities of her office. The initiative, said Wang, was established in 1994 to create a more coordinated and holistic approach to children's health issues. Within her office, she said, are four divisions: Children's Mental Health; Family and Children's Services; Community Services; and the Social Services Information System.

Wang outlined several priorities for the Children's initiative, including: more aggressive recruitment and placement for the adoption program; increased foster care recruitment; continued development of the social services information system (SHESS); and a close watch of welfare reform.

Sen. Sheila Kiscaden (R-Rochester) asked, "When we say there are 20,000 children in foster home placements, how many aggressive recruitment and placement for the adoption program, increased foster care recruitment, and continued development of the social services information system (SHESS), and a close watch of welfare reform."

Sen. Leo F ody (DFL-Anoka) asked if there were any studies that examine the effectiveness of foster home placements and the children's future course of conduct. Wong said, "I'm not sure those studies have been done in Minnesota. However, when the SSI is fully operational, there will be much more data available that can answer questions like this." All the information that is available right now is anecdotal, she said.

Asst. Commissioner Elaine Timmer, overseer of the Health and Continuing Care Strategies division, outlined the basic functions of her office. She said that the duties delegated to her division are "very broad," and that the office's expenditures account for 75 percent of the Dept. of Human Services budget. Within the office, she said, there are five sub-divisions: Continuing Care for Persons with Disabilities; Health Care for Families and Children; Performance Measurement and Quality Improvement; Purchasing and Service Delivery; and the State Medicaid Director.

Sen. PatPiper (DFL-Olson) said, "There is a large number of women in my community who are working at jobs with no health benefits and who are eager to get into MinnesotaCare. Do you have any numbers for how many people there are like this in the state?'" Timmer said that she would have to get back to the committee with more information.

Asst. Commissioner Deborah Huskins, supervisor of the Economic and Community Support Strategies office, said that her division focuses on very low income people and provides them both with a "safety net and ladders up out of poverty." Among the many responsibilities of her office, she said, is the division's role in administering: Aid to Families with Dependent Children (AFDC); General Assistance (GA); food stamps; Minnesota Supplemental Aid; child support enforcement; and refugee services.

Huskins also outlined the legislative priorities for her office. At a universal, infant-hearing screening program and recognizing American sign language as an official language are two issues that will come forward this session, she said. The committee will also see a bill to implement the federal child support enforcement mandates that the state does not have in place, Huskins added. The provision to match federal requirements include sections to increase the efficiency of the child support office, by granting it the ability to subpoena banks and seize bank accounts, and to suspend recreational licenses that are administered electronically. These recreational licenses may include snowmobiling or fishing, she said, but the details have not been worked out. Piper asked what the total amount was for unpaid child support. Huskins said approximately $650 million, and quickly added that none of that money can be retired as bad debt, so the amount will continue to grow.

Huskins proceeded with an introduction to the upcoming welfare reform debate. She said that people receiving AFDC will be the most affected by the reform. Huskins concluded, "Most people don't like AFDC, including the recipients," and she added, "The Minnesota Family Investment Program does what should be done to replace AFDC by supporting and rewarding work."

**Welfare Debate Begins**

The Health and Family Security Committee was called to order Tues., Jan.
Will MFIP succeed in making people less dependent on welfare? Will employment and earnings grow enough to offset the growth in welfare payments? Will MFIP become cost effective and reduce welfare costs in the long run?

Sen. Roy Terwilliger (R-Erd) asked for more information about the results in counties other than Hennepin. Goldman said that the results presented were essentially for the urban counties and that the report due out this spring will provide more information for the rural areas.

Hottinger suggested, “Since we need to get three proposals on the table today, we should proceed with the bill discussion," whereupon he invited Sen. Dan Stevens (R-Mora) to present his legislation.

Stevens provided an outline of the Dept. of Human Services' proposal, and said that based on the results of the eighteen month study, “MFIP is an effective program to get people back to work and out of poverty,” by rewarding work, supporting the family, and providing a safety net and ladders out of poverty.

Asst. Commissioner Deborah Huskins then provided a summary of the department's proposal. She said the bill does respond to the results of the research that had been presented, and the bill is the product of tremendous thinking, research, and discussion with people from all over Minnesota. “Under the bill, parents will be expected to begin supporting their families within strict time limits or their benefits will be reduced. Adults have a 60-month lifetime limit on the assistance they receive. In addition, working families will receive help with subsidized child and health care. The bill also rewards work by providing an income supplement until their income reaches 120 percent of the poverty level and they leave public assistance. The bill simplifies welfare by replacing AFDC, Family General Assistance, food stamps, and training programs with MFIP; there, food stamp and cash assistance programs will be consolidated. The new strict residency requirements in the bill attempt to make welfare a neutral factor for those moving to Minnesota. Furthermore, the bill provides employment and job training for welfare recipients, with an emphasis on quick job placement coupled with job supports. The bill also contains provisions for welfare prevention by making child care more available, increasing child support enforcement efforts, continuing access to Minnesota Care, providing tax credits to augment earnings, and working to reduce teen pregnancy. The bill, however, will not replace all funding for lost federal benefits to legal nondisability.

Finally, under the bill, MFIP will not request additional funding statewide and is expected over a four-year period to balance in the state budget.

Sen. Don Samuelson (DFL-Brainerd) followed with a presentation of SF 3, his proposal for welfare reform. Under the bill, the entitlement to AFDC ends and places a five-year limit on cash assistance. The bill replaces AFDC with a new Temporary Assistance for Needy Families (TANF) program that emphasizes job search, work, and short-term training. The bill uses the MFIP pilot project as a model, but has more restrictive work incentives. In addition, the bill applies sanctions against noncompliant participants, and adopts federal mandates that require able-bodied people to work in order to receive food stamps. The bill removes the child care entitlement for certain recipients, but provides additional money to subsidize child care. Furthermore, the bill establishes new residency requirements for TANF and General Assistance (GA). It adopts "the most liberal approach allowed" by federal law regarding eligibility for TANF and Medical Assistance (MA) for legal noncitizens. While the bill implements a strict Supplemental Security Income (SSI) and food stamp eligibility criteria, it retains the safety net of GA and General Assistance Medical Care (GAMC) for people who no longer qualify for SSI, food stamps, and other programs. Additionally, the bill restricts TANF benefits to criminals, requires the Dept. of Human Services to report to the immigration and naturalization service on illegal immigrants, and repeals the $50 passthrough of child support payments.

Finally, Sen. Linda Berglin (DFL-Mpls.) introduced her proposed welfare reform legislation. Under the bill, the TANF model is generally adopted with several additions. Among those additions, an assessment of a client's needs, educational level, skills, and work experience is required in order to produce an individualized plan. Moreover, the bill defines work activity more broadly than the federal definition. The bill provides incentives for countiesto place recipients in meaningful employment. Furthermore, the bill creates two state programs—job retention assistance and working family assistance programs. Timespent in these programs does not count against the TANF 60-month lifetime limit. Access to higher education is encouraged and job...
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training efforts are stimulated under the bill. Finally, the bill supplements the GA grant for noncitizens who are not eligible for food stamps and provides money to expand citizenship classes.

Discussions will continue on all three proposals.

Services overview

Vice Chair Becky Lourey (DFL-Kerrick) called the Health and Family Security Committee order, Thurs., Jan. 23, to hear an overview of welfare services.

Asst. Commissioner Deborah Huskins, Dept. of Human Services, began by providing background information on the Aid to Families with Dependent Children (AFDC) program, which is jointly administered between the federal government and the states. According to Huskins, AFDC currently consumes 12 percent of the state budget, which, when adjusted for inflation, is down 28 percent from 1986 levels. Under the federal welfare reform, said Huskins, Minnesota will receive a block grant of $268 million per year over the next several years; the grant level is based on federal FY 1994 expenditures. She added that most people on AFDC want to work, and that 50 percent get off assistance within two years and do not return.

Sen. Sheila Kiscaden (R-Rochester) asked if the department had any data on those people who were allowed to leave AFDC assistance. Huskins said longitudinal studies have been performed that reveal that people stay off assistance once they are no longer in AFDC. “So it can be assumed that the remainder come on and off assistance repeatedly?” asked Kiscaden. “Yes,” responded Huskins, “and these are the most destitute recipients on welfare.” The primary reason people on AFDC have no job or repeatedly return to assistance is due to a lack of education, she added.

Huskins then proceeded with an overview of the food stamp program, over which the state has no discretion since it is a federally administered program. Sen. Martha Robertson (R-MInnetonka) asked if all of the people on AFDC are also receiving food stamps. Huskins said that approximately 90 percent of AFDC families receive food stamps.

Huskins then provided information on the General Assistance (GA) program. GA is a state administered program designed to assist childless couples or single adults who are not expected to work, such as the elderly or people with disabilities, she said. In addition to GA, the state administers the Family General Assistance (FGA) program, which is designed to be an added safety net for those people not eligible for AFDC.

Robertson asked if GA was a draw for welfare recipients from other states. Huskins said, “I have never heard that as a reason for migration into Minnesota.”

In addition, Huskins also provided an overview of the STRIDE program, a jobs training program that accompanies AFDC, and the federal Supplemental Security Income (SSI) program.

Finally, Huskins turned to an information packet produced by the Dept. of Human Services that surveys the major provisions of the new federal welfare reform legislation. She briefly outlined the major provisions of the new federal act and highlighted several pages for more consideration.

The latter part of the meeting was set aside for brief presentations by several citizen and consumer advocacy groups.

Health Care and Family Security Budget Division

Budget Process Overview

In preparation for what is sure to be a grueling family security and welfare restructuring discussion this session, the Health Care and Family Security Budget Division reviewed the budget process. Tues., Jan 21, the Human Services Budget Staff gave members a brief refresher course in state budget terminology, detailing the finer points of base adjustments and annualization. The department presented examples of standard fiscal documents and walked the panel through the stages of a biennial budget cycle. Department of Finance Human Development Team Leader Jim Shwartz presented handouts mapping the construction of a budget request and graphing elemental components. He assured the panel that detailed budget books would be available the Monday following the governor’s budget presentation.

Jobs, Energy, and Community Development

Agency overview continues

Representatives from the Metropolitan Council and the state Housing Finance Agency updated the Jobs, Energy, and Community Development Committee, chaired by Sen. Steve Novak (DFL-New Brighton), on the work of their agencies and presented their legislative initiatives for this session.

Jim Solem, Regional Administrator of the Met Council, described the work of his agency as “investment in the health and vitality of the region.” He reminded the committee that “the Metropolitan Livable Communities Act, as passed by the legislature, established a fund for communities to invest in local economic revitalization and affordable housing initiatives.” By emphasizing cooperation and partnerships with communities, Solem stated, “we’re better able to coordinate resources we have and to make affordable housing available throughout the Metro Area.” He added that, while there were places in the region that want affordable housing, “we work every day to overcome that resistance.”

Sen. Warren Limmer (R-Maple Grove) asked, “is there any desire on the part of the Metropolitan Council to petition the Legislature to expand the Metro Area?” Solem said, “there is no interest in any way, shape, or form on behalf of the council to expand outside the Metropolitan Area.” He responded to a question from Sen. Randy Kelly (DFL-St. Paul), Solem replied, “there is a serious problem in affordable housing in that many jobs at lower wage levels are unrealistic even for affordable housing. More money is needed. We do the best we can with what we’ve got.”

Commissioner Katherine Hadley gave an overview of the Housing Finance Agency. Hadley noted concern about two assumptions she suggested were incorrect: There are no developments of affordable housing in the suburbs, and what development there is only happens when communities are forced to accept it. “For example, in the last couple of years, places like Chaska and Eden Prairie have become engines of housing and development activity,” she said. “Our biggest problem is a lack of resources, not communities saying no.”

Rights of way issue

The Jobs, Energy, and Community Development Committee met Thurs., Jan. 23, and began discussion of the right of way issue, as it relates to the regulation of telecommunications. Committee Chair Sen. Steven Novak (DFL-New Brighton) said, “It’s our intent to have a few
hearing on this issue, and perhaps achieve a consensus leading to a committee bill and a state policy regarding rights of way, ” John Fuller, committee counsel, briefed the committee on the background of the issue in light of the Federal Telecommunications Act of 1996 and subsequent legal considerations arising from a Redwood Falls ordinance, aimed at US West, that has generated potential legislative concerns regarding rights of way.

Jim Miller of the League of Minnesota Cities presented his organization’s perspective. “A public right of way is island used for streets, sidewalks, alleys, utility poles and wires, water lines, and sewer pipes,” he said. “It is subject to the management of the cities. We believe it is the city’s responsibility to manage them.” Miller summarized the root of the issue, “After the Federal Telecommunications Act was signed last February, a number of regulatory challenges appeared. The provisions in the Redwood Falls ordinance that were challenged by US West were the assessment of an annual fee, the requirement of a certificate of insurance, and the requirement of either a concrete encasement around the cables or a $2000 limit on liability on damages to the cable. US West then filed a petition with the Minnesota Public Utilities Commission (PUC) asking the commission to take jurisdiction over the issue of rights of way, and, in April, US West filed suit in District Court challenging the ordinance. In May, the court dismissed the suit; on appeal, it has been remanded by the Supreme Court to the Court of Appeals. In July, the PUC dismissed the US West petition.”

Sen. Warren Limmer (R–Maple Grove) asked, “In the event that a future need, does companies or cities reserve space?” Miller said, “Some cities have, some companies do not. Consolation facilities to maximize their use. I would add that we had begun conversations with individual companies on this issue, something we had never done in the past. We’re opening new lines of communication.” He also stated that the bottom line in the debate was the city’s right to manage its rights of way and to protect the taxpayers.

Jeff Oxley, attorney for Dept. of Public Services, presented the agency’s position on rights of way and current statutory provisions. He said, “In their petition to the PUC, US West asked the commission to declare its authority to authorize telecommunications facilities regarding rights of way. They also objected to the franchise fees set by the Redwood Falls ordinance. The PUC dismissed the petition because the commission can’t order cities to do anything; their authority extends only to competition-related regulation.” Regarding franchise fees, Oxley said, “It’s our view that the cities don’t have the authority to impose franchise fees. They can recover costs, but not through raising general revenues. Those can be constrained, through the Federal Communications Act, as barriers to entry.” Sen. Steve Kelley (DFL–Fridley) asked, “Is there an indication of the lack of taxability in the act?” Oxley responded, “The act permits taxes for compensation, not revenue raising.”

Dianna Wells, senior telecommunications analyst for the Public Utilities Commission, noted that the commission, along with the Department of Public Service, filed an amicus brief on behalf of US West in their appeal. She said, “Our concerns are the effect of municipal actions on the development of markets, and the effect on rates.”

Judiciary

Data privacy overview

The judiciary Subcommittee on Data Privacy and Information Policy held its first meeting of the session Fri., Jan. 17. The panel, chaired by Sen. Don Betzold (DFL–Fridley), heard an overview of various data privacy issues from three different perspectives.

Don Gemberling, director of Public Information Policy Analysis, with the Dept. of Administration, outlined the history of Minnesota’s Data Privacy Act. In addition, Gemberling described his office’s function of issuing commissioner’s advisory opinions and various questions arising in conjunction with the Data Privacy Act. Gemberling said that the policy was made by the Legislature and is often subject to differing interpretations in the implementation of the head’s provisions. As a result, the issuance of advisory opinions has become a major activity of his office. Gemberling said that there has been concern, particularly on the part of the executive branch, on the complexity of the Data Privacy Act. Gemberling also distributed an article he wrote along with Gary A. Weissman, an attorney, on the Data Practices Act. According to Gemberling, while researching the article, which was an update of an earlier article he and Weissman wrote in 1982, one of the problems that emerged was a lack of consistency throughout the statutes regarding data practices.

Gemberling said that he expected several proposals to be brought forward throughout the session to address issues of clarity and complexity.

Panel members also heard from Michael Norton, deputy director of the Office of Technology. According to Norton, the Office of Technology was created six months ago by executive order. The new office is charged with helping Minnesota achieve technology leadership in the infrastructure, policy, service and regulatory issues in the dynamic information and communications industry. Further, Norton said, “The mission of the Minnesota Office of Technology is to provide statewide leadership and direction for information and communications technology.”

Three representatives of the Government Information Access Council also appeared before the panel to discuss the GIAC’s recent report, Digital Democracy. Mark Lynch of KICA public television, Mark Souder of the Minnesota Regional Network (MR Net) and Dr. Milda K. Hedblom of Augsburg College, described the conclusions reached by the council and the recommendations in the report. The recommendations covered the areas of systems design, training, providing government information on-line, information policy organization and enforcement, and providing community access.

K-12 Education Budget Division

Accountability clarified as CFL goal

The K-12 Education Budget Division, chaired by Sen. Lawrence Pogemiller (DFL-Mpls.), met Tues., Jan 21, to update its work plan and hear an overview of the Legislative Auditor’s report on Special Education.

“Accountability” was the rallying concept as members worked to clarify and streamline the division’s work plan. “This year,” said Pogemiller, “we’re going to be more aggressive in finding ways to align new bills with specific work plan objectives.”

Sen. Gen Olson (R–Minnetrista) was the first to push for work plan language prioritizing “accountability.” “Olson and Sen. Martha Robertson (R–Minnetonka) collaborated on possible phrasings geared to link both teacher and student accountability to a plan objective calling for ‘measurable outcomes.’” Sen. David
Committee update

Knutson (R-Burnsville) took things a step further, calling into question the plan's school-centered focus and suggested expanding it to explicitly encourage accountability on the part of families and even neighborhoods. Pogemiller cautioned against broadening objectives into quasi-mandates, but acknowledged that such concerns are indeed what prompted the redesign of the comprehensive Department of Children, Families and Learning.

Following the discussion, the division heard results of the Legislative Auditor's Special Education report. Evaluation Coordinator Marilyn Jackson said that the state's exemplary implementation of special education programs made auditing for access unnecessary. "The state provides exceptional access to these programs," she said, "It is now time to look at costs." The audit was requested by the Legislature after The Minneapolis Star Tribune looked at costs two years ago and published a controversial story, a copy of which Pogemiller distributed to members.

The newspaper's story suggested that special education was draining needed resources from the average schoolchild. The audit found that special education accounted for 21 percent of school district budgets in 1995. According to the report, 101,000 special education students tallied last year, 69 percent were male, most were being educated in regular classrooms and just over half of the total suffered from learning disabilities or emotional/behavioral disorders. Special education had an even rural/urban distribution, with African-American and Native American students more likely to receive special education. Between 1988 and 1995, the auditors found, special education spending increased 22 percent, while overall education spending increased only 11 percent. The report shows how Minnesota has expanded on federal requirements, offering special education opportunities to children with developmental delays as well as those with behavior problems not deemed serious emotional disturbances. Recommendations by the auditor include simplification of the state's complex funding formula as well as a rethinking of the open enrollment law that requires the district of the special education student's residence to pay for services received elsewhere.

Department of Families and Learning Special Education Director Wayne Erickson thanked the auditor for what he called its lack of context. He took issue with report numbers comparing $432 million in regular education spending to $693 million spent on special education. "Special education calculations are different," Erickson said, in that Minnesota special education programs serve children from infancy and continue up through age 21. According to Erickson, the $5,800 it takes to educate a child in the regular school system should have been subtracted from the special education per child figure of $12,000, since the child would cost at least that much regardless of program.

Rules and Administration Regents Advisory Council named

The Rules and Administration Subcommittee met briefly Thurs., Jan. 21, to consider names for appointment by the Senate to the Regents Advisory Council. The panel, chaired by Sen. Roger D. Moe (DFL-Erskine), endorsed Richard Ista from Congressional District 1, Gregg Orwall from Congressional District 2, David Kanatz from Congressional District 3, Gregg Orwell from Congressional District 4, and Jana Turner from Congressional District 5.

Transportation

"System thinking" described

Management Consultant, Barbara Nelson, Nelson & Associates, spoke to Transportation Committee members, Tues., Jan. 21, on the merits of problem-solving using a concept known as "systems thinking."

System thinking can be used to solve personal, business and political problems, including transportation issues, Nelson told the committee, chaired by Sen. Carol Flynn (DFL-Mpls.).

Nelson defined "system thinking" as a problem-solving technique that can neutralize conflict, provide a useful tool to explore divergent ideas and find common ground or shared views. Shared views neutralize conflict and promote problem-solving, she said. Once a solution is reached, courage is needed to follow through, she said.

Problems often remain unresolved, Nelson said, because the solutions are not carefully thought through. She said that system thinking is itself difficult because it involves thorough forethought. She offered several examples of the costliness of incompletely thought-out problems and resulting erroneous solutions. She said that most people are well-meaning but naive; they want to do the right thing but begin with the wrong premise.

Sen. Jane Ranum (DFL-Mpls.) said that improperly framed questions may elicit misleading answers. She said that a rephrased question will sometimes reveal that an answer is available, and that its absence can be more instructive than the answer itself.

Nelson agreed that questions necessary to reach solutions are often improperly framed and lead to skewed feedback and faulty reasoning.

Flynn said that her committee is currently confronted with the possibility of approving emergency snow plowing funds for Western Minnesota municipalities. She asked if Nelson thought systems thinking should be applied to sensitive legislative problems that eventually are reduced to the need for 34 votes. Nelson said that doing so might be difficult.

Send e-mail to your Senator

To improve correspondence with the public, most Senators now have e-mail addresses. For a complete list of Senators with e-mail addresses, point your World Wide Web browser to http://www.senate.leg.state.mn.us/campaign/email.htm

The general form of the e-mail address is: sen.[firstname].[lastname]@senate.leg.state.mn.us

If you attempt sending an e-mail message to a Senator without e-mail service, you will receive a message listing the postal addresses of those Senators who have chosen not to use e-mail.

Please remember that Senators and staff will be better able to serve you if, when you send e-mail, you include your name, postal address and phone number.
Information Services
The Senate Information Office and the Office of the Secretary of the Senate are located in Room 231 of the Capitol. These offices distribute all printed materials and handle inquiries about Senate committee meetings, Senate districts, Senate telephone numbers, bill reference numbers and status, and bill sponsorship. Interested citizens may also request copies of bills or ask to be put on the mailing list for Senate publications. If you want to know the name of your Senator or have any other questions about the Minnesota Senate, call 296-0504. The Senate Information Office has recently initiated toll-free telephone numbers to enable citizens of greater Minnesota to obtain general information about the Minnesota Senate. The new telephone numbers are: 1-888-234-1112 (voice) and 1-888-234-1216 (TTY). Staff members are available to answer questions about the Senate and the legislative process. For daily recorded updates on committee meetings, call the Senate Hotline at 296-8088.

Hearing Interpreter Services
The Legislative Coordinating Commission has contracted with the Minnesota Foundation for Better Hearing and Speech to provide sign language interpreting services for deaf and hard of hearing people during this legislative session. The foundation’s coordinator for this project will maintain an office in Room 90 of the State Office Building.

Requests for ASL interpreting services should be directed to the coordinator at 282-2231 v/tty. Interpreting services are available to facilitate testimony, to interpret for those attending hearings, and to interpret for meetings between members and constituents.

Listserv Available
Both the Senate and House have established a listserv to automatically send daily committee schedules to subscribers with Internet e-mail access. The service is designed to make it easier for the public to get up to the minute information about Senate and House committee schedules. A listserv is a mailing list program designed to copy and distribute electronic mail to everyone subscribed to a particular mailing list. It is necessary to subscribe to each list separately.

Individuals may subscribe to the Senate and House listservs at any time and the schedules will be e-mailed on a daily basis. In cases of a major change in the schedule, 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@senate.leg.state.mn.us

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

To subscribe to the House listserv, send an e-mail message to:

listserv@hsched.house.leg.state.mn.us

In the message body type the following text:
subscribe house-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.

Senate TV Services
Television coverage of Senate and House floor sessions and selected committee meetings is again available in the Minneapolis area on broadcast TV. KTCT, channel 17, will carry Senate and House programming during the day, and KSMQ, channel 15, will carry Senate and House programming during the evening.

ront. KTCT reaches about one million households in the Metro Area. In addition, this year Senate and House coverage is closed-captioned for hearing-impaired viewers of KTCL. The service will be extended to Greater Minnesota cable channels when statewide distribution begins in mid-March.

Capitol Report, the weekly legislative public affairs program produced by Senate Radio Services, will be aired on the PBS broadcast network throughout the state this year. The program airs:

9:30 a.m. Tuesdays on KTCL, Twin Cities.
11:30 a.m. Sundays on KSMQ 15, Austin.
11:30 a.m. Sundays on KWSB 9, Bemidji.
11:30 a.m. Sundays on KANB 22, Brainerd.
12:30 p.m. Sundays on WDSE 8, Duluth.

The Senate on the World Wide Web
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.

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:

http://www.leg.state.mn.us

The Legislature’s World Wide Web site is a dynamic entity and more information items are being added. The Web site makes an incredible amount of information instantly available to anyone who has computer-on-line capabilities.

Frequently Called Numbers
Secretary of the Senate
296-2344
Voice mail/order bills
296-2343

Chief Clerk of the House
211 Capitol
296-2314

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110 Capitol
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Index, House
211 Capitol
296-6646

Information, Senate
231 Capitol
296-0504

Toll free 1-888-234-1112

Information, House
175 State Office Building
296-2146

Toll free 1-800-657-3550

Committee Hotline, Senate
296-8088

Committee Hotline, House
296-9283

Sergeant at Arms, Senate
G-1 Capitol/Chamber
296-1119/296-7159

Sergeant at Arms, House
45 State Office Building
296-4860

Legislative Reference Library
645 State Office Building
296-3398

Revisor of Statutes
700 State Office Building
296-2868

Capitol Information Desk
1st Floor Capitol
296-3962, 296-2793, 297-1503

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The Minnesota Senate Week at a Glance

**Monday, January 27**

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

**Election Laws Committee**
Chair: Sen. John Marty
12 noon Room 112 Capitol
**Agenda:** Derus versus Higgins election contest.

**Environment and Natural Resources Committee**
Chair: Sen. Bob Lessard
12 noon Room 107 Capitol
**Agenda:** Presentation by the Department of Natural Resources on Minnesota’s white pine.

**Crime Prevention Committee**
Chair: Sen. Allan Spear
2 p.m. Room 15 Capitol
**Agenda:** S.F. 32-Junge: Stalking law modification.

**Local and Metropolitan Government Committee**
Chair: Sen. Jim Vickerman
2 p.m. Room 107 Capitol
**Agenda:** Presentations by: Patrick McCormack, analyst, Senate Counsel and Research; Gambling Control Board; Allied Charities; Patrick Finnegan, Department of Revenue; Thomas Brownell, Gambling Enforcement Division, Department of Public Safety.

**Tuesday, January 28**

**Environment and Agriculture Budget Division**
Chair: Sen. Steven Morse
8 a.m. Room 123 Capitol
**Agenda:** Trails and snowmobiles; emergency deer feeding report.

**Higher Education Budget Division**
Chair: Sen. LeRoy Stumpf
8 a.m. Room 107 Capitol
**Agenda:** University of Minnesota; current use of technology.

**K-12 Education Budget Division**
Chair: Sen. Lawrence Pogemiller
8 a.m. Room 112 Capitol
**Agenda:** To be announced; will include discussion of work plan and governor’s budget.

**Governmental Operations and Veterans Committee**
Chair: Sen. James Metzen
12 noon Room 15 Capitol
**Agenda:** Pension overview: Teachers Retirement Association (TRA), Public Employees Retirement Association (PERA), Minnesota State Retirement System (MSRS); Larry Martin, executive director, Legislative Commission on Pensions and Retirement.

**Agriculture and Rural Development Committee**
Chair: Sen. Dallas Sams
2 p.m. Room 107 Capitol
**Agenda:** Dairy Producers Board report, Dairy Producers Board; branding report, Board of Animal Health; dairy diagnostic teams report, Department of Agriculture; dairy roundtable, Allan Gerber.

**Wednesday, January 29**

**Family and Early Childhood Education Budget Division**
Chair: Sen. Pat Piper
8 a.m. Room 15 Capitol
**Agenda:** Minnesota State Colleges and Universities; access and availability of technology.

**Higher Education Budget Division**
Chair: Sen. LeRoy Stumpf
8 a.m. Room 107 Capitol
**Agenda:** To be announced; will include discussion of work plan and governor’s budget.

**Family and Early Childhood Budget Division**
Chair: Sen. Pat Piper
8 a.m. Room 15 Capitol
**Agenda:** Investing in child care.

**Transportation Committee**
Chair: Sen. Carol Flynn
12 noon Room 112 Capitol
**Agenda:** “Transportation Technology” with Laurie McGinnis, director of research, Center for Transportation Studies, Univ. of MN; Catherine E. French, associate professor, Institute of Technology, Univ. of MN; Peter A. Hancock, associate professor, education & human development, Univ. of MN; David E. Newcomb, associate professor, Institute of Technology, Univ. of MN.
Transportation Committee
Chair: Sen. Carol Flynn
10 a.m. Room 112 Capitol
Agenda: “The Rural Economy and Transportation” with Cheri Trenda, director of technology transfer and education outreach, Center for Transportation Studies, Univ. of MN; Fred Beier, professor, Carlson School of Management, Univ. of MN; Jerry E. Fruin, associate professor, College of Agriculture, Food & Environmental Sciences, Univ. of MN; Dietmar Rose, professor, College of Natural Resources, Univ. of MN.

Election Laws Committee
Chair: Sen. John Marty
12 noon Room 112 Capitol
Agenda: S.F. 45-Marty: Recodification of Chapter 10A; S.F. 72-Marty: Secretary of State’s housekeeping bill; S.F. 73-Marty: Change of address.

Environment and Agriculture Budget Division
Chair: Sen. Steven Morse
12 noon Room 107 Capitol
Agenda: Forestry, GEIS; timber harvest report.

Crime Prevention Committee
Chair: Sen. Allan Spear
2 p.m. Room 15 Capitol
Agenda: S.F. 31-Spear: Legislative Auditor’s nonfunding probation recommendations; overview of sentencing guidelines and sentencing data; S.F. 107-Spear: Sentencing guidelines clarification (Givens case).

Local and Metropolitan Government Committee
Chair: Sen. Jim Vickerman
2 p.m. Room 107 Capitol
Agenda: Continuation of overviews by gambling-related organizations; Dick Krueger, executive director, MN Racing Commission; MN Thoroughbred Association; MN HBPA; J ohn Berglund, MN Licensed Beverage Association and hospitality industry concerns.

Education Finance Committee
Chair: Sen. Keith Langseth
4 p.m. Room 123 Capitol
Agenda: “Pre-K-12 Education Funding Overview” with Tom Melcher, manager of the Program Finance Division, Department of Children, Families, and Learning.

Property Taxes and Local Government Budget Division
Chair: Sen. Sandra Pappas
4 p.m. Room 15 Capitol
Agenda: Presentation by P.M. Raup, Professor Emeritus and Professor Fred L. Morrison, University of Minnesota.

Thursday, January 30
The Senate will meet at 9 a.m.

Health and Family Security Committee
Chair: Sen. John Hottinger
10 a.m. Room 15 Capitol
Agenda: Public testimony on welfare reform bills (to sign up to testify, call 612-296-6153).

Transportation Committee
Chair: Sen. Carol Flynn
12 noon Room 112 Capitol
Agenda: “Urban Design and Transit” with Gerard McCullough, director, Center for Transportation Studies, Univ. of MN; Thomas Fisher, dean, College of Architecture & Landscape Architecture, Univ. of MN; Lance M. Neckar, associate professor, and Mary Vogel, research fellow, Univ. of MN; James Pettinari, professor of architecture, Univ. of Oregon; Ed Anderson, former professor, Univ. of MN.

Agriculture and Rural Development Committee
Chair: Sen. Dallas Sams
2 p.m. Room 107 Capitol
Agenda: University of Minnesota, College of Agriculture, overview; S.F. 106-Sams: Expanding services by the passing on of the farm center; S.F. 108-Stumpf: Seed potato inspection.

Committee on Taxes
Chair: Sen. Douglas Johnson
4 p.m. Room 15 Capitol
Agenda: Governor’s budget proposal.

Governmental Operations Budget Division
Chair: Sen. Leonard Price
4 p.m. in front of the Capitol
Agenda: Tour the Revenue Department. Transportation will be provided.

Health and Family Security Committee
Chair: Sen. John Hottinger
7 p.m. Christ Lutheran Church sanctuary, 105 University Ave. W.
Agenda: Joint House/Senate public hearing on welfare reform bills, immigrant focus.

Friday, January 31

Family and Early Childhood Education Budget Division
Chair: Sen. Pat Piper
8 a.m. Room 15 Capitol
Agenda: Impact of welfare reform on legal immigrants.

Environment and Agriculture Budget Division
Chair: Sen. Steven Morse
12 noon Room 123 Capitol
Agenda: S.F. 76-Morse: Extending the environmental trust fund.

Crime Prevention and Judiciary Budget Division
Chair: Sen. Randy Kelly
2 p.m. Room 15 Capitol
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Election bill debated

The Senate met for an hour long floor session, Thurs., Jan. 30, to process bill introductions and take up an elections bill based on recommendations of the Growe Commission.

The bill, S.F. 43, sponsored by Sen. Carol Flynn (DFL-Mpls.), proposes many changes to state election laws, especially in the area of the partisan nominating process. Flynn explained that the bill would change the name of the primary election to the "state party nominating election," and would advance the date of that election to the third Tuesday in June of even numbered years. Additionally, precinct caucuses would be moved up to the first Tuesday in February. Flynn said. Continuing her presentation of the bill, she explained that candidates receiving party endorsement will have that designation on the primary ballot, and candidates not receiving at least 20 percent of their party's support at the endorsing convention could still have their names appear on the primary ballot through a petition process.

Debate began in earnest when Sen. John Marty (DFL-Roseville) offered an amendment to delay the precinct caucuses until April and keep the primary election date in September. Marty said the amendment would encourage greater participation in the caucuses because they would happen in warmer weather. He also criticized the earlier primary date, saying it would triple the length of the general campaign, and that is something that voters don't want. Sen. Claire Robling (R-Prior Lake) supported the Marty amendment, saying many potential candidates would have serious doubts about entering a race if they had nine months of campaigning ahead of them. In response to Robling's statement, Sen. Ember Langseth (DFL-New Hope) opposed the amendment, saying an earlier primary date would shorten the primary campaign. Sen. Steve Kelley (DFL-Hopkins) asked to divide Marty's amendment so that members could vote separately on caucus precinct and primary election date changes. Kelley said he supported Marty's amendment because the state bill would give an advantage to a well financed endorsed candidate over the time between the endorsing convention and the primary election were shorter. Sen. Sheila Kiscaden (R-Rochester) also supported the Marty amendment, saying the focus of the bill should be on increasing voter turnout rather than partisan differences. She said that voters want elections at a better time of the year, and without Marty's amendment, elections are like "insider baseball" where the focus is on what it takes to be a successful candidate. Sen. Linda Scheid (DFL-Mpls.) countered that argument, saying that voters want change, and the Marty amendment would keep the primary election date where it is at.

The Senate voted 45-21 to maintain the September primary election date whereupon Flynn asked to progress the bill. The Senate adjourned briefly Monday, Jan. 27, to introduce bills and process committee reports.

Task force report heard

The recommendations of the Supreme Court Foster Care and Adoption Task Force provided the focus for committee discussion on the Weds., Jan. 29, meeting of the judiciary Committee. The panel, chaired by Sen. John Ranum (DFL-Mpls.), first heard introductory remarks by Chief Justice Edward Toussaint, Jr., Minnesota Court of Appeals and Associate Justice Kathleen Blatz, Minnesota Supreme Court. Blatz said that although the jurisdiction of the Legislature and the judiciary are different, in the areas of foster care and adoption, the two branches of government must "lock arms in addressing these issues." In many cases, Blatz said, the laws have not kept up with the problems arising from foster care and adoption cases. Toussaint said that the task force traveled the state in researching the issues and talked with a wide range of interested parties, including children.

The report contained a series of 23 recommendations. Dr. David Sanders, of Hennepin County Child and Family Services, and Judge Heidi S. Schellhas highlighted eight of the recommendations for the panel. According to Sanders, the task force had developed six themes during the course of the study: putting the child’s interests first, providing accountability, providing training for concerned parties, dealing with the lack of resources, providing for reorganizations of court policies and procedures and providing for a less adversarial system.

As a result of the themes, the study recommended the appointment of a guardian ad litem for every child, amending the law to emphasize that the best interest of the child is paramount, shortening the time a child spends in temporary care, amending the law to comply with the Child Abuse Prevention and Treatment Act Amendments of 1996 in regards to the use of "reasonable efforts" in placing children back with their parents, clarifying a number of concepts relating to the permanency time clock, making several changes to expedite the adoption process, assuring access to specific kinds of information, and making hearings in juvenile protection matters open except in exceptional circumstances.

Sanders and Schellhas said only four of the recommendations generated controversy in the 31 member task force. The issues dealing with private petitions, the appeals process, providing legal counsel and opening the proceedings to the public stirred debate among the task force members, Schellhas said. However, the issue of opening the proceedings to the public was the most serious point of disagreement, she said. Schellhas said that a minority report on the recommendation, taking the opposite position, will be attached to the full report.

Caps removal bill sent to floor

The Children, Families and Learning Committee took up the matter of S.F. 3, a bill authored by Sen. Keith Langseth (DFL-Glyndon) that repeals caps placed last year on the K-12 education funding formula. Gloomy budget forecasts in 1996 had prompted the legislature to cut the K-12 funding formula an increase by $75 per student. With the revelation of the state's actual budget surplus, several identical bills calling for reversal of the action were introduced.

Langseth told members present for the early morning vote, "I was against these caps when it was done, but I understand why it was done. The threat of budget shortfall proved untrue, so let's pass this bill and allow school districts to start planning on this budget."

The committee, co-chaired by Sen. Lawrence Pogemiller (DFL-Mpls.) and Sen. Pat Piper (DFL-Austin) voted to approve the measure and the bill was sent to the floor with a recommendation to pass.
Committee Update

Agriculture and Rural Development

Milk Pricing Discussed

The Agriculture and Rural Development Committee, chaired by Sen. Dallas Sams (DFL-Staples), held a joint meeting Friday, Jan. 24, with the House Agriculture Committee about milk pricing issues. Sams expressed concern over the disparity between the prices producers receive for milk and the prices consumers pay, and said, "We can't let the number of dairy farmers in Minnesota continue to decline." Rep. Stephen Wenzel (DFL-Little Falls), co-chair for the meeting, said, "Dairy is the largest agriculture industry in the state, and I do believe there is a crisis related to milk pricing." The committee then called a number of witnesses representing farmers and dairy interests.

Commissioner Gene Hugoson of the Minnesota Department of Agriculture said, "There are three elements that enter into dairy profitability, price, cost, and volume, and the department has to look at all three. There isn't much the state can do about price in that it's set by the Federal Milk Marketing Order System. We can help farmers examine cost structure and whether they should change their volume of production." Sams asked about the impact of the Green Bay Cheese Exchange, the subject of a recent investigation into milk price fixing, on pricing nationwide. Hugoson said, "It has an enormous impact. Our department is working with the Wisconsin Department of Agriculture in its investigations." He said that it was a real possibility the Exchange might be dropped as abnormal and the latest example of a federal government investigation into price fixing.

Steve Taff, agricultural economist at the University of Minnesota, testified that dairy is "the most heavily regulated industry in agriculture." He said, "Maybe we're trying too much and we ought to stop and realize the entire system is management. But we've never had a relatively free market in dairy, so we don't know if we'd be better off, whether as a society or an industry."

Also testifying on behalf of the state's dairy farmers were Lee Johnson, president of the Minnesota Milk Producers; Jeff Kunstleben, president of the Minnesota Dairy Producers' Board; and John Cunningham, a farmer from Kandiyohi County.

Branding Dairy Issues Reviewed

The Agriculture and Rural Development Committee, chaired by Sen. Dallas Sams (DFL-Staples), met Tuesday, Jan. 28, to hear continued testimony related to dairy issues and a report on branding and brand inspection programs.

The branding report was given by Dr. William Hartmann from the Board of Animal Health. He said, "The board surveyed licensed livestock dealers, livestock auction market owners, and livestock owners as to where they stand on brand inspection and alternative methods to branding.

There is no clear consensus concerning the need for a brand inspection program in Minnesota, and the majority of those responding are in favor of allowing alternative methods to branding."

The Minnesota Dairy Producers' Board gave a report, in compliance with Minnesota's statute, on the economic aspects of the dairy industry. Eff Kunstleben, president, said, "We conclude that the 40 cent drop in the cheese price announced by the National Cheese Exchange is unjustified. After analyzing market conditions of supply and demand, the board views the price drop as abnormal and the latest example of a pricing mechanism that doesn't price milk fairly for dairy farmers." Sen. Kenric Scheele (R-Preston) asked, "How can we advance the benefits of all dairy farmers to capture a greater share of profits?"

Kunstleben said, "We need to educate the farmer as to how milk is priced, and that would give farmers a chance to have a say in setting policy. We need to understand the process."

Amy anke, assistant director of the Department of Agriculture, gave the Dairy Diagnostic Team a report. The primary objective was to increase the number of Minnesota dairy farmers having one-on-one advice from a local team, helping to improve profitability and to empower the local community," she said. Jerry Steen, project coordinator, named recipients of grants under the program—the Carver County Dairy Profitability Enhancement Program, the Becker/Otter Tail Dairy Retention and Enhancement Program, and Riverland Community College.

Crime Prevention

Stalking Bill Debated

Sen. Ember Junge (DFL-New Hope) presented at the Crime Prevention Committee on Monday, Jan. 27, a bill passed by the other chamber that aims to clarify elements of harassment and stalking crimes.

H.F. 5, she explained, was introduced in reaction to the 1996 Minnesota Supreme Court opinion in the case of Paul Orsello, initially convicted under Section 609 of stalking his ex-wife. In the 4-3 opinion, the court gave credence to Orsello's claims of statutory ambiguity with regard to intent, and interpreted the law as requiring proof of specific intent to harm or threaten.

According to Junge, the word "intentional" is used only to delineate intentional acts as opposed to accidental ones, and that the law was "diliberately drafted to generalize intent. That is, said Junge, the law does not contain a language calling for proof of specific criminal intent on the part of the accused. Junge indicated the Supreme Court's dissenting opinion is in support of this assertion.

In light of the Orsello decision, which granted the defendant a retrial, Junge urged members to prioritize a refinement. She went on to explain that the Senate language incorporated into H.F. 5, "stokes the bill's intensional language further, ensuring that the state is not required to prove that the actor intended to cause the victim to feel frightened, threatened, oppressed, persecuted, or intimidated."

Rather than applying the "knows or should know" standard of the original House bill, the Senate language shifts the bill's perspective from that of the perpetrator to that of the victim. The state would only have to prove that actions in question would "cause a reasonalbe person in the circumstances" to feel frightened or threatened.

Members indicated that an unsettling testimony from a male and female stalking victims lent credence to Junge's plea for expediency, but the examples were, for the most part, cases in which the accused was
proven to be mentally incompetent, a condition not covered by the stalking law. "There is a difference," Sen. Jane Ranum (DFL-Mpls.) reminded the panel, "between irrational obsession and mental incompetence."

Margaret Chutich of the attorney general's office testified in support of the Senate language. Shesaid that the court's confusion was probably due to the fact that some harmful or threatening acts defined in the law overlap with other misdemeanor statutes that do call for specific intent.

When Committee Chair Allan Spear (DFL-Mpls.) posited that the "true" knew or should have known standard might better ensure the bill's constitutionality, Chutich indicated that clarification of ambiguous "intent" parameters should satisfy the court.

Junge countered by reiterating her message, "The court," she said, "has inferred that specific intent to harm is required. We have to say, 'No it's not.' That's crucial." The bill was laid over for further consideration.

Harassment bill debated

The Crime Prevention Committee devoted the entire Weds., Jan. 29, hearing to continued debate of a bill making it easier to prosecute individuals charged with stalking or harassing another person. H.F. 5, sponsored by Sen. Ember Junge (DFL-New Hope), changes the definition of "harass" in current law to provide that "harass" means engaging in intentional conduct that would cause a reasonable person to feel frightened, threatened, oppressed, persecuted or intimidated. In addition, the bill no longer requires that the state prove that the perpetrator intended to cause the victim to feel frightened, threatened, oppressed, persecuted or intimidated.

When the amendment was defeated, the panel was unable to incorporate the portion of the amendment that increases the penalties for violating harassment restraining orders. The balance of the amendment failed to go into the panel's "approval." Members also adopted an amendment, offered by Junge, that requires mandatory minimum sentences for persons convicted of harassment or stalking with a gun or other dangerous weapons. An amendment, offered by Sen. Linda Berglin (DFL-Mpls.), was also adopted. The amendment requires a mental health assessment of persons convicted under the harassment law. The panel did not take final action on the measure and will continue debate at a later hearing.

CrimePrevention and Judiciary Budget Division

Judicial branch budgets reviewed

The Crime Prevention and Judiciary Budget Division, chaired by Sen. Randy Kelly (DFL-St. Paul) listened, Fri., Jan 24, as judges from various Minnesota districts and legal service representatives presented their annual budget requests.

State Court Administrator Sue Dosal gave a Minnesota court system overview. Dosal said that trial courts are the busiest of the three judicial levels. She also said that trial courts hear civil, criminal, family and juvenile cases, as well as probate and condemnation cases. Dosal said major cases make up only 10 percent of case filings, but account for 82 percent of the courts' workload. Criminal and juvenile cases are growing most rapidly, she said, having increased nearly 25 percent since 1986. Nevertheless, judges spent less time in 1996 per casetan in 1986, she told the committee.

Judge John Stanoch, president elect, Minnesota District Judges Assn., said that he was proud of the way judges have worked to achieve individual justice involving serious crime. Stanoch said that judges now work hard to zealously intervene in their communities to assure that residents become contributing members of society and don't return to the courtroom.

Dale Good, Supreme Court director of research and information technology, presented a court infrastructure improvement plan for a paperless court system. Good said that the proposed improved technology infrastructure would cost $4 million over four years, take four years to complete and would consist of PCs in each District Court. He said that the PC system would hasten the judicial process through sharing of state agency information via a confidential computer network known as Minet.

Sibley County Judge Thomas McCarthy said that in-court PCs would assure accurate, updated information on defendants. He said that the system would allow judges and court administration staff to immediately access court histories, defendants' criminal histories, driving records, domestic assault records, protection orders issuance, and probation status.

Chief Judge Dennis Murphy, Ninth Judicial District, described activities in his geographically large district. Murphy said his district covers 17 counties and 25,678 square miles. Murphy supported in-court PCs as well as an "interactive video" system that would allow some cases to be conducted without the physical presence of a judge. Besides saving 30 to 34 hours a week in driving time, Murphy said the use of video cameras allows litigants timely access to a judge in less populous areas. He said that the cameras reduce the wait for a scheduled judge in a civil, family and probate cases. In addition, he said cameras use-offer civil commitment patients, less trauma and hasten relief in domestic abuse cases, which may otherwise go unnoticed until the scheduled arrival of a judge. Infrastructure video is part of the initial funding request presented to the committee, he pointed out.

Sen. Don Betzold (DFL-Fridley) expressed his concern for how courtroom cameras may affect the quality of justice and overall courtroom behavior. McCarthy said that cameras have worked well in Sibley County where they have been used in civil commitment cases.

Education Finance

Funding overview

Calling the Weds., Jan 29, meeting to order, Chair Keith Langseth (DFL-Glyndon) expressed hope that the afternoon's presentation would substantially augment the panel's working knowledge of what, despite laudable reform efforts, remains a Byzantine education budget process. "When it comes to budgets," he said, "we're used to not seeing the forest for the trees. I would like this committee to try to see the forest."

In the same spirit, Tom Mecher, finance director of the Department of
Committee update

Children, Families and Learning began its presentation broadly, invoking Minnesota's constitutional guarantee "to establish a general and uniform system of public schools for the instruction of all the free children." Melcher reminded members that K-12 education consumes a full 33.4 percent of the $18.8 billion general fund.

Melcher reviewed the state's pupil accounting method, which is not based on a student head count but rather on a two-part calculation. Averaged daily membership, he said, represents the number of pupil days enrolled divided by the total days in a school year. For funding purposes, this figure is then multiplied by different weights for each educational subdivision. Melcher was careful to point out the fact that although weight changes are often motivated by the Legislature's desire to see more equalization at the local level, heavily weighted districts are not mandated to spend the money as it was weighted.

Melcher broke out the state's total tax revenue by type and graphed the revenue percentage funded by each over time. In the late 1980s, he pointed out, property tax bypassed income tax as the largest revenue source for education. The ratio for school funding, which in the early 1980s was 70 percent state aid and 30 percent property tax, stands currently at 60/40.

School districts, he added, are responsible for 46 percent of property tax levies, while counties come in at 27.6 percent.

Because the cooperation and consolidation law of 1989 provided incentives for school to combine, said Melcher, the state now has substantially fewer schools than it once did. Isolated areas, however, do receive extra funding as do those schools with high percentages of students supported by AFDC. Despite state attempts to equalize funds, full per-student operating expenditures, excluding debt service and capital outlay, evidenced disparities between districts that can reach as high as $2,000.

In articulating Linda Higgins' position, Melcher confirmed Langseth's assertion that even though the general fund expenditures have kept pace with inflation in the past 6 years, overall school funding from combined appropriations has well exceeded it. Melcher broke K-12 education revenue out by fund to give members an idea of the revenue sources received from sources other than the general fund. He asked members to keep in mind that the NEA continues to rank Minnesota's per pupil expenditures above the national average, though the percentage above that line has decreased almost 5 percent since 1985.

In a two-part document Melcher said he hopes will be of great help to the panel, he breaks out both the general fund revenue formula and the components of 1995 payable 1996 K-12 property tax. With regard to levying, he conceded that districts with higher levy revenues are likely, under the current formula, to lose some state aid. He said these differences, however, offer incentive to levy in cases of outstanding capital needs, including school bond and capital outlay, evidence disparities between districts that can reach as high as $2,000. Some districts, however, offer incentive to levy in cases of outstanding capital needs, including school bond and capital outlay, evidence disparities between districts that can reach as high as $2,000.

Election Laws
Deruselection contest considered
On Mon., Jan. 28, the Election Laws Committee heard its first election contest since 1971. This time around, a longtime area politician didn't testify regarding his loss in last fall's District 58 DFL Senate primary. Derus is shuffling his loss to Sen. Linda Higgins (DFL-Mpls.). A result from the Star Tribune newspaper's erroneous primary day publication of his campaign ads, which also appeared in the Daily News. Higgins filed a complaint, which the court's handling of the case, which would have certified the election results.

The-for-the purpose of such intervention in an election case, but did say that according to Article V, Section 6 of the Minnesota Constitution, in the event of legislative election disputes, the absolute and sole authority to adjudicate such matters rests with the Legislature. In this circumstance, Rices said, the Legislature can ask the judicial branch to act as a factfinder and recorder. Though he indicated displeasure with the court's handling of the Derus case, he emphasized that the committee's power to promote "fair and free elections is an important argument that reaches to the core of the institution."

In articulating Linda Higgins' position, attorney Alan Weinblatt told the panel to consider Higgins' position as both a right of the individual and as a right of all citizens. Most panel members were careful both to express sympathy for Derus and to assure Higgins that her conduct was in no way suspect. In the end, however, Sen. Mark Oursa (R-Buffalo) moved to hear evidence, make findings of fact, and declare the eligibility of Sen. Higgins to serve in the Senate. "Senator E.B. Erholtz (DFL-Faribault) moved to hear evidence, make findings of fact, and declare the eligibility of Sen. Higgins to serve in the Senate. "Senator E.B. Erholtz (DFL-Faribault) moved to hear evidence, make findings of fact, and declare the eligibility of Sen. Higgins to serve in the Senate."

Substantive changes include the handling of absentee ballots, dissemination of maps and other voter information, incentives for citizens to vote, the election of judges, limitations of notices to one per house, and the changing of optical scan lines on ballots. Many sections simply serve to delete obsolete language on the proper use of currently outdated machines and processes. When Sen. Linda Sheid (DFL-Brooklyn Park) expressed skepticism over the state's reliance on a drivers license as proof of residency, Marty moved to strike the contested section. At the suggestion of
Majority Leader Roger Moe (DFL-Erskine) said the committee will hold a hearing on white pine management strategies and practices; increasing the state's existing white pine resources through scarification of the soil to promote seed germination; and examine both the funding mechanisms and the safety of the state managed snowmobile trails. The report produced by the White Pine Resources Committee to order Mon., Jan. 28, to listen to a panel of experts outline the state's current snowmobile management; and best management practices in Minnesota. S.F. 45, sponsored by Marty, and advanced the bill to the Senate floor.

**Environment and Natural Resources**

White pine regeneration discussed

Sen. Bob Lessard (DFL-Int'l. Falls) called the Environment and Natural Resources Committee to order Mon., Jan. 27, to discuss white pine regeneration efforts in Minnesota.

Bruce ZumBahlen, manager of the Forest Resources Management Section, Dept. of Natural Resources, presented the report produced by the White Pine Regeneration Strategies Work Group. "There are not as many white pine trees in the state as many would like to see," said ZumBahlen. A work group was organized to address this problem with four goals in mind: addressing the status of Minnesota's white pine resources; increasing the existing white pine resources through management strategies and practices; identifying where research is needed; and recommending regeneration management strategies.

Craig Lacey, asilviculturist for the U.S. Forest Service and co-chair for the work group, briefly outlined the central recommendations from the report. The work group recommends implementing appropriate ecological systems, including long-term monitoring and care, to ensure the regeneration of white pine on suitable sites throughout its pre-European settlement range; and doubling the number of white pine trees within the next seven years and doubling the number of acres within 50 years; using management activities to increase the acreage and spatial distribution of older white pine stands; and create more balanced aged distribution; planning and harvesting activities conducted in a way to increase the growth and regeneration of white pine; doing research in the areas of seed predation, regeneration systems, genetic improvement, and blisters rust management; developing educational materials and programs promoting white pine management; and best management practices-type audits to evaluate the success of specific regeneration activities. "Overall," said ZumBahlen, "there are thirty-three recommendations that the work group developed.

Based on the central recommendations from the work group, the department has put together a budget proposal of $1.2 million for the biennium to initiate regeneration activities. ZumBahlen said, Sen. Steven Morse (DFL-Dakota) asked if the department has a cost-benefit analysis of how much it costs to manage a single white pine tree over a 120-year period.

ZumBahlen said that it depends on the region of the state, where some areas have a lower percentage of regeneration than others. "I'm thinking that having more scarification of the soil to promote seed growth, while other areas may require intensive management," he said.

**Environment and Agriculture Budget Division**

Snowmobiling discussed

Due to the recent string of snowmobile accidents, the Environment and Agriculture Budget Division was called to order by Chair Steven Morse (DFL-Dakota) Tues., Jan. 28, to listen to a panel of experts outline the state's current snowmobiling policy.

Denis Asmussen, director of the Dept. of Natural Resources' Trails and Waterways Division, presented the department's report "The 65 (351) Implementation Plan and Additional Snowmobile Funding Alternatives." The report was produced cooperatively by the department and the Minnesota Snowmobile Advisory Committee, and examines both the funding mechanisms and the safety of the state managed trails. "The recent string of accidents demonstrates the stress on the trail system," said Asmussen. Currently there are 18,000 miles of trails, with plans to extend the system to include over 20,000 miles, he said. Citing information from the 1997 Statewide Snowmobile Trail System Plan, Asmussen said the state's snowmobile management effort is running at a $2.5 million deficit for FY 97. In order to bring all existing trails up to current safety standards and build the proposed trail extensions, the report calls for an additional $2.5 million appropriation.

Because the sport generates millions of dollars in state and counties from snowmobile fuel taxes. Sen.. Bob Lessard (DFL-Int'l. Falls) said it was in the state's interest to adequately fund the trail system in order to provide reasonable safety standards for riders. He said that the backbone of the trail system was built by the local snowmobiling clubs as they constructed their own trails. Asmussen agreed and said, "The trail system is comprised of lots of little systems and was designed to be local. The most striking change in the past few years has been the development of the snowmobiles." The average number of miles per vehicle has risen from 500 miles per year to 1,000 miles, "as long distance touring has become part of the sport," he added.

Jeff Mausolf, president of the Minnesota United Snowmobiling Association (MN USA), provided an overview of MN USA's legislative priorities. MN USA will be seeking a $1 million in emergency appropriation from the state general fund to keep the trail system operational for the remainder of this season, he said. They also propose establishing a mandatory youth helmet law, raising the age of youth safety training from 16 to 18, increasing the yearly licensing fee by $5, and increasing the gasolin tax. 25 percent. Mausolf said, "We will look long and hard at how much gas tax money should go towards trail maintenance."

Sen. Janet Johnson (DFL-North Branch) said that she was working on a proposal for liability insurance for machines with 440 cubic centimeter engines. She asked if MN USA had considered any such insurance initiative. Mausolf responded that while the organization had considered it, there were no concrete decisions. When Sen. Leon Price (DFL-Woodbury) asked why no decisions had been made, Mausolf said his organization would consider liability insurance on snowmobiles. "Snowmobiles are a substantial investment, and many are covered under homeowners insurance," he said. Sen. Charles Berg (IND-Chokio) suggested that homeowner's insurance usually does not cover snowmobiles while they are being used on the trails. Mausolf agreed and said, "But many have purchased an umbrella insurance plan that provides general liability coverage." Sen. Dennis Frederickson (R-Norwood Young Um) asked, "Could we get insurance on the mandatory safety training program?" Morse added, "Or could we have mandatory insurance for those who have not taken the safety course?" Frederickson said, "We can provide some kind of liability insurance for the insurance companies that may be willing to provide insurance for snowmobiles."

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kind of incentive to get people into safety training," Morse said. The division will consider the idea at a later date.

Leo Haseman, director of the Dept. of Natural Resources Enforcement Division, outlined the current snowmobiling enforcement efforts. Haseland it is: "highly likely that we will exceed last year's fatality total of 26 this season." He also said that snowmobiling laws are extremely hard to enforce due to staff and equipment limitations. Therefore, he expects to provide proposals in this year's budget for additional enforcement officers and for new equipment — up-to-date snowmobiles, helmet communicators, breathalyzers, and radar guns. Haseland the existing laws "are pretty good, but there is a need for increased penalties, particularly for repeat offenders and disrepected officers."

Frank Wippler, Minnesota Sheriffs Association, and Tony Cornish, Minnesota Conservation Officers Association, provided brief presentations on the responsibilities for their respective agencies. According to Wippler, 83 county sheriffs' offices spent $741,749 on snowmobile enforcement operations during the 1995-96 season. Both agreed that the key to solving the public safety concerns are improved education, training, and enforcement.

Forestry discussed
Chair Steven Morse (DFL-Dakota) invited Greg Knopff, Senate Counsel and Research, to provide an overview of the generic environmental impact statement (GEIS) on forestry at the Weds., Jan. 29, Environment and Agriculture Budget Division meeting.

During the 1980s, the timber industry spent $1.5 billion on capital investment for pulp, paper, and fiberboard facilities, Knopff said. This in turn sparked public concern over the stewardship management of Minnesota's forests and a petition was filed with the Environmental Quality Board to conduct a GEIS on forestry in mid-1989. Morse summarized, "The general concept was to provide an overall statement on the impact timber harvesting rates were having on the industry and the environment."

The final GEIS report was published in April, 1994, and the Dept. of Natural Resources was instructed to analyze and implement the results of the report. In 1995, the legislature enacted the Sustainable Forest Resources Act, appropriated $1.7 million to implement the GEIS findings, and created the Minnesota Forest Resources Council, haseland. The act is set to sunset in mid-1999, headed.

Morsethen invited Dr. David Tillman and Dr. Peter Reich, both professors of forest ecology, to discuss biological diversity and why it is important. According to statutes, biological diversity means "the variety and abundance of species, their genetic composition, and the community and landscapes in which they occur, including the ecological structures, functions, and processes occurring at all these levels." Tillman suggested that diverse ecosystems provide services to humans, such as purification of air and water, detoxification and decomposition of wastes, and pollination of crops. These ecosystems are essential for the health and vitality of our communities, haseland.

Paul Ellefson and Mike Kilgore, Minnesota Forest Resources Council, followed with a presentation of the council's biennial report. "Up until now," said Kilgore, "the council has focused primarily on developing site-level harvesting guidelines." A draft of these guidelines are due by the end of this year, and the final timbering guidelines are due at the end of 1998. Sen. Dennis Fredericson (R-Norwood) suggested that the report focuses on site-level management but not on long-term, landscape-level guidelines. Kilgore agreed and said that was by design, and that the council was not ignoring the landscape element. Sen. Bob Lésard (DFL-Int'l. Falls) said that without site preparation, the state can not have long-term, landscape development. Morse said, "The council is developing the guidelines that will nurture not only the timber industry but also other public interests over the long haul."

Jerry Rose and Bruce Zum Bahlen, both from the Dept. of Natural Resources' Forestry Division, presented the department's report, but due to time constraints, were not able to provide a summary. Rose said, "We think we're making good progress in implementing the Sustainable Forest Resources Act, and we're creating significant savings by using this collaborative approach."

Other states, such as California or Washington that use industry enforcement, are finding such methods costly and inefficient, headed.

Family and Early Childhood Budget Division
Child care issues heard
The Family and Early Childhood Education Budget Division, chaired by Sen. Pat Piper (DFL-Austin), met Tues., Jan. 28, to hear an overview of child care programs.

Child care representative Cherie Kotilinek described eligibility requirements necessary for participation in AFDC Child Care programs, such as AFDC Cash Assistance and AFDC Transition Year programs. Cash Assistance and Transition Year families are in a transition period after leaving AFDC due to increased earned income or an increase in hours worked. Kotilinek said that most AFDC Cash Assistance families participate in Minnesota's OBs and STRIE programs, while a limited number participate in self-initiated education programs and are referred as ACCESS families. She said that eligibility for STRIE and ACCESS child care requires participation in authorized education or job search activity. Kotilinek said that the Basic Sliding Fee (BSF) Child Care Program helps pay child care costs for low income families who are not receiving AFDC cash assistance in the year following their departure from the AFDC program. According to Kotilinek, families eligible for BSF are those with children under age 13 and with incomes below 75 percent of the state median income of approximately $39,000.

The BSF program is open to anyone eligible and currently has a waiting list of 5,572 children. She said that state and federal governments are currently studying these eligibility requirements and may offer recommendations that affect eligibility requirements.

Child Care Support Team Member Zoe Nicholle spoke of the Infant Toddler Training Intensive Project that provides high-quality training for child care providers in communities throughout the state. Nicholle said that never before have so many children been served for so long away from home. She said that little contact with home or the loss of a trusted child care person can cause a child anxiety and a loss of emotional security. In addition, she said that providers should make every attempt to keep children together with the same child care person.

Sen. Claire Robling (R-Prior Lake) pointed out that a grandparent may offer ideal child care. She asked if funding was available for such providers. Nicholle said that funding was available and that the child care providers could be a friend or family member. However, she said that unlicensed home care providers may care for only one other family's children in addition to their own.

Finally, Cher Kotilinek briefly addressed child care measures in progress needed to meet federal welfare reform that emphasizes work. She said that the Child Care Reform Proposal simplifies the child care assistance program for low income families by integrating child care into a coordinated service system for families and children. She said that the proposal recognizes children's developmental needs and supported working family efforts to achieve or maintain self-sufficiency. According to study Kotilinek distributed, strategies under consideration include the creation of an income-based child care assistance program that will assure that all low income families will receive needed assistance whether or not they're receiving some form of cash assistance. The proposal may also require income adjusted child care copayments from all families, and the integration of existing early childhood education, family support and parent education programs to meet working families' needs.
Community services overview

Weds., Jan 29, Nancy Johnson, Director of Child Care WORKS, a statewide coalition of organizations concerned with children's care and education, asked each member of the Family and Early Childhood Education and Support Committee, chaired by Pat Piper (DFL-Austin), to imagine a moment that they were asking a parent with an infant, living on a $29,000 legislative salary. Suddenly, Johnson said, you would have to produce $7,800 a year to pay infant care, leaving only $1,100 per month for other expenses. Johnson said that a $3,000 salary cut would qualify them for sliding fee assistance and a $380 per month co-payment, but that the savings would be only $170 per month and that they would be placebo on a year-long child care waiting list. In this situation, Johnson said, you would have little or no choice among infant care providers and you would pay extra for a service you didn't want to attend even legislative meetings. "Now, suppose you have twins..." Johnson said.

Johnson said that 76 percent of today's mothers with children under age 18 are in the work force, and that the younger their children the more their child care costs. Making matters worse has been a one-third drop in young family incomes since they were in 1973, Johnson said. Welfare reform will require 8,860 Minnesota families to move into the paid work force in 1998, and those families unable to find or afford child care will not be able to work, she said. Such families may qualify for Temporary Assistance for Needy Families (TANF), a program already providing $35 million dollars short of erasing the current child care subsidy waiting list. Johnson told the committee.

Families receiving TANF might provide child care for each other, Johnson said, but recipients must want to care for children and should receive adequate training to ensure that children will be well cared for. Johnson said that the early childhood education experience has a lasting impact, because a child's early years, ages 0 to 3, are critical to development. She attributed high caregiver turnover rates to the profession's low pay. She said that 50 percent of teaching staff earn less than $7 per hour, while family caregivers earn $2.50 per hour for a 60-hour week.

Without child care assistance one quarter of Hennepin County families are on Child Care Sliding Fee Program waiting lists turned to AFDC, while one-half turned to foodstamps and Medical Assistance for economic survival, said researcher Deb Swanson-Klatt, of the Greater Minneapolis Day Care Association (GMDCA).

Swanson-Klatt said that in 1991, families in Hennepin County spent 23 percent of their income for child care, while families earning $50,000 and more spent only 6 percent. She said that despite financial adversity, the majority of GMDCA families surveyed continued to work while waiting for Child Care Sliding Fee Assistance, but that they do so at great expense to the security of their family.

Ramsey County Planner Deb Schlick, citing a Ramsey County study on child care subsidies and economic development trends, briefly examined the favorable relationship between child care subsidies and economic activities. Schlick told the committee that dominant industries and occupations supported by child care subsidies are those that are forecast to lead state job growth throughout the next five years. Schlick said that the Basic Sliding Fee Child Care program does not support many minimum wage jobs, but instead supports those jobs having wages slightly above the minimum and those requiring specialized training. Schlick told the committee that jobs paying less than $7 per hour make up fewer than 20 percent of all subsidized jobs; conversely, 57 percent of all subsidized jobs fell within the $7 to $10 per hour range.

Government Operations and Veteran Affairs State boards overview

Chair James Metzen (DFL-South St. Paul) called the Government Operations and Veteran Affairs Committees together to discuss Wed., Jan. 29, to listen to presentations from the state boards. He welcomed new committee members and announced the creation of two subcommittees—Veterans Affairs, chaired by Sen. Charles Wiger (DFL-North St. Paul), and Rulemaking, chaired by Sen. Don Betzold (DFL-Fridley).

Executive Director Howard Bicker, State Board of Investment (SBI), provided a brief overview of the organization. The board was established by the state constitution and as statutory authority over a variety of investments. According to Bicker, membership in SBI includes the governor, state auditor, state treasurer, secretary of state, and the attorney general, along with a 17-member investment advisory council. In addition, he said, the board manages $31.4 billion from various retirement funds, trust funds, and cash accounts. As for performance, Bicker said the investments managed by the board consistently outperformed the market over a five-year period.

Larry Spicer, executive director of the Board of Chiropractors, appeared before the committee on behalf of the State Health Licensing Board, which includes representatives from thirteen health related licensing boards. Spicer stated that the boards are composed of both public and professional members and are financed solely from annual license fees. "The boards were created to protect the public from misconduct and sub-standard care," said Spicer. Based on several recommenda-

Pension overview

The Government Operations and Veteran Affairs Committee was called to order Wed., Jan. 29, by Chair James Metzen (DFL-South St. Paul) to listen to an overview of state pensions plans.

Nile Zickman, representing the Minnesota Voluntary Firefighters Association, began the meeting with a brief presentation on the challenges the volunteer force face and the need for continuing funding for their pension plan. "The pensions are essential for attracting and retaining firefighters," he said.

Dave Bergstrom, executive director of the Minnesota State Retirement System (MSRS), introduced his fellow panel members, Gary Austin, Teachers Retirement Association (TRA), and Mary Vanek, Public Employees Retirement Association (PERA). The panel outlined the intricacies of the complex pension plans for state employees, highlighting the archaic administrative structure, the calculations to determine pension size, and the various funding streams. Vanek said that three of her fund's assets are handled by the boards, but are invested by the State Board of Investment. Austin said that all three funds are in "excellent funding positions," with above average assets to accrued liability ratios.

The panel for the Cities of the First Class Teachers Retirement Fund Association then proceeded with a brief overview of the pension plans for teachers in the Duluth, Minneapolis, and St. Paul school districts. "Unlike the major pension funds," said Karen Kilberg, Minneapolis Teachers Retirement Fund Assoc., "our funds are responsible for their own investing."

Larry Martin, executive director for the Legislative Commission on Pensions and Retirement, said the advisory body is a bicameral group, representing the government operations committees of the Senate and the House. He added that his office is completing several mandated studies that will be completed in February and March.
Governmental Operations Budget Division

Panel discusses budget books

Members of the Governmental Operations Budget Division, chaired by Sen. Leonard Price (DFL-Woodbury), held their first public hearing on budget books, Tues., Jan. 28, and heard an overview of the budget process and a description of the material contained in the budget documents. David Johnson, Dept. of Finance, outlined the governor's five budget goals. According to Johnson, the overall budget includes monies from special revenue funds and the debt service fund.

Johnson said that 59.8 percent of all state spending comes from the general fund, with the balance coming from the other types of funds. He said that individual income taxes account for 41.6 percent of state revenue, sales tax accounts for 30.5 percent, and corporate tax accounts for 6.2 percent. Other revenue sources include gross earnings taxes, liquor and tobacco taxes, and motor vehicle excise taxes. According to Johnson, the four largest areas of state spending are health and human services, property tax aids and credits, post-secondary education and K-12 education, account for 88.7 percent of all state spending. Those four areas are so the fastest growing areas of state spending, Johnson said.

Johnson also explained the process by which the Dept. of Finance developed the actual budget book. Members will use new software, which will allow them to see how the budget is spent in each area. The budget book will also provide a description of the material contained in the budget documents.

Public testimony begins

In what is expected to be a contentious issue, the first round of public testimony on welfare reform commenced as Chair John Hottinger (DFL-Mankato) called the Health and Family Security Committee to order, Tues., Jan. 28. Hottinger outlined a tentative meeting schedule for the next several meetings and said the day's agenda was set aside for concerned organizations.

Rev. Chris Morton, chair of the Food First Coalition, was the first to present his organization's views. "Overall, the giving of religious organizations is already very high," he said, "and they will be unable to replace, dollar for dollar, the cuts which are being made by government." Therefore, he said, the government cannot expect private charities to entirely pick up where the government left off. "Religious organizations are already the backbone of most every food shelf in the state," he added. As for the food stamp program, Morton admitted that though there are problems, the program's benefits are crucial — people are not going hungry. Morton then presented several proposals. He suggested the state create a supplemental food program for the two major groups of people who will lose food stamp coverage, the legal non-titians and the 18-50-year-old childless adults. Another proposal the state should consider, said Morton, is to exclude counties and "other geographic areas" with unemployment rates above 10 percent from the food stamp cuts, instead of the 30 percent cut in the state.

Sen. Martha Robertson (R-Minnetonka) said, "I will be asking this of everyone that testifies today, so please help me understand from where you receive your funding." Morton answered that his organization receives most of the funding from foundations and private contributions; it receives no public funding.

"In the proposed welfare reform bills, the state will dictate the payment to training and education," said Kathy Tomlin, director of Catholic Charities. "The training money provided in the bills is not focused to welfare recipients. Tomlin continued, "After five years on state assistance, it's important that we have provided enhanced skills so we don't have people losing their jobs so that when benefits are taken away, they are on the right path out of poverty."

Sen. Becky Lourey (DFL-Kerrick) asked if Catholic Charities had any data, beyond anecdotal stories, on the success rate for the STRIDE program. Tomlin said they did not. Then Lourey asked Julie Maden, a caseworker from Catholic Charities, if many of her clients are enrolled in continuing education programs. Maden said, "My clients rely heavily on community colleges for their education."

Robertson asked Tomlin how Catholic Charities programs are funded. Out of an annual budget of $21 million, over half comes from federal, state, and county aid, Tomlin said.

"State leaders have a special function," said Brian Rusche, the executive director of the Minnesota Religious Legislative Coalition, "They must defend the poor and the vulnerable." He asked members to look for a "soft-landing approach" for the immigrant community by establishing a direct grant program to assist people who would have received General Assistance (GA) or Medical Assistance (MA) but for their immigrant status. He asked members to "do MFIP right," referring to the Minnesota Family Investment Program, "by staying with welfare recipients long enough so they can find work." Rusche also said, "In the governor's proposal, the MFIP grant amount is lower per individual and the exit point from the program is earlier."

"Therefore, you won't get the rosies results," he said. The Minnesota Power Demonstration Research Corp. (MDRC) told you about, referring to the study on the MFIP pilot project conducted by MDRC. In his concluding remarks, Rusche said that the current welfare system was designed to be a safety net, but the new reform places an additional burden on the system by requiring job training and education. "You can't do both goals under the same budget. There have to be additional funds on the table," he said.

Shawn Fremstad, Legal Services Advocacy Project, presented his report on reforming welfare. He suggested that the two most difficult barriers to employment for recipients were transportation and child care. According to the General Accounting Office, he said, successful programs use a comprehensive assessment process to identify barriers to employment, remove barriers that limit a client's ability to find training and get a job, improve participants' employability skill as part of training, link occupational skill training with the local labor market, and have regular follow-up after people leave the program.
Anna Sochocky, Harriet Tubman Center, and Kiki Waikman, Cornerstone, Inc., both proposed extending a waiver for residency requirements for women and children fleeing from domestic violence. When Robertson asked where the Tubman Center receives its funding, Sochocky said that over 60 percent of the center's budget comes from government sources.

Public testimony continues

Chair John Hottinger (DFL-Mankato) called the Health and Family Security Committee to order Thurs., Jan. 30. He said, "My intention today is to take testimony from women proposing budget needs." Deb Konechne, a member of the Minnesota Welfare Rights Coalition, began the discussion by presenting her organization's legislative proposal and said, "We would like our proposal to stand as a bill on its own, a bill from the people." She said the current welfare reform legislation "is a travesty for low-income people." Der Vang followed and talked to the committee about her life experiences and the difficulties she has faced in her struggle to immigrate to the U.S. from Southeast Asia. "We humbly accept the small amount of aid because we are lazy or do not want to work, but because we are unable to find jobs to support our families," she said. She asked the members not to cut aid to immigrants, especially the elderly.

Sen. Linda Berglin (DFL-Mpls.) said, "I want to make it clear, we are not the ones who cut aid to immigrants, who cut family benefits, or who cut food stamps. Many of us feel that these cuts are inhumane." In Washington, D.C.," she said, "they are reconsidering these cuts. I urge you to contact your congressional representatives and urge them to restore the cuts." "I am coming before you today as a concerned citizen, concerned about the migrant workers in Minnesota," said Anthony Zaragoza. According to Zaragoza, companies in Minnesota recruit Mexican workers in Texas and Mexico to come to Minnesota and work. When they arrive here, the companies often do not pay them until the harvest is collected, or in many cases, there are no jobs waiting for them, he said. Sen. Becky Lourey (DFL-Kerrick) asked, "Do you agree that business has been counting on state and federal dollars to subsidize migrant workers?" Zaragoza said, "That would be a correct assumption." Sen. Pat Piper (DFL-Austin) said, "Business must assume greater responsibility for the workers they recruit to come to Minnesota." Ben Long asked: "What is the United States' responsibility for the immigrant families who cooperated with and fought alongside American soldiers in the Vietnam War?"

Health and Family Security Budget Division

Nursing homes discussed

Chair Don Samuelson (DFL-Brainerd) called the Health and Family Security Budget Division to order Thurs., Jan. 23, to listen to a presentation from the Legislative Auditor's Office on nursing home costs compared to other states. Roger Brooks, deputy legislative auditor, said that the original idea for the study came from a citizen who was concerned about higher nursing home costs in Minnesota than in other states in the Upper Midwest. The report came to several conclusions, one of which proved that Minnesota rates are higher than other states for two central reasons—Minnesota provides more nursing care in the homes, and the state pays higher average staff salaries. Brooks said the study was difficult to do because his office was faced with "a tangled web of confused statistics from other states." Susan Von Mosch, program evaluation specialist from the Auditor's Office, followed Brooks and outlined the details of the study. The report was commissioned in May of 1996 and included five states—Minnesota, North Dakota, South Dakota, Iowa, and Wisconsin. She said that Minnesota averaged a $95.61 per day reimbursement rate for nursing homes, which was 15 percent higher than Wisconsin and over 50 percent higher than South Dakota. Furthermore, she said, the average cost of $89.82 per resident day for nursing care was also higher than any other state. In Minnesota, nursing home costs account for over 70 percent of total costs, a rate higher than any other state. Along the same lines, she said, salaries and fringe benefits in Minnesota account for 70 percent of nursing home operating costs, and therefore, the higher salaries paid would drive overall costs higher than surrounding states.

Samuelson asked if the report measures the quality of nursing home care in relation to other states. Von Mosch said that quality of care is difficult to measure and was not covered under the report. Von Mosch said that the report concludes that the higher rates in Minnesota are due to more nursing care, higher labor costs, and higher reimbursement rates.

Jobs, Energy, and Community Development

Rights of way overview continued

The jobs, energy, and community development committee, chaired by Sen. Steven Novak (DFL-New Brighton), concluded background testimony on the telecommunications rights of way issue Thurs., Jan. 30. Committee counsel John Fuller announced the committee's decision issued by the Court of Appeals, Jan. 28, regarding the Redwood Falls ordinance discussed at the last meeting. The Court ruled that the Redwood Falls authority does not have the authority to require U.S. West to obtain a franchise and to encase telephone lines in concrete. Fuller said, "Jerry Knickerbocker testified on behalf of the Minnesota Telephone Association, representing the state's 88 local telephone companies. "We have come to an agreement in two ways—technological and regulatory. The telecommunications revolution will require more and more data to be moved faster, and the passage of the Federal Telecommunications Act brings competition to local telephone markets," he said, "We need a state-wide policy on rights of way to facilitate that change." Commenting on the legislature's role in the debate, Novak said, "If we don't set a state-wide policy, one will gradually be set by a number of court cases."

James Erickson of the Minnesota Cable Association said, "We would like to provide the committee with a framework on this difficult, far-reaching issue. Most of the players in this discussion, from municipalities to telecommunications interests, met last week and will meet again next week to discuss rights of way." Erickson summarized both sides of the issue, and said, "Cable providers are against fees as a new revenue source and limits on the number of users of rights of way."

Representatives from Sprint, U.S. West, and MCI gave similar testimony. Bill Flynn, spokesperson for the Minnesota Business Utility Users Council, provided examples of successful partnerships between business and municipalities in resolving rights of way concerns.

Higher Education Budget Division

Technology discussed

The Higher Education Budget Division, chaired by Sen. LeRoy Stumpf (DFL-Thief River Falls), heard presentations focused on technology, distance learning, and training K-12 teachers. Presentations focused on technology in the classroom. Senior Vice President of Academic Affairs, Marvin Marshall of the University of Minnesota continued his testimony from a previous meeting. "The area that is an important aspect to the new initiatives in learning technologies—providing access for all—interested.
parties from traditional students to citizens interested in learning for its own sake, driving active learning that enables students to pull knowledge themselves rather than having it pushed on them, and giving students tools to become lifelong learners, "he said.

Michael Handberg, coordinator in the Registrar's Office, demonstrated benefits currently available for traditional students via the University's Web page. These include personal calendars and organizers, on-line forms, and access to e-newsletters unique to the student's interests. "This technology is customer-focused, an approach that is carrying over throughout business," said Handberg.

Rick Pafer, from the University's Biology Department, presented examples of how computers and the Internet are used in the classroom.

Sandra Ball and Simon Hooper from the College of Education and Human Development described the University's work in instructing preservice teachers in the use of education technology applications. "We work with about 350 preservice teachers to train them in the use of technology in the classroom. This opens several exciting opportunities, students and teachers have access to current research and information, students can collaborate with other students over the Internet, students can correspond with other students, and even publish their own work on the Internet," said Ball.

Hooper emphasized that the goal was not to replace schools and universities. "Education is an inherently social process. We don't want to use technology to prevent students from interacting, but to enhance and expand their interaction," he said.

Vince Magnuson, vice chancellor for Academic Affairs at UMD, outlined his school's teacher preparation program.

**MnSCU technology**

The Higher Education Budget Division of the Children, Families, and Learning Committee continued to examine the role of technology in education. The committee, chaired by Sen. Legs, the Stumpf (DFL-Thief River Falls), heard testimony Weds., Jan. 29, regarding the use of technology at MnSCU colleges and universities.

Dr. Rolf Zander, president of Moorhead State University, said, "There are three challenges before us at Moorhead State—the challenge of re-equipping our facilities for high technology, the challenge of bringing students and faculty up to the standards of the professional marketplace, and the cost of building new, high-tech facilities."

Larry Sheflito, president of Alexandria Technical College, demonstrated the Digital College, a project funded in part by a MnSCU Electronic Academy Grant. "Its goals are to get the faculty technologically proficient, provide Internet access to students and faculty, enable the production of validated and replicable technology information, and increase student learning and involvement," Sheflito said. Talking of the partnership between the college and local business, he said, "We're working with Caterpillar and Ziegler on technology issues as a part of our Quickstart program in diesel mechanics. For example, Caterpillar provided us with an engine and diagnostic software so our students can learn to regulate emissions, fuel economy, clean air and efficiency.

Results of an instructional technology survey of MnSCU colleges determined that current student participation was reported by 26 percent of faculty members and 25 percent of staff members. The survey showed that there is a need for increased faculty training in technology adoption and delivery of courses using instructional technology," Garloff said.

**Judiciary Committee**

Task force report heard

The judiciary Committee, chaired by Sen. Jane Ranum (DFL-Mpls.), met Mon., Jan. 27, to hear the findings of the Supreme Court appointed Advisory Task Force on Visitation and Child Support Enforcement. The task force was primarily established to examine to what extent custodial parents deny non-custodial parents visitation and other rights, and to recommend court recommendations for resolving custody and visitation conflicts.

Task Force Co-Chair Peter Parilla said that, according to the taskforce investigation, only 3 percent of parents involved in dissolutions involving child custody and visitation rights return to court, and that 60 percent of custodial parents interviewed said that such issues had not been a problem. He said that among those remaining 40 percent, most said they had not returned to court because problems experienced were not serious, while a majority of that percentage said they had not sought legal remedy due to attorneys' fees or the fear of reprisal from former spouses. According to Parilla, the study found that custodial related complaints occur shortly after marriages dissolve and are primarily among non-custodial parents. It is estimated that 20 percent of parents interviewed believed that visitation disputes were serious, he said.

Parilla attributed the difference between parents and judges differing assessments of visitation and custodial problems to the possibility that judges hear the worst side of such cases when parents "unload" in court and expand court files with added grievances. The task force also found that few judges and parents interviewed favored withholding child support payments when visitation rights were denied.

Task force member, Linda Aaker, reviewed task force policy recommendations and the need for a new approach to visitation-related conflicts. Among the recommendations, Aaker cited the redeveloping of more effective methods to resolve visitation disputes and pointing the dispute toward a modified legal track or a mediation outside the court. When appropriate, requiring parents to participate in one or more education programs and the publishing of information regarding visitation and custody matters in parental instruction materials. The recommendations also call for the Supreme Court to define and publish "reasonable visitation guidelines," and call on the Legislative to enact a legislation authorizing a custodial parent to withhold visitation when child support is not paid.

Judge Tanya O'Shea, Fourth Judicial District, reported on progress made by the Implementation Committee on Multicultural Diversity and Racial Fairness in Courts. O'Shea said a task force had been charged to investigate whether race affects arrests, detention on probable cause, charging offenses, bail, plea negotiations, jury selection and related issues. She said the information is needed to determine whether disparate treatment exists within the criminal justice system.

In addition, other committees are working to develop a curriculum within the judicial system, and to investigate charges that persons of color are being disproportionately charged with low-level misdemeanor offenses, Bransford said.

Hennepin County Attorney Michael Freeman thanked committee members for legislation enacted allowing Ramsey and Hennepin Counties to deal swiftly with neighborhood nuisance violations. In the past, Freeman said, two convictions were needed before action could be taken against nuisance violators. The conviction requirement created a problem, Freeman pointed out, because many nuisance activities did not result in convictions. Today, Freeman said, only two “behavioral incidents” are needed to allow the judicial system to identify and act on problem tenants and landlords.

Freeman said that activities that can result in a behavior incident involve narcotics sales or use, prostitution, gambling, unlawful sale or use of alcoholic beverages, the unlawful use of firearm or keeping a disorderly house.

Under the law, when two or more behavior incidents are documented, the county attorney may amend the county attorney may amend the petition for a restraining order to threshold nuisance. Under the law, when two or more behavior incidents are documented, the county attorney may amend the petition for a restraining order to threshold nuisance. Thereafter, Freeman said, the parties must...
resolve the problem or the court may order the building vacated and boarded-up. In most cases the attorney's initial letter to a landlord will solve the problem, Freeman said.

Freeman presented the committee with a report that outlines initiatives needed to further improve neighborhood nuisance resolution. The report suggests the use of well-written letters that will provide immediate relief when nuisance behavior occurs; reduced timeline for complaint subjects to appear in court; and the development of a mediation process to handle landlord-tenant disputes before court resources are expended.

K-12 Education Budget Division

Caps bill approved, work plan debated

After Department of Families and Learning Commissioners Robert Weid and Tom Melder walked the K-12 Budget Division through the governor's budget on Tuesday, Jan. 29, members resumed honing the language of the division's evolving work plan.

Continuing the formulation of the work plan designed to focus policy, the division heard plan revisions drafted by minority members. While most of the recommendations reflected the entire panel's expressed desire to strengthen the plan's language, contention arose when Sen. Gen Olson (R-Minnetonka) announced the caucus' edit of the overall goal statement.

The original plan had defined that the goal of state education policy is to "ensure that every student in Minnesota is prepared to reach his or her highest potential and to attain the educational achievement necessary to become informed and productive citizens." The minority revision altered the goal, which they said is, "to provide quality educational experiences so that every student in Minnesota can reach his or her highest potential and attain the level of, etc." The suggestion to substitute the word "enable" for "ensure" opened debate on both the role of government in education and the subtleties of "motivation" in learning.

Minority members argued the impossibility of ensuring results. "For four years we've been dealing with whether or not we can force the horse to drink," said Sen. Martha Robertson (R-Minnetonka). "Saying that we will "provide the water" includes the responsibility of the student," she said. Olson and Chair Lawrence Pogemiller (DFL-Mpls.) debated where to draw the line in educational responsibility. Pogemiller indicated that he disagreed with Olson's statement, "the 'you're our children,' and proceeded to defend the need for a state safety net. He asked the panel if, under a student accountability model, preschoolers could really be expected to "do their part?" Citin precedent, Sen. Sandra Pappas (DFL-St. Paul) brought up legal circumstances of child abuse and neglect, emphasizing that the state is, in those cases, considered the default parent.

In support of his caucus' critique, Sen. Ken Eischeval (R-Preston) invoked the U.S. Constitution, stating that government should continue to guarantee only the right of citizens to life, liberty and the pursuit of happiness, it being impossible to guarantee happiness itself. This is, he said, "the land of opportunity, not the land of guaranteed outcomes."

By mailing a letter, Pogemiller conceded, "you can't ensure anything," but continued to hold his original position on plan wording. With regard to the gravity of the semantics at hand, Pogemiller touted the efficacy of tying money to results. "Unless you're clear about what you want," he said, "you won't get it."

The meeting adjourned after members approved a bill authored by Sen. Keith Langseth (DFL-Glyndon) calling for repeal of last year's preemptionary K-12 appropriation caps. The bill was referred to the Children, Families and Learning Committee with a recommendation for passage.

Educators critique work plan

Addressing the -12 Education Budget Division Wednesday, Jan. 29, Zona Burke-Sharp of the Academic Excellence Foundation praised the panel for its "nationally recognized" decision to develop a policy work plan. At the meeting, she and other education experts offered the division recommendations on specific work plan language.

Dale Jensen of the Minnesota Association of School Administrators suggested that the panel change its "maintain a well-prepared faculty and staff" objective to "develop and maintain a highly qualified staff." Sen. Martha Robertson (R-Minnetonka), challenged that statement by positive that teacher education should be better addressed by the Higher Education Budget Division. In response, Sen. Robertson's statement that the state's objectives should "be in equality teachers, not developing them," Sen. Gen Olson (R-Minnetonka) referred to his own teaching background, saying, "No one arrives at that job totally developed."

Jensen also called for plan language specifically guaranteeing instability of funding and improvement of communication between state and stakeholders. She asked that the division consider ways it could more effectively communicate its expectations and intentions to districts, schools, teachers, parents and students. "Even now," she said, "some schools are not sure when the graduation standards tests are to be taken."

Vernon Herf and Cornie Ganberg of the MN Rural Education Association suggested collapsing all objectives into three. Her model would include guaranteed personalized education, assurance that the state system will work to the same standards expected of localities, and the institution of mechanisms that hold all players accountable.

The "all players" statement stirred debate among division members on whether they should or could possibly hold parents, and even non-parent taxpayers, accountable in achieving the state's educational goals. Sen. Sandra Pappas (DFL-St. Paul) reminded the panel that cases of abuse and neglect provide the best examples of parental legal liability. Sen. Jankrentz (DFL-May Township) also mentioned that in the case of disruptive behavior on a school bus, a student could be suspended from buss travel, whereupon responsibility reverts to the parent to ensure the child gets to school.

Dale Swanson of the Minnesota Elementary School Principals' Association also commented on parental liability, citing student-teacher and information technology

Local and Metropolitan Government

Small cities, township agenda discussed

The Local and Metropolitan Government Committee, chaired by Sen. Jim Vickers (DFL-Tracy), met Friday, Jan. 24, to hear the agendas of Minnesota's smaller municipalities. Snow removal and budget concerns dominated the presentation of the Minnesota Association of Townships.

Dave Fricke, executive director, outlined the extent of weather-related problems facing townships. He said, "We're working with the townships night and day to get an idea of the scope of the problems, but we already know it's pretty widespread. Some townships are reporting broken equipment. There are some parts of the state that don't have access to some roads. And, of course, some budgets for snow removal have already been exhausted. For example, one township in the Alexandria area had a snow removal budget of $3,500 for each of the last three years. As of this second week in January, they had already used $9,000 just to open roads."

Sen. Leonard Price (DFL-Woodbury) asked, "Do federal disaster relief guidelines take all this into account?" Fricke said, "The federal government covers 75 percent of the excess costs, the state 15 percent, and the local governments have to make up any remaining 10 percent. Another problem is that there hasn't been a storm on this scale. I started in January 3, and it hasn't really ended yet. That's made it hard for us townships to set a hard budget."
Committee update

How much they need," Sen. Claire Robling (R-Prior Lake) said, "Emergency planning for the future might be in order. Perhaps any money left over at the end of the fiscal year will go into an interest bearing account just for emergencies like this." Other issues on the association's agenda, according to Fricke, are planning and annexation concerns, property tax reform, and jobs. Executive Director Nancy Larson presented the concerns of the Minnesota Association of Small Cities. "Our organization represents communities with populations of under 5,000," she said. Property tax reform, housing issues, and weather-related budget problems are additional interests shared by members.

Gaming issues discussed

Gaming issues were discussed at the Local and Metropolitan Government Committee meeting Mon., Jan. 27. The committee, chaired by Sen. Jim Vickerman (DFL-Tracy), heard presentations by the Gaming Control Board, the Dept. of Revenue, the Dept. of Public Safety, and an analysis of the state of the gaming industry from Senate Counsel and Research. Testimony by King Wilson on behalf of Allied Charities was continued to the next meeting due to time constraints. Patrick McCormack, analyst for Senate Counsel and Research, gave an overview of the gambling industry in Minnesota. "The gaming business has grown immensely in this state. It has gone from a fun, amateur driven recreation to a competitive business-oriented well-run industry," he said. McCormack cited figures showing gross receipts from gambling rising from $712 million in 1987 to $5.3 billion in 1996, $3.8 billion of that growth coming from Indian gaming. He talked about the four types of legal gaming in the state: lawful gambling for nonprofit organizations, the state lottery, pari-mutuel racing, and Indian casinos. Asked by Vickerman about the status of video gambling, McCormack said, "We may need a constitutional amendment to allow video gambling. On the other hand, if video gambling is run by the lottery, an amendment may not be required. It's still an open question." Ben Caruth, executive assistant of the Gambling Control Board, summarized the board's work. "We regulate lawful gambling conducted by nonprofits. This takes five forms: pull-tabs, bingo, paddle wheels, tipboards, and raffles. Of the five, pull-tabs account for 92 percent of the activity, bingo 6 percent, and the rest the remaining 2 percent," he said.

An estimated this year's lawful gambling tax collections was one of the topics reviewed by Patrick Finnegan and Robert Swanson of the Dept. of Revenue. "The combined receipt tax from lawful gambling will come to about $67 million, 60 percent of which goes into the General Fund and the rest into the Environmental Trust Fund," Finnegan said, "Gambling activity increased in 1994, primarily due to an increase in prizes. It appears to be leveling off now at almost $1.4 billion per year." Director Thomas Browneell of the Dept. of Public Safety outlined the investigative role of his agency in the gambling industry. "We do background investigations on potential employees, surveillance of operations and current employees, and investigations of criminal activities that may arise in the industry," he said.

Property Tax and Local Government Budget Division

Property tax structure reviewed

Professor Fred L. Morrison, University of Minnesota, explained the inception of the property tax in Minnesota to the Property Tax and Local Government Budget Division, chaired by Sen. Sandra L. Pappas (DFL-St. Paul), Weds., Jan. 29. Morrison told the committee that Minnesota was once taxed at a uniform rate even when the state was still a territory. In 1890, he said, uniform property taxation was found unconstitutional until 1906 when a people's amendment allowed for a constitutional property tax rate.

Property tax terminology has changed somewhat since 1990, Morrison said. For example, he said, property was once assigned an "assessed value" of 20-43 percent of its actual market value; however, in 1990, it was given a "tax capacity," and was statutorily required to be valued between 1 and 5 percent of its actual market value. Morrison explained that the state has more than 20 property tax classifications for diverse land-use, but only five principal classifications: homestead, residential non-homestead, agricultural, seasonal and recreational and commercial/industrial.

Morrison said that property tax classification is an economic and social policy, the citizens' ability to pay, the need for municipal services, and investment encouragement, such as tax rates for low income housing. Property tax is fraught with perceived problems, Morrison said, but no guaranteed solutions. He cited popular ideas that have been considered solutions to an inequitable, high tax system. Among them are most artificially controlled municipal expenditures, increased state aid to municipalities (especially for state mandated services), equalized state aid adjustment to a levied proportionate tax and expense burden among municipalities, and a uniform tax rate to eliminate proportionate tax burdens among classes of people.

While some of the ideas appear to be good, Morrison said, not one of them could be accomplished without consequence and adjustments that would once again result in the reformation of a complex tax law structure.

Sen. Randy Kelly (DFL-St. Paul) commented on the questionable fairness of
Transportation Committee

Transportation technology reviewed

Roads, bridges and behind-the-wheel human behavior were discussed when the Transportation Committee met, Tues., Jan 28, with transportation research experts from the University of Minnesota Center for Transportation Studies.

Director of Research, Laurie McGinnis, University of Minnesota Center for Transportation Studies, told committee members that the center conducts a multifaceted research program to address issues that include transportation and the economy, safety, traffic flow and transportation infrastructure and the environment.

Institute of Technology Associate Professor David E. Newcome explained how climate and load on tire's wear affect various pavement materials. Newcome said that implanted road sensors and road-surface simulating computer models that duplicate pavement behavior during temperature variations offer valuable advice on appropriate road-surface materials, thicknesses and paving times. He said that such devices help to assure optimal road longevity. He said that the center's program has been used nationwide, and that such information has saved millions of dollars in road maintenance.

Newcome said it is necessary to determine a road's traffic volume and intended purpose before a decision is made on building materials and methods. He said that high traffic volume roadways may justify the use of more costly materials, while low traffic roadways may not. Not all states employ identical road construction standards, Newcome told the committee. He said that the difficulty of comparing road conditions among other states is attributable to materials used, construction methods, climate and other factors.

Sen. Sandra Pappas (DFL-St. Paul) asked Newcome if salt used on Minnesota roads is as corrosive to pavement as it is to cars. Pappas also asked if the use of a salt alternative, CMA, would cost less in the long-term.

Newcome said that the salt used is less corrosive to pavement than road expansion bars planted within the pavement. Damage to expansion bars occurs when salt is used in expansion joints and erodes the bars, he said, preventing summer road expansion and causing roads to buckle. He said also that he wasn't sure if a salt-substitute, CMA, would be economically useful because of its high cost.

Institute of Technology Associate Professor Catherine E. French said that she and others strive to improve bridge durability and economic savings through investigating the behavior of existing structures and experimenting with high performance concrete and other new materials. In addition, she said, the center has developed a program to monitor structures in structural areas suited for retrofitting, and has done research to prolong the life of existing Northern Minnesota timber bridges.

Associate Professor of Education and Human Development Peter A. Hancock, told the committee that he studies human behavior and how it affects potentially dangerous and often tragic driving habits. Hancock said he studies why people drive when they're fatigued, drunk, or at 60 mph, into a snow white-out, and into the back of a moving snow plow. He said that he believes the reason for such behavior is that "driving is an over-learned skill," and that it results in personal satisfaction with our driving habits. Then, when an emergency arises, such as a child darting into the road, we are unprepared to deal with it, he said.

Hancock said that the problem is one of drivers' experience with unusual situations, adding that like aircraft disasters, most auto accidents are the result of human error. Hancock said that road accidents take 40,000 lives in this country each year.

Rural transportation considered

Professor of Marketing and Logistics, Frederick J. Beier, Carlson School of Management, tied transportation logistics with the concept of short-line railroad road service when the Transportation Committee, chaired by Sen. Carol Flynn (DFL-Mpls.), met Weds., Jan 29.

Beier told the committee that logistics is the process of efficient planning and controlling the costly flow and storage of raw materials, manufactured inventory, finished goods and related information from the point of origin to the point of consumption for the purpose of satisfying the customer.

Beier said that satisfying this definition is an integral part of competing in a global economy. He said that because domestic firms now have global competitors, they must restructure their facilities on a global basis.

He said that new dynamics of consumer demand have shortened product life and have caused new product proliferation. This ongoing product replacement cycle has substantial inventory costs because of the need to carry more items, he said. Supply chain strategies such as "just-in-time" inventory programs help reduce inventory costs, but requires coordination of all supply chain participants, especially of transportation and distribution. Product proliferation has shifted the supply chain power balance from manufacturers to retail level distribution.

Beier said, particularly in the area of consumer products such as those stocked by popular local chain retailers who control large business volumes. Beier called attention to the necessity of low cost, high volume data processing needed to enhance our ability to perform complicated logistics coordination strategies.

Beier said that he is particularly interested in the role of the transportation firm in the supply chain, especially the possible evolution of short-line railroads in the United States. Conventional wisdom suggests that the flexible truck transportation provides a higher service level than that offered higher trucking rates, Beier said, adding that this reasoning does not explain why trucks have captured a dominant transportation market share.

In theory, Beier said, railroads short-lines may tailor product supply chain services more effectively than trucking. If this should occur, Beier said, it could be used as a model and reverse traffic and erosion. In general, Beier said, short-line railroads provide an important transportation alternative, particularly for rural areas.

University of Minnesota Associate Professor Jerry E. Fruin, College of Agriculture, discussed current methods of moving grains, corn and other Minnesota agricultural products to various terminals throughout the state and world. Fruin said methods include trucking, rail and Mississippi River barges. He said that 35 million tons of grain and corn annually leave the farm via truck, resulting in 40,000 trucks on Minnesota roads annually. He said that 60 percent of the wheat produced in Minnesota leaves the country by barge through the Gulf area.

Professor Dietmar Rose, College of Natural Resources, University of Minnesota, presented a plan to use less productive northern Minnesota farmland, much of it currently enrolled in the Soil Conservation Program, with renewable aspen and other fast growing trees. Rose said that such trees might be harvested, shipped, and sold to fuel strategically placed power plants constructed within a reasonable proximity of the proposed timber operations.

Rose told committee members that a shift from agricultural crop to timber depended on the existence of power plants and the availability of transportation.

Hearing interpreters services

The LCC has arranged to provide sign language interpreting services for deaf and hard of hearing people during this session. The project will maintain an office in Room 90 of the SOB.

Requests for ASL interpreting services should be directed to the coordinator at 282-2231 v tty.
The Minnesota Senate Week at a Glance

Monday, February 3

The Senate will meet 10 a.m.

Environment and Agriculture Budget Division
Chair: Sen. Steven Morse
12 noon Room 107 Capitol

Judiciary Committee
Chair: Sen. Jane Ranum
12 noon Room 15 Capitol
Agenda: S.F. 53-Betzold: Civil commitment; voluntary treatment; S.F. 57-Betzold: Clarifying the commitment act.

Crime Prevention Committee
Chair: Sen. Allian Spear
2 p.m. Room 15 Capitol

Economic Development Budget Division
Chair: Sen. Tracy Beckman
2 p.m. Room 112 Capitol
Agenda: Dept. of Labor and Industry budget review and governor's recommendations.

Local and Metropolitan Government Committee
Chair: Sen. Jamie Wickman
2 p.m. Room 107 Capitol
Agenda: Presentations by George Anderson, director, Minnesota Lottery; Jay Bambery and Sharon Autio, Dept. of Human Services, Compulsive Gambling Division; Scott Strand, Office of the Attorney General.

Tuesday, February 4

Environment and Agriculture Budget Division
Chair: Sen. Steven Morse
8 a.m. Room 123 Capitol
Agenda: Lakeshore lease lot holders; land acquisition report.

Family and Early Childhood Education Budget Division
Chair: Sen. Pat Piper
8 a.m. Room 15 Capitol
Agenda: Impact of welfare redesign on Minnesota's immigrant community.

Higher Education Budget Division
Chair: Sen. LeRoy Stumpf
8 a.m. Room 107 Capitol
Agenda: Excess costs of snow removal on college campuses; U of M and MnSCU HESO, financial aid presentation.

Health and Family Security Committee
Chair: Sen. John Hottinger
10 a.m. Room 15 Capitol

Jobs, Energy and Community Development Committee
Chair: Sen. Steven Novak
10 a.m. Room 123 Capitol
Agenda: Economic development, presentation by former Senator Carl W. Kroenning; strategies for economic growth, presentation by Janna King, Kevin Walli, Rebecca Yanisch.

Governmental Operations and Veterans Committee
Chair: Sen. James Metzen
12 noon Room 15 Capitol
Agenda: Overviews. Department of Administration: Elaine Hansen, commissioner; Dennis Spalla, asst. commissioner for facilities management; Kent Allin, asst. commissioner of operations management; Douglas Schneider, acting asst. commissioner of intertechnologies; Beverly Schult, asst. commissioner, Information Policy Office; Judy Plante, director of management analysis; J. Julie Smith Zuidema, asst. to the commissioner. Minnesota Planning, Linda Kohl, director.

Transportation Committee
Chair: Sen. Carol Flynn
8 a.m. Room 112 Capitol

Wednesday, February 5

Family and Early Childhood Education Budget Division
Chair: Sen. Pat Piper
8 a.m. Room 107 Capitol
Agenda: Discussion of higher education in Minnesota.

Higher Education Budget Division
Chair: Sen. LeRoy Stumpf
8 a.m. Room 107 Capitol
Agenda: Overview. Department of Employment Relations, Legislative Coordinating Commission (LCC), Greg Hubinger.

Governmental Operations and Veterans Committee
Chair: Sen. James Metzen
10 a.m. Room 107 Capitol

Transportation Committee
Chair: Sen. Carol Flynn
8 a.m. Room 112 Capitol
Agenda: Transportation Funding: Bonnie Berezovskiy, Transportation Committee Counsel; Amy Vennewitz, Transportation Committee fiscal analyst.

Commerce Committee
Chair: Sen. Sam Sonko
1:45 p.m. in front of the Capitol
Agenda: Tour of Minneapolis Convention Center.

Agriculture and Rural Development Committee
Chair: Sen. Dallas Samson
2 p.m. Room 107 Capitol
Agenda: Agricultural Utilization Research Institute (AURI), Pat Jensen. S.F. 164-Wiger: Conforming certain food rules with federal regulations. S.F. 204-Samson: Permanence of sales tax exemption for used farm machinery.

Governmental Operations Budget Division
Chair: Sen. Leonard Price
2 p.m. Room 112 Capitol
Agenda: Budget presentation by the Department of Finance.

Transportation Budget Division
Chair: Sen. Allian Spear
4 p.m. Room 107 Capitol
Agenda: Budget presentation by the Department of Public Safety.

Health and Family Security Committee
Chair: Sen. John Hottinger
7 p.m. Hutchinson Middle School, 1365 South Grade Road

Tour of Minneapolis Convention Center
Location: Minnesota Convention Center
10 a.m. Room 112 Capitol

Election Laws Committee
Chair: Sen. John Marty
12 noon Room 112 Capitol
Agenda: S.F. 35-Wiger: Soil and water conservation district supervisor elections; S.F. 144-Marty: Conduit funds bill.

Environment and Natural Resources Committee
Chair: Sen. Bob Lesard
12 noon Room 107 Capitol
Agenda: To be announced.

Judiciary Committee
Chair: Sen. Jane Ranum
12 noon Room 15 Capitol
Agenda: Continuation of Monday's agenda. Testimony about S.F. 53-Betzold: A bill relating to civil commitment, voluntary treatment; S.F. 57-Betzold: A bill relating to civil commitment, clarifying the commitment act.

Crime Prevention Committee
Chair: Sen. Allan Spear
2 p.m. Room 15 Capitol

Economic Development Budget Division
Chair: Sen. Tracy Bederman
2 p.m. Room 112 Capitol

Governmental Operations Budget Division
Chair: Sen. Leonard Price
2 p.m. Room 318 Capitol
Agenda: Secretary of State's budget presentation.

Joint Senate and House Transportation Committee
3:30 p.m. Room 112 Capitol
Agenda: "Urban Design" with Walter Kulash, transportation planner, Glatting Jackson Kerdner Anglin Lopez Rinehart, Inc. of Orlando, Florida.

Education Finance Committee
Chair: Sen. Keith Langseth
4 p.m. Room 123 Capitol
Agenda: John Myers of Augenblick & Myers, Inc. of Denver, Colorado will present the Minnesota School Board Association commissioned study: "An Analysis of Changes in School Funding in Minnesota over the Past 20 Years."

Property Taxes and Local Government Budget Division
Chair: Sen. Sandra Pappas
4 p.m. Room 15 Capitol

Thursday, February 6

The Senate will meet at 9 a.m.

Health and Family Security Committee
Chair: Sen. John Hattinger
10 a.m. Room 15 Capitol

Jobs, Energy and Community Development Committee
Chair: Sen. Steven Novak
10 a.m. Room 123 Capitol
Agenda: To be announced.

Rules and Administration Committee
Chair: Sen. Roger D. Moe
10 a.m. or immediately following Session Room 237 Capitol
Agenda: Appointments to commissions.

Transportation Committee
Chair: Sen. Card Flynn
12 noon Room 112 Capitol

Joint Agriculture and Rural Development Committee and Environment and Agriculture Budget Division
Chairs: Sen. Dallas Sams and Sen. Steven Morse
2 p.m. Room 123 Capitol
Agenda: Ethanol report.

Commerce Committee
Chair: Sen. Sam Sanon
2 p.m. Room 112 Capitol
Agenda: Overview: Minnesota Department of Commerce: Commissioner Dave Grunes, Deputy Commissioners Gary LaVasseur, Jim Miller, Patrick Nelson; MN Comprehensive Health Assn: Lynn Gruber and Jennifer Breitinger; Insurance Federation of Minnesota, Robert Johnson and Beverly Turner; Minnesota Bankers Association, Joan Archer.

Economic Development Budget Division
Chair: Sen. Tracy Bederman
4 p.m. Room 112 Capitol
Agenda: Continuing review of Dept. of Economic Security budget and governor's recommendations.

Health and Family Security Committee
Chair: Sen. John Hattinger
7 p.m. South Central Technical College, 1225 3rd Street Southwest in Faribault

Friday, February 7

Family and Early Childhood Education Budget Division
Chair: Sen. Pat Piper
8 a.m. Room 15 Capitol

Health and Family Security Committee
Chair: Sen. John Hattinger
10 a.m. Room 15 Capitol

Jobs, Energy and Community Development Committee
Chair: Sen. Steven Novak
10 a.m. Room 123 Capitol
Agenda: To be announced.

Permanent and Joint Rules Subcommittee of the Rules and Administration Committee
Chair: Sen. Ember Junge
10 a.m. Room 107 Capitol
Agenda: Discussion of changes to Permanent and Joint Rules.

Environment and Agriculture Budget Division
Chair: Sen. Steven Morse
12 noon Room 107 Capitol
Agenda: To be announced.

Crime Prevention and Judiciary Budget Division
Chair: Sen. Randy Kelly
2 p.m. Room 15 Capitol
Agenda: Tour of the BCA.

Local and Metropolitan Government Committee
Chair: Sen. Jim Vickerman
2 p.m. in front of the Capitol
Agenda: Tour of Minneapolis Convention Center.
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Capitol address: 75 Constitution Ave
State Office Building address: 100 Constitution Ave
St. Paul, MN 55155

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Education caps removed

The Senate voted 65-0 to remove the education spending cap enacted last year, but not before adding an amendment requiring state-wide standardized testing.

The bill, H.F. 1, came to the Senate floor on Feb. 1. Chief sponsor Keith Langseth (DFL-Glyndon) said that although he opposed the cap, he understood why they were enacted. He said that the reasons for enacting the caps “are no longer there.” By passing the cap removal this early in the session, “it will give school districts a much better idea of what they’re dealing with,” Langseth added.

Senate Majority Leader Roger Moe (DFL-Erskine) offered an amendment requiring school boards to test all students in grades 3, 5, 8 and 11. Moe said the requirement will provide “a comprehensive framework of consistent educational indicators to assess the needs and achievements of Minnesota students.” He added that the public is demanding “greater evaluation and accountability,” and this requirement meets that demand in the public schools.

Responding to a question from Sen. Jane Krentz (DFL-May Township), Moe said the cost of the testing would not come out of the money restored by the cap removal.

Sen. David Knutson (R-Burnsville) said the amendment was a good idea, but the timing was bad. He asked Moe to table the amendment and let the committee decide on the testing amendment. The amendment was adopted 51-14 on a roll call vote.

Moe offered another amendment requiring that ten percent of all school funding be spent on preparing students for learning. He said that currently only 0.1 percent of school funding goes toward that purpose. Moe said that he wanted to encourage the Senate to change the way it thinks about school funding so that more money will be spent on preparing children before they show up at the school door. He then withdrew the amendment.

Senate Minority Leader Dean Johnson (R-Willmar) offered an amendment giving school districts the option of starting classes after 8:30 a.m., and not allowing schools to dismiss students before 3:30 p.m. Johnson said that a teacher in his district said that too many students are coming to school too early and that it is a sign of disinterest on the part of the children. He then withdrew the amendment.

Education caps removed

Sen. Sandra Pappas (DFL-St. Paul) cited a study later start time improves students’ performance. Sen. Randy Kelly (DFL-St. Paul) supported the amendment and said that much of the opposition to a later start time comes from school district transportation directors. He said, “If the Legislature should do what makes sense pedagogically. However, the amendment failed on a divided voice vote.

Sen. Gene Olson (R-Minnetrista) offered a technical amendment allowing school districts to spend catch-up referendum levies over three years instead of just one. He said that 87 school districts had passed levy referenda above the equalized portion. Olson explained that the law allows those school districts to regain the levy aid that was not received during the cap imposition, but without the amendment taxpayers in some districts could experience a long-term property tax bills. The amendment failed on a voice vote.

The Senate passed the bill unanimously.

Snow removal aid okayed

A bill providing $20 million in statewide financial relief for cities and towns burdened by heavy snowfalls was unanimously approved, Wed., Feb. 5, at a meeting of the Transportation Budget Division. Sen. 114, sponsored by Sen. Jim Viukerman (DFL-Tracy), authorizes the emergency funds and requires that the appropriation be coordinated with emergency federal funding. The bill specifies that $42.5 million be distributed to counties, cities and towns under a formula derived by comparing the snowplowing expenditures of the local units for 1993, 1994 and 1995 against 1996 expenditures.

The bill coordinates a proposed $20 million state appropriation with emergency federal funding for part of the state. In addition to snowplowing, the bill provides for other 1997 weather-related emergency funds, including expected spring flooding that may urgently threaten public safety.

Federal Emergency Management Agency funds will cover 75 percent of a municipality’s snowplowing budget over-run, the state will pay 15 percent from the proposed $20 million general fund allocation, and the municipality will pay the remaining 10 percent, said Chair Janet Johnson (DFL-Olson). The bill was amended to include a provision permitting the use of emergency funds for snowplowing budgets in excess of $20 million.

Sen. Vickerman (DFL-Tracy) said that the $42.5 million appropriation was needed to help local units with snowplowing costs and that the amendment would provide an additional $5 million for this purpose. The Senate approved the bill by voice vote.

A final vote on H.F. 5 was delayed until after Chair Allan Spear (DFL-Mpls.) presented S.F. 107 regarding sentencing guidelines. Spear’s bill was authored in response to the Supreme Court’s 1996 decision in the Givens case, which held that the court’s right to sentence a defendant on charges of first degree murder without reference to any guidelines is a federal constitutional right.

The bill provides that the court’s discretion to depart from the guidelines shall be considered a “reasonable” sentence. Spear’s bill was authored in response to the Supreme Court’s 1996 decision in the Givens case, which held that the court’s right to sentence a defendant on charges of first degree murder without reference to any guidelines is a federal constitutional right.

The bill was approved by the Senate and sent to the House for further discussion.
Agriculture and Rural Development Committee

Bill advanced
A bill, S.F. 106, increasing funding for the Passing on the Farm Center was advanced by the Agriculture and Rural Development Committee, Thurs., Jan. 30. Sen. Jim Vickerman (DFL-Tracy) authored the bill. The bill proceeds to the Environment and Agriculture Budget Division.

Vickerman explained the mission of the Passing on the Farm Center. "It's a service that hosts a variety of programs—estate planning, farm business leadership training, succession planning. It's most important service connects young and beginning farmers with retiring farmers through a computerized list," he said. "About 500,000 farmers are expected to reach retirement age in the next five years, and only about 250,000 young farmers will be available to take their place." The bill, which appropriates an additional $200,000 to the center over the next biennium, was advanced after language, implying a broader mission for the center, was deleted.

The committee, chaired by Sen. Dallas Sams (DFL-Staples), also heard testimony from Allen Gerber, president and CEO of the Dairy Round Table, and Ed Fredericks, representing the Minnesota Dairy League on the board. Fredericks summarized the issues facing Minnesota dairy interests, and said, "Competition, regulations, finance concerns, the public perception of dairy in Minnesota, and leadership are all issues that have some impact on dairy in this state." Sen. Steven Morse (DFL-Dakota) asked, "Are there any programs to promote milk made in Minnesota, such as Minnesota Grown?" Gerber said, "Not at present, but we're always looking for new ideas."

Mike Martin, dean of the College of Agriculture, Food, and Environmental Science at the University of Minnesota, talked about education and the agriculture industry. He said, "Our student body is the top 5 agriculture colleges in the country. But there isn't enough time or energy to help people in the state understand how valuable human resources are to Minnesota agriculture. We need to recruit more University of Minnesota graduates to teach agriculture in high school, and to help recruit other students who will be future agricultural leaders in this state."

Bills advanced; AURI reviewed
The Agriculture and Rural Development Committee, chaired by Sen. Dallas Sams (DFL-Staples), considered two bills, S.F. 164 and S.F. 204, Tues., Feb. 4. In addition, the committee heard testimony from the Agricultural Utilization Research Institute (AURI).

S.F. 164 was sponsored by Sen. Charles Wiger (DFL-North St. Paul), who requires persons purchasing or selling livestock for human consumption, or for slaughter comply with state and federal regulations for inspection of exotic animals. The bill also makes some technical changes and repeals a section requiring llamas to be slaughtered and inspected according to federal regulations. After some discussion, the bill was approved by the committee and referred to the Senate floor for consideration.

S.F. 204, sponsored by Sen. Steve Dille (R-Dassel), makes permanent the tax exemption for the sale of used farm machinery. Sams proposed an amendment adding the sale of new farm machinery to the exemption. Jack Mansun, assistant to the commissioner in the Dept. of Revenue, testified that the governor's Sales Tax Advisory Council recommended the exemption be extended to new farm machinery, and said, "This will represent a $22.8 million reduction in revenue, but it will reduce the tax burden on farmers." Sen. Steve Dille (R-Dassel), asked, "Is this the best use of what amounts to a $22 million tax cut?" Sen. Charles Berg (IND-Chokio) said, "This year, because of the heavy snow, lots of farmers are regrouping to have damaged or ruined equipment. If we're going to help them, now is the time." The amendment was advanced. The bill was approved by the committee and referred to the Committee on Taxes.

Crime Prevention and Judiciary Budget Division

Program budget overview
The Crime Prevention and Judiciary Budget Division, chaired by Sen. Randy C. Kelly (DFL-St. Paul), continued Fri., Jan. 31, to hear budgetary reports from funded programs. Tim Heden of St. Paul's Dispute Resolution Center explained how his Community Dispute Resolution Program used state funds to leverage additional funding from municipalities, counties, community and private sources. Heden said the program, which provides mediation under Rule 114, now must turn down many requests. Mediations, he said, have ranged from minor two-neighbors disputes to one involving 200 community residents.

Kathy Cortes, of the Minneapolis Mediation Program, testified that many cases don't fit within the parameters of the judicial system. "Often," she said, "people take disputes to the police, and it's not a criminal matter. Therefore, just not be any way to handle it." Cortes also addressed concerns expressed by Sen. Ellen Anderson (DFL-St. Paul), who suggested that mediation be made an option in housing court. Cortes described a pilot program currently offering mediation in housing disputes.

Jean Greenwood and Carolyn McCloud, spoke on behalf of the Victim Offender Mediation Program. According to Greenwood, allowing victims to confront offenders promotes offender accountability to the community as well as to the state. Victims directly ask for restitution from the offender, said Greenwood, and parties reach agreements as to what constitutes restitution.

McCloud said that of 332 offenders, 3 have endorsed, "In many cases," she said, "we deal with juveniles who have been victimized themselves, have very little support, and are involved with gangs. But when they confront an 82-year-old woman who has been shot and see how it impacted her life, I don't think they forget that. Therefore, when they have a case, they often feel the pain of the suffering they have caused.

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have gone through the necessary training but don’t have the funding.

Barbara Yates of the Department of Children Families and Learning walked the panel through the procedure for awarding to community-based crime prevention groups. DePaul Willette, of the Board of Judicial Standards, reported on the activities of the seven-member appointed review panel that handles 2,500 complaints a year regarding the actions of judges. The board has authority, hesaid, to warn, issue public reprimands, require medical and/or psychological exams and/or refer matters to the Supreme Court. He said the program assists in training judges with regard to listening and understanding the nature of their power.

Sen. Allan Spear (DFL-Mpls.) referred a recent case, in which the higher escalation of job performance conflicts between a juvenile court judge and superiors was addressed by the board. A special appropriation funded the procedure, which required board members and an ad hoc expert panel of arbitrators to pore over 1,500 pages of testimony. “I think,” said Spear, “the board’s job is to protect the public from abuses by judges. This case involved judges who were mad at each other. They could have spared the board this long expensive process.” Willette responded that judges’ conduct toward one another can diminish the integrity of the judicial system.

Laura Goodman Brown, the Ombudsman for Crime Victims, spoke about the office, founded in 1984, which aims to give crime victims a voice in the criminal justice process. Goodman Brown said though she has increased use of volunteers, expanding outreach would mean hiring a clerk, an outreach worker and an investigator.

Patricia Seelen, the Ombudsman for Corrections, reported that her program, which advocates for humane prison conditions, is “doing fine,” and did not request funding beyond the base increase.

**Crime Prevention**

**Commissioner approved; stalking discussed**

On Mon., Feb. 3, the Crime Prevention Committee confirmed Gothriel LaFleur as commissioner of corrections. LaFleur told Chair Allan Spear (DFL-Mpls.) and the rest of the committee that though Minnesota has the second-lowest incarceration rate in the nation, it should not rest on its laurels. The system, according to LaFleur, should become more preemptive. “It is not fair,” he said, “for corrections people to gather all the particulars of why kids are in the system and then not go out and work with the community leaders.”

LaFleur said his one major complaint is the state’s “horrible” criminal justice system and the resulting inability of agencies to share information. When asked about reports of low staffing morale, LaFleur replied that staff know about possible upcoming cuts due to pressure over high per diems. Also, he said, the prisoner's staff has trimmed, increasing employeestress.

After LaFleur’s confirmation, Sen. Ember unger (DFL-New Hope) continued defending Senate language in H.F. 5 against state attempts to reinstate House language into the stalking bill.

Regarding an earlier amendment offered by Sen. Thomas Neuville (R-Northfield) and adopted by the panel, stiffening sentences for restraining order violations, Sen. David Knutson (R-Burnsville) questioned the prison bed impact of raised penalties. “I unagreed that a bad impact check should be run. With regard to the sentencing changes, Neuville reminded the panel that upping the charges wouldn’t change things much. “Wedor,” he said, “want to be lulled into a sense that the threat of a felony will change behavior.”

Sen. Linda Berglin (DFL-Mpls.) presented an amendment calling for revisions in the law that protects a person’s right to privacy. She argued that it may be easier in stalking situations to prove violation of privacy than to interpret fear. Knutson said Berglin’s privacy amendment would “cast a wide net.” The panel heard from Scott Swanson, a Dakota County public defender. Swanson said he found House language better and so favored by interpreting the law in a manner that allowed it to live.

Junge reiterated that convictions would beharder to obtain under House language because thedefender’s stated intent in stalking crimes is often romantic in nature and not malicious. “Know or should know should be relevant,” said Ranum, “Factors should be what is the objective conduct and what is the objective result.” The bill was laid over for further consideration.

**Prison bunking bills offered**

On Wed., Feb. 5, after approving a stalking bill H.F. 5, the Crime Prevention Committee heard testimony on two bills offered by Sen. Randy Kelly (DFL-St. Paul). S.F. 67 and S.F. 179 deal with the double-bunking of inmates in Minnesota prisons. S.F. 67 changed the classification levels of current prison inmates to the federal six level standard, rather than the three tiers previously used in Minnesota. It then goes on to state that lower security levels one through four must comply with multiple occupancy standards. Under these standards, according to the bill, facilities must permit double celling for at least one half of facility capacity.

S.F. 179 strikes language from last year’s bonding bill rider directing the commissioner of administration to develop a design alternative for double bunking of inmates in residential pods in the Rush City prison. The bill also classifies Rush City as level four.

Corrections Commissioner Gothriel LaFleur and his staff spoke of logistical concerns and outlined the system’s plans for facility change. Corrections officer John Westmore explained staff concerns about possible overcrowding. Urging caution on the part of the panel, he said, “Wedor want to have to come back here in a panic, when it’s cool.”

Due to time constraints, the bill was laid over for further consideration.
Committee Update

Economic Development
Budget Division

Labor and industry overview

Members of the Economic Development Budget Division met for the first timethis session Mon., Feb. 3, to hear an overview of the Dept. of Labor and Industry budget proposal. The panel, chaired by Sen. Tracy Beckman (DFL-Brickley), reviewed the department's major budget initiatives.

A major initiative involves funding to complete the department's switch from a mainframe computer system to a new client/server system to assure compliance with the Year 2000 event. Most of the $1.93 million funding for the initiative is to come from the special compensation fund with only $130,000 coming from the general fund. In addition, the department is requesting $555,000 from the special compensation fund for the information processing center to handle the "paper tails" from paper workers' compensation claims files and to maintain the system once it is fully digital. In addition, thedepartment is requesting $868,000 from the special compensation fund to match federal OSHA grants in order to allow for quicker response times to workplace places.

Education Finance

School support down, says new study

A study presented to the Education Finance Committee Wed., Feb. 8, by the Denver consulting firm of Augenblick & Myers indicates that over the past 13 years, spending on education in Minnesota has decreased. John Myers, who referenced his own background in the Kansas Legislature, said there are several factors that contribute to the problem. He explained that there is a problem with enlightenment in the current biennium. "However," he explained, "there are benefits to looking at system trends over the long term." His firm's initial report, he said, is only a first step in what could be a lengthy comparative analysis. For initial overview purposes, he focused on inflation, enrollment and programmatic change in Minnesota.

For the early years analyzed by the study, 1894-85, the firm found Minnesota education spending well above inflation and well above national average. Myers said that he had to use unaudited recent data for comparison, it is clear that the state has fallen significantly in national rankings. In response to an inquiry by Sen. Martha Robertson (R-Minnetonka), Myers said that the state's peaks and valleys have, in general, mirrored the nation's.

Bob Meeks, of the Minnesota School Boards Association, said he is displeased with the foundation aid plateau, and said the study emphasizes the need to keep pace with inflation. Langseth said that although additional appropriations have kept actual school spending well above inflation, some schools that "aren't tapping into special programs" rely more heavily on the general formula funding. The consulting report concludes, "Support for education in Minnesota, as indicated by per pupil revenue or expenditure figures, has been deteriorating. While spending was keeping up with inflation, at least until recently, there is no longer an expectation of growth that has fueled program changes in the past, and it may be more difficult to implement any new services in the future."

Election Laws

Soil and water election bill approved

The Election Laws Committee voted Tues., Feb. 4, to allow Ramsey and Washington Counties the option to elect their Soil and Water Commission Supervisors by nomination district rather than at large. Tom Peterson of the Ramsey Soil and Water Conservation District testified that S.F. 35, presented by Sen. Charles Wiger (DFL-ST. Paul), would relieve the excessive burden placed upon candidates campaigning countywide for these positions.

Bill Downing, an original founder of the commission, said past efforts by the State Association of Soil and Water Districts to change the system were opposed by rural and semi-rural counties because of the nomination districts presently divided up by resource areas needed to be divided by population. According to Downing, in rural counties, the combination of farmland and high density areas is viewed as a threat to decrease the number of farmers on commissions.

Sen. Carol Flynn (DFL-Minneapolis) suggested that perhaps soil and water positions should not be elected at all. "These positions carry limited authority," she said, "not even as much as that of some appointed positions." The Hennepin Conservation District Manager spoke in defense of elected commissions, saying they "should not be taking marching orders from the county." Flynn countered that the county now has considerable authority through its power to levy for the commission. After discussion, the bill was approved and sent to the Consent Calendar.

Committee Chair Sen. John Marty (DFL-Roseville) presented S.F. 144, a bill addressing the whole of campaign contributions from "conduit funds." According to an employee political fund solicitation subdivision of the state's Fair Campaign Practices Statute, conduit funds can be established by an employer as a means of employees to contribute, perhaps by payroll deduction, to candidates of their choosing. Reporting requirements at this time, however, do not demand that funds be designated as contributing entities. Marty said that though normal reporting laws still apply to individual employees giving over $100, regardless of whether or not the money flows through a conduit fund, the aggregate fund itself is not currently required to be the subject of report. His bill would require that conduit funds be identified by candidates.

Flynn expressed disagreement on the basis that normalizing the process might in someway discourage individual employees from contributing. Marty explained that the individuals would not be required to disclose anything more than they already are, but that the aggregate fund itself would simply be identified as such in candidate records.

Marty said under the bill conduits would not be regarded as lobbying "principals," but that he was skeptical of employer motives. "During a campaign," he said, "I get thousands of little checks directly from people. I don't know why companies go through the extra work." Sen. Mark Ourada (R-Buffalo) ventured that, "Maybe the company is encouraging employees to become involved in the political process." Sen. Linda Sheid (DFL-Brooklyn Park) added, "It's the discipline factor. The employees can do it this way to make sure it gets done."

Mel Duncan of the Minnesota Alliance for Progressive Action said that disclosure of the aggregate fund would in noway have intimidating effects on employees, who would only be identified to the extent that current law requires.

With no time remaining, the bill was laid over.
Environment and Agriculture Budget Division

Environmental Trust Fund bill advanced

A bill, S.F. 76, extending the Environmental Trust Fund, was presented to the Environment and Agriculture Budget Division, Fri., Jan. 31, by the chair, Sen. Steven Morse (DFL-Dakota). Authored by Morse, the bill proposes an amendment to the state constitution extending until December 31, 2000, the authority of the Environment and Natural Resources Trust Fund. The bill calls for the amendment to be submitted to the voters at the general election in 1998.

Morse presented an overview of the legislation. "The Trust Fund is due to sunset on December 31, 2000, and we are proposing to extend it for fifty years," he said. "This fund has been used to support a wide range of environmental initiatives including preservation, scientific research, education, and land acquisition. It has been successful in providing a long-term vision for the protection of Minnesota's natural resources." Morse said that the fund has been shown to be effective in dealing with environmental issues.

A number of groups testified in support of the bill. Nancy Gibson, of the Citizens' Advisory Committee of the Trust Fund, urged passage of the bill, and said, "Preservation is far cheaper than recovery. The funds enable us to be proactive in dealing with environmental issues." Kathy Draeger spoke on behalf of Sustainable Minnesota, and said, "Two critical environmental principles are embodied by the Trust Fund: resiliency, the ability of the environment to rebound from adverse impacts; and sustainability, the ability of people to use natural resources with long-term vision." She added, "The bill provides a long-term investment in the future of Minnesota's natural resources. It is an investment in the health of our state." Morse invited Sen. LeRoy Stumpf (DFL-Thief River Falls) to present S.F. 195 to the division. Sen. Stumpf presented the bill to the committee and said, "We are going to spend a little time on land issues," said Chair Steven Morse (DFL-Dakota). The Environment and Agriculture Budget Division held a meeting Tues., Feb. 4, to listen to reports on the lakeshore lease and land acquisition programs.

Greg Knopff, Senate Counsel and Research, began by providing a brief background on the state laws regarding lakeshore leases. The Minnesota Constitution dedicates the proceeds from the leases to the Permanent School Fund (PSF). In 1985, the Legislature enacted sale provisions to allow for the public sale of leased lakeshore lots. Among the 1,782 lessees, 1,200 elected to have their lots sold under this procedure. The remaining 582 lessees decided to continue leasing, and the lease rates have been held artificially low during the interim years as the lots had not been appraised by the department. Morse said this is the quickest way to buy emergency feed for the deer without asking for a separate appropriation.

Land issues discussed

Chair Steven Morse (DFL-Dakota) called the emergency deer feeding program to order Mon., Feb. 3, to listen to testimony from the Department of Natural Resources on last year's emergency deer feeding effort.

Dave Schad, from the department's Wildlife Section, presented the 1996 emergency deer feeding program report and highlighted several sections. According to Schad, feed was distributed to approximately 9,000 sites in 1996 and the effort required over 8,000 hours of staff time to implement. Yet, despite these efforts, he said, deer populations still declined in areas where the feeding occurred. Based upon the results of last year's feeding program, the department recommended three initiatives. The first recommendation calls for privatizing the deer feeding and eliminating state agency involvement. The second recommendation calls for appropriating block grant funds to groups to administer the state feeding funds. The final recommendation suggests targeting state feed to specific sites rather than to the general public in order to reach the larger deer populations that are not already privately fed.

Sen. Charles Berg (IND-Chokio) commented, "The department has been slow in responding to the needs of the deer herds this year." Sen. Sen. LeRoy Stumpf (DFL-Thief River Falls) asked what would have happened if the state had not had a feeding program last winter. "How many deer would have died? What would the fertility rates be? These are crucial questions," he said. Schad said that many of the deer that were lost last winter were fawns, "and we would have lost them last winter, anyway." Sen. Pat Pariseau (R-Faribault) asked how many dollars are collected each year for feeding deer licenses. Tim Bremicker, chief of the Wildlife Section, said between $250,000 and $260,000 per year, but quickly added that half of that revenue is designated for paying back the $1 million loan taken out of the Game and Fish Fund for the 1996 emergency deer feed. In total, $10 million are collected annually from deer license fees, he said.

"Please, for my sake, make a concise argument against deer feeding," requested Sen. Steve Dille (R-Dassel). Schad said, "While we would see benefits in very localized feeding zones, we don't see benefits to the public at large with widespread areas. There is very little difference in the deer population if we spend lots of money or very little money." Bremicker said, "We are dealing with a major, natural event this winter, and we are all aware of what this means for wildlife. A major expenditure in deer feeding does not result in significant public benefit and prevent deer mortality." Therefore, he continued, we recommend not funding a deer feeding program in the northern part of the state. The department will continue to provide feed in the western portion of the state to control deer feeding and prevent crop damage, and will distribute 20,000 bushels of corn statewide. Other than these programs, Bremicker said, the department is not recommending any additional funding.

Morse then invited Berg to present S.F. 194, an emergency deer feeding proposal. Berg said the bill would allow people to voluntarily contribute $50 to a deer feeding fund and in return would be eligible for a free $22 deer license if they request one. "But I don't think many people will ask for one," Berg added. He said this is the quickest way to buy emergency feed for the deer without asking for a separate appropriation.

Stumpf presented S.F. 195 to the division, as well. The bill places a one-time $2.50 surcharge on deer licenses and is estimated to raise $1.2 million this year. This would allow the state to borrow money from the Game and Fish Fund to pay for emergency deer feeding, he said.

Emergency deer feeding discussed

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Committee update

J. M. Lawler, from the Bureau of Real Estate Management, Department of Natural Resources, outlined the process lessees use to appeal their adjusted lease rates. Of the 582 leases, 89 lessees have appealed their rates to date, he said.

Morse asked how much additional revenue the department will collect from the adjusted leases. Lawler said the department anticipated collecting approximately $439,000 in FY 98, and once the adjustments are phase-in, approximately $620,000 per year. Morse and several other members were concerned about the loss of potential revenue over the years because the department had not adopted the mandated rules in 1986.

The division then heard a brief presentation from Lawler on the department’s Land Acquisition Account Report. The account was established ten years ago to allow the department to sell surplus land and turn around and use the generated revenue to purchase desirable land, he said. “Thank you for the account because it has been an excellent management tool,” Lawler said.

Morse was concerned that funds from the account are not being used solely for land acquisition. He noted that 27 percent of expenditures were used for overhead costs, “arguably for acquisition activities, but not for what the money was appropriated for by statute.” Morse said he may look at placing a cap on the fund for overhead expenditures.

Deer feeding bill okayed


Under S.F. 195, a one-time $2.50 surcharge would be placed on deer licenses, and this in turn would allow the Department of Natural Resources to borrow $1.2 million from the game and fish fund to pay for emergency deer feed; revenue collected by the surcharge would be dedicated for paying back the loan.

“The Hunters Association supports the $2.50 surcharge. The hunters have always supported fees that will be put to good use,” said Stumpf.

Berg asked, “Why don’t we make that surcharge a two-year fee, so that if after this year, we have some money in case of another emergency. It just seems to be the prudent thing to do, to have money available in the early part of this season so that we don’t have to come back next session and go through all of this again.”

Stumpf said he would prefer to have the surcharge a onetime fee. Sen. Dennis Frederickson (R-New Ulm) said he has an easier time justifying a onetime fee for an emergency this year, but he would have to be hard pressed to explain why hunters will be charged for a hypothetical emergency next year.

Berg said, “I’m a practical person and I don’t like living crisis to crisis,” and moved to amend S.F. 195 to include a $2.50 surcharge for deer feeding for FY 97 and FY 98. The motion failed.

Tim Bremicker, chief of the Dept. of Natural Resources/Wildlife Division, said the report presented to the division on Feb. 3 by Dave Schad was “based on the best available science.” Bremicker summarized the department’s position and said, “Deer feeding is not an effective management tool, and the department does not recommend spending public money for feeding.” He said that if the dealers hunters are willing to pay for a feeding program, and the legislature directs the department to feed the deer, the department will cooperate in good faith as it did last year. “But there is a cost to feeding beyond the money appropriated for food,” he added. “The department will spend much more than $1 million for pellets.” According to Bremicker, the department estimates, based on data from last year’s effort, that at least 8,000 hours of staff time will be diverted away from other valuable land and wildlife management projects, “and a lot of technical advice will not be available for both government agencies and industry.”

Morse then offered an amendment for Bremicker’s comments. Similar to S.F. 194, the amendment provides for private contributions to assist paying for emergency deer feeding. Under the amendment, the first 6,000 people who contribute $50 will be eligible to receive a regular deer license for $5. If 6,000 people contribute, the deer feeding fund is expected to collect $300,000. The appropriation from the game and fish fund will be reduced to $1.1 million under the amendment, and any contributions raised by the public will be in addition to the appropriation.

Bremicker said that the department tried a similar program during the 1988–1989 winter. “We tried an extensive public outreach where we broadcast every night on WCCO, calling for contributions,” he said. During that season, the department expected to raise hundreds of thousands of dollars, he said, “but we raised only $15,000.”

Stumpf said, “I think the amendment is an excellent approach and I think we should try it.”

Frederickson moved to amend the amendment to include languageto provide “certificates of appreciation” to those people who contributed to the deer feeding fund. His amendment also called for a study to investigate the inefficiency of this year’s deer feeding program should the bill pass. The motion carried.

Morse’s amendment was then adopted. S.F. 195 was approved and advanced to the full Environment and Natural Resources Committee.

Family and Early Childhood Education Budget Division

Welfare reform and legal immigrants

“Foreign born populations in Minnesota declined between World War I and the 1970s, but have since increased, Minnesota State Demographer Tom Gillaspy told the Family and Early Childhood Budget Division committee, chaired by Sen. Pat Piper (DFL-Austin), Fri., Jan. 31. Gillaspy said that between 1990 and 1996 Minnesota added 282,000 additional people. Of that number, he said, international migration contributed the least number of residents, 34,200, while domestic migration contributed 66,100 and in-state births contributed 181,700.

Gillaspy said that in 1995 Minnesota ranked 16th among states having admitted immigrants. He said that 87 percent of those admitted to the state moved to the Metropolitan Area, with 77 percent settling in Hennepin and Ramsey Counties. He said that poverty levels among Minnesota immigrants have increased 26.9 percent among those immigrants who arrived in 1980 and those who arrived between 1985 and 1990.

Catholic Charities Program Manager Tom Kosel said that, unlike immigrants who arrive in this country by choice, refugees are usually invited after having been forced from their country for political or other reasons. Kosel explained that churches’ roles as refugee
Legal immigrants discussed

The Family and Early Childhood Education Budget Division, chaired by Sen. Pat Piper (DFL-Austin), heard testimony, Tues., Feb. 4, on the impact of welfare re-design on Minnesota immigrants and refugees.

Rosemary Frazel, Legal Advocacy Project, defined the types of immigrants entering the United States. She said that most of them are family-sponsored immigrants, and that refugees and asylees are legal immigrants who come to the U.S. because they are being persecuted within their own countries. She said that current legal immigrants are those who arrived in this country after the date of August 22, 1996, and that future legal immigrants are those who arrive in the country after that date. August 22, 1996, is the date that President Clinton signed the Personal Responsibility and Work Opportunity Act that changed the way one receives supplemental security income, food stamps, and for how long they may receive this assistance.

Frazel told the committee that welfare reform will not affect all immigrants the same way. She said that legal immigrants will stop receiving food stamps sometime between April and September, 1997, and that SSI will end on June 1997. Frazel said that some legal immigrants may continue to receive SSI and food stamps if they are immigration and Naturalization Service-designated refugees and asylees, have at least one family member who served in the U.S. Armed Forces, have worked for paid social security taxes for 10 years, or are the dependent of a parent or spouse who has done so.

Margaret Zalamea, director, Chicano-Latino Affairs Council, said that teaching English is necessary to enable immigrants to seek employment as soon as possible. She said that some local companies are expressing interest in hiring immigrants, but that the immigrants lack of English skills prevent their understanding of safety and employee job expectations.

Piper said that those companies interested in hiring immigrants might hire translators when appropriate, and should be reminded that they might share in the responsibility of providing on-the-job English lessons. Zalamea said that some companies already provide lunch-hour and after-work English training.

Barry Shaffer, supervisor of Adult Basic Education for the Dept. of Children, Families and Learning, provided an overview of ABE programs and the assistance they offer immigrants in obtaining citizenship. Shaffer said that ABE programs provide opportunities for adults to gain control over their lives by helping them practice and master skills required for employment and self-sufficiency. Shaffer described several ABE programs including the English as a Second Language program (ESL) and the General Education Development (GED) program.

Tim Gordon, supervisor, Refugee Assistance Program in the Dept. of Human Services, spoke on the number of legal immigrants into Minnesota and the types of assistance programs available to them. Gordon also highlighted the funding sources of the programs administered by his department.

Governmental Operations Budget Division

Office of Technology overview


John Gunyou, executive director of the office, said that the pace and magnitude of technological change provides Minnesota with an opportunity to capitalizze on the emerging electronic market. The office, he said, was created in the fall of 1996 to establish Minnesota as a global leader in electronic commerce and to ensure that all citizens benefit from the latest services; it provides a single focal point for the state to address infrastructure, policy, service, and regulatory issues.

To achieve these objectives, he said, the office operates under six principles including focusing the responsibility and accountability for achieving Minnesota’s common vision for information and communication technology. In addition, another principle is to move directly to a fully competitive telecommunications market that encourages both infrastructure development and better service at the lowest possible cost. The third principle provides for re-focusing the state’s regulatory framework on a consumer protection program that addresses access, service quality, and antitrust issues. Another principle provides for enacting education and lifelong learning initiatives.
to ensure that all Minnesotans have the technical literacy and access to learning resources to prosper in the next millennium. A fifth principle provides for enacting information access and network initiatives to connect Minnesota's citizens to each other, to their government, and to the world. Finally, the sixth principle profiles for enacting electronic commerce initiatives to ensure that Minnesota's businesses and citizens can compete in the global economy, and that government agencies can effectively serve their customers.

Pricesaid, "That is a very broad mission and somewhere we need to talk about a more specific scope. We need to operate within a reasonable budget." Gunyou agreed, and said that the office "needs to ensure that we are not just the initiators of new ideas, but we also need to keep a handle on implementation."

"Electronic connectivity is crucial for Greater Minnesota because it helps these communities overcome geographical disadvantage," Gunyou said.

Financeoverview
"We are pleased to have the Department of Finance budget proposal before us today," said Chair Leonard Price (DFL-Woodbury) as the Governmental Operations Budget Division came to order Tues., Feb. 4.

CommissionerWayneSimoneau, Dept. of Finance, outlined the principle functions of the department, and said the department is in the process of the February economic forecast.

Gordon Yurich, Administrative Services director, provided an overview of the various responsibilities for the department. The agency plan for FY 98-99 requests approximately $52 million, he said.

He then outlined the programs where the funding will be allocated—accounting services, the accounts receivable project, budget services, economic analysis, information services, and management services.

Sen. Linda Runbeck (R-Circle Pines) asked if the legislation is on the statewide accounting system. Yurich replied that the legislation is not on the system.

Sen. Dennis Frederickson (R-New Ulm) asked if the state has a total of $2.1 billion in general obligation debt.
Kent Allin, assistant commissioner of Operations Management, said the goal of his division, which handles purchasing, contracts, professional services, surplus property acquisition, warehousing and disposal, includes streamlining the state procurement process. Regarding the state’s printing service, Sen. Deanna Wiener (DFL-L-Eagan) asked Allin if attempts had been made to comparatively price private vendors. Allin said that a recent report finds the state’s price 5 percent lower, adding that its printing venture is a full union shop.

Douglas Schneider, acting assistant commissioner of Intergovernmental Technology, cleared up a confusion between his division, which handles internal use of technology, and the state’s Office of Technology, which provides external statewide technology leadership.

Dennis Spalla, assistant commissioner of Facilities Management, spoke on plant management, building code standards and real estate management. When Wiener expressed concern at the high lease rates being paid for the Department of Revenue building, Spalla said that rent is 25 percent higher than an average per foot rate, but that the deal was struck eight years earlier based on projected higher overall rent increases.

Beverly Schuit, assistant commissioner of the Information Policy Office, outlined her division’s threefold mission of improving public access to information, ensuring protection of data and promoting an information infrastructure that avoids duplication. One particular project, she said, collapsed six state T1 phone lines into one. Hanson said this saved the state over $1 million.

Finally, Julie Smith-Zuidema, assistant to the commissioner, summarized the department’s catch-all function of providing support and human resources to any state agency or commission too small to require its own in-house administration.

Employee Relations overview

Chair James Matzen (DFL-South St. Paul) convened the Governmental Operations and Veterans Affairs Committee. Wed., Feb. 5, to listen to overviews from the Dept. of Employee Relations and from the Joint Subcommittee on Employee Relations.

Karen Carpenter, acting director for the Dept. of Employee Relations, said, “The department provides human resources support for state agencies and the executive branch can recruit and retain a high quality work force.” According to Carpenter, there are two divisions within the department, Human Resource Management and the State Employee Insurance section. She outlined the functions and responsibilities for the two divisions.

Sen. LeRoy Stumpf (DFL-Thief River Falls) asked, “How do employees get suggested changes into their insurance contracts?” Kathleen Burek, assistant commissioner for insurance, said that changes in the insurance plans come through a collective bargaining process between the department and the employee unions. Stumpf asked about the level of satisfaction for the insurance contracts. Burek responded, “While there are some problems, I don’t get the sense that there is widespread dissatisfaction.”

Greg Hubinger, director of the Legislative Coordinating Commission Joint Subcommittee on Employee Relations, provided a brief overview of the group’s functions. The biannual group is comprised of six members, and reviews the collective bargaining agreements and compensation plans between the State and its employees, he said.

Health and Family Security Testimony continues


“Ninety percent of Aid to Families with Dependent Children (AFDC) recipients are women,” said Susal Stebbens from the Minnesota National Organization for Women. She asked members to consider the fact that two-thirds of single mothers with children live below the poverty line. Stebbens remarked that the Minnesota Family Investment Program is one of the few programs in the country that has been both successful at reducing poverty and placing people in work situations. When Stebbens suggested that the 10 percent sanctions applied against recipients who fail to comply with MFIP requirements are too high, Sen. Martha Robertson (RMinnetonka) disagreed and said, “I think we will hear from the counties that the current sanctions do not work, and that sanctions may have to be higher.”

Finally, Commissioner Penny Steele, representing Hennepin County, provided an overview of the county’s four welfare reform principles—personal responsibility, work, social responsibility, and public accountability. Due to time constraints, testimony from Hennepin County will continue at a later meeting.

Welfare testimony continues

The Senate Health and Family Security Committee, chaired by Sen. John Hottinger (DFL-Mankato), held a joint meeting with the House Health and Human Services Committee, chaired by Rep. John Dorn (DFL-Mankato), Tues., Feb. 4, to listen to testimony on the impact planned supplemental security income (SSI) cuts will have on children and legal immigrants with disabilities. Anne Henry, Minnesota Disability Law Center, emphasized the effect the cuts will have on children. Children to be affected, she said, will be those with special mental health conditions and those with a combination of moderate physical disabilities or chronic illnesses. Up to 3,200 low-income children could lose SSI cash benefits, up to 700 children could lose Medical Assistance (MA), and up to 150 children could lose TEFRA-Medical Assistance coverage, she said. Henry provided the recommendation to lessen the impact of SSI cuts. For example, she
said, provider replacement income for low income families with a disabled child, or increase funding for the Family Support Grant Program. She also suggested removing insurance barriers for children in the Minnesota Care Program.

"SSI cuts will also mean big changes for legal immigrants who are disabled or elderly," Henry said. According to Henry, the Department of Human Services estimates that 5,400 immigrants—a 2,000 elderly and 3,400 adults and children—will lose SSI. These people will also lose food stamps and Minnesota Supplemental Aid (MSA), she said. Henry recommended that the state replace lost income with MSA, continue MSA grant and children's mental health funds to alleviate the financial stress the cuts will force on immigrant families.

Dr. Neal Holta, acting director for St. Paul Public Health, said he provides immigration and Naturalization Service (INS) designation for legal immigrants and refugees. According to Holta, "Many of the refugees I assist are fleeing their own governments, so it is dehumanizing and humiliating for clients to receive this kind of treatment from our government." He outlined the difficulties elderly and disabled immigrants encounter while they seek a citizenship waiver from INS.

Welfare hearings held

In addition to the regularly scheduled hearings at the state Capitol, the Health and Family Security Committee, chaired by Sen. John Hottinger (DFL-Mankato), held several meetings around the state to hear testimony from citizens concerned about welfare reform.

Hottinger said he wanted to hold the hearings in locations away from the Capitol so that more people would have the opportunity to testify on welfare reform.

The first public meeting was held Thursday night, Jan. 30, at the Christ Lutheran Church in St. Paul. The next meeting was held Tuesday night, Feb. 4, at the Hutchinson Middle School in Hutchinson, and the final meeting was held Thursday night, Feb. 6, at the South Technical Community College in Faribault.

Higher Education Budget Division

Snow removal costs highlighted

The Higher Education Budget Division, chaired by Sen. LeRoy Stumpf (DFL-Thief River Falls), heard testimony Tuesday, Feb. 4, regarding excess costs of snow removal on college campuses. An overview of financial aid in higher education was also presented.

Paul Tschida, assistant vice president, Safety and Health Management at the University of Minnesota, summarized the challenges facing the University of Minnesota this winter caused by the heavier-than-expected snowfall. He said, "We currently estimate, with additional snowfall to come and with parking lot maintenance concerns taken into account, that we'll be about $500,000 over budget for snow removal." Judy Borgen, associate vice chancellor for Financial Administration at MNSCU, outlined budget concerns for state colleges and universities through the state. "Many of our schools have used their entire snow removal budgets by the first of the year," Borgen said. "We estimate an increase of $861,000 over budget by the end of winter." She added that the excess snow was causing roof damage as well, some of which was included in the estimate.

The committee also heard a presentation on financial aid in higher education. Cheryl Maplethorpe and Patricia Berkold from MNSCU demonstrated the financial aid process, and offered a number of examples showing the variety of considerations and options facing students, their families, and financial aid administrators.

We can put together a package offering grants, work-study, and loans, depending on the needs of the student," said Maplethorpe. Dan Loritz, vice president, University Relations at Hamline University, stressed the need for planning and parental involvement.

Budget trends reviewed

The Higher Education Budget Division, chaired by Sen. LeRoy Stumpf (DFL-Thief River Falls), reviewed budget trends, Weds., Feb. 5. The presentation, given by Maja Weidmann and David Beulow of the Senate staff, focused on spending and appropriation trends based on historical trends.

"Higher education spending as a percentage of general funding was 12.3 percent for FY 1996, equal to 1995. This percentage has fallen steadily since 1987, when it was 15.5 percent. Minnesota does fairly well, compared to other states. We rank tenth in the country on per capita appropriations of funds for operating expenses of higher education," said Weidmann. "In terms of increases in average tuition and fees," she said, "Minnesota is below the national average."

The state's share of financial aid decreased by 2 percent between 1989 and 1995, according to Weidmann. "Grants as a type of financial aid decreased over the same period, as well. This may have been due to a change in Pell grant appropriations at the federal level," she said. In response to a question from Sen. Deanna Wiener (DFL-Eagan), Beulow said, "The governor's budget recommends $2.279 billion for the next biennium for higher education in contrast with $2.49 billion requested by higher education institutions."

Jobs, Energy, and Community Development

Strategies for economic growth reviewed


Rebecca Yanisch, executive director of the Minneapolis Community Development Agency, opened the presentation of "Strategies for Economic Growth," a comprehensive report compiled by a group of economic professionals and consultants. "This report represents a commitment to thoughtful analysis and strategic decision-making that shapes and strengthens Minnesota's economic foundations in a rapidly changing, competitive, global economy," said Yanisch. She said, "We've identified two priorities for economic growth—the establishment of a joint, nonpartisan Economic Policy Council and the encouragement of a variety of state and local actions in the area of infrastructure, workforce development, technology, and tax and regulatory policy that will strengthen Minnesota's economy."

Kevin Walli, project consultant, said, "Most of all, this is not a report, it's a process. For this approach to work, we have to take the long view and have a strategy independently of political difficulties."

Dept. of Trade and Economic Develop-
ment Commissioner Jay Novak reported on the Minnesota Job Skills Partnership Program. "This very successful program matches one school to one business to produce a high level of job skill training," he said. Roger Hughes, program coordinator, noted the success of the program, and said, "When we run out of funds quickly we have to store house and demand more money into the program." Jane Brown, commissioner of the Department of Economic Security, described the Workforce Centers System, and said, "Each workforce center has current requirements such as a job information center, day care, and so forth, but can design other programs according to their needs, such as basic health care and early childhood."

**Crime Prevention**

**Hazing bill considered**

The Judiciary Committee, chaired by Sen. Jane Ranum (DFL-Mpls.), heard a bill, Fri., Jan. 31, that allows civil actions against student organizations and their members for damages caused or harmed by hazing, even though the victim may have consented to the hazing. The bill, S.F. 135, sponsored by Sen. Linda Scheid (DFL-Brooklyn Park), defines hazing as any act, or coercing another, including victim, to do an act of initiation into an organized group, that causes or creates a substantial risk of physical harm to any person.

In its current form, the bill places civil liability on high school and college organizations, including clubs and fraternities.

Scheid offered an amended version of the bill that includes an act for wrongful death caused by hazing.

Sen. Allan Spear (DFL-Mpls.) questioned the need for the bill. He pointed out that criminal statute already exists that cover prosecutable actions, such as assault.

Ranum said that enactment of a hazing statute may prevent the defense from successfully arguing that actions resulting in harm inadvertently occurred during an act of hazing, and thereby convince a jury that a lesser offense had occurred.

Sen. Sheila Kiscaden (R-Rochester) said that the bill should address whether the school, as well as the organization, should be held liable in hazing incidents. Scheid said that if the school is aware of hazing it should be held liable. Spear said that proving organizational liability may be difficult, especially when hazing occurs that is unrelated to any organization. He said that implementation of a mandated school policy prohibiting all forms of hazing may be more effective than a criminal statute.

Ranum said that the committee would need more time to consider civil, criminal or mandated policy remedies.

The bill's need was inspired following a Roseville high school incident during which a high school sophomore and several classmates were allegedly assaulted during hazing activities. One of the aggrieved students, accompanied by her mother, testified before the committee.

**Civil commitment bill heard**

The Judiciary Committee, chaired by Sen. Jane Ranum (DFL-Mpls.), heard a bill, Mon., Feb. 3, that incorporates 1996 Minnesota Supreme Court Advisory Task Force on Civil Commitment recommendations into the civil commitment system. The bill, S.F. 53, authored by Sen. Don Betzold (DFL-Fridley), authorizes court-ordered involuntary commitment for those suffering mental health problems; offers mental health treatment without commitment for some incompetent but consenting persons; provides for mental health treatment when a person voluntarily agrees to treatment but is unable to give informed consent; provides that any person under age 16 may be admitted with a parent or guardian's consent; allows persons over age 18 to themselves or others to qualify for civil commitment; describes a process for the administration of neuroleptic medications; and offers language that strengthens the provisional discharge process.

More specifically, Betzold told the committee that the bill no longer requires that a person be determined dangerous to themselves or others to qualify for treatment; allows persons over age 18 to request admittance to a treatment facility as a voluntary patient for diagnosis, care or treatment; provides that any person under age 16 may be admitted with a parent's or guardian's consent if reasonable evidence of mental illness exists; allows substitute informed consent for mental health treatment when a person voluntarily agrees to treatment but is unable to give informed consent; provides that an admitted voluntary patient may refuse treatment at any time and may, in some instances, be released; provides that an interested person may apply for early intervention treatment on behalf of another in the patient's county; provides for court-ordered early intervention and patient screening; requires commitment cases to include opinion statements from a petitioner and examiner regarding the proposed patient's ability to administer neuroleptic medications; and provides for administration of neuroleptics to a patient who is not a voluntary patient.

Ranum said that enactment of a hazing statute may prevent the defense from successfully arguing that actions resulting in harm inadvertently occurred during an act of hazing, and thereby convince a jury that a lesser offense had occurred.

Sen. Leo Doley (DFL-Anoka) said that he was concerned that mentally ill individuals may suffer harm from neuroleptics improperly administered or administered against the patient's will. Foley said that he opposed provision within the bill for a "substituted decision maker," such as a county, to intervene and stop the administration of medication should adverse reactions or other problems occur. Betzold referred to a portion of the bill that addressed this issue by allowing the substituted decision maker to object to the medication's use, and allowing the court to either affirm or deny the decision.

Roberta Opheim, director, Office of Ombudsman for Mental Health and Mental Retardation, said that unaddressed mental health problems may pose additional obstacles for parents needing to work under the proposed welfare reforms. She said she supported the bill's early intervention features that could allow parents to get their children on the job skills partnership program.

The bill was held over for further discussion.

**Civil commitment debated**

Members of the Judiciary Committee continued their discussion of changes to the civil commitment laws at a hearing Weds., Feb. 5. The panel, chaired by Sen. Jane Ranum (DFL-Mpls.), heard testimony on a bill that incorporates a number of recommendations made by the Supreme Court Task Force on Civil Commitments. S.F. 53, authored by Sen. Don Betzold (DFL-Fridley), follows the task force's recommendations by incorporating provisions allowing for court-ordered early intervention treatment, providing a mechanism for persons with mental illness who are inpatient to voluntarily access mental health services without commitment, providing a new process for the administration of neuroleptics in medications and strengthening the provisional discharge process.

Warren Maas, coordinator for the Hennepin County Commitment Defense Project, said that he urged extreme caution in altering the current law because changes could restrict an individual's rights. Maas said that he was particularly opposed to provisions allowing for court-ordered early intervention. "If we had a strong mental health system we would not need early intervention," Maas said. Sen. Sheila Kiscaden (R-Rochester), who also
served on the task force, said that the dilemma facing the committee was the balancing of patients’ rights versus the benefits of intervention for the patients’ own good.

Tom Johnson, of the Alliance for the Mentally Ill, also spoke to the committee. Johnson said, “In some cases, a stay of commitment can be more effective than early intervention, although early intervention is more beneficial for some.”

The panel delayed taking formal action on the measure and will consider amendments at a future hearing.

Committee members also began discussion of S.F. 57, another bill relating to the civil commitment law. According to Betzold, the chief author of the bill, primarily clarifies and restructures sections of the Civil Commitment Act. Betzold gave a section by section summary of the substantive issues in the measure. No action was taken on the bill.

Local and Metropolitan Government

Gaming discussed
The Local and Metropolitan Government Committee, chaired by Sen. Jim Vickers (DFL-Tracy), conducted its overview of gaming issues Mon., Feb. 3. George Anderson, director of the Minnesota Lottery, gave a briefing to the committee. Anderson said, “The state lottery has contributed up to $525 million to the states since 1990. Our sales in 1996 were $376 million, $89 million went to the state. Sixty one percent of the revenue went to prizes, 17 percent went to revenue for the facility, and 7 percent went to the environment and natural resources trust fund.” Administrative costs and retailer commissions accounted for the rest.

An overview of the state’s compulsive gambling program was given by Sharon Autioan Jay Bambrick from the Compulsive Gambling Division of the Dept. of Human Services. “We’ve identified three special populations in which prevalence rates for compulsive gambling are on the rise: adolescents, older adults, and communities of color. A majority of adult problem gamblers in Minnesota, however, are males between the ages of 23 and 24,” said Autio. Bambrick said, “This is the first generation of adolescents faced with a wide variety of gaming options. And there is a high correlation between parents who have serious problems and young people who have serious problems.”

Scott Strand, deputy counsel in the Attorney General’s Office, provided the committee an update on Indian sovereignty issues. “Generally, the state is very limited in what it can do as far as Indian sovereignty is concerned. Sovereignty is a federal issue, Indian law is primarily federal law. Tribes have the authority to adopt and enforce laws of their own making,” said Strand. “Courts have ruled that the state’s right to refuse government is greater than the state’s authority to regulate.” He said, “The state of Minnesota prefers a policy of constructive engagement with the tribes, to seek common ground.”

Property Tax and Local Government Budget Division

Local tax bills heard
The Property Tax and Local Government Budget Division, chaired by Sen. Sandra Pappas (DFL-St. Paul) heard three local tax bills on Weds., Feb. 5.

S.F. 65 authored by Sen. Dan Stevens (R-Mora) authorizes the city of Foyet to spend a portion of tax increment financing (TIF) revenues on a wastewater treatment facility constructed outside that district. Foyet Mayor Larry Lutgen explained that revenues from the TIF district at one time paid for the facility, but that current law no longer allowed the needed percentage of the TIF district’s revenues to be spent outside the district. Lutgen said that the city had acted on misinformation and was unaware of the district’s coverage limitations enacted by the Legislature until the city received a letter of noncompliance from the Minnesota Department of Revenue. After Dec. 31, 1996, the bill limits TIF expenditures for the facility to $270,000. Lutgen said that should the legislature not approve the bill, the city would need to sue the source of the misinformation that led to the error, or increase residential sewage bills by approximately $80 per person per year. Pappas laid the bill over. She said that it would be considered at a later time with a number of other TIF bills.

S.F. 160, authored by Sen. Dick Day (R-Owatonna), allows the city of Kenyon to recertify its property tax levy for taxes payable in 1997. Kenyon Mayor Tom Thunhorst told the committee that the city’s levy had been incorrectly figured and was approximately $156,000 short. Pappas laid the bill over. She said that it would be considered at a later time with a number of other TIF bills.

but could not afford to do so with the second half. The bill requires the city to publish, in an official newspaper, a notice of its revised final levy with examples of its impact on all city property types. The bill was approved and referred to the Metropitan and Local Government Committee.

S.F. 52, authored by Pappas eliminates the Dec. 31, 1997 termination date applicable to provisions that require the city of St. Paul, Ramsey County and Independent School District No. 624 to meet as a joint property tax advisory committee to recommend the appropriate, most effective and efficient use of property taxes. Pappas offered, and the division adopted, an amendment changing the date for determination of an levy amount from Sept. 1 to Oct. 1 of each year.

Pappas pointed out that St. Paul is unique in that its school district incorporates a large area of Ramsey County. The committee approved the bill and referred the measure to the Metropolitan and Local Government Committee.

State Government Finance

Executive budget summary presented
The State Government Finance Committee, chaired by Sen. Richard Cohen (DFL-St. Paul) held its first meeting of the session Weds., Feb. 5. The committee heard budget summaries from three executive agencies—the Dept. of Finance, the Dept. of Natural Resources, and the Dept. of Transportation.

Finance Commissioner Wayne Simoneau outlined the governor’s budget goals. “We want to restore the AAA bond rating, provide for an adequate budget reserve, ensure long term fiscal stability, and return money to the taxpayers with one-time individual tax rebates,” he said. In addition, Simoneau said, “There are two once-in-a-lifetime expenditures—$25 million to finance modifications of business systems in anticipation of the year 2000, and $17.5 million for service bonuses for Gulf War veterans.”

The DNR’s budget agenda was summarized by deputy commissioner Ron Nargang. He said, “The governor’s recommendations provide for an additional $4.8 million for fisheries habitat improvement and management projects, an appropriation supported by proposed increases in fishing license fees; an additional $1.6 million for the operation
of state parks to meet public demand, supported by a $31 increase in the annual park use permit fee, and an additional $2.1 million for grooming and maintenance of snowmobile trails. "Sen. Steven Morse (DFL-Dakota), asked Nargang, "Will any emergency dollars for snowmobile trails be requested due to the heavy snow in parts of the state?" Nargang said, "Not at the present time. Some of our safety issues are not on the trail system, it's advisable to keep the trails groomed and keep sleds on the system."

Representing the Pollution Control Agency, Peggy Adelman advised continuation of the current Motor Vehicle Transfer fee, projected to be $7.8 million, in order to support contaminated site cleanup efforts under the state Superfund program. Dick Swanson reviewed the Dept. of Transportation's agenda, citing transit, road construction, and public safety proposals.

Committee on Taxes
Governor's budget proposal heard


Minnesota Dept. of Finance Commissioner Wayne Simoneau said that revenues are forecast to grow to $1.4 billion in the 1998-99 biennium. Simoneau said that because of the surplus the governor is proposing a $261 million increase in the Motor Vehicle Transfer fee, projected to be $7.8 million, in order to support contaminated site cleanup efforts under the state Superfund program. Dick Swanson reviewed the Dept. of Transportation's agenda, citing transit, road construction, and public safety proposals.

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Committee on Taxes
Governor's budget proposal heard


Minnesota Dept. of Finance Commissioner Wayne Simoneau said that revenues are forecast to grow to $1.4 billion in the 1998-99 biennium. Simoneau said that because of the surplus the governor is proposing a $261 million increase in the Motor Vehicle Transfer fee, projected to be $7.8 million, in order to support contaminated site cleanup efforts under the state Superfund program. Dick Swanson reviewed the Dept. of Transportation's agenda, citing transit, road construction, and public safety proposals.

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Committee Update

Transportation funding reviewed
Transportation Committee Counsel Bonnie Berezovsky and Committee Analyst Amy Vennewitz offered Transportation Committee members a refresher course on Minnesota roads and road funding at a Tues., Feb. 4, hearing.

Berezovsky told the committee, chaired by Sen. Carol Flynn (DFL-Mpls.), that much of Minnesota's 131,000 miles of highways and roads are funded from the Highway User Tax Distribution Fund (HUTDF), established in Article 14 of the Minnesota Constitution. The HUTDF funds are provided by motor vehicle fuel and registration taxes, she said, and must be used solely for highway purposes. Some roads are maintained entirely with property taxes, she said, and do not receive state funding.

Berezovsky said that Article 14 provides that the state may construct, improve and maintain public highways, may assist local governments in this effort, and may authorize local governments to assist with state highway work within their boundaries.

Berezovsky said that Article 14 establishes a funding formula that allocates 62 percent of HUTDF funding for state trunk highways, 29 percent for the county state-aid system, and 9 percent for the municipal state-aid street fund.

Vennewitz said that interstate and trunk highways account for 12,010 miles of roadway and are the most heavily traveled within the state, accounting for 59 percent of the state's total road travel. She said that county state-aid highways and county roads account for 45,418 miles of roadway and 24 percent of the state's road travel, while municipal streets account for 17,219 miles and 15 percent of total state travel. She said that the state and county highways and roads are funded from the state vehicle registration and county property taxes, Vennewitz said, while county roads, non-state-aid municipal streets and township roads are entirely property tax funded.

Vennewitz said that between 1975 and 1995 HUTDF revenues have increased from approximately $200 million in 1970 to over $900 million in 1995. She attributed the HUTDF increase to the growth in vehicle registration tax revenues and not to the growth in fuel tax revenues. Vennewitz said that average vehicle values have increased faster than the inflation rate, but that motor fuel revenues have increased slowly because they are based on the per gallon consumption rate and not on the price of fuel. She said that the legislature has increased the gas tax 6 times since 1970, she said, from $.07 per gallon in 1970 to the current rate of 20 cents per gallon. These increases have been somewhat offset by increased automobile fuel efficiency, she told the committee.

Traffic planning discussed
The Transportation Committee held a joint meeting with the House Transportation Committee, Weds., Feb. 5, to hear a presentation by Walter Kulash, a transportation planner from Orlando, Florida. The two panels, co-chaired by Sen. Carol Flynn (DFL-Mpls.) and Rep. John Van Waggonis (DFL-Mpls.), came together to hear Kulash and discuss new concepts in transportation planning.

According to Kulash, traffic engineers are beginning to look at transportation problems differently. The old solutions of building highways costs more than building them and that there are no longer generous federal matching dollar support of highway funding. Instead, traffic engineers are beginning to look at transportation problems differently. The new solutions of building highways were "vertical" solutions to transportation problems, he said. In addition, simply building or rebuilding highways did not really solve the problems, Kulash said. A new plan reaches traffic capacity immediately, Kulash said, because more people move to the area, jobs move and there are more cars per household.

Kulash said that traffic engineers are beginning to think in terms of "lateral" solutions. An example of this more "lateral" thinking, Kulash said, is to think about moving more people rather than moving more cars. "Improving the quality of travel, moving fewer people fewer miles and "managing" rather than "solving" traffic problems were other concepts included in Kulash's description of lateral thinking. By using the concept of lateral thinking, new alternative or transportation problems become more attractive, he said. Some of the alternatives are extremely cost effective, he said, because they require little or no investment.

Kulash concluded by saying that policy makers should be prepared to reallocate funds to alternative ways of managing transportation problems, embracing a process that involves citizen design and promotes small demonstration projects.

Transportation Budget Division

Public Safety budget reviewed
The Transportation Budget Division, chaired by Sen. Janet Johnson (DFL-North Branch), met for the first time Tues., Feb. 5, and began work by hearing an overview of the Dept. of Public Safety budget.

The panel heard from Commissioner Donald Davis, who introduced other departmental officials and gave a brief description of the department's responsibilities. Frank Ahrens, financial director for the department, explained that the department receives monies from a number of different sources, including the general fund, the trunk highway fund, the highway user tax distribution fund and the federal government. Ahrens said that one of the major initiatives for the department is the addition of 75 troopers to the State Patrol.

Charles Kenow and Tom Brace, the state fire marshall, explained the operations of the Office of Pipeline Safety. The office oversees 50,000 miles of pipeline in the state and provides inspections of both intra- and inter-state pipelines.

Traffic Safety Director Thomas Boerner provided members with several charts detailing the fluctuations of traffic fatalities over the years. Boerner said that in recent years, traffic fatalities have numbered about 600 per year and that about 40,000 people were injured each year in traffic accidents. Committee discussion centered on forthcoming proposals to lower the legal alcohol limit to 0.80 and to enact a primary seat belt law.

Helpful phone numbers
Senatorial information 296-0504
Toll free 1-888-234-7591
TTY 296-0520
Toll free 1-888-234-1216
House information 296-2146
Toll free 1-800-657-3550
TTY 296-9896
Toll free 1-800-657-3550
Preview

The Minnesota Senate Week at a Glance

**Monday, February 10**

*The Senate will meet at 11 a.m.*

**Election Laws Committee**
Chair: Sen. John Marty
12 noon Room 112 Capitol
*Agenda:* Star Tribune testimony on Derus versus Higgins election contest.

**Environment and Natural Resources Committee**
Chair: Sen. Bob Lesard
12 noon Room 107 Capitol

**Judiciary Committee**
Chair: Sen. Jane Ranum
12 noon Room 15 Capitol

**Crime Prevention Committee**
Chair: Sen. Allan Spear
2 p.m. Room 15 Capitol
*Agenda:* S.F. 77: Marty: Decreasing per se DWI blood alcohol content to 0.08.

**Economic Development Budget Division**
Chair: Sen. Tracy Beckman
2 p.m. Room 112 Capitol
*Agenda:* Review DTED budget.

**Property Taxes and Local Government Budget Division**
Chair: Sen. Sandra Pappas
2 p.m. Room 107 Capitol
*Agenda:* TIF Report, Susan Von Mosch, Leg. Auditor's office property tax reform goals.

**Tuesday, February 11**

**Environment and Agriculture Budget Division**
Chair: Sen. Steven Morse
8 a.m. Room 123 Capitol
*Agenda:* OEA overview

**Family and Early Childhood Education Budget Division**
Chair: Sen. Pat Piper
8 a.m. Room 15 Capitol
*Agenda:* Lifelong learning, self-sufficiency budget activity overview.

**Higher Education Budget Division**
Chair: Sen. LeRoy Stumpf
8 a.m. Room 107 Capitol
*Agenda:* HESO, budget presentation.

**Economic Development Budget Division**
Chair: Sen. Tracy Beckman
10 a.m. Room 123 Capitol
*Agenda:* Continuation of review of DTED, including the World Trade Center.

**Health and Family Security Committee**
Chair: Sen. J. Hottinger
10 a.m. Room 15 Capitol

**Jobs, Energy and Community Development Committee**
Chair: Sen. Steven Novak
10 a.m. Room 123 Capitol
*Agenda:* To be announced.

**Joint Governmental Operations and Veterans Committee**
Chair: Sen. James Metzen and Sen. Leonard Price
12 noon Room 112 Capitol
*Agenda:* Overview of veterans and military affairs.

**Transportation Committee**
Chair: Sen. and Johnson
10 a.m. Room 112 Capitol
*Agenda:* Overview of Dept. of Public Safety Budget, focusing on the state patrol and driver and vehicle services.

**Judiciary Committee**
Chair: Sen. Jane Ranum
12 noon Room 15 Capitol

**Commerce Committee**
Chair: Sen. Samson
2 p.m. Room 112 Capitol
*Agenda:* Overview of Minnesota Assn. of Realtors; Liquor Control Division, liquor industry representatives.

**Wednesday, February 12**

**Family and Early Childhood Education Budget Division**
Chair: Sen. Pat Piper
8 a.m. Room 15 Capitol
*Agenda:* Lifelong learning, self-sufficiency budget activity overview.

**Higher Education Budget Division**
Chair: Sen. LeRoy Stumpf
8 a.m. Room 107 Capitol
*Agenda:* HESO, continuation of budget presentation, S.F. 400: Murphy: Estabishing a research center on grapes and wine.

**Joint Governmental Operations and Veterans Committee**
Chair: Sen. James Metzen and Sen. Leonard Price
10 a.m. Room 15 Capitol
*Agenda:* Overview of veterans and military affairs.

**Transportation Budget Division**
Chair: Sen. and Johnson
10 a.m. Room 112 Capitol
*Agenda:* Overview of Dept. of Public Safety Budget, focusing on the state patrol and driver and vehicle services.

**Judiciary Committee**
Chair: Sen. Jane Ranum
12 noon Room 15 Capitol
Wednesday, February 12

Legislative Commission on Pensions and Retirement
2 p.m. Basement Hearing Room SOB
Agenda: Draft reports on Investment Performance Attribution Reporting; on the comparison of defined contribution pension plans and defined benefit pension plans; on the study of providing pension plan coverage for educational breaks in service for regional treatment center and related DHS employees. Second consideration of a report on the use of police state aid to fund PERA-P&F pension coverage for salaried firefighters.

Education Finance Committee
Chair: Sen. Keith Langseth
4 p.m. Room 123 Capitol
Agenda: Tom Melcher, Dept. of Children, Families and Learning, “Education Funding by Program, by District.”

Health Care and Family Security Budget Division
Chair: Sen. Don Samuelson
4 p.m. Room 112 Capitol

Thursday, February 13

The Senate will meet at 9 a.m.

Jobs, Energy and Community Development Committee
Chair: Sen. Steven Novak
10 a.m. Room 123 Capitol
Agenda: To be announced.

Health and Family Security Committee
Chair: Sen. John Hottinger
10 a.m. Room 15 Capitol
Agenda: To be announced.

Governmental Operations Budget Division
Chair: Sen. Leonard Price
12 noon Room 15 Capitol
Agenda: Dept. of Administration budget. If not finished during this meeting, will be continued from 4 to 6 p.m. in room 107.

Transportation Committee
Chair: Sen. Carol Flynn
12 noon Room 112 Capitol
Agenda: Minnesota Airports, MAC; MnDOT’s Office of Aeronautics; Northwest Airlines.

Agriculture and Rural Development Committee
Chair: Sen. Dallas Sams
2 p.m. Room 107 Capitol
Agenda: S.F. 360-Lesewski: Changes wholesale food processor or manufacturer fees; rural transportation issues.

Permanent Joint Rules Subcommittee of the Rules and Administration Committee
Chair: Sen. Ember Johnson
2:30 p.m. Room 125 Capitol
Agenda: Discussion of changes to permanent and joint rules.

Economic Development Budget Division
Chair: Sen. Tracy Beckman
4 p.m. Room 118 Capitol
Agenda: Review of Minnesota Technology Institute and passthrough grants.

Health Care and Family Security Budget Division
Chair: Sen. Don Samuelson
4 p.m. Room 112 Capitol
Agenda: Budget overview - DHS.

Transportation Budget Division
Chair: Sen. Jawn Johnson
4 p.m. Room 123 Capitol
Agenda: Overview of MnDOT budget.

Friday, February 14

Family and Early Childhood Education Budget Division
Chair: Sen. Pat Piper
8 a.m. Room 15 Capitol
Agenda: Lifelong learning, self-sufficiency budget activity overview.

Health and Family Security Committee
Chair: Sen. John Hottinger
10 a.m. Room 15 Capitol
Agenda: To be announced.

Jobs, Energy and Community Development Committee
Chair: Sen. Steven Novak
10 a.m. Room 123 Capitol
Agenda: To be announced.

Judiciary Subcommittee on Data Privacy and Information Policy
Chair: Sen. Don Betzold
12 noon Room 15 Capitol

Crime Prevention and Judiciary Budget Division
Chair: Sen. Randy Kelsey
2 p.m. Room 15 Capitol
Agenda: Review various computer/technology budgets and requests. Presentations from technology offices and judicial branch on current computer resources and future needs.

Local and Metropolitan Government Committee
Chair: Sen. Jim Vickerman
2 p.m. Room 107 Capitol
Agenda: Presentation by Indian tribal leaders on gaming and related issues.
Elections bills gain

The Senate devoted the Mon., Feb. 10, floor session to consider several relatively noncontroversial bills on General Orders. Bills on General Orders have been heard in committee and have had two readings. The Senate considers bills on General Orders acting as one large Committee of the Whole. The bills are debated and may be amended. If approved, the bills are then placed on the Senate Calendar for consideration and final passage. The Monday floor session resulted in four bills being granted approval on General Orders. S.F. 45, sponsored by Sen. John Marty (DFL-Roseville), is a recodification of Chap. 10A, the chapter in the statutes that deals with ethics in government. Marty said the bill was a much needed cleanup of the chapter's language and makes various corrections and clarifications to make it easier to understand and use. S.F. 72, also sponsored by Marty, is the Secretary of State's housekeeping bill and makes a number of non-controversial changes in the laws dealing with elections. A third bill, authored by Marty, S.F. 73, provides for a change of address system for registered voters. Members also granted approval to S.F. 164. The measure, authored by Sen. Charles Wiger (DFL-North Paul), amends a variety of food rules with federal statutes and requires that bison be inspected prior to slaughter.

Senators also granted final passage to one bill on the Senate Calendar. Bills on the Consent Calendar are generally of a noncontroversial nature, have had two prior readings and have been acted upon by one or more standing committees. Bills on the Consent Calendar do not appear on General Orders and are not considered by the Senate acting as a Committee of the Whole. Bills on the Consent Calendar are considered for final passage and given a third reading prior to roll call vote. The bill granted final passage Monday, H.F. 13, is a revisor's bill providing for the correction of miscellaneous oversights, inconsistencies and ambiguities and technical errors in the statutes. The measure, sponsored by Sen. Randy Kelly (DFL-St. Paul), was passed on a vote of 63-0.

Chaplains sworn

The Thurs., Feb. 13, floor session marked a historic occasion for the Minnesota Senate. Thomas Stillday, Jr., a Spiritual Elder for the Red Lake Nation, was sworn in as Chaplain of the Minnesota Senate. Stillday is the first Native American to serve as Chaplain for any state legislature. After President Allan Spear (DFL-Mpls.), administered the oath, Stillday conducted a traditional Ojibway Pipe Ceremony in the Senate Chamber.

Funding caps repeal bill passed

One of the first items of business at the Thurs., Feb. 13, floor session was the adoption of the conference committee report on H.F. 1. The bill, sponsored by Sen. Keith Langseth (DFL-Glyndon), repeals the K-12 education funding caps and requires statewide standardized testing. The removal of the funding caps gives school districts more time and information in planning their budgets. The standardized testing applies to students in grades 3, 5, 8 and 11 and will go into effect for the 1997-98 school year, Langseth said. The bill was repassed on a 62-0 vote.

In other action, the Senate granted final passage to two bills on the Senate Calendar. S.F. 45, authored by Sen. John Marty (DFL-Roseville), recodifies and makes corrections and clarifications to Chap. 10A, the law governing lobbyists and campaign finance. S.F. 72, also sponsored by Marty, makes numerous technical changes to Minnesota's election law. S.F. 164, authored by Sen. Charles Wiger (DFL-North St. Paul), conforms certain food rules with federal regulations and requires that bison be inspected prior to slaughter.

Members also granted final passage to two measures on the Senate Calendar. S.F. 35, sponsored by Wiger, permits the election of soil and water conservation district supervisors from single-member districts in Ramsey and Washington Counties. S.F. 264, carried by Sen. Dennis Frederickson (R-New Ulm), provides temporary authority for certain loans. One bill on General Orders gained preliminary passage. S.F. 67, authored by Sen. Randy Kelly (DFL-St. Paul), modifies the multiple occupancy requirements applicable to state prisons. Kelly said the bill maintains the Legislature's position that double-bunking not be done in high security prisons but that it modifies the requirements to reflect changes in levels of security. The measure addresses the question of the requirement that limited double-bunking be less than 50 percent of a prison's population. Sen. Gary Laidig (R-St. Paul) urged the Legislature to continue funding educational opportunities and work programs for inmates in order to ensure the safety of both the inmates and staff under more crowded conditions. "Double-bunking is not the solution," Laidig said, "other programs must be maintained."

Economist Kahn addresses meeting

Economist Alfred Kahn addressed a joint meeting of the Senate Jobs, Energy, and Community Development Committee, chaired by Sen. Steven Novak (DFL-New Brighton), and the House Regulated Industries and Energy Committee, chaired by Rep. Loren J. Ernings (DFL-Lush-Rush City). Kahn addressed the questions of competition and utility deregulation. Kahn said, "I always think competition is a good thing, and deregulation has broadened that. Look at the breakup of AT&T. More competition, better service, competitive rates. AT&T lost 60 percent of its market share, so they reduced rates for long distance calls. As a result, they had such an increase in long distance volume they made up for the lost marketshare."

Sen. Ken Schewe (R-Preston) asked, "Given the possibility of utilities merger between a Minnesota company and a Wisconsin company, with higher utility rates being paid in Wisconsin than in Minnesota, is there a way of getting rates up higher?" Kahn replied, "No mechanism exists that would transfer higher costs on that basis. In any case, you shouldn't permit a merger that results in higher rates and fewer providers. If there is a proposed increase of 5-10 percent in costs after such a merger, you shouldn't permit the increase." Commenting on costs associated with environmental regulation, subsidizing utility access for low-income users, and other social costs, Kahn said, "There are some values competition doesn't take care of, like social values. In fact, competition injures that environment, because you don't have this competition thing. You have the benefits, or any other social need comes out of profit. It's the function of government to tax away the social benefit qualifications, perhaps in the form of taxes, and that's okay if all competitors are paying the same tax.
Committee Update

Agriculture and Rural Development Committee

Ethanol report received

The Agriculture and Rural Development Committee, chaired by Sen. Dallas Sams (DFL-Staples), met in a joint session Thurs., Feb. 6, with the Environment and Agriculture Budget Division, chaired by Sen. Steven Morse (DFL-Dakota). On the agenda was the Ethanol Program Evaluation Report, compiled by the Legislative Auditor’s office.

The report, presented by Elliot Long, evaluation coordinator, and Jared Cresson, program evaluation specialist, highlighted the benefits and risks of the state's ethanol program. "Minnesota's program to promote ethanol production and use has put the state in the leadership position in establishing a sizable ethanol industry," said Long. "These programs include producer payment, a tax credit, and subsidized loan to ethanol producers. In addition, the ethanol program has led to a projected production of 90 million gallons this year, and additional plants planned or under construction. According to the report, the estimated statewide economic impact of ethanol production is $211-300 million, providing, directly and indirectly, up to 1,375 jobs.

Despite these benefits, there are future risks involved with the present ethanol level. Sen. Dean Johnson (R-Willmar) said, "The question is, should the state and the federal government provide subsidies for the economic development of rural areas?"

"It's important to keep open incremental steps in environmental protection, such as oxygenated fuel," in mind. Morse said.

The state Dept. of Agriculture, represented by Sharon Clark, deputy commissioner, and Kevin Edberg, assistant director of Agriculture Marketing and Development, presented two concerns with the report. "We don't think that ethanol use leads to higher prices. In fact, there has been some research suggesting that the price of corn decreases over time due to increased carbon monoxide levels due to oxygenated gas," said Edberg. The department's response will be continued at the next joint session.

Aggravant, yet lien bills advance

S.F. 383, a bill changing statutory provisions relating to agricultural grants and contracts, and S.F. 329, a bill modifying provisions for lien on veterinary services, were advanced Tues., Feb. 11, by the Agriculture and Rural Development Committee. Chaired by Sen. Dallas Sams (DFL-Staples), the committee also heard an agency overview from the Bureau of Water and Soil Research.

S.F. 383, authored by Sen. Arlene Leseswski (R-Marshall), increases from $70,000 to $100,000 the amount the Dept. of Agriculture can grant to an agricultural service organization and widen the scope of the department's promotional activities. Jennifer Heil, director of marketing and development for the department, said, "The intent of the bill is to increase our flexibility and enable us to deliver the services we'd like to deliver in increasing the size of the grants, expanding eligibility, and eliminating the requirement that only one grant be made per person." The bill was referred to the Environment and Agriculture Budget Division.

S.F. 329, authored by Sen. Steve Dille (R-Dassel), allows a veterinarian to file a priority lien ahead of a bank to collect payment for services rendered. The bill also limits filing time on the lien to 180 days after the last service is performed. "This bill was brought forward after a compromise with banking interests, who were reluctant to have a lien on a farmer's livestock," said Dille. "The bill was referred to the Judiciary Committee.

Crime Prevention

Doublebunkingfinancing discussed

Conflict over state prison construction policy took center stage Fri., Feb. 7, as the Crime Prevention Committee debated two prison-related bills offered by Sen. Randy Kelly (DFL-St. Paul).

S.F. 179 classifies Rush City at level four and permits bond financing for double-bunking prisons. Kelly offered an amendment followed by saying he had always opposed double-bunking because it raises the population, safety concerns, and the costs of inmate safety concerns not the comfort. He added that the state's new Rush City plan takes such safety concerns into account.

Kelly adopted an amendment clarifying language stipulating that cells in the one through four level prisons be double-bunked to the greatest extent possible in compliance with state multiple occupancy standards. S.F. 67 was approved and advanced to the Senate floor.

S.F. 179 classifies Rush City at level four and permits bond financing for double-bunked facilities. Kelly offered an amendment allowing the Dept. of Corrections to construct or access roads to Rush City site, and then allow for double-bunking.

Conflict over state prison construction policies were also debated. The committee adopted an amendment that would allow for the construction of Rush City, but then discovered that no such plans existed. The roads therefore, were initially told to the county had designated the roads for upgrade, but then discovered that such plans existed. The roads therefore, were initially told to the county had designated the roads for upgrade, but then discovered that such plans existed.
selection process had strongly supported the project.

Spears recalled that last year Sen. Tracy Beckman (DFL—Brooklyn), former chair of the Crime Prevention and Finance Division, had suggested delaying bonding, but that projections indicating an upcoming need for more prison beds had convinced legislators to begin the process.

S.F. 179 was approved and referred to the Transportation Committee.

**.08 blood alcohol level discussed.**

At the Mon., Feb. 10, meeting of Crime Prevention Committee, Sen. John Marty (DFL—Roseville) offered S.F. 77, a bill to lower Minnesota’s legal blood alcohol concentration (b.a.c.) limit to .08 from .10. The bill states that the .08 standard would apply in cases of driving while impaired, boating while impaired, snowmobiling while impaired and hunting while impaired. The bill lowers the per se standard for alcohol concentration for those under 21 to .04. It also changes chemical testing, criminal vehicular homicide and injury laws, and reflects new standards. Dr. Ralph W. Hingson, chair of the Department of Social and Behavioral Sciences at the Boston University School of Public Health, presented a study on states with .08 levels. He compared five of the thirteen .08 states with similar .10 states. Comparing drivers in single vehicle fatal accidents with roadside surveillance control drivers not involved in crashes, he concluded that every .02 increase in b.a.c. doubles the risk of fatal crash. He also cited that there was 16 percent reduction correlation to the adoption of a .08 standard, though he admitted difficulty in separating out effects of other laws like administrative license revocation.

Hingson pointed out to Chair Allan Spear (DFL—Mpls.) and the panel that the national b.a.c. limit for commercial drivers is .04, Maine, has a .04 b.a.c. limit for DWI, and Wisconsin has lowered its increased arrest and hospitalization industryelines. Hingson also cites studies that have shown decreased arrests, and data on international data showing that countries with very low b.a.c. limits have not lost alcohol sales. According to Hingson, these states could save billions of dollars by low b.a.c. limit enforcement.

In response to a question by Sen. David Knutson (R—Burnsville) Hingson cited speed as well as alcohol as a factor in crashes.

In response to a question by Sen. Thomas Neuville (R—Northfield) said, “I don’t think the study shows some evidence of impairment.” Sen. David H. Berman (DFL—Anoka) also commented on the study as well as the evidence of impairment.

**.08 bill approved.**

Wed., Feb. 12, the Crime Prevention Committee approved S.F. 77. The bill, sponsored by Sen. John Marty, lowers the state’s legal blood alcohol concentration level while operating a motor vehicle from .10 to .08.

Lt. Mark Peterson of the Minnesota State Highway Patrol detailed the standard field test used to detect the influence of alcohol. He said the support of the .08 level because drivers are too difficult to prosecute. Routinely, he said, cases are pled down to a simple moving violation.

Peterson disagreed with testimony given at a panel’s hearing. On Feb. 10, the American Beverage Institute’s Rick Berglund and Ron Nicholas testified against the bill, claiming that an .08 law would negatively affect business and would not achieve promised results. Berglund challenged Marty’s statement about federal funding, saying that Minnesota has already complied with the federal minimum standards required to receive highway funds. Arguing that the .08 level creates a new class of criminal, Berman described a scenario in which a drinker at the .08 level, not driving poorly, could be subject to prosecution. Hingson said cellular phones could cause pedestrian impairment.

On a motion by Sen. Linda Bergin (DFL—Mpls.), the bill was recommended to pass and referred to the Transportation Committee.

**Crime Prevention and Judiciary Budget Division.**

Program budgets discussed.

The Crime Prevention and Judiciary Budget Division on Fri., Feb 7, heard from programs regarding budgetary requests.

Debra Dailey, director of the Sentencing Guidelines Commission, testified that the group’s request for a budget increase due to growing workload and the need to automate. At this point, she said, the office is using manual typewriters and wants to upgrade to word processing and computer capability. Staff, she said, included three research analysts, one attorney, and one clerical person.

Chair Randy Kelly (DFL—St. Paul) asked if another person was needed to do the field work. Dailey responded that it would be better to have more staff to work with probation officers regarding guideline compliance.

The Revisor of Statutes and Uniform Laws Commissioner Harry Walsh explained that his commission is made up of eleven appointees who meet yearly with representatives of other state agencies to discuss laws that are then uniformly introduced in

highway funds.
all states. The commission's entire budget goes toward dues and expenses for the yearly trip. The increase this year, said Walsh, is local in focus. Novak has imposed a tax on membership dues.

Executive Director of the Private Detectives and Protective Agent Services Board Marie Ohman described how her board regulates license of investigative and security practitioners. According to the board's budget description, it is comprised of industry professionals, law enforcement and members of the public, and generates its operating revenue through fees for license issuance. Training programs are established by the board for license holders and their employees, said Ohman. The board's budget request calls for authorization to implement a new fees structure for certification of training instructors and courses.

Economic Development
Budget Division

DTED budget reviewed
The Economic Development Budget Division, chaired by Sen. Tracy Beckman (DFL-Bricelyn), began a review of the Dept. of Trade and Economic Development budget, Mon., Feb. 10. The division also heard a summary of the governor's recommendations for the department.

Beckman said, "Our theme, as we look at the budget and its initiatives, is trying to put people to work, particularly those impacted by welfare reform." Department Commissioner Jay Novak said, "Our goal is to enhance the economic vitality of all of Minnesota by creating jobs. We have several strategies to achieve this goal—promoting quality jobs with high pay and good benefits, helping Minnesota companies to expand, selecting industries that reflect current market-place needs, focusing on small cities development programs, and being focused on the global marketplace."

On a projected increase in appropriations for the Minnesota Investment Fund, Sen. Randy Kelly (DFL-St. Paul) said, "We need to figure out where this money would be better spent." Beckman agreed and said, "This budget is up against the Summer Youth Program, the Dislocated Workers' Fund, and Contamination Cleanup. How are we going to fund everything?"

Sen. Ellen Anderson (DFL-St. Paul) said, "In St. Paul, there are developers waiting in line for development sites that can accommodate manufacturing. We have a list of sites waiting for money, and if we're serious about welfare reform, about creating jobs, we have to find the money to do this."

Sen. Linda Runbeck (R-Circle Pines), asked about the level of pent-up demand for grants. Novak said, "There is a sizable pent-up demand in the state. Wecould spend up to $20 million right now if we hadn't the money. But for any money we use, we need completed applications with development plans."

DTED initiatives overview
The Economic Development Budget Division, chaired by Sen. Tracy Beckman (DFL-Bricelyn) continued Tues., Feb. 11, to review budget requests presented by the Dept. of Trade and Economic Development.

Commissioner Jay Novak summarized the initiatives for the committee. Regarding the Contamination Cleanup Program that provides funds to clean up polluted sites in line for development, Novak said, "The governor is requesting $1 million over the next biennium for clean-up grants in Greater Minnesota. According to the governor's recommendation, program will meet the Metro Area's needs in the next biennium. Novak said, "There is no disagreement on whether there's a need. There is disagreement about where the funding should come from."

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Sen. Randy Kelly (DFL-St. Paul) agreed, and said, "There is $27 million worth of new initiatives in this budget, and only $1 million devoted to contamination cleanup. This is a critical issue."

Novak also discussed the Job Skills Partnership Program, for which the governor recommends an increase in funding of $7.56 million. "This program provides customized job training in partnership with businesses and educational institutions, and at relatively low cost. While companies who participate in the program are required to match our funds 1 to 1, the average actually closer to 2 to 1. This will be an essential part of our effort to transition people to work from welfare," he said.

Education Finance
Program by district budget overview
On Wed., Feb. 12, Chair Keith Langseth (DFL-Glyndon) and the Education Finance Committee heard from Program Finance Manager Tom Melcher regarding his report on breakdowns of education funds by program by district.

According to Melcher, the listed programs account for 95.8 percent of total school districtstate aid plus levy revenue in the general education, district cooperation, pupil transportation, special education, vocational-disabled, limited English proficiency, assurance of mastery, desegregation and low income concentration programs. Not included in the report are programs related to debt service, health and safety, disabled access, building lease levies, community and family education and secondary vocational education.

Melcher broke the statistics out into four sections: 1998 revenue per pupil, 1995 revenue per pupil, revenue change in each category, and the amount of revenue per pupil sorted by enrollment size.

When asked by Sen. Cal Larson (R-Fergus Falls) about non-public transportation costs in the upcoming years, Melcher explained that the state's decision to allot the cost of transportation into the general fund will mean that non-public education transport will be included under targeted need states.

In response, Sen. Linda Higgins, Melcher explained that low income concentration grants are made available to the Metro Area communities but not to the other cities. These funds go to specific buildings which have been determined to have a high concentration of students receiving free or reduced lunch. Sen. Claire Robling (R-Prior Lake) asked why desegregation costs were broken out separately from transportation. Melcher said the desegregation and low income concentration programs are associated with desegregation policy.

Regarding budget implications if the Legislature were to mandate uniform school hours, Melcher said the state would incur a large increase in transportation costs. It would need, he said, to purchase more buses and to find drivers willing to work very few hours. Larson asked why Minneapolis transportation costs are so much higher than St. Paul's, and was told by Melcher that Minneapolis' magnet program necessitates more and specialized transportation.

Melcher also provided a complete 1994-95 comparative school district profile. Of particular interest was the double tax capacity amounts for various districts.

Melcher explained that the tax capacity numbers in the report indicate the ratio of state funding to the amount met by local referendum. Sen. Martha Robertson (R-Fergus Falls) asked Melcher about the state's role in the maintenance of the property tax system and she also raised issues on the property tax system and its effect on the state's economy.

Election Laws
Star Tribune responds
At the invitation of Chair John Marty (DFL-Roseville), representatives from The Star Tribune newspaper appeared before the Election Laws Committee Mon., Feb. 10, to air their views in the election contest.
involving the erroneous election day publication of Senate primary candidate John Derus’ photo under the headline of a “charity fraud” expose. Derus and his attorney, Brian Rice, appeared before the committee on Jan. 27 along with Sen. Linda Higgins (DFL-Mpls.), who won the District 58 primary by 104 votes. Star Tribune News Editor Tim McGuire, News Production Editor Stephen Ronald and attorney John French represented the paper.

Derus’ District Court case was stayed last fall by the State Supreme Court, which requested briefs and then dismissed the matter. French admitted the odd handling of the case, but attributed the court’s swift action to a desire to settle the matter quickly after elections.

Ronald described the paper’s usual publication run, then detailed the chain of events leading to the photo’s appearance. He said an election day article, which was to feature pictures of all DFL candidates, was subbed in for the charity fraud story. At the last minute, he said, the charity fraud story was slated for publication, and, because the employee who performs the daily purge of the computer cache was ill, Derus’ picture remained in the system. When the fraud story ran, the computer pulled his picture instead of the correct match.

I responded to a query by Sen. Douglas Johnson (DFL-Tower), Ronald said seven or eight editors marked the page after which, thirty additional editors scanned the paper.

McGuire said the newspaper is mortified by the error. Responding to Derus’ claims of receiving no apologies, McGuire said Editor Pam Fine was about to call Derus when he called her, apologized and offered to contact other media to announce the error.

Rice and Derus were given rebuttal time and, among other things, took issue with Sen. Linda Higgins (DFL-Mpls.) by 104 votes. He sharpened on the candidate’s contention that the Minnesota constitution empowers the Senate to rule on the fairness of its own elections, even in a case of possible third party misconduct.

Said Joe, “I keep getting back to why we’re having this contest, and the winner is innocent. No one disputes his innocence. It’s a legal process that we all have to go through.”

Ronald said that Derus is an innocent victim. Rice said that while it is true that Higgins is an innocent victim, Derus is also. “We’ve got to stop this,” said Ronald. “We’ve got to stop the Senate from doing this.”

In light of the fact that Sen. Turner Johnson (DFL-New Hope) is sponsoring new legislation making it possible for the panel to systematically review existing laws regarding third party actions, Sen. Linda Shaid (DFL-Brooklyn Park) said that she supported the dismissal of this particular case. She said she has no issue with Derus having a day in court.

Following this exchange, the Senate adjourned.

Environment and Natural Resources

Emergency deer feeding approved

On Fri., Feb. 7, a bill appropriating $5.1 million for emergency deer feeding was approved at a meeting of the Environment and Natural Resources Committee. S.F. 195, authored by Sen. Leroy Stumpf (DFL-Thistle River), passed by the Senate, and the Department of Natural Resources to borrow them from the general fund. Under the bill, a one-time $2.50 surcharge is placed on deer licenses to pay for the appropriation, and a deer feeding fund is established so that individual contributions can contribute money for this year’s emergency. The first 6,000 people who individually contribute $50 will be able to purchase a deer license for $5. Stumpf said the fund is expected to generate $300,000 if 6,000 participate. Revenue collected for the fund will augment the appropriated money. In addition, the bill provides “certificates of appreciation” for contributors, and directs the department to conduct a study to measure the efficiency of this year’s deer feeding effort.

Chairs Bobb Lestard (DFL-Int. Falls) invited Roger Holmes, Dept. of Natural Resources, to comment on the department’s position. “We will lose a lot of fawns this winter. The herd could prevent the fawns from eating if there is limited food, and this is how the deer survive harsh winters,” Holmes said. He suggested that the department and a private effort, similar to Wisconsin’s, could determine if the state agencies are not become involved. “A feeding program administered by the department will divert valuable staff time away from other essential projects,” and instead, Holmes proposed raising the surcharge to $3.00 per license. This would provide money for seasonal employees with whom to work on deer feeding, he said.

Tom Kelliher, MDHA, said his organization supports the emergency deer feeding and has made the commitment to work with the department. Last year, over 8,300 volunteers contributed their time and effort, and he expects a similar turnout this year. As for the proposed $3.00 surcharge, Kelliher said, “I believe that we would not support an increased surcharge.” After a brief discussion, the committee approved S.F. 195 and referred it to the State Government Finance Committee.

Electronic licensing discussed

Members considered a bill on the M.L., Feb. 10, Environment and Natural Resources Committee meeting.

Sen. Jerry Anezich (DFL-Chisholm) presented S.F. 153. “All over the Iron Range we have stockpiles that contain iron minerals and we have had a problem determining the ownership of these stockpiles,” said Anezich. The bill clarifies the ownership of the stockpiled metallic mineral materials, defines their uses, and provides for a uniform method of taxation. Kathy Lewis, Division of Minerals, Dept. of Natural Resources, said the heart of the legislation is the taxation provision. Under the bill, the stockpiles are subject to the general property tax, and the tax is based on the market value of the land and the material is taxed if the land is real property. In addition, the bill also stipulates that if the land and undeveloped stockpile...
Committee update

Environmental and Agriculture Budget Division

Environmental budget overview

Before the Environmental and Agriculture Budget Division listened to a budget overview from the Office of Environmental Assistance (OEA), David Johnson, Dept. of Finance, briefed members on the layout of the new budget books, Tues., Feb. 11.

Johnson outlined the governor's budget goals for the upcoming biennium which included restoring the state's sewage treatment, maintaining expenditure below the rate of personal income growth, providing an adequate budget reserve, returning a portion of the state's budget surplus to taxpayers, and ensuring long term economic stability. According to Johnson, the total state budget from all sources for FY 98-99 is expected to exceed $32.2 billion. He also highlighted the 13 percent spending increase for environmental and natural resource activities between bienniums.

"The mission of the (OEA) is to protect Minnesota's environment and assure a sustainable economy through waste prevention and resource conservation," said Dunn, the OEA acting director. Dunn said that approximately 90 percent of the office's operating budget, $20 million annually, comes from the general fund.

As for budget initiatives, Dunn noted that the office is requesting a reduction of $100,000 per year in pollution prevention grants. Because fees collected for the pollution prevention fund are not as high as expected, the office is not increasing fees but is instead reducing its budget request. The office also reallocated $175,000 in FY 98 and $171,000 in FY 99 from its grant programs into internal operations in order to sustain the office's operations.

"We need this internal shift in order to fund the employee roster at its current level," Dunn said. Chair Steven Morse (DFL-Dakota) questioned the wisdom of moving over $300,000 in state grants out of potential programs and into the office's operations budget. Dunn explained that the grants are not pass-through mechanisms but are instead discretionary, and the shift is needed to fund operations to administer programs properly.

Duetotime constraints, Morse asked that Dunn continue with the OEA's budget presentation at a later meeting.

Budget presentation heard

Budget presentations by the Office of Environmental Assistance (OEA), the Board of Animal Health and the Minnesota Zoological Gardens were the agenda items for the Weds., Feb. 12, meeting of the Environmental and Agriculture Budget Division.

Art Dunn, OEA acting director, summarized the programs administered by the OEA and highlighted the Solid Waste Assistance program. Dunn said that under that program, the OEA disburses $14 million in the form of block grants to counties for processing solid waste. Dunn said that a total of $150 million is spent in the state on recycling, with 30 percent of solid waste being processed and 55 percent of solid waste eventually being recycled.

"Twice as much money is spent in on only ten percent more of the wastestream," Dunn summarized.

Dunn said that in the next biennium the agency will focus on the increasing amount of waste generated by the consumer sector, specifically mercury, construction and demolition waste, and transportation packaging such as wooden pallets. Dunn also said that the agency will focus on environmental education programs for children in the pre-school to high school age range.

Dunn said his agency has just compiled preliminary results on the impact of recycling on the Minnesota economy. According to a survey, the state is spending $1.1 billion on waste and generates 870,000 new jobs and generates $1.5 billion in sales.

Chair Steven Morse (DFL-Dakota) commented on the results of the study, saying "recycling has yielded a windfall, not a cost."

The panel next heard from Board of Animal Health Executive Director Thomas Hagerty, who said the purpose of his agency was to protect the health of domestic animals. Hagerty said that the responsibility includes investigating and monitoring diseases such as rabies, brucellosis and tuberculosis. Hagerty said that the concern about the spread of "mad cow disease," or bovine spongiform encephalopathy (BSE), has been heightened by the development of Kruezel-Jacob Syndrome in humans, according to Hagerty.

The meeting concluded with a presentation by the Minnesota Zoo, including a visit by four zooanimals. Catherine Roberts, zoo director, highlighted two items in their budgetary requests: $75,000 for a student internship program, and $175,000 for a computerized scheduling and inventory system. J. E. Higgins, also of the zoo, said that the new system would result in better customer service and more efficient use of staff time. Norval Cowan was taken on any of the presentations.
Family and Early Childhood Education Budget Division

Legal Immigrants Discussed

The Family and Early Childhood Education Budget Division, chaired by Sen. Pat Piper (DFL-Austin), listened, Fri., Feb. 7, as Senior Committee Director Sheri Steisel, National Conference of State Legislatures, described state welfare reform implementation measures during a special briefing. Steisel said that financial assistance to welfare recipients used to be provided through Aid to Families With Dependent Children, a federal program whose funding varied with the economy and the number of people who qualified for it. Steisel said that the new block grant, Temporary Assistance to Needy Families (TANF), replaces AFDC, but limits the amount of money each state receives per year. The program also creates a block grant for child care that combines previous programs for welfare parents, she said.

Steisel said that the federal Department of Health and Human Services (HHS) has released a new interpretation of how states may use their welfare “Maintenance of Effort” (MOE) dollars. She said that the HHS guidelines allow state flexibility in the use of MOE dollars that are not commingled with federal block grant funds. The state may combine all or part of its welfare MOE funds with federal welfare block grants, she said. Should the state combine its welfare MOE dollars with federal welfare funds, it must meet the MOE requirements. Those requirements, Steisel said, require a state to maintain 80 percent of its historic level of state spending. This would be reduced to 75 percent, she said, if welfare recipient work rates are achieved. Failure to achieve this spending level will result in a reduction of the state’s federal block grant and the requirement that the state replace the funds, she told committee members.

To receive TANF, the governor must submit a state plan to the HHS by July 1, 1997, Steisel said. The law requires the state to submit a plan every two years, she stated. She said that early program implementation will be less costly and advantageous for states receiving TANF grants that is higher than the matching fund it would have received under AFDC. Submission of a state plan begins a federal 5-year time limit for families receiving TANF money for federal work participation requirements and fiscal penalties for states that do not comply, she explained. The federal $50 child support-pass-through, and the transition period for other penalties, such as work and reporting, Steisel said.

Steisel said that all information concerning separate state programs must be provided to HHS to prevent states from using those programs to underfund state work requirements. States that experience heavy caseloads due to high unemployment and use 100 percent of their previous level of state spending may qualify for non-reimbursable federal contingency fund assistance of not more than 25 percent of the block grant, she said.

Recipients receiving TANF assistance must find work after 24 months, she said. She added that states will be free to define what counts as employment and to set minimum work hours per week. The program would cut off TANF assistance to any adult who has received assistance for 5 years, she said, but she added that states may provide their own funds to provide assistance that this 5 years of assistance. She said that states may also exempt 20 percent of their caseload from the 5-year limit due to hardship, such as in the case of grandparent or other work programs for welfare parents, she said.

Legal immigrants and most refugees will lose access to food stamps and the Supplemental Security Income program for the elderly, blind and disabled as of Aug. 28, 1997. Steisel said that sponsors for newly arriving immigrants will be responsible for their welfare.

The law consolidates the Child Care Development Block Grant (CCDBG), AFDC/OBS, and a risk and transitional funding into a new child care block grant, Steisel said. According to Steisel, legislators must channel most of the child care money to welfare recipients, people in work programs who are attempting to leave welfare, and those at risk of becoming recipients. Steisel said that the CCDBG contains provisions for safety and the child grant.

Lifelong Learning Overview Heard

Literacy Coordinator Barbara Weiss, Metro North Adult Basic Education (ABE), told the Family and Early Childhood Education Budget Committee members, Tues., Feb. 11, that parenting must be offerd for the opportunity to successful. Because their success will be transferred to their children, Weiss told the committee, chaired by Sen. Pat Piper (DFL-Austin), that parents need to read their children, especially during the early formative years of a child’s life. She said that doing so will begin to teach children the language of success and of successful parenting.

Weiss said that ABE, consisting of a number of educational programs, enables adults to acquire essential skills needed to meet community and family needs. She stated that ABE programs include GED preparation, English as a second language (ESL), high school diploma, basic skills, job readiness, family literacy, and deaf adult basic education.

Carlyle Peterson, program manager, Adult Options in Education (AOE), provided committee members profiles of students who have successfully used the AOE program. She said that because AOE is a component of ABE, it is a part of public schools and community education and creates cooperative opportunities.

Cooperation of other teaching entities facilitates efficiency and hastens the learning, she said.

Julie Williams, program manager for Mindquest, the world’s first high school Internet diploma program for adult students unable to attend high school classes, told the committee that computers will enable students to complete their high school educations and to prepare for future careers. The program, free to Minnesota residents under age 21, is open to anyone who would like to complete their high school diploma, she said. Williams said that the Internet-linked campus is open 24 hours a day.

ABE Supervisor Barry Shaffer said that, according to the 1990 census, 514,000 Minnesota residents age 20 and over had not graduated from high school. He said that these individuals are disproportionately represented among the working poor, single parents, welfare recipients, language minorities and the incarcerated. Shaffer said that the statistics highlight the importance of ABE programs to relate to welfare reform. He said that between 1992 and 1996 the number of adult learners who attended for at least 12 hours has decreased, but that those who enrolled in need of in-depth programming and related services. The trend, he said, is for learners to continue in the programs for longer periods of time until their needs are met.

Human Services Programs Reviewed

The Family and Early Childhood Education Budget Division, chaired by Pat Piper (DFL-Austin), heard budget reports and program overviews from various human service program providers on Weds., Jan. 12. The overviews were presented to provide an awareness of the vast array of human services programs that will be eventually combined under the MN Department of Children Families and Learning, according to introductory remarks by Barb Yates, assistant commissioner, Department of Children Families and Learning.

Yates and Connie Greer, Department of Economic Security, offered the committee a brief overview of Economic Opportunity Program programs delivered by community-based agencies. The programs seek to remove barriers imposed by poverty on the health and development of children and families. The programs are funded by federal Community Services Block Grants (CSBG), and Minnesota Economic Opportunity Grants (MOE). Yates added that these funds flow to community action agencies to support a variety of local Community Action Programs (CAP) delivered through a statewide network of local nonprofit agencies.

Programs are locally determined to provide a range of services based on local needs, according to Community Action of Mpls. Executive Director William J. Davis. Yates said that community-based review
boards comprised of low income individuals, elected officials and business persons assess and determine local needs.

Davis told the committee that CAP are funded by $175 million in CSBG and MEOG funding. He said that public and private sector funds also were used. In addition, he said, 1.7 million volunteer hours were expended annually to administer the programs.

Davis said that he and the Minnesota Community Action Association appreciated the governor's recommendation for $1.8 million in state MEOG funds, a $4 million increase over the previous biennium. However, he requested an additional $2 million to continue employment assistance and "Keep a job" functions for TANF recipients and for the working poor.

Stephen Schmidt, a private sector member of the Ramsey Action Programs (RAP) board of directors, told the committee that RAP has dealt with issues affecting persons age three to ninety. Schmidt said that many of the services RAP help are not only poor but are in need of many services. He said that RAP is currently engaged in a strategic planning process that will direct its activities and identify desired outcomes.

**Government Operations and Veterans Committee**

**Audit finds systems project flaws**

In a report to the Joint Governmental Operations and Veterans Committee and Governmental Operations Budget Division, Tuesday, Feb. 11, the legislative auditor revealed many problems with the statewide computer systems project begun in 1991.

For the study, over 120 managers and users in 30 agencies were surveyed on the new SEMA4 personnel and payroll system and the MAPS Minnesota Accounting and Procurement System. Deputy Legislative Auditor Roger Brooks said the legislature requested the audit last year after hearing complaints about the project and reports of its growing costs.

By way of prefence, Brooks distributed an article on the RS's $4 billion failure restructuring and pointed out that the majority of computer development projects fail.

According to program evaluator Tom Walstrom, Minnesota's new systems have cost 50 percent more than originally promised, and delivered less than full functionality. In addition, he said, computer systems cost $15-20 million, after bids came in 1993, the price was upped to $26.1 million. By 1996, expenditures stood at $35.8 million. Increases, said Walstrom, are due to customization of software, changed specifications, new components and higher computer usage charges.

The operating costs of the systems have proven to be ten times the originally estimated amount. Walstrom said the old system cost $1.7 million. The new one was estimated to cost less than $5 million but now stands at $16 million. According to Walstrom, Minnesota has also discovered, like many companies and governments, that its systems are not equipped to handle twenty-first century dates. He said that data entry problems, which could delay data entry and cause errors, are reduced.

The audit report also found that the human resources department as well as payroll functions have been met with satisfaction. Users of the procurement system, however, have had problems. Walstrom, call it "cumbersome" and report that they are being asked to provide too much data and information. Training costs have also been high, said Walstrom, because employees came in with widely varying levels of computer literacy and also because a training unit was not developed in time to thoroughly train many employees before they would be expected to use the systems.

Despite these issues, auditors called the project a moderate success, stressing that such cost and time overruns are not uncommon.

A variety of benefits include increased communication, multiple basis accounting and network capability. An "information warehouse" function is also, he said, a plus. Unfortunately, the information warehouse was initially pitched as a user-friendly data resource for legislators, but has proved too complicated for this purpose.

Some member took issue with the term "moderate success." Upon discovering that the project has resulted in governmental downsizing, Sen. Charles Berg (IND-ND-Choko) called it "a bust all the way around." Chair Leonard Price (DFL-Woodbury) asked if downsizing had been an original goal. Program Evaluator John Sandberg said it had, and added that agencies were presenting employee overtime in connection with use of the new system.

**Veterans and military affairs overview**

On Wednesday, Feb. 12, the Governmental Operations and Veterans Affairs Committee and the Governmental Operations Budget Division held a joint meeting. Chair James Metzen (DFL-South St. Paul) invited representatives from the Department of Veterans Affairs and the Military Affairs and Long Range Planning to provide overviews for their respective offices.

Deputy Commissioner Jeff Olson, Dept. of Veterans Affairs, explained the rationale behind the recently completed customer satisfaction survey conducted by the University of Minnesota for his office. "Since we are a service provider, it's important to know how we are performing for our customers." He noted that over 2500 surveys were mailed out, and over 72 percent responded. Among those surveyed, "The responses overall were very positive," he said. In virtually every area of the department, Olson said, respondents gave high marks for service. However, there were several areas of concern raised by the survey he advised.

For example, because the office has almost the same name as the U.S. Dept. of Veterans Affairs, "there is a mass identity crisis for the state's department," he said, and many people confuse the responsibilities between the two agencies. Olson also noted that county veteran service officers do not often have other jobs.

On Wednesday, Feb. 12, the Legislative Auditor presented a report to the Joint Governmental Operations and Veterans Affairs Committee. The Department has requested a $100,000 per year appropriation for a one-time biennial audit of the systems project. The audit was conducted to examine the project's costs, the quality of the systems, and the training needs for employees.

Chair Leonard Price (DFL-Woodbury) asked if the audit had been requested after hearing complaints about the project. Olson said there were several reasons for the audit, including the department's request for a $46,000 per year increase to improve services to veterans and family members affected by Agent Orange exposure and Persian Gulf Syndrome. The governor's proposal calls for a one-time biennial appropriation of $17.5 million for the payment of a Persian Gulf veterans bonus.

Sen. Martha Robertson (R-Minnetonka), asked how many people are eligible for the bonus. Olson said $43,700 people are eligible to receive bonuses.

Brigadier General Gary LeBlanc, Assistant Adjutant General for the Dept. of Military Affairs, summarized the duties for his office. The office oversees the operations for all Army and Air National Guard units in the state, as well as the installation that provides support for these units. The office also oversees the preliminary work for ensuring the military readiness of the national guard units, attracting and retaining quality personnel, and ensuring the adequacy of training and support facilities. LeBlanc explained, "We work in partnership with several state agencies and departments." In addition, LeBlanc said 95 percent of the operating budget for the National Guard comes from the federal government, while the state picks up the remainder. "With federal dollars flowing into the state to support operations, the state collects $13.5 million annually in tax revenue," he said.

**Governmental Operations Budget Division**

**Planning budget overview**

Departmental overviews were provided, Thurs., Feb. 6, by the Office of Strategic and Long Range Planning and the Board of Government Innovation and Cooperation at the Governmental Operations Budget Division meeting.

Chair Leonard Price (DFL-Woodbury) welcomed Director Linda Kohl, Dept. of Minnesota Planning, who presented the requested budget for the Office of Strategic and Long Range Planning. The office, she said, was established to provide policymakers and the public with accurate information and analysis about emerging and critical issues. This biennium, the
government recommends appropriating approximately $1.3 million to fund the office’s activities, and as part of his anti-crime initiative, the governor has earmarked $3 million of that appropriation to implement a statewide tenant court system.

Other budget initiatives include a wind power plant assessment project, an environmental review to provide rulemaking procedures for proposed amendments to the Environmental Policy Act, and a proposal to conduct several Legislative Commission on Minnesota’s Resources (LCMR) studies.

Executive Director James Geibl, Board of Government Innovation and Cooperation, outlined his office’s functions and responsibilities. “The board has requested approximately $2 million for FY 98-99, but the vast majority is a pass-through appropriation to local governments,” he said. The board was created to help governments work better by eliminating wasteful duplication of effort and bureaucracy, Geibl said, by providing economic incentives and removing state-imposed barriers. The two staff members, headed, administer three grant programs, a program of procedural laws, and a program for assisting local governments that agree to voluntarily consolidate with neighboring governments as a means of improving their overall efficiency.

Sen. Martha Robertson (R-Minnetonka) said, “I am struggling with the question of why we give grants for good behavior.” These governments should be initiating programs on their own, Geibl said, that the grant programs are designed to initiate pilot projects that may or may not prove successful. “For a variety of reasons, local governments are not willing to assume the financial risk these projects pose,” hesaid, “but whether they succeed or fail, the initiatives will provide hard and fast data to other units of government.” Robertson said, “If they reap the rewards, they should also share the risk.” She suggested that governments reimburse the board if a project is successful. Geibl said the board had considered giving loans instead of grants but did not pursue the idea because the board did not want to encourage innovative approaches. The Robertson concept, however, is slightly different and had not been considered, he said.

Health and Family Security

Business community speaks

Representatives from the business community were able to provide their perspective on proposed welfare reform at the Thurs., Feb. 6, Health and Family Security Committee meeting.

Chair John Hottinger (DFL-Mankato) welcomed the first panel—Bill Blazer, senior vice president, Minnesota Chamber of Commerce; Duane Benson, executive director, Minnesota Business Partnership; and Judy Cook, president, Minnesota Retail Merchants Association—to the committee. According to Blazer, the Chamber represents 3,000 employers throughout the state who employ a half million workers. As for welfare reform, he said, “The principle thing the employer can do is provide the job.” In return, the business community expects the state to provide transitional assistance to help pay for child care, health care coverage, and transportation. He said the challenge for policymakers is to recognize the value of all jobs.

“We need workers,” said Benson, and the central welfare reform issue should be aiming to stabilize self-sufficiency through stable employment. Benson recommended that the state subsidize the employer in welfare reform to lower the cost of hiring welfare recipients than another job applicant. In addition, tax incentives that are intended to lower the cost of hiring welfare recipients create other problems when determining how to hire a welfare recipient, he said, because the job might disappear. Furthermore, Blazer said “I am concerned about additional investment in training bureaus.” “I would like more investment in job placement efforts and arranging the support services that recipients need to start a career,” he said. The training will occur as a person’s career develops, he added.

“We need workers,” said Benson, and the central welfare reform issue should be aiming to stabilize self-sufficiency through stable employment. Benson recommended that the state subsidize the employer in welfare reform to lower the cost of hiring welfare recipients than another job applicant. In addition, tax incentives that are intended to lower the cost of hiring welfare recipients create other problems when determining how to hire a welfare recipient, he said, because the job might disappear. Furthermore, Blazer said “I am concerned about additional investment in job placement efforts and arranging the support services that recipients need to start a career,” he said. The training will occur as a person’s career develops, he added.

Sen. Shalala Kispen (R-Rochester) said that with the advent of the welfare reform, there has to be a change in the business community’s role in actively working with welfare to-work programs. She asked, “What kind of leadership can we expect from business?” Blazer explained that the local chambers of commerce act as a bridge between employers and county services, and while job training is important, the chamber is primarily concentrating on getting people into work. Blazer also outlined several reform initiatives, Donaldson said, “The market will bring business to the job base. The businesses will get where the workers are.”

Welfare reform testimony heard

Members continued to hear presentations from individuals about the proposed welfare reform at the Fri., Feb. 7, Health and Family Security Committee meeting.

After listening to testimony from several immigrants, Chair John Hottinger (DFL-Mankato) said he empathized with their difficulties learning English and studying for the citizenship test. “I place myself in their position, trying to learn their language, and think I would have a difficult time,” he said.

Linden Gawboy, a member of the Welfare Rights Coalition, said that the proposed welfare reform constitutes corporate welfare by creating a disincentive for corporations to pay livable wages while providing an incentive to pay minimum wages. Furthermore, she said, the reform bills before the committee do not provide adequate education and training resources for recipients. Linda Bergin (DFL-Mpls.) countered, “In the bill I introduced, two years are allowed for education, the same level currently granted under the state’s STRIDE program. Weshould talk about how to save education and not assume that it has already been cut.”

“If I feel it is extraordinarily important to consider the circumstances of women and children trying to get out of abusive homes,” said Sheila Wellstone. She asked members to consider adopting the amendment to the final welfare reform package that will be sent to the legislature.

The amendment, she said, allows states to dot the “T's” and cross the “I's” for a history of family violence, provide referrals to counseling and advocacy services, and allow good cause waivers for certain program requirements. The proposed waiver from the Temporary Assistance for Needy Families (TANF) program will provide time for abused and children “to get extramutemore to recover from the violence,” she said. Wellstone said...
physical and emotional abuse is a great impediment for women seeking financial self-sufficiency from abusive relationships, and that spouses will go to great lengths to prevent the women from finding work and independence. According to Wellstone, ten states have specifically adopted the amendment to their reform legislation, and sixteen other states are considering similar proposals for victims of domestic violence. "We must commit ourselves to the safety of every woman and child in Minnesota, and the Family Violence Amendment is critical for this effort," she said.

Welfare reform discussion continues

The Health and Family Security Committee continued its extensive survey of the welfare reform debate Tues., Feb. 11, by listening to public testimony from several service and employment agencies.

The challenge in the coming months as we move toward welfare reform is to ensure that our state's welfare recipients are trained in job retention skills -- punctuality, organization skills, willingness to take orders, and conflict resolution skills. In response to the demand, the state is developing a soft skill curriculum for its clients to teach basic job retention skills.

Sen. Martha Robertson (R-Minnetonka) and Sen. Sheila Kiscaden (R-Rochester) were concerned about the funding mechanisms for the department. Both were interested in whether the department receives funding based on the success of clients in locating and retaining employment. Turner said the department is not outcome-based, but is instead paid for services provided. "If it sounds like you're inventing the wheel, the state has a lot of private employment agencies providing many of these programs," Robertson said.

Robertson said she is concerned that the department is adding another layer to the bureaucracy. Turner said the department is not adding layers, but is instead collaborating with the private employment providers, and, in fact, the office is smaller this year than last.

Betsy McMillan, director of the Welfare to Work Program, also testified. She pointed out that the state's investment in job retention services is more valuable, and therefore more attractive, for employers than specific job skills training.

According to Turner, soft skills primarily consist of job retention skills -- punctuality, organization, skills, willingness to take orders, and conflict resolution skills. In response to the demand, the department is developing a soft skill curriculum for its clients to teach basic job retention skills.

Kaylynn Dolphin, director of the Welfare Reform Information Program and the Minnesota Foundation for the Study of Employment Services, said that the majority of temporary-agency providers are not skilled in job training. "The unions will be an important tool for changing the workforce demographics, especially in the public sector where increased diversity will prove to be an asset," she said.

Chair John Hottinger (DFL-Mankato) announced that another meeting will be scheduled for Tuesday, Feb. 18, to finish testimony from people who were listed on the day's agenda but were unable to speak due to time constraints.

Health and Family Security Budget Division

Health related boards overview

Budgetary overviews were provided by the state's health related boards at the Wed., Feb. 12, Health and Family Security Budget Division meeting. Representatives from the boards outlined their responsibilities and legislative initiatives for the coming legislative session.

Chair Don Samuelson (DFL-Brainerd) expressed concern about the high legal costs charged by the Attorney General's Office. "Our biggest challenge is that legal fees have increased approximately 25 percent for the Attorney General's Office since the governor's administration began; therefore, the state would not see the same positive welfare-to-work results as in the pilot project because of this reduction on the enforcement of funding mandates," he said.

Kathy Dolphin, president of Dolphin Staffing, and Neil Clark, president of the Minnesota Technical Services Association, testified on the activities of the temporary and technical employment agencies. Dolphin said that the majority of temporary-agency providers are not skilled in job training, offer competitive wages, and 90 percent of the agencies offer health benefits.

Finally, a panel representing the state's labor unions -- Steve Hunter, AFSCME; Tom Beier, AFSCME; and Christine Matuzek-Rivas, AFL-CIO -- presented their organizations' input into the welfare reform discussion. "Existing private and public workers must not be displaced by welfare reform mandates," Hunter said, "we provide a list of AFSCME reform principles.

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Higher Education Budget Division

HESO initiatives reviewed

The Higher Education Budget Division, chaired by Sen. LeRoy Stumpf (DFL-Thief River Falls) Tues., Feb. 11, reviewed initiatives offered by the Minnesota Higher Education Services Office (MHESO) in response to the governor's budget. The organization, which promotes access to post-secondary education in Minnesota, was represented by Cecile Smith, co-chair, and Robert Poehl, director.

Poehl outlined some general concerns about financing post-secondary education. "Our biggest challenge is that significant price increases are outstripping the ability to pay for families and for students. Tuition and fees increase over the last decade exceeded price increases in both the consumer price index and Minnesota per capita income. The gap in families' ability to pay is growing between the highest and lowest income families. And undergraduate students and families are increasingly forced to borrow for post-secondary education."

Poehl presented the MHESO plan to strengthen and expand access to higher education. "The goal is to help students from all economic backgrounds invest in and obtain a post-secondary education that best meets their needs," he said. The MHESO program differs from the governor's budget statement program request on two principal items -- assigned student responsibility, currently 50 percent of tuition and fees, and the living and miscellaneous expense allowance, currently at $4200 per term. "Our program would reduce the assigned student responsibility to 48 percent in 1998, and 45 percent in 1999. And it would increase the living and miscellaneous expense allowance to $4500 in 1998 and $4800 in 1999," he said. "This differs from the governor's budget by about $38 million."

Education Bill presented

S.F. 373, a bill on educational investment that includes the governor's EdVest proposal, was presented to the Higher Education Budget Division Weds., Feb. 12, by bill sponsor Sen. Thomas Neuvile (R-Northfield). The committee, chaired by Sen. LeRoy Stumpf (DFL-Thief River Falls), also continued the budget presentation begun Tues., Feb. 11, by the Minnesota Higher Education Services Office (MHESO).

"S.F. 373 establishes an education investment fund that provides grants to low-income students who withdraw funds from a qualified savings plan to pay for higher education. The fund would consist of the budget book contained faulty statistical information.

"We must commit ourselves to the safety of every woman and child in Minnesota, and the Family Violence Amendment is critical for this effort," she said.

Welfare reform discussion continues

The Health and Family Security Committee continued its extensive survey of the welfare reform debate Tues., Feb. 11, by listening to public testimony from several service and employment agencies.

The challenge in the coming months as we move toward welfare reform is to ensure that our state's welfare recipients are trained in job retention skills -- punctuality, organization, skills, willingness to take orders, and conflict resolution skills. In response to the demand, the state is developing a soft skill curriculum for its clients to teach basic job retention skills.

Sen. Martha Robertson (R-Minnetonka) and Sen. Sheila Kiscaden (R-Rochester) were concerned about the funding mechanisms for the department. Both were interested in whether the department receives funding based on the success of clients in locating and retaining employment. Turner said the department is not outcome-based, but is instead paid for services provided. "It sounds like you're inventing the wheel. The state already has lots of private employment agencies providing many of these programs," Robertson said.

Robertson said she is concerned that the department is adding another layer to the bureaucracy. Turner said the department is not adding layers but is instead collaborating with the private employment providers, and, in fact, the office is smaller this year than last.

Betsy McMillan, director of the Welfare to Work Program and the Employment Action Center, contributed a perspective from a non-profit training provider. According to McMillan, the governor's welfare reform proposal inadequately funds training services for the Minnesota Family Investment Program (MFIP), especially when compared to the MFIP pilot project. "There is a 40 to 50 percent reduction in funds for training services in the governor's plan as compared to the pilot project," she said. And McMillan predicted that the state would not see the same positive welfare-to-work results as in the pilot project because of this reduction on the enforcement of funding mandates.

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"S.F. 373 establishes an education investment fund that provides grants to low-income students who withdraw funds from a qualified savings plan to pay for higher education. The fund would consist of
of money contributed by individuals, private corporations, foundations, and income from investments in the fund. "Under this bill, students and their families who qualify for post-secondary education will be eligible for matching grants. Priority would be given to people who have been homeless," said Neville. "The bill also provides for the establishment of education trust savings accounts. Contributions up to $2000 per year would be exempt from state income tax," he said. These accounts, referred to as "EDevelop Savings Accounts in the governor's budget, would have to be held in trust for at least five years, and the funds would have to be spent on post-secondary education. After further research and language modifications, Neville said he would present the bill again for committee consideration at a later date.

Robert Poch, director of MHESO, continued his presentation outlining the office's initiatives for the next biennium. In addition to increases in the Minnesota State Work Study Program, the Minnesota AFDC Child Care Grant Program, summer scholarships for academic enrichment, and interstatautuation reciprocity, MHESO is seeking $105,000 to expand the "GetReady" Program. Shelly Ryan, program coordinator, said, "GetReady is targeted at children in the fourth through sixth grade, and their families, and provides them access to information about academic and financial preparation for college."

Jobs, Energy, and Community Development

Billsgain, jobtrainingdiscussed

The Jobs, Energy, and Community Development Committee, chaired by Sen. Steven Novak (DFL-New Brighton), advanced two bills, S.F. 264 and S.F. 148, Fri., Feb. 7. The bill would set aside for job training, Huskins said, that has a definition that can be more clearly defined. He said that the term "temporary services," as it applies to patients under the care of a federal agency, needed definition. Betzold (DFL-Fridley), added a definition that would allow the commissioner of human services to make it an unfair and discriminatory act for a person to intentionally engage in a reprisal. The current law applies the prohibition only to public and private sector entities, and does not include reference to a "person." However, Knutson (R-Burnsville) authored a bill amending the reprise prohibition in the human rights act to make it an unfair and discriminatory act for "any person" to intentionally engage in a reprisal. The current law applies the prohibition only to public and private sector entities, and does not include reference to a "person." He said that, with a definition that can be more effectively applied, the committee approved the amended bill and recommended its placement on the Consent Calendar.

Judiciary

Threebillsadvance

The Judiciary Committee, chaired by Sen. Jane Ranum (DFL-Mpls.), heard two bills, Fri., Feb. 7, relating to civil commitment. S.F. 57 sponsored by Sen. Don Betzold (DFL-Fridley), clarifies and reorganizes portions of the Civil Commitment Act. Among the changes are modifications concerning the administration of neuroleptic medications, the prohibition of charges against the county of financial responsibility incurred when a patient has been committed by a county other than the patient's county of residence, and provision for reimbursement to counties for the commitment costs of non-residents of the federal government. Bonnie Lee, Department of Human Services, raised a number of questions regarding the bill's language. For example, she said that the term "temporary services," as it applies to patients under the care of a federal agency, needed definition.

Betzold said that often counties must bear the cost of a non-resident's commitment, so he felt that the bill needs to be revised. Betzold recommended that the bill be laid over until revised language could be provided.

S.F. 93, also sponsored by Betzold, and relating to civil commitment, was amended and recommended to pass to the Health Care and Family Security Committee. The bill incorporates Dept. of Human Services recommendations regarding commitment proceedings and state liens for public assistance, medical assistance, and claims against an estate.

Amendments offered by Betzold and adopted by the panel changed the notice requirements to creditors and to the commissioner of human services in cases where the decedent or a predeceased spouse received public assistance. The amendment also provides for the correction of errors and for the addition of new information to decedent's claim notices after they have been served.

In addition, the committee also approved a Betzold motion to delete proposed language that would allow the commissioner authority to transfer committed persons between the Minnesota Psychiatric Treatment Center and the Minnesota State Hospital without a special review board hearing, and that would have authorized the head of the treatment facility to discharge patients from the secure portion of the Minnesota Extended Treatment Options program.

Sen. Sheila Kiscaden (R-Rochester) offered S.F. 242, a bill that, in cases where parties in human rights disputes are involved in mediation or alternative dispute resolution, would suspend the 12 month time limit that requires the commissioner of human rights to make a finding of probable cause. The committee recommended the bill to the Consent Calendar.

Sen. David Knutson (R-Burnsville) authored a bill amending the reprise prohibition in the human rights act to make it an unfair and discriminatory act for "any person" to intentionally engage in a reprisal. The current law applies the prohibition only to public and private sector entities, and does not include reference to a "person." However, Knutson further amended his bill to delete "person" and substitute "individual," a term, he said, that has a definition that can be more effectively applied. The committee approved the amended bill and recommended its placement on the Consent Calendar.

UCC, corporatebillsheard


S.F. 299, sponsored by Sen. Steve Kelley (DFL-Hopkins), revises Article 5 of the Uniform Commercial Code (UCC). The UCC revision, updated for the first time since 1950, so that it conforms with current day technologies, such as the use of electronic and computer technology, was introduced by Sen. Don Betzold. The bill incorporates Dept. of Human Services recommendations regarding commitment proceedings and state liens for public assistance, medical assistance, and claims against an estate.

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Committee Update

will lessen litigation, clarify disputed matters and promote international trade.

S.F. 299 was approved and referred to the Commerce Committee.

Sen. David K.nutson (R-Burnsville) sponsored S.F. 315, a bill making technical changes to business corporations and limited liability companies.

According to Robert Ranum, Minnesota State Bar Association, the bill excludes from the "control share acquisition statute" those corporations with less than 100 shareholders; allows conformity to the 1995 UCC amendments; and authorizes non-publication of amendments, subject to publication under Minnesota law, telecommunications authorizations, even without an authorizing signature.

"Katherine Engler, Office of the Secretary of State, clarified aspects of the bill that allow domestic and foreign corporation mergers through the exchange of corporate stock shares, or from mergers provided by through the membership interest of domestic and foreign limited liability company. Engler also explained a revised definition of the term "signed" as being a signature on a document, including those affixed by stamp, ink or engraving, and including those transmitted electronically. S.F. 315 was approved and sent to the Senate.

Sen. David T. Eyck (DFL-East Gull Lake) sponsored S.F. 407 validating certain real estate conveyances by religious corporations, requiring published notice of disposition of certain real property in a maritied dissolution action, regulating property held in revocable trusts upon the dissolution of marriage and regulating specific devises and distributions of property under the Uniform Probate Code. The committee approved the measure and sent the bill to the Senate.

Civil commitment bill okayed

Two bills dealing with civil commitment were the focus of debate at the Weds., Feb. 12, meeting of the Government Committee. S.F. 53, authored by Sen. Don Betzold (DFL-Fridley), incorporates numerous recommendations of the Supreme Court Advisory Task Force on the Civil Commitment System. The bill makes a number of changes in the laws dealing with the commitment of persons with mental illness. Key provisions of the bill include providing for court-ordered daily intervention treatment, allowing a designated agency to consent to voluntary treatment on behalf of a person who voluntarily agrees to accept the treatment but is not capable of informed consent, modifying standards and procedures for the administration of neuroleptic medications and strengthening the provisional discharge process.

Betzold offered a series of amendments to the bill, most of which were related to technical changes and generated little debate. One amendment, however, touched off a wider-ranging discussion over the philosophy behind the bill. The amendment, offered by Betzold, sets forth standards for making decisions regarding the administration of neuroleptic medications. The amendment specifies that if an individual, when competent, has clearly stated a preference in regard to the administration of medications, the court must take those wishes into consideration. An amendment to the amendment, offered by Sen. David K. nutson (R-Burnsville), requires the court to follow the individual's preferences in regard to medications. Betzold opposed the amendment and said that there are times when a person's preferences are not in the person's best interests. Knutson and Sen. Allan Spear (DFL-Mpls.), countered that the amendment puts in place a standard that is similar to living wills or other advanced medical directives that specify limitations on treatment in other illnesses with the caveat that following the person's wishes will not violate ethical standards. Bill Conley, speaking for the Mental Health Association, also spoke for the Knutson amendment. He said that clients are making a tremendous leap of faith in making any sort of advanced directive and that to be faced with the possibility their wishes will be disregarded would further erode their trust in the mental health system.

The Knutson amendment to the amendment was adopted, the Betzold amendment was rejected and referred to the Subcommittee on Data Privacy and Information Policy. Members also approved, and sent to the Subcommittee on Data Privacy and Information Policy, a second bill, S.F. 57, dealing with civil commitment. The measure, also sponsored by Betzold, makes numerous technical changes in the commitment act and recodifies the act to make it easier to use.

Property Tax and Local Government/Local Government/Budget Division

Taxexemptfinancingreport.

Susan Van Mosch, Office of the Legislative Auditor, told the Property Tax and Local Government/Budget Division committee, Mon., Feb. 10, that $203.3 million in tax increment financing had been captured by large, medium and small Minnesota cities in 1995. Citing from a tax increment financing study conducted by the Office of the Legislative Auditor, Van Mosch told the committee, chaired by Sen. Sandra Pappas (DFL-St. Paul) that while tax increment financing enables a city to capture property taxes generated by a development, and to use those taxes to finance the development's costs, it is the state that compensates school districts and other tax entities for those diverted TIF revenues. Van Mosch said that TIF financing falls into several categories, among them are development, housing, renovation and economic development. The 1979 TIF law, Van Mosch said, allowed tax districts to spend TIF increments anywhere within the project district. In 1982, amendments to the TIF Act allowed cities to "pool" or to spend collected tax increments anywhere within and outside the development district, she said. Changes in the 1990 TIF Act ended pooling, she said, requiring that tax increments be used for activities limited to five years following the creation of the TIF district, and to reimburse cost of hospitalization during the five-year period. Van Mosch said that growth of TIF activity slowed to 0.7 percent per year during the 1990s compared with a 24 percent average annual increase between 1984 and 1989. She said that active TIF districts created before the 1997 TIF Act was adopted and captured more than 1995 TIF capacity than those districts created after 1979. Perceived misuse of TIF caused the Legislature to require a 25 percent equalization between 1988 and 1990, Van Mosch said. Perceptions that those restrictions are too strict or too permissive prompted the study of TIF use in 34 cities and 3 counties, she said.

Van Mosch said that the study suggested the need to monitor compliance with the pooling and spending restrictions for maturing post-1990 districts, and to possibly require that revenues from pre-1990 TIF districts be used to retire outstanding debt.

Elizabeth Blakely, Minnesota Association of Small Cities, pointed out that TIF offers small cities services and economic development that they would otherwise not have. A small town could use TIF to create jobs, increase its tax base, and help meet critical housing needs, she said. She said that it is important to preserve small cities as the primary economic development tool. She said that only 8.3 percent of all captured TIF value is tax-exempt.

Transportation

Railroads and waterways reviewed

Although the state has only one-half the railroad track that it had in 1920, Minne-
emergencies offer shippers growth opportunities in new geographic areas.

Richard J. Lambert, Office of Freight, Railroads and Waterways, said that barges moved nearly 1.5 million tons of grain, fertilizer, coal, salt, concrete and other commodities between 41 terminals on the Mississippi, Minnesota and St. Croix Rivers in 1995. Grain led other commodities in outbound barge cargo tonnage, he said, followed by fertilizer, scrap steel and alumina. He said that a 20 cent per gallon federal fuel user tax charged to towboat operators helped pay for lock and dam maintenance, dredging and other river services provided by the Army Corps of Engineers and the Coast Guard.

Environmental and Government Affairs Director, Ray Skelton, Duluth Seaway Port Authority, said that the port of Duluth-Superior ranks among the largest tonnage shipping harbors in the United States. He said that total maritime commerce through the Duluth-Superior port exceeded 57 million metric tons for 1996. He pointed out that this tonnage quantity is remarkably high for a port that is not open year-round.

Skelton said that Duluth-Superior shipping is critical to steel mills in Illinois, Indiana, Michigan, Ohio and Pennsylvania, a fact that depends on the 20 million tons of iron ore shipped from the port annually. In addition, he said, lower Great Lakes power plants depend on the port for 12 million tons of coal, and that the port is used for 4 million tons of grain shipments annually.

Emergency snow removal okayed
A bill providing $20 million from the general fund for state-wide financial relief for cities and towns burdened by heavy snowfall was approved Tuesday, Feb. 11, at a meeting of the Transportation Committee chaired by Sen. Carol Flynn (DFL-Mpls.).

Under S.F. 114, a bill sponsored by Sen. Jim Vickersman (DFL-Tracy), $14.5 million would be used to reimburse townships, cities and counties for excessive snow removal costs they incurred in calendar year 1996; $3.5 million will be used as a state match for federal dollars received in conjunction with the presidential disaster declaration for the period between Jan. 1 and Feb. 10, 1997; and $2.0 million will be held in reserve for 1997 spring flooding and related emergencies that affect public safety.

The bill specifies that the funds are to be distributed to counties, cities and towns under a formula requiring each local government to compare its snowplowing expenditures for 1993, 1994 and 1995 against its 1996 expenditures.

Sen. Dean J. Johnson (R-Willmar) offered an amendment to the bill clarifying the language for reimbursement of 1996 snow plowing expenditures and matching federal disaster assistance. His amendment also provides for the Division of Emergency Management to review local government requests to determine the appropriate amount of each reimbursement of federal match, and to distribute funding accordingly.

In addition, the amendment clarifies approval criteria for flooding-related emergencies that affect public safety.

Sen. J. anet J. Johnson (DFL-North Branch) offered a second amendment that expands the bill to include an additional $16 million appropriation for the trunk highway fund to the Department of Transportation for snow and ice control and for spring maintenance. His amendment also includes a $95,000 appropriation from the trunk highway fund to the Department of Public Safety to offset extraordinary State Patrol overtime expenditures because of the weather.

The committee adopted the amendment, approved the bill and re-referred it to the Crime Prevention Committee.

In other committee activity, Administrative Manager Robert Bennet, Minnesota Regional Railroads Assn., told committee members that regional railroads are smaller, locally managed, rail companies that typically run freight, at modest expenses. Regional railroads are growing, he said, because they are more personalized, competitive and efficient than larger class railroad companies. Bennet said that regional railways reduce costs for shippers, manufacturers, and agricultural operations; reduce pollution through the elimination of truck traffic, and contributed directly to the state's economy through local purchases and employment.

Sen. Karen Langseth (DFL-Tracy), chair of the Senate Transportation Budget Committee, approved the bill and referred it to the full Transportation Committee.

The Senate on the World Wide Web
Now there is a new way to get information about the Minnesota Legislature. In a joint effort with the Legislative Reference Library, the Office of the Revisor of Statutes, the Senate and the House of Representatives, the Legislative Reference Library, the Office of the Revisor of Statutes, the Senate and the House of Representatives have established the World Wide Web site and information is available on-line.

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 site, simply point your browser to:

http://www.leg.state.mn.us

The Legislature's World Wide Web site is a dynamic entity and more information items are being added. The Web site makes an incredible amount of information instantly available to anyone who has computer on-line capabilities.
Monday, February 17

The Senate will meet at 11 a.m.

Environment and Natural Resources Committee
Chair: Sen. Bob Lesard
12 noon Room 107 Capitol
Agenda: S.F. 436-Morse; Environmental Learning Centers; and S.F. 94-Moe, R.D.; Statelands, sale of trust lands and transfers.

Judiciary Committee
Chair: Sen. Jane Ranum
12 noon Room 15 Capitol
Agenda: S.F. 344-Junge: Clarifying delay discovery rule; governing the statute of limitations; for damages due to sexual abuse; S.F. 368-Junge: Providing immunity from limitations for damages due to sexual abuse; discovery rule governing the statute of limitations.

Crime Prevention Committee
Chair: Sen. Allan Spear
2 p.m. Room 15 Capitol
Agenda: S.F. 218-Kelly: Criminal gang strike force.

Local and Metropolitan Government Committee
Chair: Sen. Jim Wickerman
2 p.m. Room 107 Capitol

The Senate will meet in joint session with the House to hear an address by U.S. Senator Paul Wellstone in the House Chamber at 4 p.m.

Tuesday, February 18

Environment and Agriculture Budget Division
Chair: Sen. Steven Morse
8 a.m. Room 123 Capitol

Family and Early Childhood Education Budget Division
Chair: Sen. Pat Piper
8 a.m. Room 15 Capitol

Higher Education Budget Division
Chair: Sen. LeRoy Stumpf
8 a.m. Room 107 Capitol
Agenda: HESO, completion of budget presentation, S.F. 400-Murphy; Establishing center at U of M for research on grapes and wine; S.F. 486-Morse; Proposed amendment to Minnesota constitution; dedicating lottery proceeds to MnSCU.

Rules and Administration Subcommittee on Senate Information Systems
Chair: Sen. Leonard Price
8:30 a.m. Room 125 Capitol
Agenda: Review action plan. Discussion of Internet service specialist position. Review the draft of the 1997-99 information systems strategic plan. Discussion of laptop use in the Senate and Chamber automation study.

Health and Family Security Committee
Chair: Sen. John Hottinger
10 a.m. Room 15 Capitol

Jobs, Energy and Community Development Committee
Chair: Sen. Steven Novak
10 a.m. Room 123 Capitol
Agenda: S.F. 200-Scheid: Brooklyn Park economic development certification; S.F. 331-Anderson: Creating statewide citizenship program.

Governmental Operations Budget Division
Chair: Sen. LeRoy Stumpf
12 noon Room 15 Capitol

Governmental Operations Budget Division
Chair: Sen. Lawrence Pogemiller
12 noon Room 112 Capitol
Agenda: Review action plan. Discussion of Internet service specialist position. Review the draft of the 1997-99 information systems strategic plan. Discussion of laptop use in the Senate and Chamber automation study.

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Chair: Sen. Steven Novak
10 a.m. Room 15 Capitol
Agenda: S.F. 200-Scheid: Brooklyn Park economic development certification; S.F. 331-Anderson: Creating statewide citizenship program.

Governmental Operations Budget Division
Chair: Sen. Lawrence Pogemiller
7 p.m. 200 State Office Building

Economic Development Budget Division
Chair: Sen. Tracy Bederman
4 p.m. Room 100 Capitol
Agenda: Economic Development Budget Division review of Minnesota Housing Finance Agency budget and governor's recommendations.

Children, Families and Learning Committee
Chair: Sen. Pat Piper
7 p.m. 200 State Office Building
Agenda: Joint meeting with House Education Committee, Regents selection.

Wednesday, February 19

Family and Early Childhood Education Budget Division
Chair: Sen. Pat Piper
8 a.m. Room 15 Capitol
Agenda: Head Start budget activity overview, Dept. of Children, Families & Learning; New developments in brain research and early development, Dr. Mary McEvoy, Center for Early Education and Development, U of M.

Higher Education Budget Division
Chair: Sen. LeRoy Stumpf
8 a.m. Room 107 Capitol
Agenda: U of M budget presentation.

12 Education Budget Division
Chair: Sen. Lawrence Pogemiller
8 a.m. Room 112 Capitol
Agenda: Testing and socio-economic issues related to education.
Joint Governmental Operations and Veterans Committee and Governmental Operations Budget Division
Chair: Sen. James M. Osten and Sen. Leonard Price
10 a.m. Room 15 Capitol
{Agenda} Continuation of the statewide systems project overview. Dept. of Administration, Elaine Hansen, commissioner; Dept. of Employee Relations, Karen Carpenter, acting commissioner; Dept. of Finance, Wayne Simoneau, commissioner.

Transportation Budget Division
Chair: Sen. John Kain
10 a.m. Room 112 Capitol
{Agenda} To be announced.

Environment and Natural Resources Committee
Chair: Sen. Bob Lentsard
12 noon Room 107 Capitol
{Agenda} S.F. 128: Stevens: Prohibiting hunting, trapping and dangerous harassment; S.F. 137: Morse: Modifying provisions of youth corps advisory committee.

Judiciary Subcommittee on Family Law
Chair: Sen. Leo Dey
12 noon Room 15 Capitol
{Agenda} S.F. 500: Dey: Adopting changes to the uniform interstate family support act; S.F. 203: Bergin: Putative father registry.

Crime Prevention and Judiciary Budget Division
Chair: Sen. Randy Kelly
2 p.m. Room 15 Capitol
{Agenda} To be announced. Please note date change.

Governmental Operations Budget Division
Chair: Sen. Leonard Price
2 p.m. Room 318 Capitol
{Agenda} Budget presentation for the Dept. of Revenue.

Local and Metropolitan Government Committee
Chair: Sen. Jim Wilderman
2 p.m. Room 107 Capitol

Economic Development Budget Division
Chair: Sen. Tracy Bederman
4 p.m.
{Agenda} Behind-the-scenes tour of the History Center for division and full policy members and staff.

Education Finance Committee
Chair: Sen. Keith Langseth
4 p.m. Room 123 Capitol
{Agenda} Higher education and technology.

Environment and Agriculture Budget Division
Chair: Sen. Steven Morse
4 p.m. Room 107 Capitol
{Agenda} Interagency initiatives: community assistance and education, DNR, PCA, BOWSR; ISTS-PCA and BOWSR; agricultural feedlots, PCA & Dept. of Agriculture, lakes, BOWSR and PCA.

Health and Family Security Budget Division
Chair: Sen. Don Samuelson
4 p.m. Room 112 Capitol
{Agenda} Continuation of budget overview.

Thursday, February 20

The Senate will meet at 9 a.m.

Health and Family Security Committee
Chair: Sen. John Hattinger
10 a.m. Room 15 Capitol
{Agenda} S.F. 101: Bergin: Dept. of Human Services technical bill; S.F. 198: Dey: Dept. of Health, school immunization and health records; S.F. 199: Dey: Dept. of Health mortuary science bill; S.F. 352: Piper: Relating to health occupations, permitting physician assistant to render emergency care without physician supervision.

Jobs, Energy, and Community Development Committee
Chair: Sen. Steven Novak
10 a.m. Room 123 Capitol
{Agenda} To be announced.

Governmental Operations Budget Division
Chair: Sen. Leonard Price
12 noon Room 15 Capitol
{Agenda} Budget presentation for the Office of the Attorney General.

Transportation Committee
Chair: Sen. Card Flynn
12 noon Room 112 Capitol
{Agenda} Metro regular route transit discussion.

Agriculture and Rural Development Committee
Chair: Sen. Dallas Sams
2 p.m. Room 107 Capitol
{Agenda} S.F. 347: Lourey: Setting expiration for foodhandler certification; overview, Central Lakes Agricultural Center, University of Minnesota.

Commerce Committee
Chair: Sen. Sam Sadow
2 p.m. Room 112 Capitol

Human Resources Finance Committee
Chair: Sen. Linda Bergin
4 p.m. Room 112 Capitol
{Agenda} S.F. 179: Kelly: Rush City correctional facility; S.F. 85: Kelly: State claims bill; and Dept. of Human Services budget overview.

State Government Finance Committee
Chair: Sen. Richard Cohen
4 p.m. Room 107 Capitol

Friday, February 21

Family and Early Childhood Education Budget Division
Chair: Sen. Pat Piper
8 a.m. Room 15 Capitol
{Agenda} Community education, hearing-impaired adults, adults with disabilities, extended day; budget activity overview, Dept. of Children, Families and Learning.

K-12 Education Budget Division
Chair: Sen. Lawrence Pogemiller
8 a.m. Room 112
{Agenda} Testing and socio-economic issues related to education.

Health and Family Security Committee
Chair: Sen. John Hattinger
10 a.m. Room 15 Capitol
{Agenda} S.F. 430: Bergin: Establishing a birth defects information system; S.F. 553: Samuelson: Relating to health, exempting certain advisory councils and committees from expiration.

Environment and Agriculture Budget Division
Chair: Sen. Steven Morse
12 noon Room 107 Capitol
{Agenda} PCA budget overview.

Joint Senate-Crime Prevention and House Judiciary Committee
2 p.m. Room 5 State Office Building
{Agenda} Joint juvenile violence presentation by David M. Kennedy, Kennedy School of Government, Harvard University, and director of the Boston Gun Project.
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Party Phone Name Room District
Double bunking bill passed

The Senate granted final passage to three bills, and preliminary passage to four other bills during a floor session, Mon., Feb. 17.

Two of the bills granted final passage, S.F. 73 sponsored by Sen. John Marty (DFL-Roseville) and S.F. 67 sponsored by Sen. Randy Kelly (DFL-St. Paul), appeared on the Calendar. The third established a change of address system for registered voters and passed 53-9. On a 60-0 vote, the Senate passed the other bill, which allows double bunking in state prisons that are at certain security levels.

Sen. Sheila Kiscaden (R-Rochester) said that her bill on the Consent Calendar, S.F. 242, would suspend a two-year time limit for investigating human rights violations if the participants in the case voluntarily agree to enter into mediation or an alternative dispute resolution process. The bill passed 62-0.

The Senate spent the balance of the session in the Committee of the Whole processing bills on General Orders. The most discussion was generated by S.F. 296, authored by Sen. Dennis Frederickson (R-New Ulm). The bill changes the length of the term of the office of Soil and Water Conservation District Supervisor from six years to four. Frederickson said that it was hoped that the shorter term would encourage more candidates to run for the office because of the shorter commitment. Sen. Jane Krentz (DFL-May Township) asked if the bill would affect the term length of anyone currently holding the office. She said that if a candidate is believing they were running for a six-year term, it didn’t seem fair for the term to be shortened by the legislation. After consulting with Senate counsel, Frederickson said that such offices are a public trust and are not for the benefit of the office holder. He added that the legislation does have the authority to shorten term lengths and has been done in the past.

Other bills taken up on General Orders included S.F. 315, authored by Sen. David Knutson (R-Burnsville), making technical changes to corporate and limited liability law; S.F. 323, also sponsored by Knutson, prohibiting individual reprimands under the human rights statutes; and S.F. 202, authored by Sen. David Ten Eyck (DFL-East Gull Lake), making minor changes in property law. All four bills were recommended to pass.

Wellstone addresses members

U.S. Senator Paul Wellstone addressed a joint session of the Minnesota State Legislature Mon., Feb. 17. The theme of his remarks was education. He said, “Four basic points should guide us as we look at our education system—the federal government must do better in its commitment to public education; Minnesota must adequately fund public education in a fair and equitable manner, basic standards should be established as blueprints for action and reform, and all education is a value education.” He proposed a Minnesota campaign to “engage the community in the learning process.” Wellstone closed and said, “Few things that we do as legislators are as important as guiding our children through school and providing resources necessary to allow our students the opportunity to learn.”

Bills processed

The Thurs., Feb. 20, floor session was devoted to the nuts and bolts routine of the legislative session. Bills were introduced, referred or re-referred to the appropriate committees and considered for preliminary and final passage. None of the measures generated a great deal of controversy but all are part of the day to day business of the legislature. The session was short in length and conducted with businesslike dispatch.

All four of the bills that had received preliminary passage at the Mon., Feb. 17, floor session were granted final passage. In addition, Senators gave final passage to one measure on the Consent Calendar. H.F. 121, authored by Sen. Linda Higgins (DFL-Mpls.), adds the Harrison Neighborhood to the Sumner-Glenwood Neighborhood for purposes of eligibility for certain enrichment grants.

Members also gave preliminary passage to two bills on General Orders, S.F. 38, sponsored by Sen. Dallas Sims (DFL-Staples), modifies provisions relating to record keeping by persons regulated by the Board of Medical Practice. S.F. 95, carried by Sen. Becky Lourey (DFL-Kerrick), is a Dept. of Health housekeeping bill that makes numerous noncontroversial technical changes in the laws dealing with health related subjects.
Agriculture and Rural Development

Processing fees bill advances
A bill changing certain wholesale food processor or manufacturer fees, was presented to the Agriculture and Rural Development Committee, Thurs., Feb. 13. The committee, chaired by Sen. Dallas Samson (DFL-St. Paul), also heard a presentation on the Center for Transportation Studies.

Stumpf (DFL-Thief River Falls), appropriated $1,624 million funding scab research. Stumpf said, "Very few people realize the economic impact of wheat and barley scab to farmers and producers, some of whom have been driven out of business." $1.2 billion had been lost since 1993. "Representatives from wheat and barley grower associations testified in support of the bill. The bill was approved and advanced to the Children, Families and Learning Committee.

...Ethanol report continued...
law enforcement at a cost of $2.5 million for the current biennium. She pointed out that card-swiping capability, as well as lcasen fingerprinting, will be necessary when mandated expanded documentation of juvenile and targeted misdemeanor records starts this year. At this point, she noted the group, too, theaxes terminals are needed to access all the networks. Representatives from the Public Defender's Office testified that they are in dire need of automated links to BCA and the rest of the criminal justice system.

**Emergency snow removal approved**

The Crime Prevention and Judiciary Budget Division had a full plate at its Weds., Feb. 19, meeting. The day's agenda included a lecture from an expert on violence prevention, a presentation on the emergency snow removal bill, and overviews for several budget requests. Sen. Jim Vickers (DFL-Tracy) presented S.F. 114, the emergency snow removal bill. Under the bill, $20 million is appropriated for these activities. He explained that in the bill, $13 million is available for immediate statewide dispersal to cover costs already accrued during the 1996 snow removal season, including funds for overtime costs incurred by the state patrol. In addition, $5 million is designated for the 49 counties targeted for disaster relief. Additional counties have been added to the original list.

Finally, S.F. 286, the bill, will only be made available as a statement to federal disaster relief in the event of severe flooding this spring.

Sen. Tracy Beckman (DFL-Brocky) offered an amendment that specified that unexpended emergency relief funds to be returned to the general fund. The Beckman amendment prevailed. The bill was approved and referred to the full Crime Prevention Commission.

Dale Good, an employee of the Minnesota Supreme Court, provided an overview of the judicial branch technology budget request. The Supreme Court, responsible for the administration of the state's court system, is requesting $1.7 million for computer hardware and software improvements, hesaid. "Access to information will allow the courts to make a decision efficiently. This example, a defendant's record will be provided to the prosecutor, and the court can make a decision without having to ask the prosecutor for more information," he explained.

Judge Dorothy McLung reviewed the responsibilities of the Minnesota Tax Court. The court is requesting $350,000 to replace the court's entire computer system.

**Crime Prevention**

**Gangstrikeforcebill**

"The need for a coordinated statewide effort is clear and the time to strike is now," said Sen. Randy Kelly (DFL-St. Paul), as a prefacto S.F. 218, his bill calling for a coordinated law enforcement effort aimed at shutting down the powerful criminal activity of local and out-of-state gangs operating in Minnesota. Kelly pointed out to Chair Allan St. Paul (DFL-Mpls.) and the committee that between 1983-1992, juvenile crime increased by 100 percent. "Until recently, "he said, "there has been little coordination regarding gangs, the system in juvenile information has been inadequate."

The bill, said Kelly, calls for the formation of a "strikeforce," a criminal gang oversight council that will develop a statewide strategy to identify dangerous gang participants, identify criminal behavior, institute investigations, and prosecute offenses by criminal gangs. According to the bill, the strikeforce includes the commissioner of public safety, the superintendent of the BCA, the attorney general, the Hennepin, Ramsey, St. Louis and Olmstead county attorneys, the chief law enforcement officer for Minneapolis, St. Paul and Duluth, and the Hennepin, Ramsey, St. Louis and Olmstead county sheriffs. The bill also provides for grants to local law enforcement to expand their capacity to investigate gangs and collect data.

Sen. Paul Firestone (DFL-Mpls.) spoke of the work of the East Metro Task Force, formed in 1996 after the longtime steady growth in crack cocaine had attracted gang activity like Chicago's Vice Lords and Los Angeles' Rolling 60's Crips. He cited some successes but said, "As we in the metro get tougher, these people begin to reside just outside the Metro Area." Sen. Dave Leis (R-St. Cloud) expressed concern about Metro Area over-representation. Steve Barron of Olmstead County testified that Rochester has become a hotbed of much gang activity. In the past year, he said, crack seizures have quadrupled in the area.

When Kelly explained that those on the strike force will have state-wide jurisdiction, Sen. Linda Berglin (DFL-Bricelyn) expressed concern. Berglin said there was some concern about possible power abuse by law enforcement. She asked for assurance that criteria would be objective and that strike force actions would not violate the rights of individuals. Kelly said officers would be tracked by criminal activity and criteria, like criminal membership, association with gang members, including funds for overtime costs incurred during the 1996 snow removal season, dispersal to cover costs already accrued during the 1996 snow removal season, including funds for overtime costs incurred by the state patrol. In addition, $5 million is designated for the 49 counties targeted for disaster relief. Additional counties have been added to the original list.

**Economic Development**

**Budget Division**

**Housing agency budget reviewed**

The Economic Development Budget Division, chaired by Sen. Tracy Beckman (DFL-Brocky), reviewed the Minnesota Housing Finance Agency budget Tuesday, Feb. 18. Kit Harms (DFL-Mpls.), Director of the agency, presented the governor's recommendations to the division.

"The agency has four main objectives—to help low-income renters and homebuyers, to rehabilitate existing housing for prospective low-income buyers, to assist the homeless and to respond to others with special needs," said Hadley. "The governor's recommendations and the agency's plans address these concerns. We would like to consolidate the Transitional Housing Program into the Housing Trust Fund, streamlining the procedure that helps extremely low-income persons. Reallocation of the loan equity conversation counseling funds to the Foreclosure Prevention and Rental Assistance Program will make us more efficient. We'd also like to expand the rental assistance for family stabilization to permit higher subsidies for security deposits."

Harms summarized projected federal subsidies and funding to be provided to the agency through the next biennium. "The Lead Abatement Grant is being phased out. The
Committee update

HUD Rental Rehab Grant ended in 1990, but we're still using some funds from that program. Section 8 Housing Assistance Payments, Shelter Plus Care, Housing Opportunities for Persons with Aids, and HUD Foreclosure Prevention Programs will receive federal dollars through 1999," she said.

Education Finance

MnSCU and U budgets reviewed

According to University of Minnesota Vice President of Academic Affairs Marvin Marshak, technology to increase access and heighten quality will require $295 million in state funds over the next four years. Marshak told Chair Keith Langseth (DFL-Glyndon) and the Education Finance Committee Wed., Feb 19, that "the U of M exists in a very competitive environment, competing for the best students and faculty, who expect us to provide them with all the services they can get at universities with which we compete."

Marshak's computer-aided presentation aimed to highlight benefits of technology, like the improvement of student critical analytical skills, encouragement of teamwork and access to timely worldwide information. Sen. Martha Robertson (R-Minnetonka) said after attending hearings on Minnesota's costly statewide system project, she was skeptical of the university's $116 million biennial request, and asked for details on proposed expenditures. "Frankly," echoed Sen. Leo Foley (DFL-Anoka), "you're tinkering in generalities about things, and we need specifics."

Marshak said the university currently spends $100 million per year on technology. He then yielded to Michael Handberg, of the university's Office of the Registrar, who said he would give the committee a demonstration of the university's new Internet registration and student service pages. "One percent of students now register on the web," he said, and demonstrated the time and energy savings services available, including all course and scheduling information, all university forms, newsletters, loan and aid information, a GPA calculator and a personal online organizer.

Jim Benson, president of MnSCU's Bemidji Statetested on the "electronic academic" concept and the use of technology grants by his program. One example, he said, was the school's decision to develop a multi levelled CD-ROM admissions viewbook for wide distribution. He explained, "This product has 22 video clips. If you want to see the choir, you click on it and the chair is singing. You click on sports, you get the winning goal in the division II hockey championship and the announcer gang crazy. He explained that students' and faculty had worked together on the project, which was cheaper than a slick pamphlet to produce and which offers twenty minutes of viewing time. Benson listed other cutting-edge programs: interactive TV classes, high tech labs and computer-aided engineering and agricultural projects. When asked by Langseth if "distance learning" would replace classrooms, he replied, "Our choir just got back from Carnegie Hall. Students benefit from interaction. You can't have choir on the net."

Picking up on Benson's point, Minnesota Private College Council President David Lair emphasized the indispensability of technology in making students' assimilation in a technological age. He introduced Anedith Nash of the Minneapolis College of Art and Design, who said that technology is a way for people to create collaboratively. She said M C A D did suffer a bit, however, as they went paperless and made a more comprehensive commitment to technology. "But, problems are opportunities," she said, and emphasized M C A D's ethical responsibility to avail its students of technology they will need in the rapidly changing world. "Thcurriculum, however," she said, "must drive the technology, not the other way around.

Selection Laws

Mail-in primary, absentee bills okayed

"It's time to take advantage of available technology to encourage voter participation," said Sen. Douglas E. Johnson (DFL-Tower) at the Wed, Feb 19 Election laws Committee hearing. Johnson spoke in support of his bill S.F. 80, requiring a March 1 presidential primary by mail beginning in the year 2000. The bill also provides that political parties not conforming to results of the primary in selecting delegates for the national convention and are not eligible receivers of ten percent of check-off money that goes directly to parties, nor to participate in the political contribution refund program. Johnson said a mail ballot would improve participation over the meager 10 percent turn-out in Minnesota's last presidential primary. An earlier date will also, he said, assure the state a more significant national role.

Lively discussion ensued after Johnson offered an author's amendment to eliminate language designating a voter's party selection as public information. He called it an invitation to privacy, no one opposed, and said, "people should publicly stand up for their party." Sen. Mark Ourada (R-Buffalo), in support of Johnson, said, "it should be the decision of the individual to publicly declare party affiliation. The motion to amend did not prevail."

Voting by mail was also the subject of debate. Some members took issue with the bill's provision allowing the secretary of state to count completed mail ballots upon their arrival. Sen. Emberley Jung (DFL-New Hope) said she had no problem with moving the primary to March 1, but suggested deletion of the bill's references to mail ballots altogether. Ourada agreed that journeying to the polls is a "symbolic act" worthy of preservation. Sen. Linda Scheid (DFL-Brooklyn Park) disagreed. "Voting is a right," she said, "it's not something you should have to jump hurdles to do. I might make some of us feel good to get up on a snowy morning and go to the polls, but if we can make it easier for people to participate, we are obligated to do that." S.F. 80 was approved and sent to the floor.

S.F. 78, authored by Marty, changes present law regarding absentee voting. The bill makes Minnesota the 23rd state to eliminate the notary witness requirement and the 46th state to allow eligible voters to vote by absentee ballot without providing a qualifying excuse. The panel approved an author's amendment allowing absentee voters to designate an agent, most likely a relative, to deliver ballots. Unemployed Marty challenged Omary on a subsequent amendment, which allows for faxed ballots in cases of hospitalization. Despite a narrowly drawn language applying only to those hospitalized within seven days of the election, Jung said she thought the bill was too much potential for fraud. The bill was approved and sent to the Senate floor.

Environment and Natural Resources

Bills approved

Members of the Environment and Natural Resources Committee, chaired by Sen. Bob Lessor (DFL-1st. Falls), heard two bills at the Mon., Feb 17, meeting. "This legislation dates back to 1994," said Sen. Steven Morse (DFL-Dako), as he presented S.F. 436. "When the legislation was passed, it was to provide for mail-in ballots. Environmental Learning Centers (ELC) to make capital improvements. While the matching private contributions have not moved forward, the appropriations run into constitutional problems, however, because general fund appropriations may only be used for publicly owned centers and three of the centers are privately operated, he explained. Thus, the five ELCs have been unable to proceed with the needed improvements. "This piece of legislation will clarify the final points of confusion," Morse said. Under the bill, the $7.5 million appropriation will be funneled into the two public ELCs, and the remaining ELCS will receive private contributions. Morse also said that a section had been adopted in the budget division that changes funding for the Pickett Mill learning center from bonding to the future resources fund. The bill was approved and as was re-referred to the State Government Finance Committee.

Sen. Roger Moen (DFL-Eskirne) presented S.F. 94. The bill makes several changes to laws relating to manage-
Environment and Agriculture Budget Division

Water monitoring discussed

Answering the questions, "Will water be available when we want it, where we want it and for the purposes we want it?" is the motivation behind an interagency water monitoring initiative, according to Peggy Adelmann of the Pollution Control Agency (PCA). Adelmann, along with representatives of the Department of Agriculture, Board of Water and Soil Resources, Department of Natural Resources, Department of Health and the Metropolitan Council presented the plan to the Environment and Agriculture Budget Division, Tues., Feb. 18.

According to a fact sheet prepared by the various agencies, the elements of the water monitoring program include integrated cross-disciplinary monitoring of rivers and wetlands; lake quality monitoring; coordination of volunteer monitoring efforts; fish contamination monitoring; specific site investigations; mercury and PCB pollution source monitoring in the Minnesota River basin; Metro Area watershed outlet monitoring and mitigation of cost-effectiveness studies; agricultural chemical monitoring in rivers; water level and flow rate monitoring of lakes and rivers; groundwater quality and availability studies; local health official training; development of a local water improvement database; local water monitoring and technical assistance; development of a comprehensive well record database; and coordination of all the various monitoring activities and management of the derived information.

Adelmann said that if the participating agencies attempted this initiative independently, the total cost could easily approach $20 million, but because of the planned coordination and sharing of resources, the budget request is only $4.6 million for the biennium.

The division, chaired by Sen. Steven Morse (DFL-Dakota) also heard from Sylvia McCollof, of the PCA. She said that the initiative would be a success if all the necessary agencies and management organizations were included.

Family and Early Childhood Education Budget Division

Budget overview heard

The Family and Early Childhood Education Budget Division, chaired by Sen. Pat Piper (DFL-Austin), listened, Fri., Feb 14, as State Representatives of the Department of Education Budget Division, Tues., Feb. 18.

Debby Kay Peterson, the department's screening and readiness specialist, said that early childhood health and development screening, in existence since 1977, served 61,254 Minnesota children last year. The program, she said, detects and seeks solutions to conditions that may interfere with development and learning, then works to minimize physical and educational barriers. The required components include developmental reviews, sensory screening, immunization reviews and growth assessment.

Peterson said that 60 percent of participating districts use a computerized file on family factors and health history. She said that 16,072 children had been identified with hearing and language problems, and that 16,072 children had been referred for supplemental state grants. She said that, 16,072 children who have been referred for supplemental state grants.

Sen. Dan Stevens (R-Mora) and Sen. Steven Morse (DFL-Dakota) each presented a bill at the Wed., Feb. 19, Environment and Natural Resources Committee meeting.

Stevens sponsored S.F. 128, a bill protecting hunters from harassment. Under the bill, a person who exhibits the intent to "disrupt or prevent the taking of a wild animal" and willfully interferes with the hunting activities will face civil penalties.

Morse then offered an amendment that allocation of the Minnesota Conservation Corps (MCC) Youth Technical Advisory Committee is removed. The bill also eliminates county work planning and allocation of staffing. Furthermore, Morse said, the bill allows the department to contract with nonprofit agencies to assist in carrying out MCC programs.

Morse then offered an amendment changing a number of provisions. Under the amendment, the MCC is no longer restricted to forestry work and the implementation of the work allocation process is made easier. The amendment also guarantees participating counties to receive a minimum MCC work contribution per year. The amendment was adopted, and the bill was quickly approved and referred to the House Agriculture and Veterans Affairs Committee.
Committee Update

this point, school districts conducting screening are reimbursed $25 per child, but report that screening actually costs $40-$60 per child to conduct. The program is seeking $1.5 million per year for the next biennium.

Though screening is usually conducted in community centers, schools or WIC clinics, Barb Yeb, assistant commissioner of the MN Department of Children, Families and Learning, said that the Head Start (HS) program, begun in 1965 as a part of the Department of CFL, told the panel about the department’s plan to eventually standardize statewide developmental assessment of children at age three. She reiterated the benefits of early intervention, adding, “Teachers are telling us that program funding has helped only 40 percent of its eligible families and children.”

Aubrey Puckett, chair, Minnesota Head Start Program, told members that at this time, 60 percent of eligible children and 40 percent of eligible families were served, and that the program was able to provide educational funding to all Head Start families with income at or below the poverty line. She also noted that the program was able to serve all children with income at or below the poverty line.

Former Mpls. Mayor Don Fraser, a longtime Head Start program member, told members that he hoped the program continued to receive funding. He also noted that the program had helped many children and families and that the program was able to provide educational funding to all Head Start families with income at or below the poverty line.

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inspections. His division, he said, is supposed to maintain the dedicated ADA specialists, but can now only afford to hire eight employees as needed. Spalla said that fees revenue would cover the new hires if the Legislature authorized that fees go back into the division rather than into the general fund. "Municipalities," he said, "don't mind paying the fees if they feel they're getting something for it." Sen. Dan Stevens (R-Mora) asked about the Department of Revenue building, which presently pays 2.5% more than an average rental per square foot. Krueger said the division is looking into purchasing or building a new facility.

Julie Smith Zuidema, assistant to the commissioner, summarized her catch-all function of providing support and human resource to any state council or commission too small to require its own in-house administration. Her salary, she said, is only partially funded through the Dept. of Administration.

Bitter removed Minnesota Children's Museum, which creates interdisciplinary hands-on exhibits for children aged six months to ten years, is among the five largest children's museums in the U.S. in budget size, attendance, and square footage. She said the museum partners with Head Start and public libraries in an initiative called Ready, Set, Read! Though the museum has an art component, it is not, she said, of first choice. Funded through the State Arts Board, the museum is asking for $270,000 for the biennium.

Racing, lottery, IPO budget heard

Chair Leonard Price (DFL-Woodbury) and the Governmental Operations Budget Division continued to hear budget requests at the Tues., Feb. 18, meeting. Members heard from the Minnesota Racing Commission, the Minnesota State Lottery, and the Department of Administration's Information Policy Office.

Minnesota Racing Commissioner Richard Krueger testified on the commission's regulation of the horse-racing industry. The scope of authority, he said, includes licensing of all racetracks and managing all employees and personnel operating at those facilities. Security and law enforcement at the facilities is also provided by the commission, which distributes collected fees and taxes to the state and the local governments.

In the first biennium, the Canterbury Park facility planned a year-round simulcasting, as well as 50-60 day live meets, he said. Krueger said that though the Canterbury Park facility did not create as many jobs as were originally projected, the industry is recovering. The industry anticipates larger revenues from track betting legislation passed in the first biennium. Of the $371,000 per year for the biennium, Krueger said $256,000 would be used to hire 23 employees, $36,000 to professional technical services, $9,000 to national fees, $7,000 to drug testing, and the balance for maintenance.

Minnesota State Lottery Commissioner George Andersen said the lottery gets no appropriation and operates on 15 percent of its sales revenue. "Real ways budget low," he said, "Weldon doesn't know exactly what sales will be, and weldon want to know what happens if we come in higher than 15 percent."

Sales in 1996, he said, were $376 million. There was a decrease in Powerball sales when more winners made for a lower jackpot. The Daily Millions game has much better reaction from the public, he said. According to Andersen, the lottery does not compete with casinos. The key, he said, is to sell lottery ticket to people passing up their cars. A discussion of riverboat gambling was fueled by Sen. James Metzen, who said his own riverboat bill had hit a big roadblock. "It's an incredibly lucrative business," agreed Andersen. When asked for his future forecast, Andersen said his goal is to keep a finger on the pulse and develop sustainable games with attractive premises. "The mosquito game didn't fly," he said, "no matter how cute you make it, Minnesotans have nosed it when it comes to mosquitoes."

Beverly Schu, assistant commissioner of the Information Policy Office, outlined her division's threefold mission of improving public access to information, ensuring protection of data and promoting an information infrastructure that avoids duplication. One particular project, she said, collapsed six state T1 phonelines into one. Hanson said this saved the state over $1 million. The office reviews all technology projects proposed by state agencies, said Schu, and is presently working on the state's Year 2000 Project, aimed at helping agencies deal with the new millennium. Hanson said, "To allege that the project is too small to require its own in-house administration is not only council expense funded through the State Arts Board. The museum is asking for $270,000 for the biennium.

Project Director Kent Allin, set out to dispel what he said was myths related to the study. "I'm really proud of what the state has done," he said, and added that participating staff had worked longer and harder than any bargaining agreement could have ever required of them.

Sen. Richard Cohen (DFL-St. Paul) said that the state's computer budgets in the 1980s were about $300 million, but that department's states said it was too soon. When Cohen said the audit was the first time full cooperation was received, Allin countered to that cooperation was established in 1995, and had pointed out some problems areas.

"In the high risk context of such projects, the audit should have called the project 'amazingly successful,'" said Allin, reminding the panel that the project's five fundamental business systems were brought up in 300 locations, link 100 agencies and involve 5,000 users, many of whom were not computer literate at the outset. Said Allin, "Thirty-one percent of projects like these are cancelled before anything is even turned on. We went five for five."

The notion that the Legislature "never got the bad news," he said, is not the case. He recalled that in 1993, when the project ran into snags, instead of spending remaining money and creating an emergency, developers shut down the troubled area, admitted the problem to the Legislature and gave the option to cut funding. In 1995, he said, a progress report to the Legislature warned policymakers to expect considerable trauma from agencies and individuals.

Allin said that savings, rather than downsizing, was the goal, but that "no agency is going to admit they are saving time and risk losing appropriations."

The use of expensive consultants is due, said Allin, to the fact that people with technical skill are in such market demand that
the state can't retain sufficient staff.
Finally, regarding the audit's claim that the ability to easily upgrade the system was sacrificed, Allin said customization was necessary to comply with mandates, collective bargaining conditions, and unique situations like Minnesota's tax payment policy.
When asked by Sen. Deanna Wiener (DFL-Eagan) what he would do differently, Allin said the audit recommendation of smaller, phased projects echoes his own retroactively.

**Revenue Dept. budget reviewed**


Jerry McClure, Director of MN Collection Enterprise. In addition, Deputy State Treasurer Akil Manahan and Rosalies Greenman of the Dept. of Finance also spoke.

The Revenue Department representatives reviewed the FY 98-99 budget, outlined the current activities and resources of the department, the goals and issues confronting the agency and the specifics of the budget funding requests.

**Higher Education Budget Division**

**Winer research bill presented**

A bill funding a research center for grapes and wine and a bill providing financial support to low-income students were presented Tues., Feb. 18 to the Higher Education Budget Division. The division also heard continuing testimony in support of the Minnesota Higher Education Services Office budget request.

S.F. 400, authored by Sen. Steve Murphy (DFL-Roseland), establishes a research center for grapes and wine at the University of Minnesota. Under the bill, the funding for the center comes from the dedication of one cent of the excise tax on table wines, providing approximately $300,000 per year. "The Minnesota wine industry continues to grow, but is somewhat limited by our winter climate. Currently, vines have to be taken off the trellis and buried in the fields to protect them during the winter," the University of Minnesota is trying to breed a winter-proof vine. This has been requested by the university, would continue those studies," said Murphy. On a motion by Sen. LeRoy Stumpf (DFL-Thief River Falls), the bill was amended to unset the appropriation. The bill was then advanced to the Committee on Taxes.

Sen. Steven Morse (DFL-Dakota) presented S.F. 486, a bill proposing an amendment to the Minnesota Constitution to dedicate 20 percent of state lottery proceeds to MnSCU in order to provide financial support to students from low-income families. "If we're serious about welfare reform, we can show that by ensuring high-quality students have access to higher education," said Morse. Citing a study of educational funding in the state university system, Morse said, "Students from the lowest income families pay the highest percentage, 49.9 percent, of their education. We need to help them." Sen. Sheila Kiscaden (R-Rochester), said, "Why are we limiting the amendment to MnSCU? Other students at other state universities need assistance too." Morse said, "There has been funding for the University of Minnesota, funding for K-12 education, funding dedicated to other institutions, but the MnSCU system has been left out of the picture."

Students testified on behalf of the bill. Julie Bradway, a student at Cambridge Community College, said, "I had to work 30 hours a week sometimes, and it's forced me to take longer to complete my education. It's also affected my grades. No student should have to work that much when I could be using that time to study." Morse said his purpose in presenting the bill was to introduce the concept, and that further work was needed. The bill was laid aside for further consideration.

**U of M requests presented**

The University of Minnesota began its budget presentation to the Higher Education Budget Division Weds., Feb. 19. The division heard from Sen. LeRoy Stumpf (DFL-Thief River Falls), and heard testimony from University President Nilsh Assimao, Regent Wendell Anderson, and a number of students.

Assimao noted the university was one of the top 30 research institutions in the country, and said, "We need to continue to make strategic investments to become even better. Those investments would be in curriculum reform, information technology, and instructional technologies. We need to invest more in our faculty, so we can attract the very best. And we need to concentrate funding on scholarship, and continue to improve quality and access." He pointed out the university's recent fundraising success. He said, "Our total endowed gifts have reached $1 billion and we have gone from 17 endowed faculty chairs and professorships to 240. But we need state investment. We cannot let the gap grow between state investment and private fundraising."

Introduced by Hasselmo, the center that has driven the University to where it is today, Anderson focused on tuition concerns. He said, "When I started at the U of M, it was basically tuition free, about $27 a quarter. State investment had a lot to do with that. And for fifty years, the Minnesota Senate took care of the U; more than any other body, the state Senate built the University of Minnesota. You can continue that legacy. Regarding tuition increases, he said, "I believe strongly that state support should be afforded in full. You must freeze it, or at least get the increases down to a manageable level. The best aid is slow tuition."

Students representing various populations in the University of Minnesota system also spoke. Sean Holmworth, a student in veterinary science, said, "It's not a fair system. We have to work so much to support our education. I've had to work $8 thousand in student loans to support my family. We need to support the faculty and bring their compensation up."

**Health and Family Security**

**Health bills discussed**

On Thurs., Feb 13, Sen. Linda Berglin (DFL-Mpls) and Sen. Becky Lourey (DFL-Kerrick) presented several bills to the Health and Family Security Committee meeting.

Berglin provided background information for the first bill presented, S.F. 302. "A health clinic in my district, the Community University Health Care Center (CUHCC), is owned by the University of Minnesota Hospital and has been providing services for people regardless of their ability to pay," she said. Based on a sliding scale, people who belong to the clinic pay a monthly fee and in return they receive health care services when needed. This system, said Berglin, helps the clinic collect adequate revenue and helps people pay their health care costs at affordable rates. According to Berglin, the clinic operated for 15 years without a problem, but when the legality of its monthly pay system was investigated, the Department of Health determined that CUHCC needed to comply with Medicare and Blue Cross regulations. "A little clinic like this could not afford to meet the insurance laws," Berglin explained. The department's ruling left many patients on the pre-paid plan not knowing if the plan would continue. "The bill allows clinics like the CUHCC clinic to continue performing these services that they're providing without having to meet insurance provider regulations," she said. Berglin said she was not aware of any opposition to the bill, and after a brief discussion, the bill was approved and referred to the Commerce Committee.

Next, Berglin presented S.F. 150 and said...
Four bills advance

As the pulse of the session quickened, four bills were represented in rapid order at the Fri., Feb. 14, Health and Family Security Committee meeting. Chair John Hottinger (DFL-Mankato) invited Sen. Martha Robidson (R-Minnetonka) to present her bill.

"S.F. 274 authorizes the commissioner of the Dept. of Human Services to fully reimburse licensed child placement agencies for the appropariate costs of providing adoption services for a child certified as eligible for adoption," said Sen. Linda Berglin, DFL-Mpls., sponsor of the bill. "This change is effective dated on the reimbursement agreement of date or after the day following final enactment. The amendment was approved, and after a brief discussion, the bill was approved and recommended for placement on the Consent Calendar.

Sen. Dallas Sams (DFL-Staples) then presented S.F. 37. After a Roberts amendment was adopted, S.F. 37 extends the life of the Advisory Committee to June 30, 2001. In addition, the bill suspends the portion of the amendment that creates a risk adjustment advisory work group, but the group work sunsets June 30, 1999. The amendment also declares that charge parents with a misdemeanor if a birth is performed at home and the new-born infant is not tested for metabolic disoders. The Lourey amendment was adopted, and the bill was approved and advanced to the floor.

Final day of welfare testimony

At the Tues., Feb. 18, Health and Family Security Committee meeting, Chair John Hottinger (DFL-Mankato) invited mem-
ber to listen to a day of public testimony from non-profit social service agencies, medical organizations, and county agencies that desired to have input into the welfare reform process.

"The Dakota County Employee Training Center has several creative approaches for job placement strategies," said Dennis Wenzel, an employer services specialist for the center. "For example, it is a fact that the center publishes a magazine that is sold to local employers in the county containing brief summaries of resumes for welfare recipients enrolled at the center. An interested employer can then call the center for a complete resume if a particular applicant has attractive skills. "We distribute 600 resumes a month through this program," said Wenzel. "The center also sponsors community job fairs, and provides personal counseling to clients with job development activities. The barriers to employment, Wenzel stressed, "I hope that job development activities will stay on the local level, because what works for Apple Valley may not work for the Phillips neighborhood."

Hennepin County Commissioner Peter M. D. Laughlin discussed the significant role of the Hennepin County Medical Center (HCMC) serves not only in the county, but statewide as well. He said, over $28 million in uncompensated care provided by HCMC last year, 19 percent is attributable to care provided to people from outside Hennepin County. Furthermore, over $17 million in uncompensated care was paid through property taxes. According to M. D. Laughlin, a significant reduction in welfare benefits will dramatically increase the level of uncompensated care provided by HCMC. "And we don't want any additional shift onto property taxes," hesaid.
Committee update

"Housing cannot be a casualty to welfare reform," said Bruce Nordquist, president of the Minnesota chapter of the National Association of Housing and Redevelopment Officials. Affordable housing is an essential component for a person seeking self-sufficiency, he said. He suggested $15 million in additional resources for rent assistance and community rehabilitation programs.

Health and Family Security Budget Division

Health budget overview continues

Members continued listening to a budget presentation from the Dept. of Health at the Tues., Feb. 18, Health and Family Security Budget Division meeting.

Assistant Commissioner Barbara Colombo, assisted by staff from the Health Systems and Special Populations Bureau, presented the budget requests for the remaining divisions. The Health Policy and Systems Compliance Division, funded primarily by the health Care Access Fund (HC AF), expects total expenditures for FY 98 to reach $6.8 million. According to Colombo, the final division in the bureau, Facilities and Provider Compliance, expects a total budget of $17.2 million for FY 98.

Chair Don Samuelson (DFL-Bemidji) asked the department to provide a breakdown for the number of license fee increases proposed for the biennium. "It seems like an extraordinarily high number this year, and it does make you wonder whether they go." These health providers will receive their costs, so the fee increases are directly related to the cost of health care, he said.

Assistant Commissioner Kelly Johnson, overseer for the Health Protection Bureau, presented the bureau's $53.5 million budget for FY 98. Representatives from the bureau then proceeded with overviews for the bureau's divisions. The Environmental Health Division has estimated expenditures for FY 98 to equal $20.2 million. The department's remaining divisions will be reviewed in the next budget division meeting, she said.

Health completes budget review

Assistant Commissioner Kelly Johnson, overseer of the Dept. of Health's Health Protection Bureau, continued her overview of the bureau's budget at the Wed., Feb. 19, Health and Family Security Budget Division meeting.

With the assistance of department staff, Johnson presented the Disease Prevention and Control Division's FY 98 budget of $27.3 million. Total expenditures for the Public Health Laboratories Division is budgeted at $66 million, she said. Finally, the Management and Support Services Division offered the details to its $12.9 million budget.

Next, Clel Hemphill from the Council on Disability outlined the goals and objectives for the office of the bennium. The council is requesting approximately $1.2 million for the biennium, he said.

Commissioner David Doth began the Dept. of Human Services' budget overview. Doth said the department has five priorities for the coming biennium which are reflected in the budget requests -- promoting economic self-sufficiency, ensuring affordable health care, promoting the best interests of children, providing access to technology and information, and developing a diverse and well-trained workforce. As for the state budget surplus this year, he said, "That's good news and bad news. The good news is obvious, but the bad news means the surplus masks the hard choices we have to face." Furthermore, he said, the department's high rate of growth will consume 63 percent of the estimated general revenue fund growth, over $1 billion, in the next biennium.

Chair Don Samuelson (DFL-Bemidji) said the department will commence with the detailed budget overview at the next budget division meeting.

Jobs, Energy, and Community Development

Housing Bill presented

S.F. 403, a bill-establishing an emergency services grant program to provide homeless persons essential services and emergency shelter, was brought before the jobs, Energy, and Community Development Committee, Thurs., Feb. 13. The committee, chaired by Sen. Steven Novak (DFL-Northfield), heard testimony from a number of advocates for the homeless in support of the bill.

The bill was authored by Sen. Ellen Anderson (DFL-St. Paul). She said, "Homelessness is a serious problem in Minnesota, and the issue of homelessness is a growing concern." The bill would establish a grant program to provide homeless persons with essential services and emergency shelter, she said. The throne appeal would provide funding for the creation of new emergency shelters or the expansion of existing ones.

The bill passed the committee with a vote of 7-2, and was sent to the full Senate for consideration.

Lien bill okayed

A bill relating to the Brooklyn Park economic development authority was advanced Tuesday, Feb. 18, by the jobs, Energy, and Community Development Committee. The bill, authored by Sen. Lindi Runbeck, (R-Edina), would provide a lien to 21st Century Housing, Inc., for non-payment of rent. The bill would allow the lien to be enforced by the court in the event of non-payment.
Sen. Steven Novak (DFL-New Brighton), also heard opening testimony on a bill creating a statewide citizenship program. S.F. 200, authored by Sen. Linda Scheid (DFL-Brooklyn Park), gives Brooklyn Park the authority to seek liens against owners of certain townhome and condominium units when those owners are delinquent in paying association assessment installments. The units are in buildings upgraded with funds borrowed from the city. The assessments are then certified to the county auditor for collection under the bill. The bill was advanced by the Local and Metropolitan Government Committee.

Sen. Ellen Anderson (DFL-St. Paul) presented S.F. 331, a bill creating a statewide citizenship promotion program. "The program would assist and encourage legal immigrants to become citizens," said Anderson. Jim Anderson, representing Ramsey County Human Services, spoke in support of the bill, and said, "When a legal immigrant does not apply for citizenship, it is usually because of language, awareness, and the belief that the process is far more difficult than it really is. The Citizenship Awareness Program would address these concerns."

Dr. Ahmed Samatar, Dean of International Studies at Macalester College, said, "If you want good citizens, you have to invest in them." Randi Kelly (DFL-St. Paul) said, "We need to see whether our state departments are doing enough to help people in situations like this. Maybe we should redesign some of these departments to get the job done." Testimony on the bill will continue.

Judiciary

Abuse bill heard

The judiciary Committee, chaired by Sen. Jane Ranum (DFL-Mpls.), heard, Mon., Feb. 17, a bill clarifying the statute of limitations concerning actions for damages involving sexual abuse. S.F. 344, sponsored by Sen. Emberunge (DFL-New Hope), attempts to codify 1989 language allowing an alleged sexual abuse victim to seek legal redress within six years of the time the alleged victim knew, or had reason to know, of the existence of injuries caused by sexual abuse. The bill also adds a definition of "injury." The clarification and added definition result from a 1996 Supreme Court ruling that declared the concepts of sexual abuse and injury as one and the same, and not separable.

According to the 1996 legislature, passed the law to allow sexual abuse victims, especially children, needed time to become aware of their injuries. Unlawful said that children can't bring a legal action until they are able to understand what happened to them.

Sen. Thomas Neville (R-Northfield) made reference to recent studies that have cast doubt on the human memory's ability to differentiate between fact and illusion with the passage of time. He expressed concern that people may be forced to defend themselves many years after an alleged act. Neville also pointed out that such cases sometimes involve the defendant's current or former employers who were not involved in the situation.

Sen. Allen Spear (DFL-Mpls.), said that hesaw proving "causation" as a problem. He said that plaintiffs may have difficulty proving sexual abuse unless they caused their emotional injury and any subsequent problems. He said that a person's problems may result from many circumstances.

The committee heard testimony from a sexual abuse victim who had said that the 1996 Supreme Court ruling had prevented her pursuit of justice under the 1996 law. The bill was laid over pending further committee discussion.

A second bill, sponsored by urges, provides civil liability immunity for persons who are sued in alternative dispute resolution (ADR) proceedings. S.F. 368 protects the ADR process of adjudicators, arbitrators, and others presiding at ADR proceedings from civil liability except when their actions are caused by malice, bad faith, or reckless conduct. Following brief discussion on the bill was approved and sent to the Senate floor for further action.

Local and Metropolitan Government

Indian gaming issues discussed

The Local and Metropolitan Government Committee, chaired by Sen. Jim Vickerman (DFL-Tracy), heard a presentation by tribal leaders on gaming and related issues. Fri., Feb. 14. The committee also advanced S.F. 160, a bill authorizing the city of Kenyon to recertify a tax levy. The bill, sponsored by Sen. Dick Day (R-Owatonna), was advanced to the Committee on Taxes after a short discussion.

Stanley Crooks, of the Shakopee Mdewakanton Sioux Community, opened the presentation on behalf of the tribal leaders, and said, "While each tribe has different purposes and strategies, they all have the common goal of providing for the needs of our people. We've used gaming revenue to help with our housing needs, good water, and other infrastructure needs."

Bills advanced


S.F. 36, authored by Sen. Daniel Smale (DFL-St. Paul), authorizes hospital districts to use the money for the construction and treatment of persons with mental retardation or related conditions. Sams said, "We've extended this authority to counties and cities, but there are 14 hospital districts that don't have this ability. Hospital districts now have the authority to operate hospitals and nursing homes. Under this bill, they can operate extended care facilities as well." The bill was advanced to the Health Care Committee.

S.F. 424 was presented by Sen. Charles Wiger (DFL-St. Paul). It contains technical changes regarding certification of the Woodland National Bank, a Conoco station, and a neighborhood bakery. We're also entering into a partnership to produce pizza."

Tax, wellness bills advance


S.F. 52, sponsored by Sen. Sandy Pappas (DFL-St. Paul), eliminates a December 31, 1997 termination date applying to provisions requiring St. Paul, Ramsey County, and independent school district 625 to conduct joint truth-in-taxation hearings. Pappas said, "The joint hearings have been a very positive experience and enable the districts to gain a better understanding of the other's mission. This ensures support from all quarters when one authority wants to pass a referendum." The bill was advanced to the Committee on Taxes.

Sen. Charles Wiger (DFL-North St. Paul) presented S.F. 197, authorizing the Metropolitan Council to establish a statewide grants program to promote health and employee recognition programs. The bill was advanced to the Senate floor.

S.F. 5, authored by Sen. Dean Johnson (R-Willmar), generated the most discussion. The bill authorizes the city of Willmar to impose a general sales tax of up to one-half of one percent and a motor vehicle excise tax of up to $20 per vehicle. There was widespread agreement that the tax would be used to fund the library.

"The library was built to serve 11,700 patrons and house 30,000 volumes. The library now has almost 20,000 patrons and 60,000 volumes, and lacks computer services and other things that it needs to serve the needs of West Central Minnesota," said Johnson. "This tax was supported by the people of Willmar in a November referendum by a 52 percent to 48 percent vote," he said.

The bill was advanced to the Committee on Taxes.
committee update

Committee update

To the Committee on Local and Metropolitan Property Tax Laws. The bill was referred to the committee. Sections were reviewed related to the elimination of certain local government aids and the repeal of existing law that provides for property tax refunds to appear on property tax statements.

Committee on Taxes

Two bills advanced


S.F. 472, sponsored by Sen. William Belanger (R-Bloomington), does not change how cigarette and tobacco products are currently taxed, but reduces and clarifies procedures necessary to pay the cigarette and tobacco product tax.

Department of Revenue attorney Patrick Finnegan told the committee.

S.F. 378, sponsored by Sen. Steve Murphy (DFL-Red Wing), does not change how distilled spirits, wine, and fermented malt beverages are currently taxed, but recodifies and simplifies Minnesota's liquor tax law, Finnegan said.

Both bills were referred to the full Committee on Taxes.

Three bills advance

The Committee on Taxes, chaired by Sen. Douglas Johnson (DFL-Tower), advanced three bills to the Senate floor, Tues., Feb. 18, that allows the city of Kenyon to receive $68,720 for taxes payable in 1997 only.

S.F. 160, sponsored by Sen. Richard Day (R-Owatonna), may rescure the city from a deficit in its transport, Finnegan said.

The bill was approved and forwarded to the Senate floor.

Property Taxes and Local Government Budget Division

Three bills advance

A bill providing that a sheriff is no longer required to serve notices of the redemption expiration of tax forfeited property was approved, Tues., Feb. 19, by the Property Taxes and Local Budget Division.

S.F. 362, sponsored by Sen. Steve Murphy (DFL-Red Wing), provides that such notices may be served by either a sheriff or a person who is at least 18 years of age. Murphy explained that the bill saves county sheriffs' department time and mileage.

Members approved and forwarded the bill to the Committee on Local and Metropolitan Government.

A technical bill, S.F. 216, sponsored by Sen. William Belanger (R-Bloomington), makes technical and administrative changes to the tax laws. The division approved the bill and sent it to the Committee on Local and Metropolitan Government.

The division, chaired by Sen. Sandra Pappas (DFL-St. Paul), also approved S.F. 456. The bill, sponsored by Sen. Belanger, relates to taxation and makes changes to property tax laws. The bill was referred to the Committee on Local and Metropolitan Government.

Sections of a governor's proposal, S.F. 455, also sponsored by Belanger, and relating to taxation, were reviewed by the committee. Sections were reviewed related to the elimination of certain local government aids and the repeal of existing law that provides for property tax refunds to appear on property tax statements.

Correction facility bill approved

A bill amending the appropriation of state funding to construct a closed custody correctional facility at Rush City was approved at a Tues., Feb. 18, meeting of the Transportation Committee, chaired by Sen. Carol Flynn (DFL-Mpls.).

Approval of S.F. 179, sponsored by Sen. Randy Kelly (DFL-St. Paul), followed discussion concerning the appropriateness of legislation providing for road construction activities that are normally approved and undertaken by the CSAH screening process. Representative Kelly explained that the improvements are needed to provide construction access to the facility.

The bill provides for the Department of Corrections to pay for an access road from state trunk Highway 361 to the correctional facility, and for MN/DOT to make intersection improvements at the junction of Highway 361 and the access road.

The bill also provides that the facility's access road shall become a County State Aid Highway (CSAH) on the day following its completion.
Pat Murphy, MN/DOT state aid engineer, explained that the proposed access road needed the department's criteria for CSAHs. Later, MN/DOT engineer Robert Brown said that MN/DOT does not need legislation to begin road improvements, or to temporarily adopt, as a CSAH, the facility's access road. Brown said that in the interest of safety through the construction period, MN/DOT would probably have done the things. He also said that MN/DOT would turn responsibility for the access road back to Chisago County sometime after the correctional facility's completion.

Members adopted an amendment, offered by Flynn, requiring that any other additional services to the county state road high system go through the normal CASH screening board process. The bill was approved and referred to the Human Services Finance Committee.

### Transportation Budget Division

**Public safety budget overview**

**Thurs., Feb. 13, Chair] anetj ohnson (DFL-North Branch) and the Transportation Budget Division heard from Public Safety Department representatives regarding budget requests.**

When Frank Ahrens, financial director of the Dept. of Public Safety and Public Safety Director Katherine Burke, then requested salary increases for state troopers based on an internal study. Carol Flynn (DFL-North Branch) asked why the department is using this survey's data. She also asked about the collective bargaining process. On response to her suggestion that the study was part of the BCA's technology. "They can talk to each other," he replied.

Chief Mike Chabries also requested an additional 75 troopers. Captain Patrick Chase, director of Public Safety, told the Transportation Budget Division that he needs six additional blue-shirted personnel to properly secure the 37 buildings under his purview, which includes all building security. The request was made by Frank Ahrens, who said he would ask for the new troopers. "They talk to each other," he replied.

Chabries also requested an additional 75 troopers. Captain Brian Erickson of the State Patrol testified that in 1987, there were 83 million transit passengers in Greater Minnesota, and 64 million in the Twin Cities. Allen said that trends and issues affecting transit are a critical issue in federal operating funding. An aging rural population requiring more transit services, the necessity of service coordination between towns, cities, and counties, and a retirement of the workforce.

### Hearing interpreters services

The Legislative Coordinating Commission has contracted with the Minnesota Foundation for Better Hearing and Speech to provide language interpretation services for deaf and hard of hearing people during this legislative session. The foundation's coordinator for this project will maintain an office in Room 90 of the State Office Building.

Requests for ASL interpreters should be directed to the coordinator at 282-2231. Interpretive services are available at committee hearings, and to interpret for meetings between members and constituents.

### Listserv available

Both the Senate and House have established "listservs" to automatically send daily committee schedules to subscribers with Internet e-mail access. Theselistservs are designed to make it easier for the public to get the most up-to-date information about Senate and House committee schedules. A "listserv" is a mailing list program designed to copy and distribute electronic mail to everyone subscribed to a particular mailing list. It is necessary to subscribe to each list separately.

Individuals may subscribe to the Senate and House listservs at any time and the schedule will be e-mailed on a daily basis. In cases of a major change in the schedule, updated schedule information will also be e-mailed. Both the Senate and House listservs are available via Internet access.

To subscribe to either the Senate or House listservs, send an e-mail message to:

- Subscribers may leave the e-mail mailing list at any time by following the unsubscribe instructions.
Preview

The Minnesota Senate Week at a Glance

Monday, February 24

Ad Hoc Committee on Information Technology
Chair: Sen. Steve Kelley
9 a.m. Room 112 Capitol
Agenda: Overview of the governor’s information technology proposal and budget.

Rules and Administration Subcommittee on Permanent and Joint Rules
Chair: Sen. Jane Ranum
9 a.m. Room 125 Capitol
Agenda: Amendments to Permanent and Joint Rules

The Senate will meet at 11 a.m.

Election Laws Committee
Chair: Sen. John Marty
12 noon Room 112 Capitol
Agenda: S.F. 185 - Marty: Lobbyist disclosure

Environment and Natural Resources Committee
Chair: Sen. Bob Lessard
12 noon Room 112 Capitol

Judiciary Committee
Chair: Sen. Jan Heitkamp
12 noon Room 15 Capitol

Crime Prevention Committee
Chair: Sen. Allan Spear
2 p.m. Room 15 Capitol
Agenda: S.F. 218-Kelly: Statewide criminal gang strike force (continued). S.F. 114-Vickerman: Snow emergency funding. S.F. 158-Robertson: Per se DWI at 0.01 BAC for school bus drivers.

Local and Metropolitan Government Committee
Chair: Sen. Jim Vederman
2 p.m. Room 107 Capitol

Tuesday, February 25

Environment and Agriculture Budget Division
Chair: Sen. Steven Morse
8:00 a.m. Room 123 Capitol
Agenda: PCA budget overview

Family and Early Childhood Education Budget Division
Chair: Sen. Pat Piper
8 a.m. Room 15 Capitol
Agenda: Early Childhood Speakers/Dr. Mary McEvoy, Dr. Scott McConnell, Center for Early Education and Development, U of M.

Higher Education Budget Division
Chair: Sen. L Roy Stumpf
8 a.m. Room 107 Capitol
Agenda: Informal talk with U of M President-elect Dr. Mark Yudof. Budget presentation by U of M.

Health and Family Security Committee
Chair: Sen. John Hottinger
10 a.m. Room 15 Capitol
Agenda: To be announced

Jobs, Economy and Community Development Committee
Chair: Sen. Steven Novak
10 a.m. Room 123 Capitol

Joint Senate Governmental Operations and Veterans Affairs Committee, Governmental Operations Budget Division, House State Government Finance Division and House Capital Investment Committee
12 noon Room 123 Capitol
Agenda: The SGS Group/Architectural Alliance report on the Dept. of Revenue building.

Transportation Committee
Chair: Sen. Carol Flynn
12 noon Room 112 Capitol

Agriculture and Rural Development Committee
Chair: Sen. Dallas Sams
2 p.m. Room 107 Capitol

Commerce Committee
Chair: Sen. Sam Solon
2 p.m. Room 112 Capitol

Rules and Administration Information Systems Subcommittee
Chair: Sen. Leonard Price
2 p.m. Room 318 Capitol

Health Care and Family Security Budget Division
Chair: Sen. Don Samson
4 p.m. Room 112 Capitol
Agenda: Continuation of budget overview - Dept. of Human Services.

Wednesday, February 26

Family and Early Childhood Education Budget Division
Chair: Sen. Pat Piper
8 a.m. Room 15 Capitol
Agenda: Child care budget overview, Dept. of Children, Families and Learning

Higher Education Budget Division
Chair: Sen. L Roy Stumpf
8 a.m. Room 107 Capitol
Agenda: Continuation of budget overview - Dept. of Children, Families and Learning

K-12 Education Budget Division
Chair: Sen. Lawrence F sammer
8 a.m. Room 112 Capitol
Agenda: To be announced
**Governmental Operations and Veterans Committee**
Chair: Sen. James Metzen
10 a.m. Room 15 Capitol

**Agenda:**

**Transportation Budget Division**
Chair: Sen. James Johnson
10 a.m. Room 112 Capitol

**Agenda:** MDOT budget overview.

**Election Laws Committee**
Chair: Sen. John Marty
12 noon Room 112 Capitol

**Agenda:**
S.F. 708-Marty: Campaign finance modifications

**Environment and Natural Resources Committee**
Chair: Sen. Bob Lessard
12 noon Room 107 Capitol

**Agenda:**

**Judiciary Committee**
Chair: Sen. Jane Ranum
12 noon Room 105 Capitol

**Agenda:**
S.F. 53-Betzold: Supreme Court Task Force on Civil Commitments recommendations; S.F. 57-Betzold: Clarifying civil commitment act; S.F. 135-Scheid: Hazing civil cause of action. Foster care and adoption bills to be announced.

**Crime Prevention Committee**
Chair: Sen. Allan Spear
2 p.m. Room 15 Capitol

**Agenda:**
S.F. 409-Spear: Nonfelony Enforcement Advisory Committee (NEAC) bill; Presentation of NEAC report and bill by NEAC members.

**Governmental Operations Budget Division**
Chair: Sen. Leonard Price
2 p.m. Room 125 Capitol

**Agenda:**
Department of Employee Relations budget overview. State Board of Investment budget overview.

**Local and Metropolitan Government Committee**
Chair: Sen. Jim Vickerman
2 p.m. Room 107 Capitol

**Agenda:**
To be announced.

**Education Finance Committee**
Chair: Sen. Keith Langseth
4 p.m. Room 123 Capitol

**Agenda:**
Technology and K-12.

**Health Care and Family Security Budget Division**
Chair: Sen. Don Samuelson
4 p.m. Room 112 Capitol

**Agenda:**
Continuation of Budget Overview - MN Dept. of Human Services

**Taxes Subcommittee on Income and Sales Tax**
Chair: Sen. Steve Murphy
4 p.m. Room 15 Capitol

**Agenda:**
S.F. 497-Scheid: Policy changes to income and withholding taxes, sales and use taxes, MinnesotaCare taxes, and tax collections.

**Friday, February 28**

**Family and Early Childhood Education Committee**
Chair: Sen. Pat Piper
8 a.m. Room 107 Capitol

**Agenda:**
Prevention programs budget overview - community education, hearing impaired, adults with disabilities, extended day - Department of Children, Families and Learning

**K-12 Education Budget Division**
Chair: Sen. Lawrence Pogemiller
8 a.m. Room 112 Capitol

**Agenda:**
To be announced.

**Health and Family Security Committee**
Chair: Sen. John Hottinger
10 a.m. Room 15 Capitol

**Agenda:**
To be announced.

**Environment and Agriculture Budget Division**
Chair: Sen. Roger D. Moe
8:30 a.m. Room 107 Capitol

**Agenda:**
Personnel issues; SF 90-Cohen: Legislative committees and commissions, other.

**Health and Family Security Committee**
Chair: Sen. John Hottinger
10 a.m. Room 15 Capitol

**Agenda:**
To be announced.

**Jobs, Energy and Community Development Committee**
Chair: Sen. Steven Novak
10 a.m. Room 123 Capitol

**Agenda:**
To be announced.

**Commerce Committee**
Chair: Sen. Sam Sonson
2 p.m. Room 112 Capitol

**Agenda:**

**Crime Prevention and 14th Circuit Budget Division**
Chair: Sen. Randy Kelly
4 p.m. Room 15 Capitol

**Agenda:**

**Economic Development Budget Division**
Chair: Sen. Tracy Bederman
4 p.m. Room 123 Capitol

**Agenda:**
To be announced.

**Environment and Agriculture Budget Division**
Chair: Sen. Steve Murphy
4 p.m. Room 107 Capitol

**Agenda:**
PACA budget overview.

**Transportation Budget Division**
Chair: Sen. John Marty
6 p.m. Room 112 Capitol

**Agenda:**
Budget overviews.

The Senate will meet in joint session with the House of Representatives at 11:45 a.m.

**Agriculture and Rural Development Committee**
Chair: Sen. Dallas Sams
2 p.m. Room 107 Capitol

**Agenda:**

**Commerce Committee**
Chair: Sen. Sam Sonson
2 p.m. Room 112 Capitol

**Agenda:**

**Crime Prevention and 14th Circuit Budget Division**
Chair: Sen. Randy Kelly
4 p.m. Room 15 Capitol

**Agenda:**

**Property Taxes and Local Government Committee**
Chair: Sen. Sandra Pappas
2 p.m. Room 15 Capitol

**Agenda:**
Bills referred to division from Local & Metropolitan Government Committee.
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Briefly

The Minnesota Senate Week in Review
February 28, 1997

Stalking bill passed

A bill clarifying the definitions for the crime of harassment and stalking provided the focal point for debate at the Mon., Feb. 24, floor session. H.F. 5, authored by Sen. Ember Junge (DFL-New Hope), is a response to a recent Supreme Court decision that said current law lacked the element of proving intent on the part of the perpetrator.

Junge said the bill shifts to the perspective of the victim and broadens the type of reactions that occur on the part of the victim that could be used to define the crime. Junge said, “Stalking is a unique crime--it is obsessive, irrational behavior. We need a law to stop the cycle of harassment before it escalates to a cycle of violence.”

Under the bill, the definition is changed to provide that harassment means engaging in intentional conduct that would cause a reasonable person to feel frightened, threatened, oppressed, persecuted or intimidated. The bill also specifies that the state does not have to prove that the perpetrator intended to cause the victim to feel frightened or threatened. Junge also said that the bill includes language toughening the penalties for using weapons when committing a stalking crime and for violations of orders of protection.

Debate centered on an amendment, offered by Sen. Thomas Neuville (R-Northfield), to delete the section of the bill specifying that the state does not have to prove specific intent. Neuville argued that the section creates confusion and it contradicts the portion dealing with the perpetrator’s intentional behavior. Junge countered, “the bill spells out exactly what the court asked for, that specific intention is not required.”

Sen. David Knutson (R-Burnsville), also argued against the amendment and said, “We need to be very clear for the Court and the language helps make the legislature’s point.” The amendment was defeated. The bill was granted final passage as a Special Order on a vote of 63-0.

In another action, the Senate also gave final passage to an additional bill on Special Orders. S.F. 274, authored by Sen. Martha Robertson (R-Minnetonka), raises the cap for reimbursement of adoption expenses for the adoption of children with special needs. Senators also gave final passage to two bills on the Senate Calendar. S.F. 38, carried by Sen. Dallas Sans (DFL-Staples), modifies provisions relating to record keeping by persons regulated by the Board of Medical Practice. S.F. 95, sponsored by Sen. Becky Laury (DFL-Kerrick), is a housekeeping bill for the Dept. of Health.

Regents selected

The Senate met in joint session with the House of Representatives Thurs., Feb. 27, to elect regents to serve on the Board of Regents at the University of Minnesota. Those elected were H. Bryan Neel III, 1st District; David Metzen, 4th District; Michael O’Keeffe, 5th District; Maureen Reed, 6th District; Robert Bergland, 7th District.

Deer feeding bill advanced

A bill appropriating funds for emergency deer feeding was advanced by the State Government Finance Committee Thurs., Feb. 20. The controversial bill was one of four bills advanced by the committee, chaired by Sen. Richard Cohen (DFL-St. Paul).

S.F. 195, authored by Sen. LeRoy Stumpf (DFL-Thief River Falls), places a surcharge of $1.50 on deer licenses for the 1997 deer season to provide funds for emergency deer feeding. The bill also establishes a program that awards special $5 contributions to deer feeding with the issuance of a special decorative verifiable certificate of appreciation.

Stumpf said, “The latest winter severity index, which measures winter in terms of temperature and snow depth, rated 1989 and 1996, both toughest winters at 120. This winter, with still the snowiest month of the year yet to come, is already at 124. With conditions like that, you can see the challenges deer have getting their food source.” Stumpf offered an amendment limiting the scope of the bill to the parts of the state most affected, covering all but the Metro Area and extreme southeastern Minnesota. The amendment was adopted.

Sen. Gary Laidig (R-Stillwater) offered an amendment increasing the special surcharge to $2 per license. He said, “This will reconcile the short-term goal of feeding the deer with the long-term challenge of ensuring the DNR. The additional funds can be used to provide additional habitat, and to support the volunteer effort and carry out the program.”

The bill was granted final passage on the Consent Calendar on a 51-0 roll call vote.

Rules discussed

After meeting in joint session with the House of Representatives Thurs., Feb. 27, the Senate held a brief floor session. Members began discussion of a resolution, S.R. 25, containing the Permanent Rules of the Senate, granted final passage to one bill on the Consent Calendar and considered 2 bills on General Orders.

Sen. Ember Junge (DFL-New Hope), explained the changes to the Senate permanent rules. According to Junge, the changes this year were relatively non-controversial and were mainly of a technical nature. Senators delayed action on the resolution in order to allow members time to read the amendments.

H.F. 631, authored by Sen. Steve Kelley (DFL-Hopkins), clarifies the terms and conditions of a state appropriation for the construction of a performing arts center in the city of Hopkins. Kelley said that the bill is needed because the city has raised more funds than required by the match in the original legislation. The bill was granted final passage on the Consent Calendar on a 51-0 roll call vote.

S.F. 458, authored by Sen. Linda Higgins (DFL-mpls), relatiningsurcharge denies the right to tow or secure for certain losses in specific cases. S.F. 94, authored by Sen. Roger D. Moe (DFL-Erskine), deals with the sale and management of state lands by the Dept. of Natural Resources. Both measures were given preliminary passage on General Orders.

Rules discussed
Committee update

Ad Hoc Committee on Information Technology

IT initiatives presented

The Ad Hoc Committee on Information Technology had its first meeting Mon., Feb. 24. Chaired by Sen. Steve Elsey (DFL-Hopkins), the committee heard an overview of the governor's information technology budget proposal.

Mark Manning of the Dept. of Children, Family, and Learning, and John Gunyou, executive director of the Office of Technology, presented the summary of the State IT initiatives, which call for expenditures of $216 million for the next biennium. According to the governor's summary, 50 percent of the new programs will be devoted to education and lifelong learning.

Gunyou described MinLink, the Minnesota Library Information Network, and said, "MinLink was created to connect libraries with community libraries, giving patrons of both systems global access. We would also integrate K-12 facilities."

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Agriculture and Rural Development

Potato blight discussed

The Agriculture and Rural Development Committee heard testimony Thurs., Feb. 20, from the Central Lakes Agricultural Center regarding potato blight. The committee was chaired by Sen. Dallas Sams (DFL-Staples), also advanced two bills.

S.F. 347, authored by Sen. Becky Looney (DFL-Kerrick), makes technical changes and sets expiration dates for certain committees relevant to the Feedlot and Manure Management Advisory Committee. After the bill was amended to add a representative from the Agricultural Utilization Research Institute to the Food Safety Advisory Committee, the bill was advanced to the Senate floor.

Dr. Roger Jones, professor of Plant Pathology at the University of Minnesota, and Norm Krause, director of the Central Lakes Agricultural Center, summarized the findings of a report on potato late blight. The report was based on controlled studies examining the effects of the disease on commercial potatoes. Jones said, "Now I understand how the pathologist intoxicates the area."

Krause said, "We were unable to find much resistance to the disease in the potatoes grown extensively in Minnesota." Jones said, "The fungicide used to protect the crop from the blight is expensive. We have not found fungicide doses of less than 40 dollars per acre to be as effective as garlic per acre." The study is continuing to find a commercially viable variety that is resistant to the disease.

Rural report presented

A national commission established by Congress to examine rural development issues presented its report Tues., Feb. 25, to the Agriculture and Rural Development Committee. Jerry Nagel, executive director of the Northern Great Plains Rural Development Commission, testified before the committee, chaired by Sen. Dallas Sams (DFL-Staples).

The commission was established in 1999 by an act of Congress to come up with a strategy for rural development centered around the northern plains, said Nagel. "Five states--Minnesota, North and South Dakota, Nebraska, and Iowa--have worked very closely with the Northern Great Plains Rural Development Commission. We've looked at development from a variety of perspectives, including: hearings, interviews, surveys, and a number of recommendations which we'll be presenting to Congress in March."

Nagel said, "Some large changes are taking place in agriculture. The cost of farming is rising faster than farm income, and there's an increasing consolidation of farms and ranch land. There is also a significant shift in the makeup of global food trade away from a market for bulk commodities to a market for value-added food products. These changes have a number of profound implications. For example, previous rural development strategies focused on direct farm employment have failed. The trend towards larger farms is continuing, and will be the value-added sector where jobs will be created. Noting that "young people today find the opportunities in a different way than did their parents," Nagel said, "Their sense of place is no longer tied to land, it's in a shared environment with other young people throughout the world. There will be a rural outmigration as this generation goes to where the jobs are, places offering jobs with competitive wages. In the U.S., these young people have developed, such as technological skills." Finally, Nagel emphasized that Native American communities are at risk of losing their rural future, and that states and tribes must put their differences aside in order to meet the challenges ahead.

Commerce

Healthcare bills moved

The Commerce Committee moved two bills, Thurs., Feb. 20, concerning health care choices. The committee, chaired by Sen. Sam Son (DFL-Duluth), moved S.F. 398, a bill sponsored by Sen. Deanna Wiener (DFL-Apple), allowing female health plan enrollees direct access, without a referral, to obstetricians and gynecologists for certain services.

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

S.F. 405, also sponsored by Wiener, may allow Minnesotans the opportunity to purchase federal or qualified long-term health care (LTHC) insurance policies. Sen. Allan Spear (DFL-Mpls.), said that possible passage of the bill would result in the sale of "nursing home only" (NHO) insurance policies. He said that the availability of NHO insurance contradicts the direction of the National Long-Term Health Care Initiative and that the states and community-based care with nursing home care is a last resort.

Wiener said that, while NHO policies would be available, they would not necessarily comprise the majority of LTHC care options available to residents. She said that premiums paid for qualified LTHC policies and non-reimbursable LTHC expenses are deductible under the Internal Revenue Code. Wiener said that employers may include LTHC coverage in employee benefits and deduct their LTHC premium expenses just as they do for other health care coverage. She emphasized that LTHC availability is necessary in order to be consistent with other states that allow their residents to protect their assets from health care expenses. Sen. John Marty (DFL-Roseville) offered an amendment changing insurance company's loss ratio of 60 percent, provided by state law, to 65 percent. A 65 percent loss ratio means that the insurer's required to pay the health care provider 65 cents on the dollar, and that it may retain 35 percent of the premium. Sen. Sam Son (DFL-Duluth), representing the insurance federation of Minnesota, opposed the amendment. The amendment was defeated. The committee approved the bill and referred the bill to the Commerce Committee on Health and Family Security.
Two bills advance

The Commerce Committee, chaired by Sen. Sam Solon (DFL-Duluth), approved a bill, Tues., Feb. 25, that provides for the use of electronically signed messages to be generated and transmitted for the purpose of conducting commerce.

S.F. 173, sponsored by Sen. Steve Kelley (DFL-Hopkins) for the use of electronically signing messages that encrypts, authenticates and decrypts electronic messages or documents. According to Kelley, digital signatures technology makes the telecommunications system a practical method of sending legal documents and information of value within and outside the state. Kelley said that a digital signature provides assurance to a recipient that the message or document is indeed from the sender and has not been altered. Kelley said that 14 states have adopted some form of digital signatures technology, and that others have pending legislation. The Senate approved the bill and referred it to the Judiciary Committee.

S.F. 302, sponsored by Sen. Linda Berglin (DFL-Mpls.), permits community health clinics, that have been designated essential community providers, to offer low-income individuals or families the option of purchasing basic health care services on a prepaid basis without having to meet insurance law requirements. An author's amendment to the bill also allows hospital services to an individual or family who is enrolled in the prepaid option. The Senate approved the bill, as amended, and sent it to the Senate floor.

Crime Prevention

Boston gun project presentation

"I don't take really nothing to get a gun," said one of the juveniles who testified Fri., Feb. 22. Following the hearing of the Senate Crime Prevention Committee, chaired by Sen. Allan Spear (DFL-Mpls), the Senate Judiciary Committee, chaired by Rep. Wes Skaglund (DFL-Mpls). David Kennedy, of Harvard's Kennedy School of Public Policy, presented the group with findings and some promising results from the Boston Gun Project, a program of intervention which has correlated to a substantial drop in that city's gun activity. The project, said Kennedy, began in 1995 with an effort to coordinate the initiatives of the Boston Police Department and the community services to prevent violence. The committee approved the bill and referred it to the Judiciary Committee.

On Mon., Feb. 24, the Crime Prevention Committee made quick work of its first two agenda items. The committee voted to refer S.F. 158, a school bus safety bill offered by Sen. Martha Robertson (R-Minnetonka) to the Committee of Children, Families and Learning. Senate President John Eastman said, "This is one of the most important bills we have this session."

Gang strike force bill approved

On Mon., Feb. 24, the Crime Prevention Committee made quick work of its first two agenda items. The committee voted to refer S.F. 158, a school bus safety bill offered by Sen. Martha Robertson (R-Minnetonka) to the Committee of Children, Families and Learning. After hearing that the committee wants to focus the task force where it's needed most, several senators, including Sen. Davey Johnson (DFL-Bloomington) and Rep. John Eastman (DFL-Mpls) agreed that the bill should be referred to the Senate Education Committee.

NEAC report heard

The report of the Nonfelony Enforcement Advisory Committee was heard by the Senate's Crime Prevention Committee, chaired by Sen. Randy Kelly (DFL-St. Paul). The committee made quick work of its first two agenda items. The committee voted to refer S.F. 158, a school bus safety bill offered by Sen. Martha Robertson (R-Minnetonka) to the Committee of Children, Families and Learning. After hearing the penalty language for non-felony offenses, the committee decided to refer the bill to the Senate Education Committee.
Committee update

K-12 Technology overview

"Computers are going to radically change how we work. They're really changing how we play. And they're going to change the way we learn," said Hamlar in his presentation to the Education Finance Committee on Wed., Feb. 26. Graber shared his "big picture" futurism with Chair Keith Langseth (DFL-Glyndon) and the panel in a prelude to the Dept. of Children Families and Learning's overview on technology pedagogy.

Graba's insights included the admonition that the coming sea change is "as big as the industrial revolution and not voluntary." He said high school students need to learn to use computers and be comfortable in an evolving high tech environment. Graber brought along a copy of new jargon to describe the world we now have. "Learning," he said, "will be distributed, asynchronous, distanced-based, self-paced and self-directed." Instead of the "sage on the stage," Grabar proposed, a teacher will be the "guide on the side."

"Why technology?" asked Manning. According to his material, "Minnesota envisions effective use of new and emerging technologies as having a key facilitating role in effecting the changes needed to help students meet the new standards." Students, he said, will become engaged learners, teachers collaborators. "Classrooms will be connected, schools will be partnerships rather than monopolies, and geographic consequences will become learning communities," Manning said.

CFL's Mike Damanovich echoed Manning, elaborating on "authentic" application. According to Damanovich, it is time to move beyond videogame mentality and start truly incorporating technology, such as word processing, into students' everyday writing and editing process. Science levels, he said, should be using software to encourage simulations and probability experiments previously too unwieldy to consider in a classic lab setting. Technology, he said, should focus on performance, support sustained, challenging tasks, promote efficiency and allow teachers to adjust instructional timetables to student needs.

"Schools need," said Manning, "a technology plan, infrastructure, connectivity, technical support and substantive support to integrate these elements and make them effective." He urged the panel to think in terms of local vs. state funding, the definition and terms of access, and issues concerning having and having not. Though he acknowledged the myriad of disparities between districts that hindered the extra financial commitment to technology and those who have been able to do so, he urged the panel to "punish the pioneers.""}

Electoral Laws

Lobbyist disclosure bill fails

"The whole purpose of S.F. 185," said Chair John Marty (DFL-Roseville) to the Election Laws Committee Mon., Feb. 24, "is to preserve the public's right to know. Martin's bill requires that full disclosure of total lobbying costs be provided by principals as well as an itemized list of lobbied issues and legislation. It also requires disclosure by these organizations of all contributions, not only those above the current $100 reporting minimum."

Sen. Mark Ourada (R-Buffalo) spoke out against the bill, "It's管理条例 some recordkeeping, this tracking of bill numbers. It's something lobbyists said to say they worked on bill numbers. So it's one more way of keeping track." While it's in your interest as it's in your interest as well to know what's going on with your lobbyist, he said, "I'm not sure that's one way of the Minnesota legislature." Ourada said, "It fits in," said the bill's sponsor Marty, "with the overall philosophy that disclosure is important."

He pointed out that the current bill does not change any of the actual spending rules. "It's important for citizens to be able to trace the flow of influence," he said, "and it will result in restoration of voter confidence."

Sen. Roger Moe (DFL-Erskine) engaged Schultz, "26 years ago there was no open meetings law, no recorded vote requirement, and no lobbyist disclosure. Do you think voter confidence has increased since then?"

Schultz replied that the impact of such legislation has been to make institutions more open. He conceded, however, that voter cynicism has increased. When Ourada told Schultz this contradicted the earlier claim, Marty interjected, "Increased reporting requirements have exposed some bad things."

Sen. Linda Steller (DFL-Brooklyn Park) asked, "What is the justification for increasing lobbying activity. The bill also, he said, requires aggregate disclosure of the funding source, rather than having data exist only on the candidate."

In opposition to Robert Hentges of the Minneapolis law firm Faegre and Benson testified that S.F. 185 would "needlessly increase the complexity and administrative burden" on lobbyists and the state. He said the public can already find out who is lobbying, who represents principals, what they are working on, and how much they've spent. "I don't," he said, "hear any outcry that the public doesn't know enough about lobbying, nor the reporting."

S.F. 185 was debated on a voice vote.

Campaign finance bill discussed

At a hearing of the Election Finance Committee Wed., Feb. 26, Chair John Marty (DFL-Roseville) related the history of S.F. 708, his campaign finance reform bill, versions of which have existed since 1993. In 1995, he said, it passed the Senate and died in a House committee. Portions, said Marty, were incorporated into the 1996 election reform bill, S.F. 315, authored by Sen. Dallas Sams (DFL-Staples) and vetoed by the governor.

A large portion of the lengthy bill is devoted to the elimination of criminal penalties for late campaign reports and filings by candidates, parties and lobbyists. In their place, Marty's bill includes a stricter fine structure. "In the past," said Marty, "lobbyists have not been hurt by the current law, by for example, extending the ban on in-session fund raisers for the governor and lieutenant governor to cover the time period when the governor is deciding whether to sign or veto bills after adjournment sine die. Clean-up provisions also include coordinating areas of current state law with federal law. Onesuch
Marty talks to the political parties before We can assume parties are spending money we need parties to apportion these expenses. disclosure," said Scheid, "but I'm not so sure

tures itemized by candidate. "I'm all for
three or more candidates be broken out in
expenditures on multicandidate efforts such
troublesome section.

Scheid (DFL-Brooklyn Park) brought up the case of joint checking. An author's amendment
was approved to extend the terms to all joint checking arrangements.

Contention arose when Sen. Emberger urged (DFL-New Hope) questioned the severe penalty awaiting any candidate over the campaign limit. That bill states that such an offender can be required to turn all state subsidy money. Jone suggested a scenario in which a candidate might exceed the limit by a small amount and forgo repayment. Members approved Marty's subsequent amendment to strike the troublesome section.

The largest stir came in response to Marty's amendment requiring that party expenditures on multicandidate efforts such as sample ballots and field work for three or more candidates be broken out in the party's expenditure report, with expenditures itemized by candidate. "I'll suffer for disclosure," said Scheid, "but I'm not sure weneed parties to report on these expenses. We can assume parties are spending money on their endorsed candidates." Sen. Carol Flynn (DFL-Mpls.) agreed and suggested Marty talk to the political parties before moving the amendment.

S.F. 708 was laid over for further debate.

Environment and Agriculture Budget Division

PCA budget discussion begins

The first of a series of discussions on the biennial budget for the Pollution Control Agency (PCA) began at the Tues., Feb. 25, meeting of the Environment and Agriculture Budget Division.

PCA deputy commissioner Lisa Thovig began the presentation by highlighting a proposal to combine three funds administered by the agency. Thovig said the PCA wants to combine a bond fund, the hazardous waste revolving fund and the small business assistance fund. She said the combined fund would have a larger amount of money available for loans and "can be applied more broadly" than either of the two predecessor funds. Division Chair Stein Morse (DFL-Dakota) said he liked the proposal.

PCA Water Quality Division director Rod Massey said the agency's plan to shift from a point source pollution control strategy to a watershed district management strategy. In so doing, Massey highlighted three projects needing legislative approval to receive legislative commission on Minnesota Resources funding. The three projects are a Red River point source pollution control planning project, a study of how chemicals in surface water affect fish health, and a study of on-site sewage treatment system alternatives. Sen. Charles Berg (IND-Chokio) commented that "the problem with the Red River is that it flows north," and that each spring the headwaters melt before the mouth does. The result is flooding caused by ice dams in the lower part of the river. Berg said Massey said the Red River project is on plan to manage that annual flooding.

Massey also outlined panel member's opinions on a projected budget shortfall in the agency's point-source water quality program. He said the program will be structured to be more efficient, but a water quality permit fee will have to be increased during the transition period. Massey said that once the restructuring is complete, the program can accommodate budget reductions.

Other projects highlighted at the hearing included an environmental assessment of the state's lakes and rivers, a study of the watershed assistance program.

Environment and Natural Resources

Four bills advanced

Four bills received favorable recommendations by the Environment and Natural Resources Committee at a brief Mon., Feb. 24, meeting.

Sen. Dennis Frederickson (R-New Ulm) sponsored two of the bills, including one granting authority to the Board of Water and Soil Resources (BWSR) to receive and disperse federal grant money and other types of grants and gifts. The bill, S.F. 301, is necessary because state authority is not found anywhere in statute, according to BWSR Executive Director Ron Harnack. The bill was recommended to pass and referred to the Government Operations Committee.

Frederickson's other bill, S.F. 413, authorizes the commissioner of the Department of Natural Resources (DNR) to issue general permits for use of state water, according to Frederickson. Sen. Lokkesmoe (DFL-Duluth) of the DNR said the bill simplifies the permitting process by allowing issuance of general permits for temporary use of state water where there is minimal environmental impact. Vice Chair Ellen Anderson (DFL-St. Paul), who presided at the meeting, was concerned that the term "temporary" did not appear in the language of the bill and said it was unclear if the permits or the environmental impacts were temporary. Frederickson offered an amendment to clarify that the permits were temporary and the amendment was adopted.

Lokkesmoe said the environmental impact would be considered by the DNR in the permitting process. The committee approved the bill and sent it to the Senate floor.

The committee held a hearing on Senate File 354, carried by Sen. William Belanger (R-Bloomington). Belanger explained that the bill adds the commissioner of the Department of Trade and Economic Development (DTED) to the Environmental Quality Board (EQB). The DTED commissioner formerly was a member of the EQB, but was removed because DTED commissioners found they had little input at EQB meetings, Belanger. He said now that the EQB has undertaken an agenda of sustainable development, it is important for the DTED commissioner to be back on the EQB. The bill was approved and referred to the Government Operations and Veterans Committee.

The other bill heard, S.F. 127, sponsored by Sen. Dan Stevens (R-Mora), reorganizes two environmental advisory councils into one. Tom Ostobio of the Office of Environmental Assistance explained that under the bill, the functions of the Hazardous Waste Management Planning Council and the Market Development Coordinating Council will be combined into the new Prevention, Reduction, and Recycling Advisory Council. The bill was approved and referred to the Committee on Governmental Operations and Veterans.

PCacommissionerconfirmed

Pollution Control Agency (PCA) acting commissioner Peder A. Larson appeared Wed., Feb. 26, before the Environment and Natural Resources Committee for confirmation of his appointment. In addition, the committee acted on two bills affecting watershed district levy authority.

Larson told panel members of his plan as commissioner to implement a collection of new operational strategies called "G.O.A.L. 21." Larson said that the new strategies emphasized a cooperative approach between the agency and customers, and focusing on environmental outcomes rather than regulatory rules. Larson also said the agency planned to be involved at the national level with the federal Environmental Protection Agency (EPA) and the environmental regulatory agencies of other states, but that the EPA has pulled out of that agreement.

Sen. Linda Higgins (DFL-Mpls.) asked why the PCA was reviewing the permit application for a metal shredding facility in her district. Known as the "konderator" when the matter is being litigated in court, Larson responded that the PCA is obligated to act on a permit application within one year of submission, and that the permit is near expiration.

Leslie Davies, founder of the Earth
said they have found that most parents, regardless of hardship, really do care about the children's development.

Child and Adult Care Food Program (CACFP)

Supervisor Carolyn Brown told Family and Early Childhood Education Budget Division members, Weds., Feb. 26, that many people enroll in CACFP because they have been working to find a means of applying diminished funding to areas of greatest need. The CACFP, funded by the Department of Agriculture, provides reimbursement to participating care centers for nutritious meals for children and adults. Brown said she has far fewer reimbursements to Minnesota this year than in previous years. She has found no way to adequately replace the funding. She added that the sudden absence of CACFP reimbursements will also reduce the incentive for family child care providers to remain in business at a time when welfare reform will reduce eligibility for child care providers.

David Allen, Resources for Child Caring, told division members that there are insufficient family child care resources to handle the need. Allen said that Minnesota's workforce ethic means that friends and neighbors will be available to child care than in other parts of the state. He said that studies indicate that non-working families will decrease by 75 percent total family eligibility in 1997 to 50 percent of that total in 2002. Allen said that families who have the availability of subsidized sliding fee child care, choose licensed care more often than those who must pay out of pocket for care. Allen said that it is inevitable that the state must close opportunities for children in unlicensed facilities.

Govermental Operations Budget Division

Atty. Gen. budget discussed

Chief Deputy Attorney General Lee Sheets presented Chair Leonard Price (DFL-Woodbury) and the Governmental Operations Budget Division with an overview of the office's budget request for the next biennium Thurs., Feb. 20.

Sheets detailed the Attorney General's Office's day-to-day legal service to more than 100 executive branch agencies, boards and commissions, as well as its overarching duties of representation in adversarial proceedings including lawsuits, rulemaking hearings, contested case hearings, state and federal litigation and collection activities of the state. The office is well aware of the need for the attorney general's office to be vigilant in its pursuit of justice for the state.

Revenuebuilding presentation

J. M. Steenmann, executive vice president and general counsel for the St. Paul Chamber of Commerce, presented the SGS Group's report to the Senate Ways and Means Committee on the effects of revenuebuilding on the state's General Fund, Feb. 26. The SGS Group's report was prepared for the House Ways and Means Committee in January. The report was not favorable to the state's General Fund.
**Persian Gulf Bonus Bill Discussed**

"We have five important bills to consider this morning," said Chair James Metzen (DFL-South St. Paul) at the Weds., Feb. 26, Governmental Operations and Veterans Affairs Committee meeting.

Metzen offered S.F. 445, the Persian Gulf War bonus bill, for consideration. Under the bill, $17.5 million is appropriated to pay bonuses to veterans active during the conflict. Metzen said the voters had approved the bonus last year in a statewide vote, and, consequently, the governor included the appropriation as part of his budget.

Metzen said 12,300 Minnesotans served in the Persian Gulf theater of operations between the dates of eligibility—August 2, 1990, and August 31, 1991. Military personnel are eligible to receive a $600 bonus. In addition, the 30,500 veterans active between the dates of eligibility, but who did not serve in the Southwest Asia service area, are eligible for a $300 bonus.

Furthermore, there are 6,600 Minnesota veterans who were killed in action and their survivors are eligible for a $2,000 survivors award.

Metzen offered two amendments. The first amendment reduces the penalty for those who knowingly submit a false claim for a $1,000 fine. Metzen said the amendment was to address administrative difficulties.

The second amendment limits eligibility to those military personnel who were activated for duty and served outside the state. "Those people who were recalled up but did not have to leave their homes and whose daily lives were not disrupted will not receive the bonus," Metzen said. Both amendments were adopted.

There was concern among some members about whether the top pay active personnel who did not serve in the Persian Gulf. "Should full-time, professional military people, who would have been on active duty whether there was a war or not, receive a bonus?" asked Betzold. It was decided to hold the bill over for further discussion.

In other business, S.F. 463, allows the Minnesota Humanities Commission to rent its education and training center to private parties when it is not needed for its primary purpose. The bill's author, Sen. Ellen Anderson (DFL-St. Paul), said the intention is to allow the commission to generate extra revenue to offset operating expenses. After a motion by Sen. Deannai Weiner (DFL-Eagan) to amend the effective date to the day after passage and adoption, the bill was sent to the floor and recommended for the Consent Calendar.

According to Sen. Don Betzold (DFL-Fridley), a section of S.F. 96 is covered by other legislation, so he moved to delete the section. Specifically, the deleted section adds certain public safety rules to the list of exceptions. After the bill was amended, Betzold said the remaining language requires the Dept. of Public Safety to adopt permanent rules for laws relating to driving under the influence of alcohol or other controlled substances. The measure was approved and advanced to the floor.

Betzold also authored S.F. 99, the Dept. of Military Affairs technical clean-up bill. The measure was referred to the Governmental Operations and Budget Division.

To correct a mistaken made last session, S.F. 191 allows additional state to policy aid recipients who received less money last year than they intended, said Sen. Richard Cohen (DFL-St. Paul). Cohen explained, "This is not any new policy or money. It just amends an error made in past legislation that resulted in several policy retirement funds receiving less money than they should have."

The bill was approved and referred to the Governmental Operations and Budget Division.

**Health and Family Security Mortuary Science Bill Approved**

A variety of bills was brought before the Health and Family Security Committee on the Thurs., Feb. 20, meeting.

Sen. Linda Berglin (DFL-Mpls.), author of S.F. 101, said the Dept. of Human Services bill makes a several technical changes to statute. Berglin successfully offered an amendment that specified that when awards for attorney fees and costs are given to health care providers in contested cases, the awards do not count against a provider's cost limits. The bill was approved and referred to the Judiciary Committee.

According to S.F. 190 author Sen. David Ten Eyck (DFL-East Gull Lake), the bill exempts six Dept. of Human Services advisory councils from sunset dates—the medical assistance uniform formulary, home care trauma and brain injury, predisinfection screening, alternative care and home community-based services, and American Indian and four other advisory councils. In addition, the bill extends the sunset dates for the American Indian Advisory Council and the Citizens Advisory Council from 1997 to 2001. Then Ten Eyck offered an amendment to include the Minnesota Commission on Aging and the National Alliance for the Mentally Ill.

Finally, Chair John Hottinger (DFL-Mankato) invited Foley to present S.F. 199. According to Foley, Senate Bill 199 provides the Dept. of Health's mortuary science housekeeping bill and makes several extensions to the existing statutes regulating funeral homes and burial activities. After he explained the contents of the legislation, Foley offered four amendments, all of which were adopted. One amendment, however, proved to be controversial. It re-instated the current law for the amount allowable for the supplemental security in some asset exclusions used for determining eligibility for public assistance. Current law allows people to set aside up to $2,000 in an irrecoverable funeral account so that in the event a person goes onto Medical Assistance, the account does not count against their eligibility for assistance. An amendment offered by Samuelson and supported by the Minnesota Funeral Directors Association, which would have reduced the amount allowable in such an account to $8,000. The Samuelson amendment failed and the measure was referred to the Judiciary Committee.

**Birth Defect System Approved**

The Health and Family Security Committee teed the week with a small agenda at the Fri., Feb. 21, meeting. Members listened to a presentation from the directors of the Minnesota Health Care Commission (MHCC) before they considered S.F. 430. Nann Schroder, executive director of the MHCC, distributed a packet containing the work of the commission for the past year. She first highlighted a report touting the success of the MinnesotaCare program.

"MinnesotaCare is a comprehensive set of health care reform laws, programs, and strategies designed to make quality, affordable care accessible to all Minnesotans," she said. Schroder then launched into the specifics of the commission, which is funded by the Health Care Access Fund (HC AF). The commission is comprised of 28 volunteer members who represent consumers, employers, labor unions, health care providers, health plan companies, and state agencies.
Committee update

Assistant Director David Haugen contributed to the overview with a presentation on the health care financing infrastructure in Minnesota. "While we don't have universal insurance coverage in the state, we do have a rough and ready form of universal access," Haugen said. He offered a report on members, hesaid, "To outline what the health care delivery system looks like in Minnesota." Schroeder also presented the commission's public health initiatives report. The commission recommends measures to both reduce tobacco consumption and heighten the awareness of violence prevention.

S.F. 430, authored by Sen. Linda Berglin (DFL-Mpls.), establishes a statewide birth defects registry with a data classification and monitoring system. The bill also creates a 16-member birth defects registry advisory council that sunsets in 2003 and is comprised of representatives from a variety of stakeholders. Berglin said, "The bill is a follow-up to the previous session's legislation that provided a one-time appropriation for planning the data registry. The birth defects registry is not included in the Dept. of Health's budget request this year, but I think it is important that this registry be established." Therefore, she said, the bill appropriates money to the Department to administer the birth defects information system.

Chair John Hottinger (DFL-Mankato) said, "The relatively small contribution of money that we put up front will benefit the entire state in the long run. We can really get a good return on our investment and it is clear that we shouldn't be doing this." The measure was approved and referred to the Judiciary Committee.

Certification repealer okayed

Sen. Linda Berglin (DFL-Mpls.) and Sen. Becky Lourey (DFL-Kerrick) both presented bills at the Health and Family Security Committee meeting Tues., Feb. 25. Berglin started off with S.F. 169, a measure that allows a county agency to operate a supplementary service center for certain state licensed group housing facilities. Berglin explained that the bill addresses a narrow scope of housing agencies and tries to equip them with the lowest level of state reimbursement. "These facilities are taking care of a large number of people who have chronic chemical dependency or mental illness, who would otherwise be in our regional treatment centers or going without care. Many of these facilities will go out of business without an adjustment," she said. Representatives from the Association for Supportive Living said reimbursement rates have been frozen since 1985, and that adjustments are needed for wage increases and for repairs and capital improvements to the facilities. The bill was approved and referred to the Health and Family Security Budget Division.

"S.F. 473 is a very simple bill," said Berglin, "The bill repeals the Medicare maximization program that was enacted last session." Berglin explained that the program enacted last year creates problems for medical assistance/home care service providers by requiring them to become Medicare certified. For those service providers with less than 50 clients, it is cost prohibitive to seek Medicare certification and, as a result, many providers may be forced out of business. "I really believe that many essential providers will no longer be able to provide care," she said.

Sen. Sheila Kiscaden (R-Rochester) asked Berglin if she had considered delaying the implementation of the Medicare maximization program instead of repealing it. Berglin responded, "I have come to the conclusion that a large number of agencies will not be able to become certified, and therefore, delaying the implementation date will not solve the problem." Kiscaden also asked Marge Brchan, from the Dept. of Human Services, what the consequences of repealing the bill would be. Brchan said that the department is concerned about the health and safety of the clients of the care providers in question. "Medicare certification ensures a minimum level of care," she said. The measure was approved and referred to the Health and Family Security Budget Division.

Chair John Hottinger (DFL-Mankato) invited Lourey to present S.F. 597. The measure establishes an alternative, non-agency-based application process for a pilot social service program in Pine County. According to Bob Walz, director of the Dept. of Human Services' office in Pine County, the bill allows a "letter of intent" in lieu of a grant application for social service and employment service funding. The measure also requires the commissioner of human services, children, families, and learning, and economic security to distribute funds to Pine County. The department is allowed to withhold funds if the county does not meet the alternative funding process requirements. Lourey added that the program oversight by the Dept. of Human Services is necessary and that the legislature needs to have oversight of the project continues. She successfully moved to change the date the department must report to the legislature from 1997 to 1999. Because of concerns expressed by several members, the measure was laid over for further discussion.

Health and Family Security Budget Division

Human Services budget overview

Assistant Commissioner Deborah Huskins, Dept. of Human Services, presented the Health and Family Security Budget Division overview at the Tues., Feb. 25, meeting. Huskins outlined the scope of the Economic Support Grants Program which is expected to have a total budget of $560 million in FY 98. The support grants include such programs as Aid to Families with Dependent Children (AFDC), the Minnesota Family Investment Program (MFIP), child support enforcement, General Assistance (GA), and Minnesota Supplemental Assistance (MSA).

George Hoffman, also from the department, said changes in the federal welfare assistance programs will alter the number of people on state programs. Chair Don Samuelson (DFL-Brainerd) asked how many people would be affected. Hoffman said that the new federal welfare program is estimated to affect 5,000 to 6,000 people.

Steve Nelson assisted Huskins with an overview of the department's efforts to expand the MFIP program statewide. They said the department plans to expand the new welfare-to-work program at the beginning of 1998, and during the interim six months, the Assistance to Families Program would be in place. The program is similar to, but more restrictive than, the current AFDC law.

Human services overview continues

Representatives from the Dept. of Human Services continued their presentation of their respective budget overview at the Health and Family Security Budget Division meeting, Weds., Feb. 26.

Assistant Commissioner Deborah Huskins completed an overview of the department's Economic Support Grants Program with dispatch. She highlighted the Aid to Families with Dependent Children (AFDC) higher budget forecast increase, explaining that they are a result of three federal changes. The first change is that changes in the federal financial participation for legal non-citizens in the AFDC program, and the third change is that the eligibility requirements for the federal Supplemental Security Income (SSI) program that affects a number of children and legal immigrants to AFDC. Huskins also provided a survey of the Child Support Enforcement, General Assistance, Minnesota Family Investment, Minnesota Supplemental Assistance, Refugee Services, and Policy Administration Programs.

Sen. Linda Berglin (DFL-Mpls.) asked if the Minnesota Family Investment Program (MFIP) counts as work when determining food stamp eligibility. Huskins explained that MFIP has been re-designed as an employment program so that it could be counted as work. "So on those cases where not to participate in MFIP will lose their food stamps," she said.

Chair Don Samuelson (DFL-Brainerd) asked the department top provide a breakdown for the number of staff added with the requested budget.

Denis Erickson outlined the budget initiatives for the three divisions in the department's Agency Management Program: Financial, Legal and Regulatory, and Management Operations.
Higher Education Budget Division

Yudof introduced

University of Minnesota President-elect Dr. Mark Yudof was introduced to the Higher Education Budget Division Tues., Feb. 25. The division, chaired by Sen. LeRoy Stumpf (DFL-Thief River Falls), also heard a continuation of the university's budget presentation.

Outgoing President Nilss Asselm says Yudof as a scholar who was at home both with state government and higher education. Yudof outlined his management philosophy, and said, "I'm not a micromanager. It's my job to coordinate the central administration of the university so the teachers can teach. That's where all the great advances, all the breakthroughs happen."

Sen. Sam Sonol (DFL-Duluth) asked, "Where do you see both the beacons and the challenges at the University?"

Yudof said, "I see many impressive things----the academic health center, a strong social sciences discipline, and one of the best applied mathematics programs in the country. In terms of challenges, I think we should work on upgrading our classrooms; we need to make more progress in the humanities and with our core liberal arts values. And we must do something about faculty salaries."

Yudof reinforced the importance of technology to higher education and said, "I'm proposing a technology summit this summer, getting together government, business and university representatives to develop a 25 year strategy to make the state a leader in technology."

The university's budget presentation was continued by Marvin Marash, Senior Vice President of Academic Affairs and Richard Pfutzenreuter, Associate Vice President for Budget and Finance. Pfutzenreuter described financial reporting via a web, leading to paperless, online access to the budget documents and programs. In response to a question from Sen. Cal Larson (R-Fergus Falls), Marash outlined the university's endowment process and said, "People endow chairs and scholarships because they have an emotional commitment to the University of Minnesota."

U-budget review continued

The Higher Education Budget Division continued its review of the University of Minnesota's budget request Weds., Feb. 26. The division, chaired by Sen. LeRoy Stumpf (DFL-Thief River Falls), was also presented with two bills for consideration.

Marvin Marash, Senior Vice President of Academic Affairs, and Richard Pfutzenreuter, Associate Vice President of Budget and Finance, continued their presentation of the University's budget request. Marash said, "We're proposing a four year financial framework to enhance long-term financial planning. This would be a partnership funded by the state, the University, and the students."

Yudof then went on to describe the university's greatest investment needs. He said, "We have challenges in compensation for the faculty, technology, programmatic investment, university-based financial aid, facilities upgrade, price level increases, and declining revenue sources."

Pfurtenreuter said, "The University is striving to be among the top five research universities in the United States. We're concerned about the current brain drain in the state of Minnesota. Some of our best high school seniors are leaving the state. We have to raise the amount of state and federal money we spend on our state university."

Sen. Cal Larson (R-Fergus Falls) stated his concerns for rural health care and asked, "What do you see the role between the main campus in the Twin Cities and the University branch in Duluth?"

Pfurtenreuter said, "The University Medical School is currently ranked among the top 10 in the U.S. in terms of rural family health care."

The measure was approved and advanced to the floor.

Jobs, Energy, and Community Development

Citizenship bill advanced

A bill creating a statewide citizenship program was advanced Fri., Feb. 21, by Jobs, Energy, and Community Development Committee, chaired by Sen. Steve Novak (DFL-New Brighton).

S.F. 331, authored by Sen. Ellen Anderson, creates a program to promote citizenship for legal immigrants in Minnesota. The bill appropriates $2.7 million for the biennium. The program, as described in the bill, provides information, application workshops, English classes, and video instruction.

In addition, under the bill, a statewide coordinator ensures access to the program throughout Minnesota. There are pockets of immigrant communities in Greater Minnesota as well as the Twin Cities. "It's important that we have a statewide perspective on this," said
Utility, development bills moved

A bill relating to economic development in Becker County and a bill concerning excavation notification were presented to the job's energy and community development committee, Tues., Feb. 25. Both bills were advanced by the committee, chaired by Sen. Steven Novak (DFL-New Brighton). Majority Leader Roger Mohl (DFL-Erskine) authored S.F. 417. The bill authorizes the establishment of an economic development authority by Becker County. Margie Johnson, county commissioner, said, "This authority will help us increase our tax base and expand employment opportunities in the county. Due to the high level of poverty in Becker County, we've made job creation and economic development our top priority." The bill was advanced to the Senate floor.

Novak presented S.F. 546, a bill expanding the responsibility for excavation notification. He cited safety concerns and said, "This bill mandates that state and municipal governments provide information about underground facilities within proposed excavation areas. It is a reasonable and economic development goal that our top priority." The bill was advanced to the Senate floor.

Judiciary

Six bills heard


S.F. 500, sponsored by Sen. Leo Foley (DFL-Anoka), incorporates 1996 amendments to the Uniform Family Support Act (UFLSA). The federal welfare reform act requires states to adopt UFLSA amendments into their family support statutes. The committee approved the bill and referred S.F. 500 to the health and family security committee.

S.F. 203, sponsored by Linda Berglin (DFL-Mpls.), creates a father's birth registry for all fathers, who have not established paternity, of pending adoption. Berglin said the bill results from a Supreme Court decision that states that a child's father must be identified in the event the child is subject to adoption. The bill also establishes a 30-day time limit for follow-up notification, that a child's father may initiate paternity action. The committee approved the bill and referred it to the subcommittee on data privacy and information policy.

S.F. 324, sponsored by Sen. David Knutson (R-Burnsville), relating to human rights, redress as if investigative data maintained by the Human Rights Department. The bill provides that the name and address of a charging party or respondent, factual basis of the allegations, and the statute under which the action is brought will remain private in open files. Current law limits this classification until seven working days after a copy of the charge is mailed to the respondent, at which time it would become public.

The committee of Human Rights Acting Commissioner Delores Fridgeland members that the department supports the bill because it protects the identities of those charged with violations until the department has reached a decision. She said that the media may publish filed charges, but later, may fail to publish subsequent department findings by clearing the accused of the charge. The committee approved S.F. 324 and sent the bill to the Senate floor.

S.F. 324, sponsored by Sen. Ember Jonger (DFL-New Hope) relates to professional firms and modernizes and standardizes the law regulating professional business organizations as they affect physicians, attorneys, certified public accountants, dentists, chiropractors, optometrists, veterinarians and other professionals. The committee approved the bill, as amended, and sent it to the Senate floor.

H.F. 35, a revisors bill, sponsored by Sen. Don Betzold (DFL-Fridley) corrects erroneous, ambiguous and omitted text, obsolete references, eliminates redundant, conflicting and superseded provisions and makes miscellaneous technical corrections to statutes and other laws. The committee approved H.F. 35 and recommended the bill for the Senate Consent Calendar.

S.F. 211, sponsored by Knutson, requires certain notices regarding real property and debt transfers during a matrimonial dissolution. The bill was laid over pending further language analysis involving debt responsibility and dissolution parties.

Three billsokayed


S.F. 211, sponsored by Sen. David Knutson (R-Burnsville), amends current laws restricting child custody or visitation in cases where an individual has been convicted of murder, assault, kidnapping, deprivation of parental or custodial rights, criminal sexual conduct and other crimes, and requires the court to appoint a guardian ad litem in these cases, adds notice requirements in dissolution cases where a judgment decree involves a transfer of real property or the assumption of debt, and amends the current statute dealing with the debt of a husband and wife for one another's debts.

According to Bruce Kennedy, family law section, MN State Bar Assn., the bill "basically provides that a spouse is not liable for debts incurred solely in the name of the other spouse, except in the case of household utilities supplied when spouses are living together. Kennedy said that creditors may still pursue the other spouse, but headed that the bill is a language and word remedial reform. He pointed out that the bill does not prevent the court from apportioning debt among spouses. The bill was approved and sent to the Senate floor.

The committee also moved two bills dealing with civil commitment. S.F. 57, sponsored by Betzold, clarifies and organizes portions of the civil commitment act, requires medical documentation of a patient's refusal to be examined, allows determination of need for treatment based on other information, limits the use of prepetition screening reports from other unrelated proceedings and increases the time for return to the facility following a provisional discharge. An amendment, offered by Betzold, provides that a patient is to be discharged if no written report concerning the patient's discharge is submitted within the required time, and that a patient's provisional discharge status may be revoked if the patient is not returned to that status within 60 days. The amendment was approved.

S.F. 53, also sponsored by Betzold, incorporates recommendations of the Supreme Court Advisory Task Force on the Civil Commitment System. The bill allows a designated agency to consent to voluntary treatment for willing incompetent people, creates a new standard for court-ordered early intervention, modifies the standards and procedures for the administration of neuroleptic medications and strengthens provisional discharge procedures.

Betzold offered an amendment to S.F. 53 disallowing the introduction of new information on an appeal panel that is rehearing a petition for reverse a previous civil commitment. Members then approved his motion to strike the entire bill. S.F. 57, as amended, into S.F. 53, and referred S.F. 53, as amended, to the Committee on Health Care and Family Security.

Members approved a bill authored by Sen. Linda Scheid (DFL-Brooklyn Park), authorizing civil actions against drug seller organizations for damages including tohanging.
S.F. 135 requires school boards to adopt written policies governing student hazing occurring both on and off school property, and to include in the policy disciplinary action for sufficient severity to deter such behavior.

Sen. Allen Spear (DFL-Mpls.), offered an amendment eliminating language making a person involved in hazing guilty of a misdemeanor. Spear said that the language would be difficult to enforce and could add to the burgeoning numbers of misdemeanor laws. Spear said that adequate school disciplinary action will address the problem. Members agreed and adopted the amendment.

Members approved S.F. 135, as amended, and referred it to the Committee on Children, Families and Learning.

The committee briefly reviewed a number of bills related to foster care, adoption and child protection. Among them was S.F. 747, sponsored by Knutson. Included in the bill are recommendations of the Minnesota Supreme Court Foster Care and Adoption Task Force. The committee will continue review of S.F. 747 and related bills at a later time.

### K-12 Education Budget Division

#### Socio-economic factors discussed

"There's no Minnesota nice segue into discussion of desegregation," the Urban Coalition's Nancy Smith told the K-12 Education Budget Division Friday, Feb. 21, "and Minneapolis is one of the most segregated cities in the U.S." At a meeting chaired by Vice Chair Charles Wiger (DFL-North St. Paul), Smith suggested rising transportation costs are forcing school systems to redefine desegregation in terms of equitable dollars for the latest technology and new facilities.

Demographic maps presented to the division by education advocate Debra Leby showed that Greater Minnesota as well as the Metro Area is experiencing explosive increases in numbers of minority students. She said most test results indicated that on a point scale, white students average five or higher while students of color average five or less. University of Minnesota Institute on Race and Poverty's John Powell told the committee that with 80 percent of children living in areas with an African American population of less than one percent, policymakers "need to emendide and slow the growth in the new school construction." Community schools can be very successful, "hesaid, "but research shows that they don't work in overwhelmingly poor minority areas."

Roger Haele of Tennant Corporation presented the United Ways' The Face of the Twin Cities: Another Look. He said the area's strong economy and low unemployment rates belie the reality of uneven prosperity. A worker makes an average salary of $17,000 per year, while an African American makes $8,000. And growth, he said, in the white population is at 11 percent per year while all other groups are growing at a rate of 92 percent.

Vicki Phillips, an architect of Kentucky's statewide education standards, offered a 4th grade test from Philadelphia schools, told the division that Minnesota's most difficult task will be convincing its residents that change is necessary. Sharing models from the other two reform efforts, she promoted standards tests that "raise the bar for all students," but urged policymakers to encourage parental involvement, early childhood programs, staff development, testing and the potential to achieve at high levels. In Kentucky, she said, at last four-year-olds are not ready to learn. In schools where over 20 percent enrolled qualify for free lunches, Phillips said, the test should be tailored to help resource centers with day-care, services extended programs, adult education resources.

According to Phillips, Philadelphia is decentralizing its school bureaucracy into 22 districts, increasing professional development, instituting full-day kindergarten and forming many oversight groups in community tests to hold the system accountable.

### Testing socio-economic discussed

The Dept. of Children, Families and Learning's Michael Tillman reviewed Minnesota's graduation standards with K-12 Education Budget Division Legislators as they devise a structure for uniform statewide testing. "Under current law," he told Vice Chair Charles Wiger (DFL-North St. Paul) and the panel Wednesday, Feb. 26, "the test provides optional tests for both reading and mathematics. Schools can choose alternate tests." Last year was the first large-scale implementation and results will be in March, Tillman said. Tests can begin any time between 8th and 10th grade and are expected to have the learning profile required to graduate," he said. Who had not passed by 10th grade, he said received remediation.

Early results from tests given in 1996 show a statewide graduation rate of 76 percent in mathematics and 63 percent in reading. The passage rates held for 1997, with 80 percent of those who were in grades 8th and 10th had achieved test scores of those who took the test last year. "This is only part of the learning profile required to graduate," he said. Students who had not passed by 10th grade, he said received remediation.

At this point, he said, they do not have enough data to judge. Also, he said, anecdotal reports indicated that students did not take the tests very seriously the first time. As for teachers having to "teach to the test," he said, "the only way to teach to the test is to teach students how to read."

Criticism of the test said Tillman, included the fact that a student could pass while failing in interest and/or subject areas. Required passage for all sections is worth looking into, he said, but would make scoring more difficult and demand a more detailed communication strategy.

Bill Brown of the Minneapolis School District said that in the city, three times as many whites as African-American students failed. By looking at second-grade reading scores of those who did not pass, while Brent Gish tested that Mahnomen's students, the test could predict which students would pass. The district is now, he said, re-examining its literature-based whole language curriculum. "It seems to work well for children in higher-income families," he said "but not as well for kids at-risk."

Mounds View's Barbara Lary spoke of high test scores and high turnout for remedial prep among those who did not pass while Brad Gish tested that Mahnomen's students, the test could predict which students would pass. The district is now, he said, re-examining its literature-based whole language curriculum. "It seems to work well for children in higher-income families," he said "but not as well for kids at-risk."

### Local and Metropolitan Government

#### Utility, technical bills advanced

The Local and Metropolitan Government Committee considered four technical bills Monday, Feb. 24. The committee, chaired by Sen. Jim Vickerman (DFL-Tracy), advanced the four bills.

S.F. 362, authored by Vickerman, allows any person at least 18 years of age to serve as real estate attorney or technician. The bill was advanced by the Committee on Taxes.

Sen. William Belanger (R-Bloomington) authored two technical bills. S.F. 216 is a technical bill concerning the Department of Revenue. S.F. 456 makes technical policy changes to property taxes. Both bills were advanced by the Committee on Taxes.

S.F. 431 was presented by Sen. Linda Higgins (DFL-Minneapolis). The bill addresses utility charges assessments in the city of Minneapolis. Al Santos, manager of Minneapolis Utilities Billing, said, "Delinquent payments cost the city of Minneapolis about $300,000 per year. This change makes the assessment effective the day the utility bill is delivered and makes it possible for us to collect in the event of bankruptcy." The bill was advanced to the Judiciary Committee.
Committeeupdate

Transit, bankruptcy bills gain
A metropolitan transit finance bill and a bill regarding municipal bankruptcy were among pieces of legislation considered Weds., Feb. 26 by the Local and Metropolitan Government Committee. The committee, chaired by Sen. Jim Vickerman (DFL-Tracy), advanced five bills at the meeting.

S.F. 562, a bill providing financing for Metropolitan Area transit, generated the most discussion. Authored by Sen. J. Johnston (DFL-North Branch), the bill authorizes the Metropolitan Council to issue $46 million in bonds for capital expenditures, removing language requiring employers to provide payroll deduction plans for discount transit passes, and establishes a performance-based parade demonstration program. J. Jim Smolyar, regional administrator for the Council, said, "In addition to the funding that will help replace aging buses and improve facilities, this bill will help us continue to find ways of making rideship more attractive. The bonding will have a minimal impact on taxpayers, just $5.81, for example, on a $100,000 home. The bill was advanced to the Transportation Committee.

A bill enabling a municipality to file a petition and seek relief under Chapter 9 of the U.S. Bankruptcy Code, S.F. 388, was authored by Sen. J. John Hattinger (DFL-Mankato). J. James Rubinstein, an attorney from the bankruptcy Section of the Minnesota State Bar Association, said, "This is in response to a change in federal bankruptcy law. Such relief would give a municipality the time to reorganize without immediate debt pressure." The bill was advanced to the Senate floor. S.F. 124, authored by Vickerman, authorizes the charging and collecting of emergency services charges provided by a town. The bill was advanced to the Senate floor.

S.F. 504, a bill allowing cities to obtain the NSF assistance program, was sponsored by Sen. Bob Lessard (DFL-Morril). The bill was approved and sent to the Senate floor.

Rules and Administration

Permanent rules okayed
The Rules and Administration Committee, chaired by Sen. Jim Smolyar, considered a number of subcommittee reports dealing with operations of the Senate.

Members adopted the report of the Subcommittee on Permanent and Joint Rules, that sets forth changes in the permanent rules of the Senate. The recommendations, presented by Sen. Ember Johnson (DFL-New Hope), include requiring House amendments be printed and placed on members' desks before the next motion to consider a bill with the amendments is made, allowing special order to be designated by a designee of the chair of the Rules and Administration Committee, allowing informational references to the House and the governor during floor debate, allowing title amendments whenever an bill is amended, eliminating the option to print a description of a floor amendment, clarifying the rotation of chairs, adding references to budget divisions, clarifying the authorization for the Senate budget, and authorizing assistance for the Subcommittee on Ethical Conduct.

In other action, the committee, chaired by Sen. Roger D. Moe (DFL-Erskine), also considered the report of the Special Subcommittee on Rules. The subcommittee, chaired by Minority Leader Dean Johnston (DFL-Rochester), sets forth Senate policy regarding campaign activity. The policy sets forth definitions of what constitutes campaign activity and what does not. Further, the policy clarifies that an employee of the Senate may participate in campaign activity during hours in which the employee records as hours worked for the Senate, specifies that an employee may not solicit campaign contributions from officers within the Capitol Complex and provides that an employee may receive unsolicited campaign contributions but must promptly forward them to the treasurer of a senator's principal campaign committee. The policy also prohibits the use of Senate equipment or supplies for campaign activities. The report of the subcommittee was adopted.

Members also heard a report of the Ad Hoc Subcommittee on Senate Information Systems and deal with some information matters. Finally, the members began discussion of S.F. 90. The measure, sponsored by Sen. James Gallogly, is designed to improve the Senate's computer system. In addition, the measure includes a Senate appointment procedure. The bill was laid over for further discussion.

Committee on Taxes

Tax proposals discussed
Two tax bills were discussed at the meeting of the Taxes Subcommittee on Income and Sales Tax Wed., Feb. 26. Sen. William Belanger (R-Bloomington) sponsor of the governor's tax proposal, S.F. 445, presented it to the committee along with John Haugen and Commissioner Jim Girard of the Revenue Department.

Belanger first offered an amendment removing a repeal of the Minnesota Unfair Cigarette Sales Tax. Belanger said that previously the repeal was part of the governor's proposal to fund a new outdoor baseball stadium, but that plan has been discarded. The amendment was adopted.

Haugen gave a section by section description of the bill. Among the new programs included in the bill, according to Haugen, is an educational investment fund into which people can make estate or income tax deductible contributions, a tax deduction for K-12 educational tuition and the purchase of computer hardware and software for educational purposes, and a tax credit for the same expenses for households with incomes below $39,000.

Sen. Linda Scheid (DFL-Brooklyn Park) said she was concerned that computers purchased for the credit might be used by other members of a family for non-educational purposes and that she would rather see the money spent on computers in schools." Sen. Gen Olson (R-Minnetrista) said the deduction would only result in the tax rate being applied to computer purchase price, so a $1,000 computer would only result in an $80 tax deduction.

Cheryl Furner of the Minnesota Education Association spoke against the education deduction and credits and called the state's tax code "an exercise in futility." Sen. Douglass Johnston (DFL-Minneapolis) said he was concerned about the deduction complicating the tax form and asked if the tax return form would still fit on a single piece of paper. Haugen said it would still fit.

Other features of the bill include an $8,000 credit for businesses that hire training program graduates, and a $6,000 credit for retaining that employee, and a deduction of sales taxes paid to University of Minnesota athletic event tickets, said Haugen. The bill was laid over for further consideration.

The committee also heard S.F. 497, carried by Scheid. She said her bill proposes policy changes to several state tax programs.

Haugen said that the first of the bill's provisions are the state's tax laws to changes in federal law. Much discussion centered around the impact on state revenues of federal law lowering small medical institutions to become subchapter S corporations. Paul Lindholm, a Fergus Falls banker, presented the results of a survey of small Minnesota banks regarding their intent to convert to subchapter S corporations.

Lindholm said that 208 Minnesota banks plan to make a conversion by the year 2000, which will result in approximately $8 million less in tax revenues in 1997, and greater deductions in subsequent years. Scheid's bill was also laid over for further testimony and discussion.

Transportation

Regional transit overview
The Metropolitan Council Regional Administration Committee, chaired by Carol Flynn (DFL-Mpls.), Thurs., Feb. 20, that the Metropolitan Council Regional Transportation Committee (MTCO), serving the Mpls. and St. Paul metropolitan area, consists of 109 routes, and provided 61.9 million riders in 1996. Solen said that the Twin Cities ranks 13 among 59 urbanized areas in the number of commuters per household. He said that overcoming Metro
Area automobile usage presents one of several transit system challenges.

Transport Operations Finance Director Bob Thompson said that the largest number of transit riders are age 35 to 44, and that more than one-half are women. He said that 84 percent of riders surveyed use the system to commute to and from work, and that more than one-half do so for a reason other than ease of use. He said that more than one-half of riders use the system for reasons other than ease of use.

The committee approved the bill and sent it to the Senate floor. Sen. DFL-St. Paul's bill, sponsored by Sen. Randy Kelly (DFL-St. Paul), allows the city of St. Paul and Minneapolis to sell an impounded vehicle 15 days after notification of the owner by certified mail unless the vehicle is claimed. The existing statute provides 45 days after notification of the owner before impounded vehicles can be sold. Deputy Chief Ted Brown, St. Paul Police Dept., said that a vehicle that is not claimed within 15 days, plus the time that a motor vehicle dealer must submit receipts to the Department of Public Safety, allows fewer waiting days for a vehicle to be sold. The committee approved the amendment.

Sen. Claire Robling (R-Prior Lake), sponsored by Sen. Jane Ranum (DFL-Mpls.), proposed an amendment that would increase the waiting period from 15 to 30 days, the time limit before an unclaimed automobile can be sold. Robling said that the 15 day limit may affect people who are away, or cause people who have sold their cars to revenue and not be able to redeem their cars. She offered an amendment allowing those persons with impounded vehicles to submit a statement of intent to sell the vehicle within 25 days instead of 30 days. The committee approved the amendment.

Sen. Jane Ranum (DFL-Mpls.), sponsored by Sen. Dave Johnson (DFL-Bloomington), that includes the city of Bloomington within the bill's impound language. The committee approved the bill as amended and sent it to the Senate floor.

The committee also approved an amendment by Sen. Sen. Lee O'Day (DFL-Anoka) relating to motor vehicles, and that the state has a program to register a motor vehicle with the Department of Public Safety. The committee approved an amendment allowing the state to sell an impounded vehicle within 25 days instead of 30 days. The bill was laid over pending further discussion.

Two bills forwarded

The Transportation Committee heard two bills, Tues., Feb. 25., dealing with under age identification, and the sale of 13,000,000 pounds of impounded vehicles.

Sen. DFL-St. Paul's bill, sponsored by Sen. Martha Robertson (R-Minnetonka), provides for a Minnesota identification card, of distinguishing color, required by law. Jack Ulrick, MinnesotaGrocers Asn., told the committee, chaired by Sen. Carol Flynn (DFL-St. Paul), that the color-coded cards would simplify age verification for the sale of alcohol and tobacco products. At this time, he said, some clerks rely on appearance alone.

Sen. Randy Kelly (DFL-St. Paul) said that the largest number of transit riders are age 35 to 44, and that more than one-half are women. He said that 84 percent of riders surveyed use the system to commute to and from work, and that more than one-half do so for a reason other than ease of use. He said that more than one-half of riders use the system for reasons other than ease of use.
### Monday, March 3

#### Ad Hoc Committee on Information Technology
Chair: Sen. Steve Kelley
9 a.m. Room 112 Capitol
**Agenda:** Discussion of other states’ initiatives for information infrastructure, education technology, and telecommunications deregulation.

#### Health and Family Security Budget Division
Chair: Sen. Don Samuelson
9 a.m. Room 123 Capitol
**Agenda:** Continuation of MN Dept. of Human Services budget overview.

#### Election Laws Committee
Chair: Sen. John Marty
12 noon Room 112 Capitol
**Agenda:** Continuation of S.F. 708-Marty: Campaign finance modifications. S.F. 573-Scheid: Special elections by mail. S.F. 703-Scheid: Mail balloting in small communities.

#### Environment and Natural Resources Committee
Chair: Sen. Bob Lesard
12 noon Room 107 Capitol
**Agenda:** S.F. 308-Laidig: Electronic licensing system. S.F. 796-Laidig: Including executive agency members as voting members of BOWSR.

#### Judiciary Committee
Chair: Sen. Jane Ranum
12 noon Room 15 Capitol
**Agenda:** Testimony on opening CHIPS hearings, and on private petitions. Both are provisions that are part of S.F. 747. S.F. 747-Knutson: Uniform process for children in need of protection or service petitions. S.F. 613-Ranum: Relating to relative care and open adoption agreements; etc. S.F. 136-Kisch: Modifying child welfare programs and children’s mental health collaboratives; providing for privatization of adoption services; etc. S.F. 210-Knutson: Changing provisions for placement of children. S.F. 101-Berglin: Changing procedure for permanent placement of a child.

#### Crime Prevention Committee
Chair: Sen. Allan Spear
2 p.m. Room 15 Capitol

#### Local and Metropolitan Government Committee
Chair: Sen. Jim Vickerman
2 p.m. Room 107 Capitol

#### Tuesday, March 4

#### Environment and Agriculture Budget Division
Chair: Sen. Steven Morse
8 a.m. Room 123 Capitol
**Agenda:** To be announced.

#### Family and Early Childhood Education Budget Division
Chair: Sen. Pat Piper
8 a.m. Room 15 Capitol
**Agenda:** Prevention programs budget overview: Food, housing, energy and weatherization programs.

#### Higher Education Budget Division
Chair: Sen. LeeRoy Stumpf
8 a.m. Room 107 Capitol
**Agenda:** Completion of budget presentation, University of Minnesota. S.F. 486-Morse: Constitutional amendment to dedicate lottery money to education. S.F. 613-Langseth: Collegesavings bonds.

#### K-12 Budget Division
Chair: Sen. Lawrence Pogemiller
8 a.m. Room 112 Capitol
**Agenda:** To be announced.

#### Governmental Operations and Veterans Committee
Chair: Sen. James Metzen
12 noon Room 15 Capitol

#### Transportation Committee
Chair: Sen. Carol Flynn
12 noon Room 112 Capitol

#### Agriculture and Rural Development Committee
Chair: Sen. Dallas Sams
2 p.m. Room 107 Capitol
**Agenda:** S.F. 766-Dille: Providing an appropriation for farm safety outreach. S.F. 720-Dille: Providing an appropriation for livestock odor research. S.F. 108-Stumpf: Appropriating money for seed potato inspection.

#### Commerce Committee
Chair: Sen. Sam Skandlan
2 p.m. Room 112 Capitol
**Agenda:** H.F. 117 (S.F. 6)-Junge: License retail sale of tobacco.

#### Rules and Administration Information Systems Subcommittee
Chair: Sen. Leonard Price
2 p.m. 125 Capitol
**Agenda:** To be announced.

#### Health and Family Security Budget Division
Chair: Sen. Don Samuelson
4 p.m. Room 112 Capitol
**Agenda:** Continuation of MN Dept. of Human Services budget overview.

#### Wednesday, March 5

#### Family and Early Childhood Education Budget Division
Chair: Sen. Pat Piper
8 a.m. Room 15 Capitol
**Agenda:** S.F. 352-Ranum: Establishing...

Higher Education Budget Division
Chair: Sen. LeRoy Stumpf
8 a.m. Room 107 Capitol

K-12 Budget Division
Chair: Sen. Lawrence Pogemiller
8 a.m. Room 112 Capitol
Agenda: S.F. 26-Vickerman: Creating a high school entrepreneurship pilot program. Other agenda items to be announced.

Governmental Operations and Veterans Committee
Chair: Sen. James Metzen
10 a.m. Room 15 Capitol
Agenda: S.F. 523-Berglin: Licensing for naturopathic physicians.

Transportation Budget Division
Chair: Sen. Jane Hurley
10 a.m. Room 112 Capitol
Agenda: Met Council budget overview.

Election Laws Committee
Chair: Sen. John Marty
12 noon Room 112 Capitol
Agenda: Continuation of Monday's agenda.

Judiciary Committee
Chair: Sen. Jane Ranum
12 noon Room 15 Capitol

Environment and Agriculture Budget Division
Chair: Sen. Steven Morse
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. 294-Junge: Criminal background checks of law enforcement applicants. Other bills to be announced.

Governmental Operations Budget Division
Chair: Sen. Leonard Price
2 p.m. Room 125 Capitol
Agenda: Budget presentations for: Veterans of Foreign Wars of the U.S.; Disabled American Veterans; Minnesota Department of Military Order of the Purple Heart; Department of Military Affairs.

Local and Metropolitan Government Committee
Chair: Sen. Jim Vickers
2 p.m. Room 107 Capitol
Agenda: S.F. 738-Morse (for discussion purposes only): Community-based land use planning. S.F. 820-Hottinger (for discussion purposes only): Land use planning.

Education Finance Committee
Chair: Sen. Keith Langseth
4 p.m. Room 123 Capitol
Agenda: Testimony from the private, for profit, higher education institutions.

Human Resources Finance Committee
Chair: Sen. Linda Berglin
4 p.m. Room 112 Capitol
Agenda: Dept. of Human Services budget overview.

Joint Senate and House Committee on Taxes
4 p.m. Room 15 Capitol
Agenda: Public forum on 1997 Property Tax Reform—public testimony will be taken.

Health and Family Security Committee
Chair: Sen. John Hottinger
7 p.m. Room 15 Capitol
Agenda: Further action on welfare reform.

Legislative Commission on Pensions and Retirement
7:30 p.m. Room 5, State Office Building

Thursday, March 6
The Senate will meet at 9 a.m.

Health and Family Security Committee
Chair: Sen. John Hottinger
10 a.m. Room 15 Capitol
Agenda: Further action on welfare reform.

Governmental Operations and Veterans Committee
Chair: Sen. James Metzen
12 noon Room 15 Capitol

Transportation Committee
Chair: Sen. Carol Flynn
12 noon Room 112 Capitol

Agriculture and Rural Development Committee
Chair: Sen. Dallas Sams
2 p.m. Room 107 Capitol
Agenda: S.F. 719-Angeles: Increasing the size of agricultural homestead property that qualifies for a reduced tax rate. S.F. 648-Vickerman: Exempting farmers from paying tax on gasoline and special fuel used in non-farm bulk storage tanks, when used for tax-exempt purposes.

Commerce and Consumer Protection Subcommittee on Insurance
Chair: Sen. John Hottinger
2 p.m. Room 112 Capitol

Environment and Agriculture Budget Division
Chair: Sen. Steven Morse
4 p.m. Room 107 Capitol
Agenda: To be announced.

Human Resources Finance Committee
Chair: Sen. Linda Berglin
4 p.m. Room 112 Capitol
Agenda: Dept. of Economic Security budget overview and Dept. of Health budget overview.
Crime Prevention and Judiciary Budget Division
Chair: Sen. Randy Kelly
6 p.m. Room 107 Capitol
Agenda: Dept. of Public Safety budget.

Transportation Budget Division
Chair: Sen. Janet Johnson
6 p.m Room 112 Capitol
Agenda: MN DOT transportation planning.

Health and Family Security Budget Division
Chair: Sen. Don Samuelson
6:30 p.m. Room 123 Capitol
Agenda: Continuation of Budget Overview: Dept. of Human Services

Joint Senate Judiciary Committee and House Civil Division Hearing
7 p.m. Room 15 Capitol
Agenda: Tort Law Hearing: Heidi Green, research and evaluation manager, MN Supreme Court; A statistical overview of tort litigation; Prof. Dan Farber, U of M Law School; Historical overview of tort law; Prof. Peter Thompson, Hamline Law School; Public policy development of joint and several liability and punitive damages; Proponent and Opponent of changes in Minnesota tort law; Rich Thomas, Berk and Thomas - Proponent (8-10 min.); Mike Cirlesi, Robins, Kaplan, Miller and Cirlesi law firm - Opponent (8-10 min); Rebuttal period for proponent and opponent (3 mins. each); Question and answer period between each segment of the agenda.

Economic Development Budget Division
Chair: Sen. Tracy Bedman
10 a.m. Room 123 Capitol
Agenda: Division review of Minnesota Technology Institute, and pass through grants.

Health and Family Security Committee
Chair: Sen. John Hottinger
10 a.m. Room 15 Capitol
Agenda: Further action on welfare reform.

Environment and Agriculture Budget Division
Chair: Sen. Steven Morse
12 noon Room 107 Capitol
Agenda: To be announced.

Crime Prevention and Judiciary Budget Division
Chair: Sen. Randy Kelly
2 p.m. Room 15 Capitol
Agenda: Continuation of review of Depart. of Public Safety budget.

Property Taxes and Local Government Budget Division
Chair: Sen. Sandra Pappas
2 p.m. Room 107 Capitol
Agenda: To be announced.

Judiciary Subcommittee on Family Law
Chair: Sen. LeRoy Stumpf
4 p.m. Room 125 Capitol
Agenda: S.F. 122-Robertson: Requiring notification of placement or adoption of a child to other birth parent. S.F. 432-Hanson: Modifying execution of consent requirement for designated parent agreements.

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211 Capitol 296-2314

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231 Capitol 296-0504

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Friday, March 7

Children, Families and Learning Committee
8 a.m. Room 15 Capitol
Agenda: To be announced.
The Minnesota Senate Week in Review

March 7, 1997

**Snow removal aid okayed**

A bill providing some financial aid to cities and towns suffering from the winter's blizzard gained final passage at the Mon., Mar. 3, floor session. H.F. 100, carried by Sen. Jim Vickerman (DFL-Tracy), provides $20 million for emergency snow removal assistance. Under the bill, $13 million is for reimbursing local units of government for snow removal costs; $5 million is for matching federal disaster fund earmarked for the western portions of the state and $2 million is to be used to match federal disaster assistance associated with anticipated spring flooding. In addition, the measure also provides additional funding for state road operations and for State Patrol overtime associated with the severe weather. The bill was granted final passage on a 60-0 roll call vote.

In another action, Senators also adopted Permanent Rules for the biennium. S.R. 25, carried by Sen. Emberl Jung (DFL-New Hope), was briefly discussed at the Thurs., Feb. 27, floor session and then set aside to allow Members to draft amendments. There was only one amendment considered at the Mon., Mar. 3, session. Sen. Sheila Kiscaden (R-Rochester) offered an amendment to the rule to accept complaints about unethical conduct to be made at any time. Currently, the Rules specify that the Special Subcommittee on Ethical Conduct may receive complaints during the legislative session. Jung successfully argued that the Rules limited the time for complaints. Jung also proposed a complaint procedure during the campaign season. The amendment was defeated.


**Several bills approved**

The Senate met for an hour-long floor session Thurs., Mar. 6, to process bills and grant preliminary approval to six bills on General Orders.

The bill considered on General Orders was S.F. 78, sponsored by Sen. John Marty (DFL-Roseville), changing absentee ballot provisions. S.F. 85, sponsored by Sen. Randy Kelly (DFL-St. Paul), paying claims against the state. S.F. 302, sponsored by Sen. Linda Berglin (DFL-Mpls.), allowing prepayment of health care services at community clinics; S.F. 129, sponsored by Sen. Martha Robertson (R-Minnetonka), providing for Minnesota identification cards for those under age 21; S.F. 96, sponsored by Sen. Don Betzold (DFL-Fridley), simplifying the Department of Public Safety's rulemaking authority; and S.F. 700, sponsored by Sen. Cal Larson (R-Fergus Falls), allowing a statutory city mayor to be a chief in certain cases. All bills were approved and will appear on the Senate Calendar at the next floor session.

Senate conferences were reassigned for H.F. 100, authored by Sen. Jim Vickerman (DFL-Tracy), the emergency snow removal aid bill.

**Welfare bill debate begins**

"Today we will hear the amended version of S.F. 1," said Chair Don Hottinger (DFL-Mankato), "We have had many hours of public testimony from people who have provided us with both tragic and encouraging stories, innovative ideas, and solid information. I congratulate every member for their participation in the hearing process. Starting today, we will continue our work.

The process until now has been only the beginning." The Health and Family Security Committee met on Tues., Mar. 3, to commence the policy committee's discussion on the welfare reform proposal. Hottinger invited Sen. Don Samuelson (DFL-Brainerd) to discuss the welfare reform bill. S.F. 1, Samuelson explained, "About two months ago, the governor asked people to participate in a task force comprised of representatives from the Department of Education, Economic Security, Health, and Human Services alongside several Senators and staff. They in turn purpose was to try to understand the new federal law and the impact it will have in Minnesota. The task force's intent was to have a plan in place well ahead of the July 1, 1997, federal deadline in order to draw down additional money that would be made available.

Minnesota is not cutting any programs, and in fact, is spending $30 million to provide an additional safety net. One includes the governor's child care proposal, the state will spend over $100 million. I would hope we can feel good supporting the bill that leaves this room." According to Samuelson, the bill incorporates many of the recommendations derived from the task force meetings. Assisted by Deborah Huskins, assistant commissioner for the Department of Human Services, Samuelson proceeded with an overview of the bill.

Under the bill, the Minnesota Family Investment Program (MFIP) is expanded statewide beginning July 1, 1997. MFIP is not considered an entitlement but, however, the commissioner of human services must report annually on an 15 on the status of MFIP funding. The bill extends benefits to everyone residing legally in the U.S., except persons defined as nonimmigrants. All grants are paid with federal Temporary Assistance to Needy Families (TANF) dollars where permitted, or with state funds. There is also a 60-month lifetime limit on assistance, as required by federal law.

Furthermore, a 30-day residency requirement is established with exceptions only for unusual hardship. Following the first 30 days, thenew residents are paid the grant based on their eligibility and assistance, as required by federal law. Twenty-two months after serving their sentence, Counties must implement an education and training program by July 1, 1997, and the work activity that is required in order to be eligible for MFIP is defined broadly to include anything in an approved plan that is tied to an employment goal. Under an employment plan, post-secondary education assistance is generally limited to 12 months, but up to 24 months is permitted in special cases.
Committee update

Agriculture and Rural Development

Poplar bill advanced

A bill appropriating money for hybrid poplar management was advanced Thurs., Feb. 27, by the Agriculture and Rural Development Committee. Chaired by Sen. Dallas Samson (DFL-Staples), the committee also considered two other bills.

S.F. 495, authored by Sen. Steven Novak (DFL-New Brighton), provides for food handler certification. Author: Sen. Pat Pariseau (R-Farmland). The bill allows the commissioner of agriculture to require recertification of retail food handlers not covered by existing statute, such as personnel at delis included in supermarkets. Concern was expressed by members of the committee over the costs and burdens associated with certification, especially for smaller businesses. Sen. Becky Loven (DFL-Lincoln) said, “I’m in favor of any measure that protects health and safety, especially where food is concerned. But I can’t support this bill until I see what impact it would have on the people in my district that would be affected.” The bill was laid over for further consideration.

S.F. 766, authored by Sen. Steve Dille (R-Dassel), appropriates funds to the commissioner of agriculture for a grant to the University of Minnesota for a farms safety outreach program. Dr. J. John Schutzke, a farm safety specialist at the University, said, “I think the 1990’s, farming has become the most dangerous profession as measured by the number of job-related accidents and fatalities each year. Thirty-seven people lost their lives in the last 12 years in farming-related accidents; that is essentially when we were down to 23 fatalities per year. Reviving the Minnesota Farm Safety and Health Leadership Team will bring together agricultural leaders who will participate in training activities and educational programs to promote farm safety and awareness.” The bill was advanced to the Environment and Agriculture Budget Division.

Poplar bill advanced

Sen. Tracy Backman (DFL-Brinclen) presented S.F. 556, a bill that appropriates $400,000 for the Minnesota Department of Agriculture for operating grants for Farmer’s Agricultural Interpretive Center in Waseca. “The mission of the center is to tell the story of agriculture past, present, and future,” said Ed Frederick, chair of the Farmer’s Agricultural Center. Hesaid, “We’re just barely maintaining the operations with a minimal budget and a lot of volunteer work. With the proper funding, we could handle even more visitors.” The bill was advanced to the Environment and Agriculture Budget Division.

S.F. 526 provides for food handler certification. Author: Sen. Pat Pariseau (R-Farmland). The bill allows the commissioner of agriculture to require recertification of retail food handlers not covered by existing statute, such as personnel at delis included in supermarkets. Concern was expressed by members of the committee over the costs and burdens associated with certification, especially for smaller businesses. Sen. Becky Loven (DFL-Lincoln) said, “I’m in favor of any measure that protects health and safety, especially where food is concerned. But I can’t support this bill until I see what impact it would have on the people in my district that would be affected.” The bill was laid over for further consideration.

Farm safety bill okayed

The Agriculture and Rural Development Committee okayed a farm safety bill Tues., Mar. 4. The committee, chaired by Sen. Dallas Samson (DFL-Staples), also considered an abill regarding livestock odor research.

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

S.F. 501, authored by Sen. Sam Solon (DFL-Duluth), an omnibus commerce bill, authorizes the commissioner of commerce to issue temporary licenses under each of the licensing programs administered by the department except for those activities involving currency exchanges, collection agencies, investment advisors and others; allows the commissioner to waive all or part of the requirements of a license; continuing education and examination; deletes employeedbenefit plans from those plans requiring investment advisor licensure; provides that owners who construct or improve their own property for speculation are not subject to the licensing requirements for them to construct or improve more than one property in 24 months; and that real estate agencies and collectors of real estate services must be licensed; and allows collectors to use one alias that is registered to the commissioner. The committee adopted seven substantive and technical amendments to S.F. 501. Amendments clarify special skills under the builder’s licensing law; eliminate language duplicating the provisions of the builders’ Act; clarify that all real estate appraisers receive at least four hours of training each license period in courses involving laws or regulations on standards of professional appraisal; allow the commissioner to disapprove o执业licensure; and require that real estate agents deliver a copy of their certificate to the Office of Attorney General. The bill was approved and referred to the Environment and Agriculture Budget Division.

Commerce

Two bills advance

The Commerce Committee, chaired by Sen. Sam Solon (DFL-Duluth), approved a bill relating to diabetes education, Thurs., Feb. 27.

S.F. 497, authored by Sen. Steven Novak (DFL-New Brighton), requires that a health plan must provide coverage for diabetes or patient self-management training and education, including medical nutrition therapy. The bill requires that training be provided by a certified, registered, or licensed health care professional working in accordance with the national standards of diabetes self-management education as established by the American Diabetes Association.

Janet Pearson, R.N., director of patient education, Minnesota Diabetes Center, said that teaching people to live with diabetes is essential to proper care because 90 percent of the care is the patient’s responsibilities. She said that early education and proper care can greatly reduce the complications associated with diabetes.

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

S.F. 766, authored by Sen. Steve Dille (R-Dassel), appropriates funds to the commissioner of agriculture for a grant to the University of Minnesota for a farm safety outreach program. Dr. J. John Schutzke, a farm safety specialist at the University, said, “I think the 1990’s, farming has become the most dangerous profession as measured by the number of job-related accidents and fatalities each year. Thirty-seven people lost their lives in the last 12 years in farming-related accidents; that is essentially when we were down to 23 fatalities per year. Reviving the Minnesota Farm Safety and Health Leadership Team will bring together agricultural leaders who will participate in training activities and educational programs to promote farm safety and awareness.” The bill was advanced to the Environment and Agriculture Budget Division.

Dille also presented S.F. 720, a bill appropriating $400,000 to the University of Minnesota for livestock odor research. “The funds would be used to develop an odor control system, to recommend setback requirements for livestock production facilities, and to research the best management practices to control livestock odor,” said Dille. Members of the Livestock Odor Task Force testified in support of the bill. The bill was approved and moved to the Environment and Agriculture Budget Division.

S.F. 766 provides for food handler certification. Author: Sen. Pat Pariseau (R-Farmland). The bill allows the commissioner of agriculture to require recertification of retail food handlers not covered by existing statute, such as personnel at delis included in supermarkets. Concern was expressed by members of the committee over the costs and burdens associated with certification, especially for smaller businesses. Sen. Becky Loven (DFL-Lincoln) said, “I’m in favor of any measure that protects health and safety, especially where food is concerned. But I can’t support this bill until I see what impact it would have on the people in my district that would be affected.” The bill was laid over for further consideration.

Cigarettesalesminimumslimited

A bill designed to "reduce youth access to tobacco" according to chief author Sen. Ember Junge (DFL-New Hope) was approved at a lengthy hearing of the Commerce Committee Tues., Mar. 4. Junge said that current law applies penalties to store clerks and minors involved in illegal cigarette sales, but there is no penalty on the store. She added that the bill, H.F. 117, is supported by health professionals, the attorney general, law enforcement officials and local government officials.

Sen. Ed Oliver (R-Deephaven), the bill’s author who represents the bill with Junge, said the bill authorizes local governments to license cigarette retailers, charge license fees for enforcement purposes, assess penalties for violations and conduct compliance checks twice a year. Oliver said other features of the bill include a ban on self-service cigarette displays, authorization for local governments to enact more stringent regulations and a prohibition against tobacco suppliers paying "slatting fees" to retailers.

Jack Curtis, a Duluth retail storeowner, told panel members that tobacco suppliers
pay slotting fees to retailers for putting cigarette displays in easily accessible and highly visible areas. Sen. James Metzen (DFL-South St. Paul) asked, "why does a law to prohibit such payments? Why can't you do it on your own?" Curtis responded that he does voluntarily forego the slotting fees and keeps cigarettes in his store where only the clerk can get them. He said that other retailers would likewise do the same but it is a "frustrating" to the Commissioner of Corrections. The amendment was adopted. Larsen (DFL-Fergus Falls), suspends a provision of the law that pays slotting fees to retailers. The amendment was approved and sent to the floor. Another amendment, offered by Sen. Cal Larson (R-Fergus Falls), suspends a driver's license if the license is used to buy cigarettes illegally. The amendment was adopted.

**Crime Prevention**

**Six bills approved by committee**

Terrorism, liquor and tobacco tax, auto theft, internet lawsuits and Sioux self-governance were the subjects of six bills approved by the Crime Prevention Committee. Mon., Mar. 3.

Sen. Warren Limmer (R-Minneapolis) said that his S.F. 542 authorizes the tribe, Sioux Indian Community, to exercise law enforcement authority. According to the bill, in exchange for this right, the community will be subject to the laws and duties of a law enforcement agency. The amendment was adopted. The committee must file its reports with the Peace Officers Standards and Training Board and cooperate with the Redwood County sheriff in the provision of services. Limmer made a motion to strike the bill, which was approved and sent to the floor.

Sen. William Belanger (R-Bloomington) authored two bills regarding the regulation of tobacco-related causes of death. S.F. 378 does not change how distilled spirits, wine and fermented malt beverages are currently taxed, but rather clarifies the tax rate on the purchase of their products. The amendment was adopted. The committee must file its reports with the Peace Officers Standards and Training Board and cooperate with the Redwood County sheriff in the provision of services. Limmer made a motion to strike the bill, which was approved and sent to the floor.

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Sen. John Hottinger said he did not mind the amendment, saying that the state has never monitor tobacco displays because they are busy with other duties. He stated that the self-service displays are a good way to prevent the theft of tobacco products. The amendment was adopted. The committee must file its reports with the Peace Officers Standards and Training Board and cooperate with the Redwood County sheriff in the provision of services. Limmer made a motion to strike the bill, which was approved and sent to the floor.

Sen. Jane Krentz (DFL-May Township) offered S.F. 305. The bill empowers the commissioner of corrections to sanction prisoners who have been found to have submitted frivolous or malicious claims, tests false or to a court or submitted false evidence. The amendment was adopted. The committee must file its reports with the Peace Officers Standards and Training Board and cooperate with the Redwood County sheriff in the provision of services. Limmer made a motion to strike the bill, which was approved and sent to the floor.

Sen. Dick Day (R-Owatonna) offered an amendment removing the compliance check provision, saying "it's Big Brother dictating to towns." He said that sting operations should be conducted in schools where teenagers are present. Day's amendment was defeated. The bill was approved and sent to the committee.

The bill also contains a proposal that juvenile records be released to the Crime Victims Reparations Board if pertinent to resolution of a claim. S.F. 355 was approved and sent to the floor. The panel approved a bill authored by Sen. Dave Johnson (R-Buyer's Creek). The bill, S.F. 671, states that in the event of auto theft, the law enforcement agency which handles the original theft, rather than the agency recovering the vehicle, is required to notify the victim of the vehicle's recovery. The bill also requires that the recovery agency report the recovery to the original agency. The bill was approved and sent to the floor.

**911, background check, bill spin**


S.F. 280, authored by Sen. Jane Ranum (DFL-Mpls.), is a non-contest, seeks to close a gap in domestic violence law. The bill makes it a gross misdemeanor to obstruct a person's access to 911. Plymouth Police Officer Mike Buske testified on the bill, relating the story of an abuser who threw the home phone in a closet to prevent his wife from calling 911. Buske said the victim retrieved the phone, dialed 911, but was cut off when her husband sliced the cord. The stasiion was able to trace the call and officers were dispatched to the scene, but there was no way to contact the man for this particular offense, said Buske. The bill was approved and sent to the floor.

S.F. 294, authored by Sen. Emmer, is an attempt, seeks to close a gap in domestic violence law. The bill makes it a gross misdemeanor to obstruct a person's access to 911. Plymouth Police Officer Mike Buske testified on the bill, relating the story of an abuser who threw the home phone in a closet to prevent his wife from calling 911. Buske said the victim retrieved the phone, dialed 911, but was cut off when her husband sliced the cord. The stasiion was able to trace the call and officers were dispatched to the scene, but there was no way to contact the man for this particular offense, said Buske. The bill was approved and sent to the floor.

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Committee update

A section in the bill which aimed to repeal the law’s language regarding institutional religious instruction was deleted by Sen. Hanson after some members suggested a future rethinking of the language dealing with the practice of religion behind bars. The bill was approved as amended and referred to the Committee on Government Operations and Veterans Affairs.

S.F. 609, a bill presented by Sen. Davey举行了 hearing without regard to out-of-state orders for protection, was held over for clarification and discussion.

CCA pitches private prison

In front of a capacity crowd, Corrections Corporation of America (CCA) made its pitch to contract with Minnesota, the new prison project slated for location in Rush City. As noted by Chair Allan Spear (DFL-Mpls.), the company’s request came in at the eleventh hour, as project expenditures are imminent and construction about to begin according to the original Department of Corrections plan. Spear, Sen. Thomas Neuville (R-Northfield) and Sen. Randy Kelly (DFL-St. Paul) had been to Nashville the week before to meet with the company’s CEO and tour two CCA facilities. What initially caught their attention, recounted Spear, was the company’s proposal to run the facility at a $55 per diem rate, as opposed to the MDOC’s estimation of $58. Additionally, the CCA figure factors in debt service on capital expenditure, which the state estimate excludes.

“The numbers are real,” said CCA Chairman Emeritus Thomas Beasley. He said CCA, founded in 1983, has 44,000 beds under contract in 17 states. With a $2.5 billion in market value, he said, the appropriation absorbs its own liability costs, indemnifying contracting organizations and guaranteeing American Corrections Association accreditation within two years of operation.

As far as prison programming is concerned, Beasley said money spent in this area is money saved on maintenance. While praising Minnesota for “doing something more than warehousing humans,” he said private companies can be more innovative. “When we were looking for a drug treatment program, he said, “we found the best one in the country and we bought it.” He said CCA, hired away an Alabama corrections director to implement his success in the company’s facilities. Such flexibility, said Beasley, also applies to construction. “We can build a facility in a year, without seeking approvals and changes to the government process.”

Beasley did not shrink from Sen. Tracy Beckman’s (DFL-Bricelyn) question about friction, “At this point, we don’t have a problem in any state. When we started, we had problems in all of them.” Spear asked about union labor, and while Beasley conceded that most of the company’s facilities are located in the sunbelt where government workers aren’t unionized, he said they have no problem with unions and have negotiated union contracts.

Addressing Neuville’s probe of a CCA incident involving the escape of six prisoners from its Lowest security prison in Arizona, Beasley said it was found to be the result of human error, a guard not taking security system warnings seriously.

Sen. Davey Johnson (DFL-Bloomington), “The numbers of this debate have become, do we want progress on Rush City? Do we want privatization? When he asked for a detailed account of programming, Beasley said itemization would include proper information which could be provided in a formalized RFT situation. The CCA executive repeatedly emphasized that programming, construction, unionization and administration are real elements that can be customized to meet state specifications. “We are for you,” said Beasley, Commissioner of Corrections Goethel LaFlin, in his re-election presentation, “I am not going to touch this in a dialogue of us against them,” he said, adding that the MDOC is not necessarily adversarial. He urged the panel however, to do thorough research and consider the CCA proposal in the context of the entire Minnesota state corrections system. “It’s important,” he said, “not only to see what people want us to see, but to see what’s there.”

Education Finance

For-profit higher education discussed

Representatives from the for-profit post-secondary education community testified before Chair Keith Langseth (DFL-Glyndon) and the Education Finance Committee Wed., Mar. 5. What was intended to be a discussion on technology became more general information overview of the for-profit concept and its niche in higher education.

Medical Institute of Minnesota President Phil Miller detailed for the panel his Bloomington school’s concentrated efforts to educate technical professionals at the associate degree level in the health care industry. Costs $12,000 to $16,000 for degree completion, the school feeds graduates into some of the thousands of open health tech jobs nationwide, said Miller. According to Miller, one third of the students qualify for state grants, some on federal Pell grants, and the remaining majority receive student loan assistance. MIM has contracted with an outside provider to avail all its students of on-site day care services. MIM alumnus April Cooper, a single mother with four children, testified that she is transitioning off of AF DC into a histology tech job paying $3,700.

Walden University President Dave Palmer explained Walden’s services to the professional community, providing distributed learning opportunities to those already in possession of master degrees and having full-time employment commitments. Classes are taken via correspondence, with some on-site intensive study required to complete degrees. The average age of student in the program is 44, said Palmer, and all enrollees are required to have three years experience in the field of study.

Graduate School of American representatives, President Bruce Francis and Vice President Maxine Rossman, talked themselves into the “new kids on the block,” when it comes to top graduate programs. Trustee Chair Steve Shank outlined the concept. The school, he said, attempts to strike a cost-effective balance between technology and education. “When it comes to technology,” he said, “why should kids have all the fun?” A Ph.D. through the school, said Shank, costs around $36,000.

Minnesota School of Professional Psychology Director Tim O’Reagan said his clinical psychology school is a necessary component in a field dominated by research-oriented programs. O’Reagan said the program is the only one in the state besides the University of Minnesota accredited by the American Psychology Association. He spoke of the shortage of practicing psychologists in rural areas and said 91 percent of the school’s graduates are employed within six months of graduation.

Election Laws

Financial discussed, mail ballots approved

Chair John Marty (DFL-Roseville) continued his presentation of S.F. 708, a campaign finance reform bill, Mon., Mar. 3.

After seeking input from political party leaders, Marty said, he decided to delete bill language requiring partisanship to be determined by candidate and campaign expenditures benefiting the more candidates.

Marty went on to successfully offer an amendment clarifying that an area in which it is illegal for candidates to accept contributions, it is also illegal for contributors to make them.

Members discussed at length a subsequent author amendment specifying that personal money spent on polling or other public preparation for possible candidacy be counted against spending limits should the person eventually decide to run for election. Sen. Carol Flynn (DFL-Mpls.) expressed some concern that this measure “goes too far,” and interferes with personal liberty. Sen. Mark O’Mara (R-Buffalo) concurred, saying people should be free to explore options without drawing attention to themselves before declaring candidacy. Also voicing skepticism, Sen. Roger Moe
ticket base price of 93.5 cents on which the sales tax "charge to lottery tickets, but built legislature applied a 6.5 percent "in lieu of sales tax" charge (DFL-New Brighton), repeals the 6.5 percent "in lieu of sales tax" charge (DFL-Dakota) said said he didn't see any language in the bill appropriating money for retraining, so the bill was laid over to draft an amendment to address the issue. Earlier the committee heard S.F. 796, also sponsored by Laidig, Ron Harnack of the Board of Water and Soil Resources (BWSR) said the bill makes the commissioners of agriculture, health, natural resources, the pollution control agency and the director of the University of Minnesota Extension Service voting members of BWSR instead of non-voting ex-officio members. Sen. Jim Vickers (DFL-Tracy), said he was concerned that other board members would be intimidated by state commissioners having voting rights. Harnack answered that the other members of the board are "very assertive and aren't afraid to speak up," and that the bill "is about customer service, not layoffs." Sen. Steven Morse (DFL-Dakota) said he didn't see any language in the bill appropriating money for retraining, so the bill was laid over to draft an amendment to address the issue.

Family and Early Childhood Education Budget Division

Community reviewed Early Childhood Education Budget Division members listened to collaborative program progress reports, Tues., Mar. 4. Bob Wagner, Beltrami County Family Services Collaborative, told the division, chaired by Sen. Pat Piper (DFL-Austin), that 26 percent of families within Beltrami County live below the poverty level. "Experience double the state average of teen pregnancies, and are exposed to one of the state's highest crime rates." Wagner said that the county is locked into intergenerational poverty, violence and chemical abuse. "Your main importance is collaborative programming--to work programs that need to serve as many individuals as possible," especially over a larger area. Wagner said that since the inception of collaborative programming, the county has seen unbelievable progress in family learning. He said that family learning efforts have led to 25 families attending weekly classes, and that adults and children have shown increased competence and comfort in class. He said that the county is locked into intergenerational poverty, violence and chemical abuse. "Your main importance is collaborative programming--to work programs that need to serve as many individuals as possible," especially over a larger area.

Michigan. Sen. Jane Krentz (DFL-May Township) asked if data collected on license applicants would be available for resale. "Data is not to be disseminated," he said. But that the DNR could deny licenses to applicants who are behind on child support payments.

Julie Bleyhl, AFSCME, said she was concerned that the system could cause DNR staff cutbacks, but DNR Deputy Commissioner Ron Nargang said the department will fund any necessary staff retraining resulting from implementing the system. Harnack said there is "about customer service, not layoffs." Sen. Steven Morse (DFL-Dakota) said he didn't see any language in the bill appropriating money for retraining, so the bill was laid over to draft an amendment to address the issue. Earlier the committee heard S.F. 796, also sponsored by Laidig, Ron Harnack of the Board of Water and Soil Resources (BWSR) said the bill makes the commissioners of agriculture, health, natural resources, the pollution control agency and the director of the University of Minnesota Extension Service voting members of BWSR instead of non-voting ex-officio members. Sen. Jim Vickers (DFL-Tracy), said he was concerned that other board members would be intimidated by state commissioners having voting rights. Harnack answered that the other members of the board are "very assertive and aren't afraid to speak up," and that the bill "is about customer service, not layoffs." Sen. Steven Morse (DFL-Dakota) said he didn't see any language in the bill appropriating money for retraining, so the bill was laid over to draft an amendment to address the issue.

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Committee Update

Sally Warring, Roseville Area Family Services Collaborative, said that linking and pooling financial program resources allows determination of family needs and provides the means to meet those needs with appropriate programs. Warring mentioned transportation among her remarks concerning obstacle to program delivery. She said that a Roseville area transportation problem was solved, in part, when the collaborative was able to establish connections with a private foundation that provided funding for a van. She said that the vehicle now delivers adults and children directly to their programs. She also spoke on the importance of securing funding for summer school programs.

Jim Clark, Leech Lake Children’s Initiative, said that the collaborative is one of the oldest in existence. It is important, he said, that collaborative look at methods to link their services with schools and, especially with children in lower grades. Clark said that because state funding will not meet the needs of the area’s children, the collaborative has worked to supplement grant money through reducing expenditures, such as the number of costly out-of-home placements. Clark said that the collaborative petitioned for, and received, funding from the county board to subsidize some of its out-of-home placement expenditures.

In addition, he pointed out the importance of early intervention measures needed to prevent out-of-home placement. Other methods of determining home visits by individuals who can discuss and recommend a variety of applicable programs, instead of a separate visit from each program representative; consolidation of public health and school screening programs; and the use of outreach programs to overcome attendance barriers.

Parenting Bill Heard


S.F. 532 establishes a pilot program providing school-based, community-linked programs to ensure parental self-sufficiency and offering school readiness development for their children. The bill requires the commissioner of children, families, and learning to award up to seven pilot grants to eligible school districts in three Metropolitan Areas and four in Greater Minnesota.

Among the bill’s other goals is to assist pregnant and parenting adolescents in school attendance; prevent child abuse and neglect; improve outcomes for teen parents and their children in the areas of health, intellectual and emotional development and immunization rates. The bill also requires that program components include quality educational programs, collaboration with other governmental agencies and community-based organizations to provide support services, individualized learning plans for each student, compliance with federal discrimination laws, and accountability for student performance. The bill appropriates $12 million for the biennium to the Dept. of Children, Families and Learning.

Ranum offered an amendment to the bill appropriating an additional $100,000 in FY 98 and $400,000 in FY 99 for administrative costs. The amendment was approved.

The division heard testimony from several teen mothers who described the value of programs providing incentives and means to help them remain in school and to ensure a better life for their children. The division also heard program descriptions and viewpoints from program providers.

Nancy Nelson, co-director, Minnesota Organization on Adolescent Pregnancy, Prevention and Parenting said that 10,000 Minnesota women under age 19 are attempting to raise children while staying in school. She said that the Leech Lake Children on AFDC live in families that began with a teen birth. The bill was laid over, as amended, pending further discussion.

The division also heard a discussion of S.F. 797, authored by Sen. Becky Lourey (DFL-Kerrick), appropriating funds to the Department of Children, Families and Learning, to provide for a community collaborative project for children and youth to be developed by a regional organization to identify the specific community needs of children and youth. The bill appropriates $300,000 for the biennium. Further discussion of the bill will occur at a later meeting.

Governmental Operations and Veterans Affairs

Anti-gang Strike Force Discussed

The anti-gang strike force legislation is the centerpiece of our anti-crime proposal for this session,” said Sen. Randy Kelly (DFL-St. Paul), as he presented S.F. 218. The Governmental Operations and Veterans Affairs Committee, chaired by Sen. James Metzen (DFL-South St. Paul), considered the crime bill along with two other measures, and advanced it to the floor.

The bill appropriates $1.4 million to help children and families in priority communities. The bill also includes measures to help law enforcement agencies work together to apprehend and prosecute gang members statewide. Additionally, the bill creates a Criminal Gang Oversight Council, specifies its membership, states that the attorney general and the commissioner of public safety will co-chair, and outlines the powers and responsibilities of the council.

Sen. Deanna Werner (DFL-Eagan) asked Kelly if a sunset date for the council had been considered and whether the council will be required to report on the efficacy of the new strike force. Kelly said, “In regards to a sunset date, we can’t kid ourselves and we have to realize, unfortunately, we are in this for the long haul. As for an evaluation, the council will be required to report to the respective legislative committees on a regular basis under the bill.”

After a request from Sen. Lawrence Pogemiller (DFL-Mpls.) to read several pages of the bill for ease of reading, Kelly moved to lay the bill aside for further discussion.

According to Sen. Allan Spear, S.F. 215 is a measure that clarifies language in last year’s bonding bill. Specifically, the measure amends the bonding bill with explicit language detailing how public and private funds are to be distributed for the Jungle Theater construction projects in Minneapolis.

The measure was approved and referred to the State Government Finance Committee.

Sen. Dallas Sams (DFL-Staples) sponsored a bill that changes the appointment authority for the executive director for the Board of Private Detectives and Protective Agents. The bill, S.F. 221, transfers the authority to make the appointment from the board members to the commissioner of public safety. Members approved the bill and advanced it to the floor.

Naturopathic Licensing Discussed

A bill establishing a licensing program for naturopathic physicians was discussed at the Weds., Mar. 5, Governmental Operations and Veterans Affairs Committee meeting. Chair James Metzen (DFL-South St. Paul) and members listened as Sen. Linda Berglin (DFL-Mpls.) presented S.F. 523. Berglin explained that the measure is structured similarly to prior licensing bills, but before members began a substantive discussion on the bill, Berglin successfully suggested three amendments. The first amendment changes references in the bill from naturopathic “physicians” to “doctors.” The second amendment allows the Board of Medical Practices to set licensing fees for naturopathic doctors, and the third amendment clarifies the types of office settings that can be performed by the naturopathic practitioners. In addition to establishing a licensing program, the bill establishes a Naturopathic Physicians Advisory Council that is charged with studying the prescriptive authority for the field of naturopathic medicine.

Sen. Linda Runbeck (R-Circle Pines) stated that licensed new medical practices constitute, in effect, official recognition and gives these practices a stamp of approval.

Sen. Martha Robertson (R-Minnetonka)
offered an amendment to sunset the advisory council on June 30, 2001. The amendment was adopted.

Because the bill had not been reviewed by the Health and Family Security Committee, several members said they were uncomfortable making a final recommendation on the measure until the scope of practice for naturopathic physicians has been defined. Therefore, Sen. Steven Morse (DFL-Dakota) moved to refer the bill to the Health and Family Security Committee for further consideration. On the motion, hesaid, “Weare all now familiar with the bill, and we will have to act on it before it goes to the floor. It may change considerably before it comes back to us, so we will be better able to act on it then.” The Morse motion prevailed.

Sen. Dan Stevens (R-Mora) presented S.F. 127, a bill modifying requirements for certain environmental advisory councils. Stevens explained that the measure streamlines the advisory process for several counties, under the management of the Office of Environmental Assistance, by collapsing the number of councils from four down to two. After Stevens and Sen. Don Betzold (DFL-Fridley) offered two clarification amendments, the bill was approved and sent to the floor.

Finally, Morse sponsored a measure that deals with the Minnesota Conservation Corps. S.F. 137 exempts the Youth Conservation Advisory Committee from expiration and allows the Dept. of Natural Resources to contract with non-profit agencies to help carry out conservation corps programs. Sen. Lawrence Pogemiller (DFL-Mpls.) offered an amendment that removes the sunset exemption language and sets the advisory committees expiration date for June 30, 2003. The amendment was approved and the bill was advanced to the floor.

**Governmental Operations and Veterans Affairs Budget Division**

**Military Affairs Budget overview**

Assistant Adjutant General Gary LeBlanc reviewed the Dept. of Military Affairs budget at the Weds., Mar. 4, Governmental Operations and Veterans Affairs Budget Division meeting. LeBlanc first described the responsibilities of the department, explaining that the office oversees the Army and Air National Guard units for Minnesota. As for the budget, LeBlanc said the governor has requested approximately $234 million for the coming year. One of the budget initiatives is $3.9 million to cooperate with local communities after business hours for community crime prevention activities, sparked interest among members.

LeBlanc explained that the initiative is part of the governor’s overall crime prevention legislative package.

In addition, representatives from the Dept. of the Military Order of the Purple Heart, the Disabled American Veterans, and the Veterans of Foreign Wars each presented brief budget overviews.

**Health and Family Security**

**Alternative grant process okayed**

A bill establishing an alternative grant application process for categorical social services in Pine County was approved at the Thurs., Feb. 27, Health and Family Security Committee meeting chaired by Sen. John Kottke (DFL-Mankato). After lengthy discussion and an amendment, the measure was referred to the Children, Families, and Learning Committee. The bill on S.F. 597 had been carried over from the previous committee meeting. At the outset of the day’s discussion, author Sen. Becky Lourey (DFL-Kennewick) offered an amendment that is based on an agreement between the Dept. of Human Services and Pine County. Bob Walz, director of the human services office in Pine County, explained that the amendment extends the alternative grant application process to four additional counties with populations less than 30,000. The measure also requires the State Planning Agency to provide a report on the feasibility of the funding process. Walz said large counties have difficulty planning departments that are able to develop grant proposals, but small counties with limited staff are at a disadvantage. The bill amends the planning process for the small counties, hesaid.

Sen. Martha Robertson (R-Minnetonka) offered a verbal amendment that moves the due date for the planning agency feasibility report from 2001 to 1999. Robertson then asked, “Why limit the amendment to only five counties? I would think that the department would be interested in expanding a program that is reducing work load.” A representative from the department, Donald Allen, explained that the alternative application pilot project gives the counties broad discretion to satisfy their planning requirements. “But there documents arrive in whatever format best suits a county increases the work load for the department substantially,” hesaid.

In other business, Lourey also submitted S.F. 510 for review. This is the first bill proposed by the Emergency Medical Services Regulatory Board, “shesaid. Specifically, the measure removes all statutory language dealing with emergency medical services (EMS) into one comprehensive chapter. “The bill also streamlines the process, cutting down on necessary hearings and paperwork significantly,” Lourey explained.

Two amendments were offered. A Lourey amendment clarifies the EMS licensing process. Sen. Shelia Kiscaden’s (R-Rochester) amendment creates a regulatory registration process for first responders. After both amendments were approved, the bill was referred to the Health and Family Security Budget Division.

Kiscaden sponsored a bill that requires the commissioner of human services and children, family, and learning to establish a task force to study the treatment of autism. The measure, S.F. 652, requires the task force to submit a final report by Jan. 15, 1999, with recommendations on improving the treatment options available to families. The bill was approved and referred to the Governmental Operations Committee.

Sen. LeRoy Dey (DFL-Andover) offered S.F. 405 for consideration. Members approved the bill that allows the commissioner of health to sell health promotion and education materials at market value, and recommended the bill to the Health and Family Security Budget Division.

Members also provided a favorable recommendation to S.F. 641, a measure authored by Linda Berglin (DFL-Mpls.). Under the bill, a peer of a treating mental health or substance abuse provider is required to examine a utilization review organization’s determination not to certify a service. David Cook, the director for United Behavioral Health, said the bill allows peer to review utilization services and provides flexibility. There are many cases, he said, when a psychiatrist needs a review of services and it is appropriate that another psychiatrist make the review. There are occasionally cases, however, when supervision is needed by a physician, he explained. The bill was approved and advanced to the floor.

**Health occupations bill discussed**

Sen. Sheila Kiscaden (R-Rochester) presented S.F. 228 at the Thurs., Feb. 27, Health and Family Security Committee meeting. She explained that the health occupations clean-up bill was prepared by the Dept. of Health and is generally non-controversial. Specifically, the bill makes changes to sections regulating speech-language pathologists and audiologists, the office of mental health practice, alcohol and drug counselors, and hearing instrument dispensers. Kiscaden also offered two amendments, both of which were adopted. The first amendment allows the credit hours required for substance abuse counselors. For the second amendment, Kiscaden said, “The changes in health care necessitate an increase in the number of special fields, and each of these specialties are requesting separate licensure boards. Therefore, we need to look at the overall health licensure procedure.” The amendment directs the commissioner of health to study the current credentialing system for health occupations and make recommendations on developing policies. The amendment also directed the legislative audit commission to study the current regulatory board to improve their efficiency and efficacy. Finally, the Kiscaden amendment establishes the Committee of Health-Related Boards with the duty to study the overlapping scopes of practice among regulated and unregulated health occupations.
Committee update

Chair John Hottinger (DFL-Mankato) said he has also noticed the proliferation of licensure boards this session, and that he will hold hearings this summer to examine the process. Members decided to lay the bill over for further discussion. However, before the committee moved on to other business, Sen. Becky Lourey (DFL-Kerrick) presented an amendment for members to consider.

She said the amendment makes certain exemptions for audiologists. She added that the board has already existed, but the authorizing statutory language got lost in last year’s shuffle. Therefore, the bill re-establishes the seven-member council in statute and directs the council to convene June 30, 2007. The bill was approved and referred to the Governmental Operations Committee.

The second bill presented, S.F. 1, establishes a physician assistant store-time emergency care in disaster situations without physician supervision. The bill also grants physicians assistants immunity from civil liability when rendering emergency medical care. The bill requires that the physician assistant be under the direction of the emergency medical director. The amendment was adopted, and the measure was reREFERRED to the Judiciary Committee.

According to Sen. Linda Berglin (DFL-Mpls.), S.F. 234 is a bill that removes the limitation on the number of nursing homes that can participate in the nursing home contract reimbursement project with the Department of Human Services. She moved to amend the bill with language that removes the limitation on providing therapy in care facilities located in counties participating in the prepayment medical assistance program.

After the amendment was adopted, the bill was referred to the Health and Family Security Budget Division.

Welfare bill debate begins

The Health and Family Security Committee met Tuesday, March 3, to continue the policy committee’s discussion on the welfare reform proposal. Sen. Don Samuelson (DFL-Brainerd) described S.F. 1, the welfare reform package, (see page 1) and detailed the process used to develop the bill.

After the description of the bill was completed, Sen. Becky Lourey (DFL-Kerrick) asked Samuelson to explain the contingent benefit standard language. Samuelson said that in order for Minnesota to be able to successfully administer a program with desirable benefits, strict residency requirements have to be in place. However, he said that those with disabilities have been excluded from the current language. He added that the proposed language would prevent the division of families due to differences in residency requirements.

He explained that there are concerns that as the lawsuit winds through the court system, states would be prevented from setting a residency standard different from other states. Therefore, in the event a lawsuit is issued, the contingent benefit standard sends a clear message to the presiding judge.

"The contingent benefit standards are vitally important to Minnesota’s ability to ensure that our citizens receive the care they need. The language in the bill does not require the Department of Human Services to provide a change in the number of recipients when computing the budget appropriation. Therefore, the first amendment increases the current level in the budget request; fourth amendment will either have to be reduced elsewhere in the state or that go without aid, she said.

Sen. Pat Piper (DFL-Austin) presented two bills dealing with physician assistants. The first measure, S.F. 699, establishes a physician assistant store-time emergency care in disaster situations without physician supervision. The bill also grants physicians assistants immunity from civil liability when rendering emergency medical care. The bill requires that the physician assistant be under the direction of the emergency medical director. The amendment was adopted, and the measure was reREFERRED to the Judiciary Committee.

The second bill presented, S.F. 1, the welfare reform bill sponsored by Sen. Linda Berglin (DFL-Mpls.), is described as a current language in the bill does not require the Department of Human Services to include a revised number in the budget request; grant level will either have to be reduced elsewhere or that go without aid, she said.

"It is important that we start off at the same starting line when looking for work. Therefore, if a person is enrolled in a treatment program, it should be counted as work and time spent in the program should not be counted against their lifetime limit for assistance," Hottinger said.

Hottinger asked how the welfare reform measure addresses legal immigrants. Samuelson explained that as long as they are legally residing in Minnesota, they are eligible for state-funded welfare. In addition, the federal law excludes legal immigrants from the food stamp and supplemental security income programs.

Sen. Dallas Sams (DFL-Staples) successfully offered another amendment that deals with property limitations for welfare eligibility. The Sams amendment raises the threshold value of a motor vehicle from $6,000 to $7,500. He explained that people in Greater Minnesota have a need for more reliable vehicles to handle inclement weather and longer driving distances.

Sams also moved to amend the bill to add language that establishes specific standards for the Emergency Assistance Program for the Dislocated Worker. The amendment was adopted.

Sen. Linda Berglin (DFL-Mpls.) successfully offered an amendment that deals with property limitations for welfare eligibility. The amendment raises the threshold value of a motor vehicle from $6,000 to $7,500. He explained that people in Greater Minnesota have a need for more reliable vehicles to handle inclement weather and longer driving distances.

Sams also moved to amend the bill with language that establishes an allocation formula for the Dislocated Worker Assistance Program. The formula determines the amount of money available to be given to the counties with the highest unemployment rates. The amendment was adopted.

Sen. Dan Stevens (R-Mora) said he was concerned that the amendment places a cap on the amount of money a county can receive in
times of emergency. Sams agreed and withdrew the amendment so that alternate funding formulas could be considered.

Samuelson and Bergin presented three amendments that would provide Minnesota Indian Tribes flexibility in implementing MFIP requirements and require the counties to work alongside the Tribes. Bobby Whitefeather, chairman of the Red Lake Band of Chippewa, said, “We embrace the opportunity to work with the state. The amendments allow the Tribes the opportunity to stay at the table with the state and discuss ways to work together.” All three amendments were approved.

Sen. Sheila Kiscaden (R-Rochester) submitted an amendment that deals with the assistance to displaced nuclear workers. She explained a scenario in which the worker receives a partial case load due to a disaster but DFS would not be required to include the aid in the case load in their budget. The amendment requires the commissioner of human services to follow the same procedures as if there were a federal grant. “We have a situation where a nuclear worker would receive a partial case load because of a disaster, but DFS is not required to include the aid in the case load in their budget,” she said. The amendment was adopted.

Kiscaden successfully offered two amendments dealing with domestic violence. The first amendment amends the bill with a provision extending the residence waiver in order to be eligible for benefits to victims of domestic violence. “We have a situation where a person might be eligible for benefits to victims of domestic violence who are immigrants,” she said. The amendment provides an exemption for victims of domestic abuse from the TANF time limit and a waiver of the state aid.

Sen. Martha Robertson (R-Minnetonka) offered an amendment relating to employment and training. Specifically, the amendment requires each county or a group of counties to develop and submit a plan for the employment and training service providers. The amendment also requires the background of each provider to be available to the public.

After the amendment was adopted, Sen. Dan Stevens (R-Mora) said he had reservations about the amendment. “The amendment may work well for the metropolitan regions of the state, but it would be burdensome and unworkable for many counties, especially those with a low population and high unemployment.” Kiscaden countered and said, “We need to create expectations for the counties to provide these choices and have at least two choices for people on TANF as soon as possible.” The amendment was adopted.

Luney offered an amendment that requires county agencies to waive the 30-day residency requirement for general assistance (GA) aid in cases of unusual hardship. Members discussed the issue of whether the amendment would dilute the intent of the stricter residency requirements. However, they did approve the amendment.

**Health and Family Security Budget Division**

**Humanservices forecast presented**

At the request of Chair Don Samuelson (DFL-Brainerd), George Hoffman, from the Dept. of Human Services, presented a summary of the February 1997 forecast at the Mon., Mar. 3, Health and Family Security Budget Division meeting. Equipped with the latest economic data, Hoffman reviewed estimates for Minnesota administered Aid to Families with Dependent Children (AFDC), General Assistance (GA), and Medical Assistance (MA) programs.

While presenting information on AFDC, Hoffman explained that the estimates for the program do not include the proposed welfare changes and, therefore, the budget is not yet complete. However, the AFDC forecast is useful to predict the number of persons who will need assistance. As Minnesota’s economy has remained strong over the past year, the estimates for the number of welfare recipients have decreased.

Hoffman explained that with a smaller number of recipients, more federal block grant money will be available for alternative welfare programs.

Hoffman also highlighted that the federal changes will be expected to a shift an additional 5,000 people onto state GA.

Sen. Linda Berglin (DFL-Mpls.) asked if the department had investigated the Illinois approach. In Illinois, she said, “As a person is working they receive only state aid and no federal benefits, so their personal 60-month lifetime limit on federal assistance is not running out.” Assistant Commissioner Deborah Huskins said the department is looking at ways to reduce the federal aid.

**Children's initiative presented**

Chair Don Samuelson (DFL-Brainerd) invited Assistant Commissioner Judy Wong to review the Dept. of Human Services Children's initiative program at the Tues., Mar. 4, Health and Family Security Budget Division meeting. She said the initiative is relatively new and has not yet been approved. The initiative is designed to provide financial support to families who have children in their care.

Wong proceeded with an outline of the new program for postsecondary education. “Statistics show if we invest modest amounts of money in the first two years of higher education for students, it makes a real difference in their ability to stay in school. These students also carry the heaviest burden in terms of higher education expenses. Our goal is to reverse the trend of doing the least where there is the most advantage.” The committee agreed to forward the constitutional question to the full committee and delete the appropriations provision to be laid aside for further consideration.

**Trust fund bill presented**

A bill establishing an undergraduate trust fund and a bill providing student loan interest deferral and income tax credits for tuition were presented at the Higher Education Budget Division meeting. Sen. Steven Morse (DFL-Dakota), proposes an amendment to the Minnesota Constitution dedicating a percentage of lottery proceeds to Minnesota state colleges and universities.

S.F. 486, authored by Sen. Steven Morse (DFL-Dakota), proposes an amendment to the Minnesota Constitution dedicating a percentage of lottery proceeds to Minnesota state colleges and universities. The funds are to provide financial support to students of low income families and to establish a student opportunity grant program.

**Education budget division review concluded**

The Higher Education Budget Division concluded its review of the University of Minnesota’s budget recommendation for the coming biennium. The committee, chaired by Sen. Leroy Stumpf (DFL-Thief River Falls), also heard a bill dedicating a portion of lottery funds to higher education.

“Our proposal to you is to share fifty-fifty the responsibility for funding our four-year framework proposal,” said Dr. Marvin Marshal, senior vice president of academic affairs. “The University and the state would each contribute $115.5 million for each of the four years.” Richard Pfutzenreuter, senior associate vice president of budget and finance, cited some operational efficiencies proposed by the University and said, “We will reduce faculty by about 5 percent by replacing four out of five positions as they open up. The commissioning of old buildings, approximately 650,000 square feet, will reduce operating and maintenance expenses. We will plan to increase enrollment and to be more aggressive in our fundraising. With these combined efforts, we can keep student tuition increases at 2.5 percent per year.”

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Committee update

Jobs, Energy, and Community Development

Housing bill advanced

Two bills were presented to the Jobs, Energy, and Community Development Committee Thurs., Feb. 27. The committee, chaired by Sen. Novak (DFL-New Brighton), approved both bills.

S.F. 118, a bill entitling Civil Air Patrol members unpaid leave of absence in cases of emergency, was presented by Sen. Don Samuelson (DFL-Brainerd) and Sen. Frank Vetsch (DFL-Crookston).

Utility bill passed

A bill providing performance-based regulation of gas utilities and a bill related to renewable energy insurance were presented to the Senate Energy and Community Development Committee, Tues., Mar. 4. The committee, chaired by Sen. Steven Novak (DFL-New Brighton), approved both bills.

S.F. 608, authored by Sen. Arlene Lesowski (R-Marshall), provides quarterly reporting of waged data related to renewable energy insurance. Rich Kellergan of the Dept. of Economic Security said, "Under this bill, we would still be required to keep records of hours worked, and then not require it to be reported by those employers who would not be able to retain this information." The bill was approved and moved to the Senate floor.

S.F. 447, a bill providing performance-based regulation plans for gas utility services, was presented by Sen. Steve Kelley (DFL-Hopkins). The bill was sent to the Senate floor.

Judiciary

Open hearings discussed

The Judiciary Committee, chaired by Sen. Jane Ranum (DFL-Mpls.), heard testimony on a number of bills related to the civil justice system. The committee discussed a bill to establish a uniform consumer protection law, a bill to establish a uniform consumer protection law, and a bill to establish a uniform consumer protection law.
testimony, Mon., Mar. 3., on a bill amending the juvenile court process to open the hearings involving children in need of protection or services to the public. S.F. 747, sponsored by David Knutson (R-Burnsville), incorporates the recommendations of the Minnesota Supreme Court Foster Care and Adoption Task Force. The recommendations gave rise to language in the bill that provides that child abuse and neglect hearings previously closed to the public may become public.

The controversial language was opposing viewpoints from state senators, children and family service workers, guardian ad litem, social workers, and a media attorney.

According to the published task force study, the majority of task force members believe that juvenile protection is largely unaccountable because of a closed system and impervious to public scrutiny. The study states that although the closed system provides protection, rehabilitative environment for parents and children, by shielding them from scrutiny and stigmatization, it also allows abuse to continue.

In addition, the study states that because juvenile protection systems are closed, child abuse and neglect decisions are not truly based on a vast number of community standards. Minnesota Supreme Court Justice Kathleen Blatz said, among other observations, that fear of social condemnation among judges, attorneys, guardians ad litem, social workers and other stakeholders involved in child protection hearings has contributed to the history of closed proceedings.

She said that doing the doors on such proceedings relegates children to second-class citizens and denies them beneficial input that would otherwise be provided by outside players, such as community members.

Guardian Ad Litem Program volunteer Mark Toogood said that children’s situations are worsening, and that those involved in child protection services should not be expected to figure it out behind closed doors, behind the balance of public opinion.

Chris Reardon defended the closed system. "I believe that juvenile protection is largely unaccountable because of a closed system and impervious to public scrutiny. The study states that although the closed system provides protection, rehabilitative environment for parents and children, by shielding them from scrutiny and stigmatization, it also allows abuse to continue. In addition, the study states that because juvenile protection systems are closed, child abuse and neglect decisions are not truly based on a vast number of community standards. Minnesota Supreme Court Justice Kathleen Blatz said, among other observations, that fear of social condemnation among judges, attorneys, guardians ad litem, social workers and other stakeholders involved in child protection hearings has contributed to the history of closed proceedings.

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Assistant Ramsey County Attorney Chris Reardon defended the closed system. She said that any benefits of opening hearings and court records to the public do not outweigh the harms to children and family service workers.

Children's programs bill OKed

The judiciary Committee, chaired by Sen. Jane Ranum (DFL-Mpls.), met Weds., Mar. 5, to consider the judiciary portions of three bills relating to children and children's programs. The first bill, S.F. 136, authored by Sen. Sheila Kiscadden (R-Rochester), makes a number of changes in statutes governing child welfare programs to make it easier to make positive changes to those programs.

The measure requires that the commissioner of human services encourage local reforms in the delivery of services, makes changes in the laws governing local children's mental health collaboratives, provides for an agency that hears appeals and allows multidisciplinary child protection teams to include a number of community-based agencies.

Discussion centered on a provision relating to child welfare reform pilot programs. Under the bill, the commissioner of human services is given authority to waive existing state rules and statutory requirements when approving local programs which focus on reforming the child protection and child welfare systems in Minnesota. Ranum said that the language was too broad and needed to be more specific. Other members agreed and an amendment was drafted to specify that the commissioner may authorize programs to use alternative methods for investigating and assessing reports of child maltreatment, as long as the program complies with the provisions of the law, dealing with the rights of parties involved in the report or investigation, including notice and appeal rights, and data and record requirements. The amendment was adopted.

The bill was approved and referred to the Health and Family Security Committee.

The second measure, S.F. 101, authored by Sen. Linda Berglin (DFL-Mpls.), is a departmental housekeeping bill. The bill was before the committee because of provisions altering the procedure for permanent placement of a child. Specifically, the bill altered timelines for reviews at various stages. The bill was approved and sent to the Senate floor.

The third bill, S.F. 813, authored by Ranum, provides for the transfer of custody of a child to a relative by a consent decree, authorizes communication or contact agreements between adoptive parents and birth parents, and provides for a conference and a relapse agreement following a report of child abuse or neglect. Because of time limitations, no action was taken on the measure.

K-12 Education Budget Division

Governor’s budget reviewed

Sen. Keith Langseth (DFL-Glyndon) said he was skeptical of the Department of Children, Families, and Learning’s emphasis on targeted funding. During a meeting Mon., Mar. 3, Langseth told Commissioner Robert Wedl, "For some schools, the only way to fund salary increases is through foundation aid. If there's no increase, I just think we're placing these districts in a real bind." Wedl countered that the governor feels strongly about targeted initiatives like class-size reduction.

Sen. Martha Robertson (R-Minnetona) said that if foundation aid is increased, the districts are proving to get better student performance, she would support it. Sen. Kenric Scheele (R-Preston) echoed Robertson's sentiment, "At some level," he said, "you'd argue that faculty they're interested in making decisions to keep larger classes and increase salaries. Chair Lawrence Pogemiller (DFL-Mpls.) asked Wedl to provide the committee with a report on results of targeted class size revenue since 1992.

Wedl walked members through the first section of the governor’s policy proposal. Priority initiatives include expansion of school choice, parental empowerment, merit pay, and a state plan to shift pupil weighting from older to younger students, said Wedl.

Charter school caps will be removed, according to Wedl, and the state will allow schools in which the majority of teachers favor shifting to charter status to do so. Currently, the law requires 90 percent of faculty approval for such a shift.

Under the proposal, school boards will also be able to designate their schools as high performing. Once the state is be notified of the schools, the only way to fund salary increases was proven to result in a rise in education. Wedl walked members through the first section of the governor’s policy proposal. Priority initiatives include expansion of school choice, parental empowerment, merit pay, and a state plan to shift pupil weighting from older to younger students, said Wedl.

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Committee Update

High School student] ohnathan Steen, "and I learned more about this business than stocking shelves and pumping gas." Steen and other representatives from the school testified before Chair Lawrence Pogemiller and the 12th District Division Wed., Mar. 5. The students spoke in support of S.F. 26, authored by Sen. Jim Vickerman (DFL-Tracy), which would grant the school $87,000 to continue the barbecue sauce business it began a year ago. The money also funds pilot site workshops conducted by the school to assist in the development of similar programs statewide.

Sen. Gen Olson (R-Minnetonka) queried the student and his instructor, Lynn Andt, about the program at the state level if it is successful. Sen. Martha Robertson (R-Minnetonka) asked if the program would require an ongoing commitment by the state. Andt explained that the extra state funding would be one-time only. She said the small school of 500 students has not been able to obtain a school-to-work grant because it is located in a community where the opportunity for school-to-work programs is minimal. The panel decided to broaden the issue and consider giving higher budgetary priority to student entrepreneurial initiatives in general. The panel voted to consider such a provision in the omnibus legislation.

Four bills dealing with school district fund surplus moves were then quickly considered by the panel. S.F. 29, authored by Sen. Tracy Beckman (DFL-Bestern), exempts the Metoda school district from the general education levy reduction. The bill was introduced by the city of Tracy for fiscal year 1997 and allows it to make a positive levy adjustment equal to its 1996 general education levy reduction. He testified that duetoenrollment shifts, the Metoda school district had realized a funding surplus. Sen. Thomas Neunolt (R-Northfield) asked for some clarification as to why the caps exist, indicating some skepticism with regard to their purpose. Sen. Keith Langseth (DFL-Browning) said that prior to the advent of the caps, some districts would adopt a banking industry mentality, prioritizing the amassing of large savings instead of providing high-quality services. Olson said that the taxpayers themselves should demand such accountability from districts. Sen. Thomas Wiger (DFL-North St. Paul) moved to consider lifting all caps for the 19 districts currently affected. The panel voted to consider the issue in the omnibus legislation.

Similarly, S.F. 40, authored by Sen. Bob Lessard (DFL-Iint. Falls), gives the Hill City School District permission to pay its debt service with surplus funds rather than refund it back to the state as is currently required. The panel stated the bill for inclusion in omnibus legislation.

S.F. 110, authored by Sen. Dick Day (R-Owatonna) authorizes Madfords Schools to transfer up to $200,000 from its operating capital account to the undesignated general fund. The panel voted to include the bill in the omnibus legislation.

S.F. 946, authored by Sen. Cal Larson (R-Fergus Falls) permits the Fergus Falls district to transfer up to $202,000 from its debt redemption fund to its building construction fund without a levy reduction. The bill was approved for inclusion in omnibus legislation.

Local and Metropolitan Government Committee

Bills Move Forward

In a busy meeting Mon., Mar. 3, the Local and Metropolitan Government Committee was presented with five bills for consideration. The committee, chaired by Sen. Jim Vickerman (DFL-Tracy), approved all but one of the bills.

Sen. David Knutson (R-Burnsville) authored S.F. 691, a bill that changes procedures for state demographic population estimates. Tom Gillespie, state demographer, said, "The bill clarifies and adds certain duties to the state demographic projections, the estimation process and state estimates." There were some concerns expressed by members of the committee over the language of the bill, however, and it was laid over for further consideration.

S.F. 735, a bill presented by Sen. Claire Robling (R-Prior Lake), modifies the Metropolitan Council's cost allocation system. Robling said, "The primary purpose of the bill is to permit the Council to bill local communities for sewer and wastewater treatment facilities based on actual sewage flow rather than estimates. This would simplify the system, and reduce administrative time and expenses." Sen. Carol Flynn (DFL-Mpls) moved to amend the bill to allow community flexibility in cost allocations. The amendment was adopted, and the bill as amended was advanced to the Senate floor.

Vickerman presented two bills, S.F. 62 and S.F. 67, which he said would lead to a sharing of certain partitioned fence costs. Vickerman said, "This legislation would require the DNR to maintain partition fences when the adjoining landowner wants them and fenced to restrain livestock." The bill was approved and moved to the Senate floor.

S.F. 227 was also authored by Vickerman. Current law provides that payment in lieu of taxes is transferred from a county to a city or town if the city or town is the principal provider of services affecting the land, such as road maintenance. Sen. S.F. 227 provides that the payments be made to the city or town even though the city or town is not currently providing these services. Payment in lieu of taxes funds are transferred from the federal government paid to a county to make up for a loss of property tax revenue on federal lands. After the bill was amended to provide payment in proportion to services rendered, the bill was advanced to the Senate floor.

Planning Bills Discussed

Two land use planning bills were presented to the Local and Metropolitan Government Committee Weds., Mar. 5. The committee, chaired by Sen. Jim Vickerman (DFL-Tracy), also heard testimony concerning planning from a number of interests.

S.F. 738, authored by Sen. Steven Morse (DFL-Dakota), establishes goals for community-based land use planning, requires technical assistance be provided by the state to local governments to facilitate planning, and establishes an advisory council on community-based planning. Morse said, "This approach would be comprehensive and would encourage citizen participation, economic development, conservation, housing, transportation, public education, and sustainable development. It would be a two-tiered approach, laying out goals for the first year and setting up incentives for the second. The Metro Area would also be included in this statewide approach.

Sen. John Hottinger (DFL-Mankato) presented S.F. 737, a bill that is also related to land use planning. "Although Sen. Morse and I share the same views, my approach as expressed in this bill is slightly different. I believe we can and should do this now; we should make decisions this year. This legislation does not include the Metro Area, but leaves metro planning to the Metropolitan Council. I think general in this bill than Sen. Morse is in his, leaving more of the decision making up to local communities."

Vickerman invited public testimony discussing land use planning. Scott Elkins of theL and Stevich Project said, "Each bill has its merits, but this process is a great first step. We would favor county mandates to develop plans with state funding and technical assistance. Ron Hauger testified on behalf of the Farmers Union and said, "The three things we need to consider when we think about planning are local control with statewide guidelines, urban growth boundary lines, and a discussion about what property rights really mean." The bills were laid over for further discussion.

Property Tax and Local Government Budget Division

Two Bills Move Ahead

The Property Tax and Local Government Budget Division, chaired by Sen.

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Sandra Pappas (DFL-St. Paul), approved a bill, Fri., Feb. 28, authorizing the recertification of unpaid charges for condominium improvements to the Hennepin County auditor. S. F. 200, sponsored by Sen. Linda Schedel (DFL-Brooklyn Park), provides that if the Brooklyn Park Economic Development Authority owes money to a condominium association for exterior construction improvements to an association's property, then the authority may later certify any assessment that is in default to the county auditor for collection as other taxes.

Sen. Steve Murphy (DFL-Red Wing), explained that town home associations do not own sufficient property that can be used for securing loans. For this reason, associations often receive, from city economic development authorities, loans necessary to furnish deteriorating structures. Loan repayment is then assessed based on the town owner, whom may, at sometime, default on their share of the association's debt, Murphy said. He said that certifying a delinquent account with the county for collection as a real estate tax gives the countystated claim priority over the first mortgage holder and makes collection easier.

The division approved an amendment offered by Sen. Leonard Price (DFL-Woodbury), limiting the source of funds that an economic development authority may lend an owner's association. Price also requested the elimination of language providing for the association to pay "any expense" related to the loan or assessment. He requested that the division give thought to exactly what expenses will be allowed.

The division approved the bill as amended, and referred it to the Committee on Local and Metropolitan Government. The division also approved S. F. 745, sponsored by Sen. John Hattinger (DFL-Mankato), authorizing the governing body of any city or town to transfer the duties of its local board of review to the county board, but only if the county handles assessments for those cities or towns. The bill provides that the transfer may be permanent or may be for a period of not less than three years.

The division adopted an amendment, by Sen. Pat Panseau (R-Farmington), requiring that the board of equalization authorize an alternative method of assessment in one or more townships. The division approved the bill, as amended, and, referred it to the Committee on Local and Metropolitan Government.

Committee on Taxes

Property tax forum

Members of the Senate and House Committees on Taxes met jointly Weds., Mar. 5, to discuss property tax reform issues. The committee, co-chaired by Sen. Douglas Johnson (DFL-Lower Tower) and Rep. Dee Long (DFL-Mpls), heard public testimony regarding the state's property tax system.

Johnson said, "Let's not forget that many of us promised our constituents during our last campaign that we would work hard for property tax reform. The budget surplus gives us an opportunity to live up to those promises. If we don't do it now, with a bipartisan approach, we may never do it." He and Long then asked for testimony from the public.

Minnesotans representing a variety of different interests spoke, all in favor of some sort of property tax reform. Mark Willers, a farmer from Rock County, said, "When my property taxes have gone up 86 percent over the last 10 years, my net income has dropped 18 percent. And when you compare our taxes with Iowa's, you'll see that our $35 per acre, but the same farmland in Iowa would only pay $18." Dan Salamone, of the Minnesota Taxpayers Association, spoke in favor of reforming the assessment system and stressed the need for long-term planning.

Scheid (DFL-Brooklyn Park), provides that the board of equalization authorizes the governing body of any city or town to transfer the duties of its local board of review to the county auditor. The division approved the bill, as amended, and referred it to the Committee on Local and Metropolitan Government.

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**Monday, March 10**

Ad Hoc Committee on Information Technology
Chair: Sen. Steve Kelley
8 a.m. Room 112 Capitol
**Agenda:** Discussion of M Net, the state-wide telecommunications service for state government, educational institutions, and other public entities. Comments from Minnesota Equal Access Network System (MEANS), a privately owned consortium of local telephone companies, and other providers of telecommunications services.

CommercerandConsumerProtection Subcommittee on Insurance
Chair: Sen. John Hottinger
8:30 a.m. Room 107 Capitol

Conference Committee
Chair: Sen. John Marty
9 a.m. Room 123 Capitol
**Agenda:** H.F. 100-Emergency snow removal appropriation.

Health Care and Family Security Budget Division
Chair: Sen. Don Samuelson
9 a.m. Room 123 Capitol
**Agenda:** Dept. of Human Services budget overview.

Local and Metropolitan Government Committee
Chair: Sen. Jim Vickerman
2 p.m. Room 107 Capitol
**Agenda:** S.F. 738-Morse: Land use planning S.F. 820-Hottinger: Land use planning. Afternoon meeting will be on these two land use planning bills, only a continuation of public testimony. S.F. 200-Scheid: Unpaid charges on certain townhomes and condos in Brooklyn Park. S.F. 612-Wiger: Permitting the appointment of the recorder and auditor/treasurer. S.F. 691-Knutson: Changing procedures for certain population and related estimates. S.F. 810-Stevens: Limiting a certain exclusion from net debt to certain transactions.

Election Laws Committee
Chair: Sen. John Marty
12 noon Room 112 Capitol
**Agenda:** S.F. 708-Marty: Campaign finance modifications. S.F. 478-Junge: Miscellaneous campaign finance provisions.

Environment and Natural Resources Committee
Chair: Sen. Bob Lessard
12 noon Room 107 Capitol
**Agenda:** S.F. 389-Price: Modifying requirements related to individual sewage treatment systems.

**Judiciary Committee**
Chair: Sen. Jane Ranum
12 noon Room 115 Capitol

Crime Prevention Committee
Chair: Sen. Allan Spear
2 p.m. Room 15 Capitol

**Tuesday, March 11**

Family and Early Childhood Education Budget Division
Chair: Sen. Pat Piper
8 a.m. Room 107 Capitol

K-12 Education Budget Division
Chair: Sen. LeRoy Stumpf
8 a.m. Room 112 Capitol
**Agenda:** To be announced.

Jobs, Energy and Community Development Committee
Chair: Sen. Steven Novak
10 a.m. Room 123 Capitol
**Agenda:** To be announced.

Government Operations and Veterans Committee
Chair: Sen. James Metzen
12 noon Room 15 Capitol
**Agenda:** To be announced.

Transportation Committee
Chair: Sen. Carol Flynn
12 noon Room 112 Capitol
**Agenda:** S.F. 61-Johnson, J.B.: Snowplow operator’s exemption from drug and alcohol testing requirements. S.F. 484-Johnson, J.B.: MN Dept. of Transportation housekeeping bill.

Agriculture and Rural Development Committee
Chair: Sen. Dallas Sams
2 p.m. Room 107 Capitol
**Agenda:** Overview: Carver County Diagnostic Team; S.F. 429-Sams: Dairy Corrections, AFSCME and others to Corrections Corporation of America’s proposal for privatization of Rush City prison.
industry development grant program. S.F. 322-Dille: Establishing the dairy development program.

**Commerce Committee**
Chair: Sen. SamScdn
2 p.m. Room 112 Capitol

**Agenda:** S.F. 762-Solon: Modifying and recodifying disability policies; S.F. 731-Lange: Lump sum longterm care insurance tax subtraction; S.F. 860-862-Oliver: Securities; small corporate offering agreement (SCORE); S.F. 865-Wiener: Regulating rental purchase agreements.

**Rules and Administration Subcommittee on Senate Information Systems**
Chair: Sen. Leonard Price
2 p.m. Room 125 Capitol

**Agenda:** Review 1997-1999 Information Systems proposed projects draft. Review Senate Information System user policy.

**Crime Prevention and Judicial Budget Division**
Chair: Sen. Randy Kelly
4 p.m. Room 112 Capitol

**Agenda:** Review budget of Department of Corrections.

**Environment and Agriculture Budget Division**
Chair: Sen. Steven Morse
4 p.m. Room 107 Capitol

**Agenda:** DNR budget overview.

**Governmental Operations and Veterans Committee**
Chair: Sen. James Metzen
10 a.m. Room 15 Capitol

**Agenda:** To be announced.

**Government Operations and Budget Division**
Chair: Sen. James Metzen
10 a.m. Room 112 Capitol

**Assembly:** To be announced.

**Tax Subcommitteee on Income and Sales Tax**
Chair: Sen. Steve Murphy
4 p.m. Room 15 Capitol

**Agenda:** S.F. 216-Belanger: Dept. of Rev. technical bill; S.F. 237-Hettinger: Allowing an income tax credit for gifts by individuals to institutions of higher education; S.F. 497-Sched: Dept. of Revenue policy bill; S.F. 541-Limmer: Requiring registration of third-party bulk filers.

**Health Care and Family Security Budget Division**
Chair: Sen. Don Samuelson
6 p.m. Room 123 Capitol

**Agenda:** To be announced.

**Wednesday, March 12**

**Family and Early Childhood Education Budget Division**
Chair: Sen. Pat Piper
8 a.m. Room 15 Capitol

**Agenda:** S.F. 403-Anderson: Establishing an emergency services grant program.

**Higher Education Budget Division**
Chair: Sen. Roy Stumpf
8 a.m. Room 107 Capitol

**Agenda:** Continuation of MnSCU budget presentation. Any bills not completed on Tues., Mar. 3.

**K-12 Education Budget Division**
Chair: Sen. Lawrence Plemiier
8 a.m. Room 112 Capitol

**Agenda:** To be announced.

**Governmental Operations and Veterans Committee**
Chair: Sen. James Metzen
10 a.m. Room 15 Capitol

**Agenda:** To be announced.

**Election Laws Committee**
Chair: Sen. John Dillivic
12 noon Room 112 Capitol

**Agenda:** Continuation of Monday's agenda.

**Environment and Natural Resources Committee**
Chair: Sen. Bob Nessard
12 noon Room 107 Capitol

**Agenda:** S.F. 183-Stevens: Repealing toxics in products law, S.F. 184-Stevens: Modifying requirements for toxics in products law.

**Judiciary Committee**
Chair: Sen. John Dillivic
12 noon Room 15 Capitol

**Agenda:** To be announced.

**Crime Prevention Committee**
Chair: Sen. Allan Spear
2 p.m. Room 15 Capitol


**Governmental Operations and Budget Division**
Chair: Sen. Leonard Price
2 p.m. Room 125 Capitol

**Agenda:** Presentation of the Amateur Sports Commission, Humanities Commission and Office of Technology budgets.

**Legislative Commission on Pensions and Retirement**
Chair: Sen. Steven Morse
2 p.m. Room 112 Capitol

**Agenda:** To be announced.

**Local and Metropolitan Government Committee**
Chair: Sen. AllieVDickerman
2 p.m. Room 107 Capitol


**Economic Development Budget Division**
Chair: Sen. Tracy Bederman
4 p.m. Room 118 Capitol

**Agenda:** S.F. 331-Anderson: Statewide citizenship promotion program. Overview of the Dept. of Commerce budget, and MCHA funding.

**Education Finance Committee**
Chair: Sen. Keith Langseth
4 p.m. Room 123 Capitol

**Agenda:** School Funding Hearing: Schools for Equity in Education; Association of Metropolitan School Districts; Minnesota Rural Education Association; and schools in the first class.

**Environment and Agriculture Budget Division**
Chair: Sen. Steven Morse
4 p.m. Room 107 Capitol

**Agenda:** Review budget of Department of Natural Resources budget overview.

**Health Care and Family Security Budget Division**
Chair: Sen. Don Samuelson
4 p.m. Room 112 Capitol

**Agenda:** To be announced.

**Committee on Taxes**
Chair: Sen. Douglas Johnson
4 p.m. Room 15 Capitol

**Agenda:** To be announced.

**Tentative Agenda:** S.F. 216-Belanger: Department of Revenue technical bill; S.F. 456-Belanger: Department of Revenue policy bill; S.F. 541-Limmer: Registration of third-party bulk filers.

**Judiciary Subcommittee on Family Law**
Chair: Sen. Leo Oley
6:30 p.m. Room 107 Capitol

**Agenda:** S.F. 365-Flynn: Grandparent visitation. S.F. 595-Loeby: Grandparent visitation.

**Crime Prevention Committee**
Chair: Sen. Allan Spear
7 p.m. Room 15 Capitol

**Agenda:** Responses by Department of Corrections, AFSCME and others to Corrections Corporation of America's proposal for privatization to Rush City prison.
Thursday, March 13

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

Health and Family Security Committee
Chair: Sen. John Hottinger
10 a.m. Room 15 Capitol

Jobs, Energy and Community Development Committee
Chair: Sen. Steven Novak
10 a.m. Room 123 Capitol
Agenda: S.F. 156-Sams: Regulating interest payments on utility deposits. Other bills to be announced.

Governmental Operations and Veterans Committee
Chair: Sen. James Metzen
12 noon Room 15 Capitol
Agenda: To be announced.

Transportation Committee
Chair: Sen. Carol Flynn
12 noon Room 112 Capitol

Agriculture and Rural Development Committee
Chair: Sen. Dallas Sams
2 p.m. Room 107 Capitol
Agenda: Confirmation to the MN Rural Finance Authority, Christopher J. Skaal, Patrick A. Thiry, S.F. 106-Stumpf; Seed potato inspection, S.F. 526-Pariseau; Food handler certification, S.F. 817-Dille; Grain buyers license fees.

Commerce Committee
Chair: Sen. Sam Solon
2 p.m. Room 112 Capitol

Judiciary Subcommittee on Data Privacy and Information Policy
Chair: Sen. Don Betzold
7 p.m., Room 15 Capitol
Agenda: S.F. 203-Berglin: Authorizing the creation of an adoptive father registry. S.F. 126-Berglin: Authorizing the creation of community and statewide immunization registries. S.F. 727-Knutson: Providing for the release of birth information to adopted persons. S.F. 457-Betzold: Relating to professions, modifying provisions relating to the board of social work, providing civil penalties.

Friday, March 14

Family and Early Childhood Education Budget Division
Chair: Sen. Pat Piper
8 a.m. Room 15 Capitol

Higher Education Budget Division
Chair: Sen. LeRoy Stumpf
8 a.m. Room 107 Capitol

Health and Family Security Committee
Chair: Sen. John Hottinger
10 a.m. Room 15 Capitol
Agenda: S.F. 767-Dille: Appropriating money for children's mental health services.

Jobs, Energy and Community Development Committee
Chair: Sen. Steven Novak
10 a.m. Room 123 Capitol
Agenda: To be announced.

Environment and Natural Resources Committee
Chair: Sen. Bob Lessard
12 noon Room 107 Capitol
Agenda: To be announced.

Crime Prevention and Judiciary Budget Division
Chair: Sen. Randy Kelly
2 p.m. Room 15 Capitol
Agenda: Continuation: Review budget of Department of Corrections.

Judiciary Subcommittee on Family Law
Chair: Sen. Leo Foley
2 p.m. Room 125 Capitol

Legislative Commission on Pensions and Retirement
Chair: Sen. Steven Morse
2 p.m. Room 112 Capitol
Agenda: To be announced.
Briefly

The Minnesota Senate Week in Review

March 14, 1997

Brief floor session held

Senators gathered for a floor session Mon., Mar. 10, and cleared several items from the Senate Calendar, the Consent Calendar and General Orders. Members also concurred in the Senate Calendar and gave final passage to two bills. Nine bills were granted final passage on a voice vote. Nine bills were granted final passage on a 61-0 roll call vote.

By a margin of 4 votes, the Senate rejected a proposal Thurs., Mar. 13, allowing a voter to charge and collect certain service charges. The bill was given concurrence and repassage on a 61-0 roll call vote.

Primary by mail rejected

A margin of 4 votes, the Senate rejected a proposal Thurs., Mar. 13, allowing a voter to vote for a candidate who drops out before the election. The bill was given concurrence and repassage on a voice vote.

The Senate also concurred in the filing of several bills, including those which provide for payment of claims against the state, provide for the certification of eligibility for a position under county rules, provide for payment of claims against the state, and provide for payment of claims against the state.

One bill on the Consent Calendar also received final passage. S.F. 368, carried by Sen. Douglas Johnson (DFL-New Hope), provides immunity from civil liability for persons who seek to alter a dispute resolution proceeding on a personal basis. S.F. 624, also sponsored by Johnson, modifies and clarifies provisions governing lawsuits by prison inmates.

Primary by mail rejected

A margin of 4 votes, the Senate rejected a proposal Thurs., Mar. 13, allowing a voter to vote for a candidate who drops out before the election. The bill was given concurrence and repassage on a voice vote.

Continuing with the bill, Johnson said it changed the presidential primary date to March 1 so that Minnesota voters can have more time to decide the nominee. Kelley spoke again in favor of retaining a caucus system, saying that voters need to talk to each other and discuss the issues and that the caucus system allows for more influence in deciding the nominee.

Another bill was rejected on a 61-0 roll call vote. S.F. 128, carried by Sen. Dan Stevens (R-Mankato), does not allow certain townships to transfer their local board of review duties to the county. S.F. 202, authored by Sen. David Ten Eyck (DFL-East Gull Lake), validates certain conveyances by religious corporations, requires publication of notice of dispositions of certain real property in a marriage dissolution action, and provides for payment of claims against the state.

Nine additional bills were given preliminary passage. S.F. 368, carried by Sen. Ellen Anderson (DFL-St. Paul), allows for the sale of property held in revocable trusts upon the dissolution of marriages and regulates specific devises and distributions of property under the Uniform Probate Code. The bill was given concurrence and repassage on a voice vote.


S.F. 700, authored by Sen. Cal Larson (R-Fergus Falls), provides for payment of claims against the state. S.F. 120, authored by Sen. Ember Junge (DFL-New Hope), provides immunity from civil liability for persons who seek to alter a dispute resolution proceeding on a personal basis. S.F. 624, also sponsored by Junge, modifies and clarifies provisions governing lawsuits by prison inmates.

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Agriculture and Rural Development

Homestead bill okayed
A bill increasing the size of agricultural homestead property that qualifies for a reduced tax rate was advanced by the Agriculture and Rural Development Committee Thurs., Mar. 6. Chaired by Sen. Dallas Sams (DFL-Staples), the committee also approved bills on gasoline tax and turfgrass research.

S.F. 719, authored by Sen. Keith Langseth (DFL-Glyndon), raises from 320 acres to 480 acres the size of agricultural homestead property eligible for lower tax rates. Langseth said, "Some farmers say that because of high taxes, it's getting too far to the point where you're renting your land from the government." Sen. Charles Berg (Ind-Chokio) made a motion to amend the bill to increase the eligible property size to 640 acres. He said, "I don't know many farmers who have less than 640 acres." The motion was defeated. The bill was approved and referred to the Committee on Taxes.

Sen. Jm Vickersman (DFL-Tracy) presented S.F. 648, a bill that exempts farmers from paying tax on gasoline reaived in on-farm bulk storage. Sen. Larry Helt (DFL-Thief River Falls), testifying in support of the bill, and said, "Cash flow is getting tighter and tighter in rural Minnesota. This would be another tool to help farmers." The bill was okayed and referred to the Committee on Taxes.

S.F. 836, authored by Sen. LeRoy Stumpf (DFL-St. Paul), provides continuing support for turfgrass research and development. Stumpf said, "Minnesota is the third leading state in turfgrass production, and this research helps us strengthen that position." The bill was referred to the Agriculture and Budget Division.

Stumpf also presented S.F. 108 for discussion only. The bill appropriates money for seed potato inspection. Helt said, "There is a need for additional facilities for seed potato inspection, and the potato industry is ready to step up and pay its share. The bill authorizes a one-time appropriation of $250,000 for the state contribution." The bill was laid over for further consideration.

Dairy diagnostic overview
The Carver County Diagnostic Team presented an overview of its work to the Agriculture and Rural Development Committee Tues., Mar. 11. The committee, chaired by Sen. Dallas Sams (DFL-Staples), also advanced two bills.

"We have a tragedy on our hands," said Sams, referring to the state of the dairy industry in Minnesota. "In December, 120 dairy farmers were lost in January. Ninety. We have got to take a bipartisan approach toward finding a solution to keep dairy farming alive in Minnesota," he said. Sams introduced the Carver County Diagnostic Team as an example of a successful program focused on helping the dairy industry.

Vernon Oraskovich, an extension educator and part of the team, opened the presentation and said, "The dairy diagnostic process is a team approach to problem solving on the dairy farm. With this program, we have seen increases in profitability and productivity, improved efficiencies, and changes in attitude on farms. And for every $1 generated on a farm, $7 passes through the community." He said, "The ultimate goal of the program is to self-sustaining and public funding grants.

Two bills regarding dairy development were presented to the committee. S.F. 429, authored by Sams, appropriates money to fund dairy diagnostic teams. Sen. Steve Dille (R-Dassel), presented S.F. 322, a bill that establishes a dairy development grant program and appropriates $3.6 million for the program. After a series of discussion, Sams proposed a delete-all amendment for S.F. 429, bringing the language from Dille's bill. The amendment was adopted and the bill was advanced to the Senate floor. S.F. 322 was amended to include appropriations from both bills, and was referred to the Environment and Agriculture Budget Division.

Commerce
Health care bills continued
The Commerce Subcommittee on Insurance, chaired by Sen. John Hottinger (DFL-Mankato), continued to hear, Mon., Mar. 10, two similar bills relating to health care consumer protection and assistance. The bills will be acted on at a later time.

S.F. 320, sponsored by Sen. Deanna Wiener (DFL-Eagan), and S.F. 819, sponsored by Sen. Steven Morse (DFL-Dakota), both create a statewide health care consumer assistance office and program. The bill also prohibits contractors that restrict communication between providers and their patients; requires disclosure of financial incentives; prohibits contractors or agreements that prevent a provider from communicating with a patient regarding their health care, or treatment options if the provider is acting in good faith; and requires health plan companies to provide a summary of any complaint resolution process available to patients, and makes the patient's right to a complaint resolution process available to patients, and makes the patient's right to a complaint resolution process available to patients, and makes the patient's right to a complaint resolution process available to patients, and makes the patient's right to a complaint resolution process available to patients, and makes the patient's right to a complaint resolution process available to patients, and makes the patient's right to a complaint resolution process available to patients, and makes the patient's right to a complaint resolution process available to patients, and makes the patient's right to a complaint resolution process available to patients.

Sen. Edward Oliver (R-Deephaven), offered an amendment to S.F. 819, including language requiring health plan enrollees to be provided with the general nature of reimbursement methodology used by the health plan, as well as any policies that provide access to specialty care for some enrollees. The amendment was defeated. The bill was approved and referred to the Committee on Taxes.

Sen. Steve Gregoire (DFL-Moorhead), offered amendments to S.F. 819, including language requiring an enrollee to be provided with the general nature of reimbursement methodology used by the health plan, as well as any policies that provide access to specialty care for some enrollees. The amendment was defeated. The bill was approved and referred to the Committee on Taxes.

S.F. 320. The amendment clarifies the status of the comprehensive health care association under Medical Assistance and General Assistance Medical Care. The subcommittee adopted the amendment and laid the bill over pending further discussion.

Sen. Steven Morse (DFL-Dakota), author of S.F. 819, offered an amendment that clarifies the definition of a patient, deletes the definition of financial risk that is consistent with federal regulations; changes the definition of financial risk that is consistent with federal regulations; changes the definition of financial risk that is consistent with federal regulations; changes the definition of financial risk that is consistent with federal regulations; changes the definition of financial risk that is consistent with federal regulations; changes the definition of financial risk that is consistent with federal regulations; and deletes the certificate of compliance requirements for organizations that have contracts with the state.

John Marty (DFL-Roseville), offered an amendment to S.F. 819, including language requiring health plan enrollees to be provided with the general nature of reimbursement methodology used by the health plan, as well as any policies that provide access to specialty care for some enrollees. The amendment was defeated. The bill was approved and referred to the Committee on Taxes.

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response to a complaint through the company's internal appeal process. The committee approved the amendment and laid the bill over for further consideration.

At a subsequent meeting, Weds., Mar. 12, the panel approved both bills and forwarded them to the full Commerce Committee. Subcommittee action came after members adopted amendments clarifying that labor unions and self-insured employers exempt from the bills' provisions. In addition, members adopted an amendment to S.F. 320 that deleted provisions that were contained in S.F. 819. Members also adopted an amendment to S.F. 320 that deleted provisions relating to medical assistance and MCHA eligibility.

Subcommittee members also endorsed S.F. 960, a third measure providing for patient protection. The bill, sponsored by Sen. Linda Berglin (DFL-Mpls.), in addition to other consumer protections also requires health plans companies to provide continuity of care and access to specialty care for certain enrollees. The measure was also advanced to the full committee.

Four bills advance

The Commerce Committee, chaired by Sen. Sam Solon (DFL-Duluth), approved four bills, Tues., Mar. 11.

S.F. 762, authored by Solon, separates and moves language relating specifically to disability or income protection on coverage out of the provisions covering medical insurance. Solon said that the original language, drafted in 1937, does not differentiate between health insurance that addresses medical problems and disability coverage that deals with income loss. He said that the bill makes a substantial change to current law. The committee approved the bill and sent it to the Senate floor.

S.F. 731, sponsored by Keith Langseth (DFL-Glyndon), provides a substantial increase in the maximum income for the purchase of long-term care insurance policies having a lump-sum, single-premium. Langseth said that the tax deduction on such policies would encourage people to purchase long-term care insurance policies and would encourage the transfer of assets prior to their becoming ill. The committee referred the bill to the Commerce Committee.

S.F. 895, sponsored by Sen. Deanna Wiener (DFL-Eagan), establishes terms relating to the operation of rent-to-own businesses within the state. Wiener said that the bill allows those with poor or no credit rating to purchase products that they might otherwise not get. Senators Allen Spear (DFL-Mpls.) and John Marty (DFL-Roseville) opposed the bill. Both Spear and Marty pointed out what they felt to be an usurious and exploitative rates charged to those individuals who can least afford to pay. Wiener offered an amendment to the bill allowing rent-to-own customers to reduce costs through procuring cash or credit terms from sources other than the rent-to-own.

The committee adopted the amendment and sent the bill to the Senate floor.

S.F. 860, sponsored by Sen. Edward Oliver (R-Deephaven), authorizes the registration in Minnesota of small corporate security offerings of $5 or more when the aggregate offering price of the securities does not exceed $1 million. The committee approved the bill and sent it to the Senate floor.

Crime Prevention

Background checks bills advance

Sen. Randy Kelly (DFL-St. Paul) explained that S.F. 950, a bill to amend the school employee background check law, is the result of a collaborative effort between the MTA, MFT, the Department of Children, Families and Learning, and legislators. The bill was heard at the Mon., Mar. 12, meeting of the Crime Prevention Committee. The bill also allows school hiring authorities to share information on background checks if certain criteria are met. According to the bill, nonresidents offered employment in a Minnesota school must be subject, at their own expense, to a background check through the BCA and the other state's equivalent. The bill was approved by the committee, chaired by Allan Spear (DFL-Mpls.), and was sent to the floor.

S.F. 395, authored by Sen. Claire Robling (R-Prior Lake), expands current law that requires persons convicted of certain crimes to provide a biological specimen for the purposes of DNA analysis prior to being released from prison. Robling's bill includes those convicted of committing first-degree murder while committing certain types of sexual conduct. The bill was recommended to pass and sent to the floor.

Spear presented S.F. 31, a bill concerning non-funded probation provisions, which passed the Senate last session but did not make it to the House floor. The bill formalizes the current practice of defaulting responsibility for adult felons in non-CCA (Corrections Corporation of America) counties to the Department of Corrections and mandates probation providers to compile a uniform database. It requires that the commissioner of corrections review the procedures before issuing a caseload reduction grant.

The bill increases county responsibility, requiring counties to provide a uniform data collection procedure. Spear's bill was approved and sent to the floor.

S.F. 330, also authored by Spear, extends statute to limit non-profit corrections treatment facilities. Spear said the continued existence of many supplemental non-profit programs will be in jeopardy if they don't get some relief in terms of liability. The bill was approved with the recommendation to pass and referred to the judiciary committee.

Sen. Ember Junge (DFL-New Hope) presented S.F. 609. The bill provides that violators of orders for protection issued out of state can be convicted in Minnesota. The bill was approved and sent to the floor.

S.F. 234, a bill authored by Sen. Steven Morse (DFL-Dakota) stiffens requirements for background checks for nursing home and home health workers. Jerry Kerber of the Department of Human Services said the bill represents the suggestions of a task force comprised of home care professionals, the Department of Health, and county attorneys, among other participants. The bill lists the crimes that would be considered legitimate barriers to employment. Also, the bill specifies the length of the look-back periods, which are longer depending on the severity of the crime. Sen. Jane Ranum (DFL-Mpls.) mentioned that some convictions are piled up and not indicative of the seriousness of the crime.

Sen. Linda Berglin (DFL-Mpls.) expressed some concern about past offenders who situation may not be as bad as the character might indicate. Her comments were echoed by Dan Cain, who heads a chemical dependency counseling program. He told the committee that the bill codifies what is already a procedural problem. He added that the bill falls of the comprehensive approach, saying that some convictions are not related to the job for which an applicant is applying. "I would rather see a check-bouncer being a chemical dependency counselor than a wife-beater carrying a gun," he added.

Further, he said, a rehabilitated offender can be an important role model in some types of programs.

The bill was laid over for further discussion.

Prison privatization debated

"We're prison people," John Rees, vice president of new business development for Corrections Corporation of America, said when asked by Chair Allan Spear (DFL-Mpls.) if the former state's correctional system would consider managing a state-built prison at Rush City. The Crime Prevention Committee held an evening meeting Mon., Mar. 10, to hear responses to an earlier presentation by the private firm proposing to build and run the state's new maximum security facility.

The Department of Administration made its case for staying the course of planned construction. "Every day past March 15th that state waits increases the cost of the project," said Building Construction Director Bruce Taber. He reminded the panel that the state has already spent $7.5 million on draining and treating wetlands at the site in preparation for the complex's east housing pod. "We aren't going to build the prison," Taber said.

"We aren't going to build a single cell," Deputy Commissioner of Corrections Benson said, "We believe that the wisest thing to do in terms of the prison is to use the experience we have here in Minnesota and the existing buildings are capable of doing the job."

Hewitt went on to add, however, that the department could not, after conferring with unions, analyze treatment programs and other requirements, "responsibly run a close
custody prison at $55 a day," Spear asked for clarification, "you couldn’t do it at that price, or no one could?" Benson responded that "the department does not support privatization at this custody level in Minnesota." What happens, said Benson, when prison populations level off? When for-profit companies don’t see profit?

David Crist of the DOC spoke on CCA programming, detailing their use of "quiet time" and "one-on-one" and that "companionship contracts." He said, "We had a program like that in Minnesota in the seventies, but we phased it out because it didn’t work." When Sen. Thomas Neuville (R-Northfield) countered that CCA listed a red divise marker for prisoners participating much lower than Minnesota rates, Crist said that CCA was counting rearrests, which Minnesota’s auditor had included.

AFSCME representative Tom Bear took CCA to task for what he called blatantly anti-union policies. He said that in addition to contracting primarily in right-to-work states with little unionized labor, the company has and will continue to invoke the Prison Guard Rule to exclude unionization. The NLGB rule, according to Bear, specifies that unless their union gives permission, private sector guards cannot belong to a union other than an exclusive or guard union. This is why, said AFSCME is not able to represent guards at Appleton.

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inner-city population. "These kids are counted as dropouts if they leave the system mid-year, but we know that their reasons for leaving may have to do with other factors than whether they were succeeding in school," he said. Among other things, Gaines asked the panel for more flexibility in terms of charter schools and discretionary dollars for districts.

Peter Hutchinson of the Public Strategies Group joked that when he first contracted to head the Minneapolis Public Schools, some referred to him as the "Sup'du Jour." That kind of cynicism, he said, is the upshot of the sort of quick-change policy making that has become all too familiar to school systems across the country. The Minneapolis school system has tremendous obstacles, he said, pointing out that the number of kids in special education in Minneapolis and the district's pool of non-English-speaking students could qualify as the 27th and 28th largest districts in the state. Results of the past year's assessments, however, have shown the largest gains in the last six years in terms of decreasing the gap between students at lower and higher income levels.

Hutchinson describes PSG's efforts to empower sites in the district while maintaining the centralized kinds of purchasing and umbrella programs that benefit from a larger scale and make good economic sense. He called for continuation of state performance grants that have been used to successfully levy vast improvements in school performance.

District philosophy, he said, has been to achieve a structure in which employees are either teaching or directly supporting teaching. He said the greatest challenge is breaking with past procedure, as when the district implemented its block-scheduled days. "It was important to stand back and recognize that 45 minutes as a period is not a hard and fast rule," he said. When asked what could go wrong, Hutchinson replied, "Resource theeschools."

**Campaign Finance Reform Bill Fails**

On Mon., Mar. 10, Chair John Marty continued presentation of his campaign finance reform bill, S.F. 708. After a successful author's amendment allowing for lobbying on a constitutional amendment to begin with, much of this bill's language was stripped down during session and by political action committee laws during a campaign. Marty offered an amendment specifying that a campaign committee cannot make independent expenditure influence other campaigns. Sen. Ember J. unger (DFL–New Hope) spoke in opposition to the amendment, saying that transfers of funds aren't illegal. J. unger in opposition to the amendment, saying that transfers of funds aren't illegal. J. unger opposed the amendment, which he saw as weakening other legislative efforts. He said that he would not be subject to the same restrictions. J. unger supported the bill's language, which he said weakened the parties' ability to influence the creation of affiliated ads that wouldn't be subject to the same restrictions. J. unger opposed the amendment, which he saw as weakening the parties' ability to influence the creation of affiliated ads that wouldn't be subject to the same restrictions.

**Environment and Natural Resources**

**Septic systems discussed**

"The Pollution Control Agency (PCA) held hearings about the problem, and this bill lists the result," said Sen. Leonard Price (DFL–Woodbury) about his bill, S.F. 389, establishing individual sewage treatment system (ISTS) standards. The bill was heard in the Environment and Natural Resources Committee, Mon., Mar. 10.

Price highlighted a section that he called a "giant provision" in the bill that allows local government to adopt standards other than those developed by the PCA. He said the local standards can take into consideration such factors as soil classification, vegetation, systematic usage, local well placement and system density. Sen. Steve Dille (R–Dassel) said that the bill gives the PCA commissioner "review and comment" authority over the local standards, but asked if the commissioner did not have approval authority. PCA representative Gretchen Sabel said that is correct.

Roseau County Board member Jeff Pelowski testified about the local inspection provisions of the bill. He said he supported the bill, but considered the local inspection requirement to be unfunded mandate. He said that Roseau County could not afford the estimated $100,000 for two more inspectors. Sen. Steve Morse (DFL–Dakota) asked if the bill requires site visitation by inspectors. Sabel said that sites could be inspected by photographs and that inspectors aren't required to be onsite.

Committee Chair Bob Lessard (DFL–Int'l Falls) laid the bill over for further consideration.

**Toxic Compromise Advances**

A bill representing a compromise between environmental and business interests on Minnesota's Toxics in Products (TIP) law was approved by the Environment and Natural Resources Committee at the Weds., Mar. 12, meeting, but only after the committee rejected many of the bill's provisions. The bill, S.F. 184, carried by Sen. Dan Stevens (R–Mora), now goes to the Environment and Agriculture Budget Division for further consideration.

Stevens initially presented an alternative, S.F. 183, a bill repealing the toxics law. He said that under the law, manufacturers could no longer sell banned products in the state, but Minnesota companies are prohibited from manufacturing those products. The repealer bill was laid aside to discuss the compromise bill.

Stevens said that the toxics law is regulated by the state legislature, not the Environment Agency and the Pollution Control Agency (PCA), said that S.F. 184 establishes a toxics advisory council to review products subject to the ban. The bill was approved by the Environment and Agriculture Budget Division for further consideration.

Michele Robertson, representing the Minnesota Chamber of Commerce, said the chamber favors a repeal of TIP, but added that he "could live with the compromise agreement." Brett Smith of the Sierra Club
said good faith efforts went into reaching the compromise and that he was "taken aback by the 'dual track' strategy" of moving both bills. Committee Chair Bob Lassard (DFL-Imp. 1 Falls) said that although TIP "doesn't make sense," he didn't like the idea of tying the compromise to the repeal. Stevens defended the strategy, saying last year he only practiced with a compromise bill but "it got steamrolled in the other body." He said the proposal was his "ace in the hole." The committee rejected the dual track strategy and only approved the compromise bill.

The panel also heard S.F. 900, sponsored by Sen. Janet Johnson (DFL-North Branch). The bill deletes references to a denucat toxics information clearinghouse, and replaces them with other references. The bill was approved and sent to the Senate floor.

Family and Early Childhood

Bill was approved and sent to the Senate floor.

Family and Early Childhood Education Budget Division

Childcare bills heard

Early Childhood Education Budget Division members heard two bills relating to child care, Fri., Mar. 7.

S.F. 690, authored by Sen. Linda Higgins (DFL-Mpls.), gives first priority for child care assistance, under the sliding fee program, to parents receiving basic sliding fee assistance in the county of their residence, but who moved to a different county. Under the bill, the county of former residence must continue to provide basic sliding fee assistance to the parents until funding is available in the new county. Other provisions of the bill give second priority to eligible non-ADC families in need of further education to pursue employment, and a third priority designation is given to parents who have completed their AFDC transition year. The bill was laid over pending the arrival of information about the bill's fiscal impact on counties.

Sen. Sandra Pappas (DFL-St. Paul), authored S.F. 870, a bill providing for the establishment of child care service integration demonstration projects serving children age 12 years and under. The bill provides that the three-year demonstration projects must integrate Head Start, special needs programs, family childcare centers, learning readiness, and early childhood education programs and expands access to the basic child care sliding fee program. In addition, the bill requires that child care integration plans must incorporate career development and child care providers, including measurable outcomes, and requires that between 70 and 80 percent of funds appropriated for the plans be used to increase the sliding fee scale to 125 percent of the state's medium income for use in projects.

Pappas also provided the division, chaired by Sen. Pat Piper (DFL-Austin), a demonstration of various challenges confronting child care providers when she invited providers and their pre-school and school-age children to participate in the meeting.

S.F. 870 was laid over for further discussion.

Homeless persons bill okayed

Early Childhood Education Budget Division approved a bill relating to assistance for homeless people, Weds., Mar. 12.

S.F. 403, authored by Sen. Ellen Anderson (DFL-St. Paul), establishes an emergency services grant program to provide emergency services to homeless persons with essential services and emergency shelter for homeless persons to improve the quality of existing shelters; makes available other emergency housing; requires the commissioner of Children and Families and Learning to make grants to ensure that emergency services are available state-wide and requires grant recipients to make available to the commissioner information on the number of persons seeking emergency assistance and other reasons why. The bill also appropriates an as yet undetermined amount to the commissioner for the emergency services grant program, the transitional housing program, and for the housing development fund, to be used for homeless prevention and assistance.

Sen. Watlov Phillips, legislative chair, Minnesota Coalition for the Homeless, told the division, chaired by Sen. Pat Piper (DFL-Austin), that she could not adequately emphasize the bill's historic importance in relation to welfare reform.

Watlov said that there are about 12,000 homeless people in the state at any given time. She said that Minnesotans spend more than 30 percent of their incomes on housing at a risk of becoming homeless, and that 59 percent of new jobs created between 1990 and 1993 pay wages far below what is needed to support a housing unit without a public subsidy. In addition, Watlov said that approximately 24 percent of school-age homeless children are reported to have learning problems.

Piper offered an amendment transferring administrative functions from the commissioner of Economic Security to the commissioner of Children, Families and Learning. The amendment was adopted. The committee approved the bill, as amended, and recommended it for inclusion in the omnibus Family and Early Childhood Education Budget Division bill.

Governmental Operations

and Veterans Affairs

Mighty Ducks bill flies

Thurs., Mar. 6, the Government Operations and Veterans Affairs Committee heard testimony on S.F. 405, the "Mighty Ducks" bill, authored by Chair James Metzen (DFL-South St. Paul). Members also approved S.F. 457, a recodification of Chapter 148B, sponsored by Sen. Dan Betzold (DFL-Fridley). The latter measure separates provisions related to the Social Work from those related to the Board of Marriage and Family Therapy.

During his explanation of the "Mighty Ducks" bill, Metzen said the bill provides for a third year of financing to be used by communities as leverage to fund local hockey rinks. He also stated that approximately $5 million, has been used to raise $60 million. Members of a young hockey team testified that they must now practice five in the morning outside because the town doesn't have a rink.

Under the bill, the new money will be used to build new rinks and renovate 20 more. The bill was approved with a recommendation to pass and sent to the Government Operations Budget Division.

Sen. Steve Kelley presented S.F. 428, a bill to expand the state's website, North Star Online. Some of the bill's provisions include increasing the site's utility by ensuring that government agencies use common tools and techniques for creation of homepages and deploy the same search engines. "This isn't mindless conformity," said Kelley, "it is consistent similarity for sites." The bill also establishes an Minnesota Internet Center to provide technical expertise and outreach for communities and individuals needing advice and resource assistance while linking to the Internet. Kelley offered an amendment allowing the state to fund a study on the feasibility of providing every Minnesota e-mail address. Sen. Dan Stevens (R-Mora) suggested the study also rank the desirability of e-mail. The amendment was approved. The bill calls for a pilot Minnesota Card Program to allow integration of personal information onto a single, multifunctional employee card. Kelley said appropriations include $1.3 million for North Star expansion, $1 million for the Internet Center and $250,000 for the MN Card. The bill was laid over for consideration.
In another business, Chair James Metzen (DFL-South St. Paul) invited Sen. Dean Johnson (R-Willmar) to present S.F. 4, a bill that clarifies the tuition reimbursement rate for the Minnesota National Guard. General Gary Lebanc, Dept. of Military Affairs, explained that the state has been able to keep its military strength levels high because of incentives. Members of the Senate's Committee on Military Affairs and Veterans Affairs met to discuss the bill. The bill was approved and referred to the floor.

Sen. Charles Wiger (DFL-North St. Paul) presented the House bill, S.F. 420, for consideration. Wiger offered two amendments—a technical clean-up amendment and a language amendment to authorize a new mail distribution system. Both amendments were adopted.

Sen. Don Betzold (DFL-Fridley) presented S.F. 412, a bill that modifies salary provisions for certain public officials and employees. After explaining the scope of the bill, Betzold offered an amendment to limit legislators' salaries on the list affected by the consumer price index calculation. The amendment was adopted, but does not take effect until the year 2001 because legislators cannot vote to delay themselves salary increases. The bill was approved and referred to the floor.

Sen. Martha Robertson (DFL-Minnetonka) offered an amendment to a bill that requires the expansion of the MNCard project, past the demonstration phase. She was accompanied by Executive Director John Gunyou, who reviewed the scope of the bill. Gunyou explained that the bill ensures that the office is essentially the state's technology policy advisor. "The office has no direct implementation authority. Wear a red jacket," he said. He also offered an amendment to include legislators' salaries on the list of the state's technology policy advisor and policy functions are contained in the same place.

Representatives from three stakeholders—the Minnesota High Technology Council, the Minnesota Telephone Association, and the Northwest Technical College—spoke of their support for the creation of the Office of Technology. The bill was laid over for further discussion.

**Health and Family Security**

**Welfare Amendments offered**

The chief author of S.F. 1, Sen. Don Samuelson (DFL-Brainerd), said, "I am ready to entertain amendments that members have," as the debate on welfare reform bill continued at the Thurs., Mar. 6, Health and Family Security Committee meeting. The day's agenda was scheduled to allow debate on several proposed amendments, the morning meeting recessed and resumed in the evening.

Under the welfare reform bill, the Minnesota Family Investment Program (MFIP) is expanded statewide beginning July 1, 1997. MFIP is not considered an entitlement, however, the commissioner of human services must report annually to the legislature on the status of MFIP funding. The bill extends benefits to everyone residing legally in the U.S., except persons defined as nonimmigrants. All grants are paid with federal Temporary Assistance to Needy Families (TANF) dollars where permitted, or with state funds. There is also a 60-month lifetime limit on assistance, as required by federal law. Further, a 30-day residency requirement is established with exceptions only for hardship. Following the first 30 days, new residents are eligible for assistance up to two years after serving their sentence. Counties must implement an education and training program by July 1, 1997, and the work activity that is required in order to be eligible for MFIP is defined broadly to include anything in an approved plan that is tied to an employment goal. Under an employment plan, post-secondary education assistance is generally limited to 12 months, but up to 24 months is permitted in special cases.

Sen. Martha Robertson (DFL-Minnetonka) was the first to offer an amendment revising certain property limitations for MFIP recipients. Currently, property owned by a recipient is limited to a maximum of $2,000 in assets in order to qualify for assistance. "For other people who are receiving welfare aid, the incentives to save money are taken out," she said, "the incentive is to spend income instead of save it." The amendment allows recipients to save up to $5,000 and remain eligible to continue receiving aid. The Robertson motion prevailed.

"It is too important that people have enough to eat," said Sen. Becky Lourey (DFL-Kerrick) as she introduced the Temporary Hunger Prevention and Community Development Initiative (THPDC). The amendment establishes a Minnesota administered food stamp program to assist people who no longer are eligible for the federal food stamps. "The THPDC provides a nutritional safety net for residents who are not on the welfare system to meet their basic nutritional needs," Lourey explained. In all cases, the amount of assistance received will equal the amount of benefits lost by an individual or household because of changes in the federal food stamp program. The program will serve those up to 130 percent of the poverty line, and legal non-citizens are also eligible. In addition, Lourey said that at least 50 percent of the benefits must be used to purchase Minnesota produced products. Sen. Steven Morse (DFL-Dakota) offered an amendment to the Lourey amendment that, he said, "creates a win-win situation in the state." He explained that the food benefit amount provided per eligible individual under the THPDC program, $35 must be spent only on products with the "Minnesota Grown" label. Morse said that with this amendment, it is ensured that people are being fed, that they are eating nutritious food, and that a guaranteed portion of the state's funding will go to Minnesota's food producers. The Morse motion was adopted on the Lourey amendment. Sen. Linda Berglin (DFL-Mpls.) suggested to Lourey that she introduce the food stamp program as a separate bill. Morse said that all funds in the federal government's TANF block grant to support the program if it were to be included as part of S.F. 1. Berglin said she had no idea, though necessary, should be supported by other programs in the general fund. Staff predicted that the program would cost approximately $30 million per biennium. Lourey said he preferred to attach the amendment to the welfare bill.
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and would consider offering a separate piece of legislation. Members discussed the pros and cons of the THPCD program, and the Lourey amendment was adopted.

Bergl in moved to amend the bill with a language that clarifies which people are eligible for $63 a month in supplemental assistance after they become ineligible for the federal food stamp program. Specifically, the amendment adds exemptions for legal immigrants who are on a waiting list for citizenship and aliens in families, and for immigrants who have applied for asylum, but were not granted, a citizenship waiver. The amendment was approved.

Robertson offered an amendment that establishes an allocation method in the event federal sanctions are applied against the state for failure to meet set performance standards. The amendment is adopted, but the Department of Human Services (DHS) is to establish standards by Jan. 1, 1998, and to evaluate county performance. The motion prevailed.

Chair John Hottinger (DFL-Mankato) offered an amendment to exempt migrant workers from the 30-day residency requirement. He explained that as long as the worker can show documentation proving he or she had worked in the state within the last 24 months, the person would be eligible for benefits and General Assistance (GA) medical care. However, because he did not know what costs the amendment would incur, he withdrew it for later consideration.

Samuelson successfully offered an amendment that sets an Oct. 1, 1997 start date for statewide implementation of MFIP. It also allows counties to delay the implementation of the education and training services (E&T) component of MFIP beyond Oct. 1, 1997. Under the amendment, if a county presents reasons for the delay to DHS, the county may delay the implementation until Jan. 1, 1998. Furthermore, exemptions are made for a single parent with a child under the age of 1. Two parent families are required to delay the implementation of E&T immediately, and single parents are allowed a three-month delay before beginning an E&T program. The amendment also sets the earned income disregard at 37 percent. Additionally, the approximate exit point from the MFIP is set at 120 percent of federal poverty guidelines. Attached to the Samuelson amendment was a fiscal note by the DHS, explaining that the state expenditures for MFIP under S.F. 1, the Welfare bill, will maintain the relative progress of the Health and Family Security Committee's original amendments, adopted several changes, listened to powerful testimony, and eventually approved the measure. Chair John Hottinger (DFL-Mankato) indicated at the outset of the Fri., Mar. 7, meeting that he intended to finish considering amendments offered by members and then to listen to a final set of public testimony before members voted.

The bill's chief author, Sen. Don Samuelson (DFL-Brainerd), first offered an amendment to provide counties with the option to continue or discontinue the Work First program if the state has a waiver. The amendment was adopted.

Sen. Martha Robertson (R-Minnetonka) offered an amendment that combines several initiatives into one package. Under the amendment, when a person applies for welfare benefits with a county, they are required to state their previous address. Then, if the person has migrated from another state, the county agency is required to call the previous state to see if the person has any sanctions marked on their record. The Robertson amendment also changes the current STRIDE program by opening the eligibility requirements to all welfare recipients, as long as they are eligible for food stamps. Robertson said this is intended to serve as an interim vehicle to assist people with job training until the counties begin implementing their education and training (E&T) programs. The amendment prevailed.

Sen. Dallas Sams (DFL-Staples) successfully offered an amendment to an earlier Robertson amendment adopted at the Wed., Mar. 5, meeting, but not before lengthy discussion. The earlier Robertson amendment required counties to offer at least two E&T service provider options. Sams said this formula may work in the metropolitan counties, but the areas with low population density will have difficulty following the letter of the law. In some cases, a rural county will be fortunate to have one provider to offer clients. Therefore, the Sams amendment makes an exception in the Robertson amendment to allow counties "utilizing workforce centers that use multiple employment providers and offer multiple service options" to "task" the two service provider requirement.

Sen. Sheila Kiscaden (R-Rochester) said she was concerned that the Sams amendment dilutes the original intent of the Robertson amendment and would limit the amount of choice the counties would be required to provide to the welfare recipients when designing their E&T programs. "My concern is providing choices so that welfare recipients have multiple options," she said. Therefore, she moved to add language to the Sams amendment that allows the counties to count the workforce centers as multiple providers as long as they can "document that an open choice among employment and training services designed to meet their specialized needs." After the Kiscaden motion as adopted, the Sams amendment was approved.

Hottinger returned to an earlier amendment he had offered at the Thurs., Mar. 6, meeting. Here offered an amendment that exempts migrant workers from the 30-day residency requirement. The amendment, if adopted, can document that they have worked in Minnesota within the last 24 months. The amendment had been withdrawn due to concerns over its fiscal impact, but after Deborah Huskins, assistant commissioner, Dept. of Human Services (DHS), explained that it would have little or no impact on General Assistance (GA) and on the Minnesota Temporary Roadway Program (MFIP), the amendment was adopted.

"The public has embraced the Minnesota grown concept and food program, and my commitment to food is still alive," said Sen. Becky Lourey (DFL-Kerrick). Because she did not want to hurt the state's financial
commitment to MFIP, Lourey moved to delete the state administered food program that had been amended on the bill at the Thurs., Mar. 6, meeting. As she thanked members and the public for their support, Lourey announced that she will introduce the concept as a separate piece of legislation.

After members were finished offering amendments, Hottinger invited several people from the public to provide brief statements about their concerns.

One of the people who testified, Jim Mueller, explained that she is a single mom and a welfare recipient. "I have been complaining for a long time that we don't hear the voices of the welfare recipients," she said. However, she said, her impressions of the welfare reform process have been surprisingly positive, and after observing members for the week, she said, "I didn't expect anyone to be on my side, but this week has restored my belief that politicians are looking out for my interests." As for her concerns, she said she was troubled that there was no visible flexibility, the counties are given complete control and authority over how this program will be enacted. "It has not been my experience that counties have provided high quality client services," Brian Rusche, representing the Joint Religious Legislative Coalition, spoke against the contingency plan language. "I find it morally unsupportable. I understand that you're trying to get the attention of a judge in the event that the residency requirements are enjoined. But it is beyond my comprehension how we can put the basic supports for families and children on the table as our chips. These kind of brutal, drastic cuts, that will come into play as an axe because your work does not pass constitutional muster, is not taking responsibilities for your work. We must find some other way to get the judge's attention.

Hottinger had allotted additional time to allow members to discuss the bill following public testimony. Discussion was interrupted by people in the audience, he said, "I have had continued interruptions. I'm afraid we will not have additional debate to put this in perspective, and I don't think that will be the audience's interest or ours." However, the interruptions continued, and when Hottinger called the vote on the motion to refer S.F. 1 to the Human Resources Finance Committee, the motion was approved.

Health occupations bill okayed

On Tues., Mar. 11, Chair John Hottinger (DFL-Mankato) asked Sen. Sheila Kiscaden (R-Rochester) to continue her presentation on S.F. 286 at the Health and Family Security Conference meeting. Under the bill, several changes are made to sections regulating speech-language pathologists and audiologists, the office of mental health practice, alcohol and drug counselors, and hearing instrument dispensers. Discussion on the bill had been held over from a previous meeting where the amendments had been adopted. Sen. Becky Lourey (DFL-Kerrick) then offered an amendment that exempts registered audiologists from the Hearing Instrument Dispenser Certification Program. Tom Keliher, from the Minnesota Audiology Association, explained that the association is concerned about the significant fee increases that are part of the program this year. He added that the registered audiologists already pay fees to the Dept. of Health for other programs. The amendment was approved and the bill was re-referred to the Governmental Operations Committee.

Sen. Roger Mohr (DFL-Eskirne) also presented S.F. 888, that establishes an American Indian Diabetes Prevention Advisory Task Force. Specifically, the task force is required to advise the commissioner of health on the design of gradeschool curriculum in order to educate American Indian children on the risk factors associated with diabetes. The measure appropriates $90,000 in FY 98 to the commissioner to fund the task force, and an additional $90,000 is made available for FY 99 if the appropriation is matched dollar for dollar by nonstate money. The bill was approved and re-referred to the Health and Family Security Bill Division.

"H.F. 447 requires health plan companies to offer women direct access to OB/GYN services," said the bill's author, Sen. Deanna Eagan (DFL-Eagan). Kiscaden said she was concerned that the bill was a health mandate and that "consumers have the responsibility to go to their employers and their health plans and ask that the type of services be provided." She said that the overall trend is to have the legislature make every kind of health care decision. The measure was approved and advanced to the floor.

Sen. Don Betzold (DFL-Fridley) offered S.F. 93 for consideration. The bill, he said, is a technical measure from the Dept. of Human Services and makes amendments to sections that provide for public assistance, medical assistance, and aids against the state. Members approved the bill and sent it to the floor.

Higher Education Budget Division

Regents reform discussed

The Higher Education Budget Division began its discussion Tues., Mar. 11, of four bills proposing changes to the selection process for the University of Minnesota Board of Regents. The committee, chaired by Sen. LeRoy Stumpf (DFL-Thief River Falls), also heard the continuation of budget presentations from HESO and MnSCU.

Dr. Robert Poch, Director of HESO, concluded his budget review by emphasizing a continued need for additional staff resources to support information technology. Judith Eaton, who had earlier presented the governor's budget initiatives for the department follow-up to contract negotiations with the University of Minnesota Faculty Association, explained that the Electronic Academy is a cornerstone of our commitment to improving performance at the technology center, combining instructional technology, telecommunication learning, spending on infrastructure, new ventures, and technology grants. "In response to a question from Sen. Sam Sonen (DFL-Duluth), she rehashed progress on contracts with the faculty and staff, saying, "Right now there are unresolved issues--compensation and work load." The MnSCU presentation was continued to the next meeting.

Two of four bills changing the regent selection process were presented to the committee. S.F. 889, authored by Sen. David Ten Eyck (DFL-East Gull Lake), reduces from 24 to 16 the number of members on the University of Minnesota Board of Regents by eliminating the nonvoting regent candidate advisory council. The bill deleges five appointments each to the council from the Senate Majority leader and the Speaker of the House, four from the governor, and one member each appointed by the Senate and House minority leaders. Under Ten Eyck's proposal, geographic...
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consideration in the regent selection would be limited to outstanding personnel at large designations and not be influenced by congressional district. The bill was laid over for further discussion.

Sen. Dean Johnson (R-Willmar), presented S.F. 811. His bill calls for four council members each to be appointed by the Senate Rules Committee and Speaker of the House, eight members appointed by the governor, one third by the University's Alumni Association and one third by the University of Minnesota Foundation. The council, under the legislation, would recommend candidates to the governor, who could approve or disapprove each candidate.

Regents Discussion Continued

The Higher Education Budget Division continued to hear presentations of bills reforming the regent selection process, Weds., Mar. 12. The committee was presented with three proposals, bringing the total to five.

Sen. Ember Reichgott Ungerecht (DFL-New Hope), presented S.F. 935, a bill that makes changes to the University of Minnesota's Regent Candidate Advisory Council. The bill specifies that one-third of the council members are selected by the governor, one-third by the Senate and House leadership, and one-third by the University's Alumni Association and the U of M Foundation. It also eliminates all constituency-based considerations in the selection process.

Junges said, "This proposal, based on a report from the U of M Alumni Association, Citizens' Committee on Regent Selection, makes the screening process more thorough and objective. And it distinguishes between a governor's lead and a public representation role for the regents. We have asked ourselves, do we want regents to govern, or do we want them to represent constituencies?"

S.F. 905, authored by Sen. Richard Cohen (DFL-St. Paul), also prohibits constituency-based considerations, including those regarding faculty and student seats. Cohen said, "Under this legislation, two-office candidates, one of which represents students and the faculty, will be appointed." He said, "I think each of the proposals regarding this process has merit, and I hope we can make changes this year that incorporates the best parts of each of them." Mary McLeod, chair of the Regent Candidate Advisory Council, said, "The council has a major concern about the congressional caucuses for screening regent candidates, and we think they should be eliminated. We often hear from some excellent, potential candidates who said they were not 'politically well-connected enough' to get through the caucuses."

Sen. Majority Leader Roger Moe (DFL-Erskine) proposed a measure that amends the Minnesota Constitution to elect the governor and the power to appoint candidates to the Board of Regents. Moe stated that the proposal would introduce this legislation in the Senate and said, "This legislation won't get away from district representation on the Board, but we could get away from the congressional caucuses.

The five regent reform bills were laid over for further consideration.

Jobs, Energy, and Community Development

Brownfield Cleanup Bill Advanced

The Jobs, Energy, and Community Development Committee adopted a contamination cleanup bill Thurs., Mar. 6. Chaired by Sen. Steven Novak (DFL-New Brighton), the committee also advanced a bill relating to transmission lines.

S.F. 319, authored by Sen. Randy Kelly (DFL-St. Paul), modifies requirements of the contamination cleanup program and provides for redevelopment and job creation grants with a $50 million appropriation from the lottery fund. Kelly said, "It is time we cleaned up land that we've been polluting for the last 100 years. The sites in our inner cities are near large pockets of the unemployed and the people most affected by the energy reform need to be cleaned up and developed, and get jobs found for the people who need them.

A number of people spoke in support of the bill, including the mayors of Minneapolis, St. Paul, Sharon Sayles Belton, mayor of Minneapolis, and said, "The problem in Minneapolis is not a lack of demand -- it's a lack of clean land. We don't have to recruit companies; we have companies here waiting for land to be cleaned up so they can expand." Mayor of St. Paul, Norm Coleman, said, "Our economic vitality is tied to contaminated lands."

Laurie Lauder, representing the St. Paul Port Authority, said, "The companies who move onto these lands provide good jobs at livable wages, anywhere from $10 to $23 per hour." The bill was approved and referred to the Economic Development Budget Division.

Earlier in the morning, Sen. Jane Ranum (DFL-Mpls.), continued to hear testimony during afternoon open hearings. Mon., Mar. 10, on S.F. 855, an amendment to the juvenile court process. SF. 747, authored by Sen. David Knutson (R-Burnsville), provides a uniform process for children in need of protection or services, provides certain notices in voluntary placements, modifies the reasonable effort requirement when a child has been placed out of home, clarifies and modifies the reasonable effort requirement, and provides for administrative review of child abuse determinations, provides access to certain data on children, and open hearing and record keeping in child protection matters.

In addition to S.F. 747, S.F. 855, also sponsored by Knutson, provides specifically for open juvenile court hearings and records.
in proceedings involving children in need of protection or services and incorporates the recommendations of the Minnesota Supreme Court Foster Care and Adoption Task Force. The task force recommendations gave rise to language contained in both bills providing that children abuse and neglect hearings that were previously closed, may be open to the public. The controversial language drew opposing viewpoints from state judges, guardians ad litem, and social workers.

According to the published task force study, the majority of task force members believe that juvenile protection is largely unaccountable because it is a closed system and impenetrable to public scrutiny. The study states that although the closed system was originally designed to provide a protective, rehabilitative environment for children, the system is woefully underfunded and that juvenile protection is largely impervious to public scrutiny. The study notes that even the most straightforward crisis situations are subject to secrecy and that the closed system is impenetrable to public scrutiny. The study states that although the closed system was originally designed to provide a protective, rehabilitative environment for children, the system is woefully underfunded and that juvenile protection is largely impervious to public scrutiny.

Sen. Deanna Wiener (DFL-Eagan) said that she has concerns about allowing such information to enter the public domain and the possible effect of the information on children's lives now and later in their lives. Sen. Sheila Kiscaden (R-Rochester), said that open hearings and the potential for media coverage may discourage relatives, who are familiar with the domestic situation, from reporting information. She said that the system is woefully underfunded, and that more funding is what is needed to assure that the system can function as it is intended.

Kiscaden added that the purpose of closed hearings is to provide a child a second chance, and that, in an age of electronic information, what befalls a child may affect aspects of their adult lives.

Knutson said that publicity will promote awareness and concern for the proper handling of various children's cases, and that it may facilitate adequate funding. He offered an amendment requiring open juvenile hearings in the Fourth Judicial District until the year 2000. The amendment provides that the Supreme Court will evaluate the open hearing process following its completion, and allows other judicial districts to open juvenile hearings if the district determines them beneficial to the child.

Sen. Leo Foley (DFL-Anoka), amended Knutson's amendment to allow a low discretionary, instead of mandatory, open hearings if there is no mandatory, open hearings in the Fourth Judicial District, and to allow other judicial districts to participate in open hearings. The committee approved the amendment.

Kiscaden offered an amendment allowing only individuals who provide social services or who are otherwise involved in child care or education to attend child protection hearings, provided that they agree to not disclose hearing information. Language providing for a contempt of court penalty for individual violating the privacy agreement was also incorporated into the amendment. The committee agreed and adopted the amendment.

Relating to adoption provisions contained in S.F. 747, the committee adopted amendments, offered by Knutson, requiring that relatives and adults with whom a child is currently residing shall be notified if a child is currently residing shall be benefited in preparation of permanent placement hearings and termination of parental rights petitions; defining a birth relative as a parent or grandparent, brother, sister, uncle, aunt, or relationship established by blood or marriage; and allowing the court to consider the relationship between them.

A second amendment, offered by Knutson, requiring the court to appoint counsel if the child is age 12 or older, or 10 or 11 years of age and determined by the court to be sufficiently mature to participate in the proceedings; requiring interested individuals filing child protection petitions with the court to state their relationship to the child and other parties; and allowing the court to reject petitions that appear to be motivated solely to modify custody between the parents.

Kiscaden offered further amendments to S.F. 747. One amendment provides for the court to determine a child's preferences for an attorney when the child is of suitable age to express a preference. Another amendment assures the notification of parents of permanent placement determination hearings. The committee adopted the amendments, and S.F. 747 and S.F. 855 were laid over pending further discussion.

In other action, the committee heard a bill that would amend Minnesota law to comply with federal requirements regarding adoption and foster care placement. S.F. 210, authored by Knutson, specifies that no Minnesota law may deny any person the opportunity to become an adoptive or foster parent on the basis of race, color, or national origin of the person or child. The bill also prohibits discriminating or denying placement of a child on the basis of race, color, or national origin.

Kiscaden offered an amendment that makes it clear that relatives and important friends must be considered in child placement. The committee approved the bill as amended and referred it to the Health and Family Security Committee. S.F. 813, authored by Ranum, authorizes communication or consent agreements between adoptive parents and birth parents, provides transfer of custody of a child to a relative by a consent decree, modifies the definition of family, and provides for a relative conference and a relative care agreement following a report of child abuse or neglect.

Ranum offered an amendment preventing civil liability for an agreement between adoptive parents and birth parents unless proof is presented that the parties have attempted to resolve their differences through mediation. A second amendment, by Ranum, defines "birth relative" as a parent or grandparent, stepparent, grandparent, brother, sister, uncle, or aunt, and states that a relationship may be blood or marriage.

Ranum said that the second amendment is intended to fit with the committee's apparent acceptance of a birth relative definition, and to insert it into S.F. 747. The committee adopted the bill over pending agreement on language.

**Children's bills gain momentum**

Sen. James Ranum (DFL-Mpls.), met Weds., Mar. 12, to consider several bills involving children in need of protective services, out of home placements and adoption.

S.F. 747, authored by Sen. David Knutson (R-Burnsville), provides a uniform process for children in need of protection services and for children in foster care placements. The bill also provides for notice in voluntary placements, clarifies and modifies time requirements for permanency planning, and modifies grounds for termination of parental rights, provides for individualized placement decisions for each child and provides for administrative review of child abuse determinations. Debate centered primarily on an amendment placed on the bill at an earlier hearing regarding legal representation for children. The earlier amendment required the appointment of an attorney for children over the age of 12 and made the appointment optional for children aged 10 or 11.

Sen. Allan Spear (DFL-Mpls.), offered an amendment to strike the language limiting the optional appointment of an attorney for children aged 10 and 11 years old. Spear said that some eight or nine year olds could be sufficiently mature to work with an attorney and that it was unnecessary to limit the bill. The amendment was adopted. Most debate on the bill had occurred at an earlier meeting. The measure was approved and referred to the Health and Family Security Committee.

Sen. James Ranum (DFL-Mpls.) offered an amendment to S.F. 855, a bill that originally opened CHIPS proceedings to the public. The bill, also authored by Knutson, was amended at a previous meeting to allow individuals who provide social services to the child or who are otherwise involved in the care of education or development of the child to attend the hearings, provided that they agree to not disclose hearing information. Language providing for a contempt of court penalty for individual violating the privacy agreement was also incorporated into the amendment. The measure was approved and referred to the Health and Family Security Committee.
Committee Update

K-12 Education Budget Division

On Fri., Mar. 7, Chair Lawrence Pogemiller (DFL-Mpls.) and the K-12 Budget Division heard from Department of Children, Families and Learning Commissioner Robert Wedel on the governor's budget proposal.

The governor's initiatives include maintaining high-level learning standards through graduation standards and staff development; expanding access and school choice by removing charter school caps and restrictions; giving parents more power over education spending by offering tax credits and shelters; holding schools accountable for results through statewide testing; rewarding success through accountability measures; increasing the use of technology by equipping sites with cutting-edge computing capability; and achieving revenue redistribution through shifting formula weighting to portable funding.

The panel discussed the breakdown in funding that occurs when the Legislature tries to target money to certain areas. Sen. Gen Olson (R-Minnetrista) brought up the fact that even if the Legislature votes to shift formula weighting to provide higher state funding for younger students, the districts will still ride the money in aggregate and are not bound to spend percentages as weighted. Wedel recognized the panel's frustrations but said changes are on the way. For example, he said, the department now has the capability to ensure that compensatory revenue goes straight to the schools with the eligible students.

On the topic of non-English speakers, Pogemiller suggested that it might be beneficial to assess the impact of immigration waves over time in terms of supplemental funding for areas where enrollment can rise at first but then eventually plateau. Director Wedel discussed a possible ad hoc approach that would ensure that districts with fewer than 500 students were not unfairly hit by revenue adjustment. Due to lack of time the bill was laid over for further discussion.

Policy bill discussed


Provisions of the bill approved for inclusion in the omnibus education bill include a nonresident transportation provision elimination of certain tax data. S.F. 278, authored by Sen. Martha Robertson (R-Minnetonka), exempts local governments from paying a filing fee in forfeiture actions resulting from DWI-related offenses. S.F. 92 was approved and re-referred to the Crime Prevention and Border Security Committee by Sen. Betsy Hodges (DFL-Rochester).

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Purpose of testing discussed

I state testing, asked Rep. Becky Selof (DFL-Shakopee), an individual progress indicator? The Subcommittee on Statewide Testing, chaired by Kelo and Sen. Lawrence Pogemiller (DFL-Mpls.), voted to hold over for further discussion sections providing for proposed bus purchase asides as well as the original school's as a policy statement. S.F. 623 was laid over for further discussion due to lack of time.

Land use discussed

The Local and Metropolitan Government Committee continued its discussion of land use initiatives on Mar. 10. chaired by Sen. Jim Vickerman (DFL-Tracy), the
Four bills okayed

The Committee on Taxes, chaired by Sen. Steven Morse (DFL-North Branch), approved three bills, Weds., Mar. 12, involving new driver’s licensing process. S.F. 599, authored by Sen. Ember Junge (DFL-New Hope), establishes youth-oriented driver improvement clinics, requires drivers under age 18 to hold instruction permits for 12 violation-free months before receiving a two-wheeled vehicle endorsement, establishes a graduated licensing system with a provisional licensing phase, requires two-phased driver’s education program, restricts driving privileges for holders of instruction permits and provisional licenses, and requires a violation-free period before advancement to the next licensing stage. The division approved an amendment to set the provisional license fee at $9.50. The bill was approved and sent to the Transportation Committee.

Three bills advance


S.F. 541, sponsored by Sen. Warren Limmer (R-Maple Grove), imposes regulations on payroll service firms that collect withholding taxes for more than one employer, to prevent employers from depositing returns for employees with the commissioner of revenue. The committee approved the bill and sent it to the Committee on Taxes.

S.F. 523, sponsored by Sen. J. John Hottinger (DFL-Mankato), provides an income tax credit to individual and up to 50 percent for contributions made to nonprofit institutions of higher learning that are located within the state, or to nonprofit organizations that are operated exclusively for the benefit of state institutions of higher education. The department must report to the committee the amount received and the number of recipients. The committee approved the bill and sent it to the Committee on Taxes.

S.F. 456, sponsored by William Belanger (R-Bloomington), allows special taxing district or special assessment districts to issue bonds for the incorporation of the Transportation Budget Division. The committee approved the bill and sent it to the Senate floor.

License fee advances

The Transportation Budget Division, chaired by Sen. J. Andret Johnson (DFL-North Branch), approved a bill Weds., Mar. 12, involving a new driver’s licensing process.

The Transportation Budget Division, chaired by Sen. John Hottinger (DFL-Mankato), moved three bills, Tues., Mar. 11.

S.F. 237, sponsored by Sen. John Hottinger (DFL-Mankato), provides an income tax credit to individual of up to 50 percent for contributions made to nonprofit institutions of higher learning that are located within the state, or to nonprofit organizations that are operated exclusively for the benefit of state institutions of higher education. The department must report to the committee the amount received and the number of recipients. The committee approved the bill and sent it to the Committee on Taxes.

S.F. 541, sponsored by Sen. Warren Limmer (R-Maple Grove), imposes regulations on payroll service firms that collect withholding taxes for more than one employer, to prevent employers from depositing returns for employees with the commissioner of revenue. The committee approved the bill and sent it to the Committee on Taxes.

S.F. 456, sponsored by William Belanger (R-Bloomington), allows special taxing districts or special assessments districts to issue bonds for the incorporation of the Transportation Budget Division. The committee approved the bill and sent it to the Senate floor.

Transportation Budget Division

License fee advances

The Transportation Budget Division, chaired by Sen. J. Andret Johnson (DFL-North Branch), approved a bill Weds., Mar. 12, involving a new driver’s licensing process.

S.F. 599, authored by Sen. Ember Junge (DFL-New Hope), establishes youth-oriented driver improvement clinics, requires drivers under age 18 to hold instruction permits for 12 violation-free months before receiving a two-wheeled vehicle endorsement, establishes a graduated licensing system with a provisional licensing phase, requires two-phased driver’s education program, restricts driving privileges for holders of instruction permits and provisional licenses, and requires a violation-free period before advancement to the next licensing stage. The committee approved an amendment to set the provisional license fee at $9.50. The bill was approved and sent to the Transportation Committee.

S.F. 804, sponsored by Sen. Steve Murphy (DFL-Red Wing), exempts port development project plans from the statutory requirement that they be reviewed by the Legislature following their entry into an assistance agreement with the commissioner of transportation. The bill authorizes the commissioner to pay dredging costs necessary to open a new commercial navigation facility project, provides access to on-share facilities from existing channels, and provides for fleeting operations.

The division approved an amendment to set the provisional license fee at $9.50. The bill was approved and sent to the Transportation Committee.
The Minnesota Senate Week at a Glance

Monday, March 17

Ad Hoc Committee on Information Technology
Chair: Sen. Steve Kelley
Agenda: Discussion on MNet; overview of Minnesota Year 2000 Project.

Rules and Administration Subcommittee on Committees
Chair: Sen. Roger D. Moe
Agenda: Appointments.

Rules and Administration Committee
Chair: Sen. Roger D. Moe
Agenda: S.F. 90: Cohen; Legislative committees and commissions; Personnel issues; appointments.

The Senate will meet at 10 a.m.

Commerce Subcommittee on Insurance
Chair: Sen. John Hottinger
Agenda: S.F. 1208-Lerin; MinnesotaCare. S.F. 920-Morse; Regulating health plans; modifying growth limit regulations.

Environment and Natural Resources Committee
Chair: Sen. Bob LeFey

Judiciary Committee
Chair: Sen. Jane Ranum

Local and Metropolitan Government Committee
Chair: Sen. Jim Vickerman
Agenda: S.F. 1140-Janezich: Baseball stadium.

Tuesday, March 18

Environment and Agriculture Budget Division
Chair: Sen. Steven Morse

Local and Metropolitan Government Committee
Chair: Sen. Jim Vickerman
Agenda: S.F. 1140-Janezich: Baseball stadium.

Family and Early Childhood Education Budget Division
Chair: Sen. Pat Piper
Agenda: S.F. 870-Pappas; Child care demonstration programs. S.F. 716-Pappas; Adult basic education. S.F. 797-Lourey: Community collaborative or cooperative programs. S.F. 1133-Foley: Providing for the delivery of services to children and families. S.F. 981-Lourey; Child care development, education, and professional development programs; and child care provider training initiatives. S.F. 1088-Higgins: Early childhood family education programs. S.F. 690-Higgins: Basic sliding fee program; portability issues; establishing eligibility priority.

Higher Education Budget Division
Chair: Sen. LeRoy Stumpf

K-12 Education Budget Division
Chair: Sen. Lawrence Pogemiller
Agenda: To be announced.

Health and Family Security Committee
Chair: Sen. Jane Ranum
Agenda: S.F. 760-Kiscaden: DHS health care for elderly and disabled. S.F. 1161-Berglin: Expanding MA eligibility for the medical waiver program.

Governmental Operations and Veterans Committee
Chair: Sen. James Metzen

Higher Education Budget Division
Chair: Sen. Sam Solon

Agriculture and Rural Development Committee
Chair: Sen. Dallas Sams

Commerce Committee
Chair: Sen. Sam Sonksen
Agenda: S.F. 316: Prohibiting certain brand labels of liquor, prohibiting certain bottle sizes, regulating home delivery of alcoholic beverages.

Rules and Administration Subcommittee on Senate Information Systems
Agenda:
8 a.m. Room 107 Capitol
Chair: Sen. LeRoy Stumpf
Health and Family Security Budget Division
TANF program.

J udiciary Committee
Chair: Sen. Jane Ranum
10 a.m. Room 107 Capitol
Agenda: To be announced.

CrimePrevention Committee
Chair: Sen. Allan Spear
2 p.m. Room 15 Capitol

Governmental Operations Budget Division
Chair: Sen. Leonard Price
2 p.m. 125 Capitol
Agenda: Budget presentations: Capitol Area Architectural & Planning Board, Ethical Practices Board and Arts Board.

Legislative Commission on Pensions and Retirement
Chair: Sen. Steven Morse
2 p.m. Room 112 Capitol

J udiciary Subcommittee on Data Privacy and Information Policy
Chair: Sen. Don Betzold
7:30 p.m. Room 123 Capitol

Wednesday, March 19

Family and Early Childhood Education Budget Division
Chair: Sen. Pat Piper
8 a.m. Room 15 Capitol

Local and Metropolitan Government Committee
Chair: Sen. Jim Vickerman
12 noon Room 15 Capitol
Agenda: S.F. XXXX: Convention center. Housing, economic development, job training initiatives.

Governmental Operations and Veterans Committee
Chair: Sen. Pat Piper
10 a.m. Room 123 Capitol

K-12 Education Budget Division
Chair: Sen. Lawrence Pogemiller
8 a.m. Room 112 Capitol
Agenda: To be announced.

Governmental Operations and Veterans Committee
Chair: Sen. Jan Christensen
10 a.m. Room 15 Capitol
Agenda: To be announced.

Transportation Budget Division
Chair: Sen. Jon Dahlson
10 a.m. Room 112 Capitol
Agenda: Continuation of Tuesday’s agenda. S.F. 1097-Pappas: Revolving loan account.

Environment and Natural Resources Committee
Chair: Sen. Bobbi Lesard
12 noon Room 107 Capitol

Legislative Commission on Pensions and Retirement
Chair: Sen. Pat Piper
2 p.m. Room 112 Capitol

Minneapolis Housing Authority
To be announced.


Local and Metropolitan Government Committee
Chair: Sen. Jim Vickerman
2 p.m. Room 112 Capitol
Agenda: Budget presentations: Capitol Area Architectural & Planning Board, Ethical Practices Board and Arts Board.

Legislative Commission on Pensions and Retirement
Chair: Sen. Steven Morse
2 p.m. Room 112 Capitol

J udiciary Subcommittee on Data Privacy and Information Policy
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Wednesday, March 19

Family and Early Childhood Education Budget Division
Chair: Sen. Pat Piper
8 a.m. Room 15 Capitol

Local and Metropolitan Government Committee
Chair: Sen. Jim Vickerman
12 noon Room 15 Capitol
Agenda: S.F. XXXX: Convention center. Housing, economic development, job training initiatives.

Governmental Operations and Veterans Committee
Chair: Sen. Pat Piper
10 a.m. Room 123 Capitol

J obs, Energy and Community Development Committee
Chair: Sen. Steven Novak
10 a.m. Room 123 Capitol
Agenda: S.F. XXXX: Convention center. Housing, economic development, job training initiatives.

Governmental Operations and Veterans Committee
Chair: Sen. Pat Piper
10 a.m. Room 123 Capitol
Agenda: S.F. XXXX: Convention center. Housing, economic development, job training initiatives.

Transportation Budget Division
Chair: Sen. Jon Dahlson
10 a.m. Room 112 Capitol
Agenda: S.F. 1109-Flynn: Transit assistance. S.F. 984-Flynn: Delinquent traffic offense fines.

Agriculture and Rural Development Committee
Chair: Sen. Dallas Samson
2 p.m. Room 107 Capitol
Agenda: S.F. 330-Sams: Agricultural land ownership immunity changes for corporations, LLCs, pension or investment funds, and limited partnerships. S.F. 560-Pariseau: Changing fertilizer fees and reporting requirements. S.F. 1292-Morse Rural disputes resolution procedure. S.F. 1134-Sams: Feedlot permit rules.

Thursday, March 20

The Senate will meet at 8 a.m.

Health and Family Security Committee
Chair: Sen. Jon Hjortner
10 a.m. Room 15 Capitol

J obs, Energy and Community Development Committee
Chair: Sen. Steven Novak
10 a.m. Room 123 Capitol
Agenda: S.F. XXXX: Convention center. Housing, economic development, job training initiatives.

Governmental Operations and Veterans Committee
Chair: Sen. Pat Piper
10 a.m. Room 123 Capitol
Agenda: S.F. XXXX: Convention center. Housing, economic development, job training initiatives.

Transportation Budget Division
Chair: Sen. Jon Dahlson
10 a.m. Room 112 Capitol
Agenda: S.F. 1109-Flynn: Transit assistance. S.F. 984-Flynn: Delinquent traffic offense fines.

Agriculture and Rural Development Committee
Chair: Sen. Dallas Samson
2 p.m. Room 107 Capitol
Agenda: S.F. 330-Sams: Agricultural land ownership immunity changes for corporations, LLCs, pension or investment funds, and limited partnerships. S.F. 560-Pariseau: Changing fertilizer fees and reporting requirements. S.F. 1292-Morse Rural disputes resolution procedure. S.F. 1134-Sams: Feedlot permit rules.
Thursday, March 21

Family and Early Childhood Education Budget Division
Chair: Sen. Pat Piper
8 a.m. Room 15 Capitol

Higher Education Budget Division
Chair: Sen. LeRoy Stumpf
8 a.m. Room 107 Capitol

K-12 Education Budget Division
Chair: Sen. Lawrence Opgenorth
8 a.m. Room 112 Capitol
Agenda: To be announced.

Health and Family Security Committee
Chair: Sen. John Hottinger
6 p.m. Room 123 Capitol
Agenda: S.F. 993-Piper: HIV education and prevention. Bills from other committees.

Local and Metropolitan Government Committee
Chair: Sen. Jim Vickerman
6 p.m. Room 15 Capitol
Agenda: S.F. 1140-Janezich: Baseball stadium.

Commerce Committee
Chair: Sen. Sam Sonstelie
2 p.m. Room 112 Capitol
Agenda: Omnibus Liquor bill: S.F. 277-Solon: Importing malt liquor to a central distribution warehouse—also containing the following liquor bills: S.F. 149-Lourey: Modifying timed day for sale of liquor; S.F. 162-Langseth: 3 liquor licenses in Moorhead; S.F. 469-Lesewski: Modifying liability insurance for liquor retailers; S.F. 1221-Oliver: Sale of 3.2% malt liquor on Sundays 10 a.m.; S.F. 1270-Janezich: Sale of liquor at community events by an on-sale license holder; S.F. 1326-Wiger: Allowing liquor to be sold at St. Paul Civic Center during professional sporting events.

Environment and Agriculture Budget Division
Chair: Sen. Steven Morse
4 p.m. Room 107 Capitol

Health and Family Security Committee
Chair: Sen. John Hottinger
6 p.m. Room 123 Capitol
Agenda: S.F. 993-Piper: HIV education and prevention. Bills from other committees.

Local and Metropolitan Government Committee
Chair: Sen. Jim Vickerman
6 p.m. Room 15 Capitol
Agenda: S.F. 1140-Janezich: Baseball stadium.

Crime Prevention Committee
Chair: Sen. Allan Spear
7 p.m. Room 112 Capitol
Agenda: S.F. 285-Marty: DWI license plate impoundment and forfeiture; S.F. 372-Unger: DWI felony; S.F. 579-Marty: Suspicionless stops; S.F. 587-Knutson: Two-year enhanced DWI gross misdemeanor; S.F. 614-Neuville: DWI revocation period, license reinstatement; S.F. 632-Knutson: DWI license plate impoundment expansion; S.F. 633-Knutson: Recreational vehicle, motorboat DWI implied consent; DWI priors and evidence; S.F. 942-Unger: DWI evidence; expansion of forfeiture priors; BAC on driving record; S.F. 947-Neuville: Double revocation, up to $1,000 assessment penalties for over 0.20 BAC violators; S.F. 956-Knutson: Commercial vehicle DWI violations. S.F. 959-Spear: Comprehensive enhanced penalties and requirements for over 0.20 BAC DWI violators. S.F. 962-Wirick: Separate BAC per person BAC for criminal vehicular homicide if driver has prior DWI; S.F. 985-Foley: DWI procedures; health professional reporting of DWI injuries.

Friday, March 21

Environment and Natural Resources Committee
Chair: Sen. Bob Leszinski
12 noon Room 107 Capitol

Crime Prevention and Judiciary Budget Division
Chair: Sen. Randy Kelly
2 p.m. Room 15 Capitol
Agenda: To be announced.

Judiciary Subcommittee on Family Law
Chair: Sen. Leo Foley
2 p.m. Room 123 Capitol
Agenda: S.F. 930-Junge: Providing requirements for family visitation centers. S.F. 241-Kiscaden: Modifying the definition of domestic abuse.

Legislative Commission on Pensions and Retirement
Chair: Sen. Steven Morse
2 p.m. Room 112 Capitol

Property Taxes and Local Government Budget Division
Chair: Sen. Sandra Pappas
2 p.m. Room 107 Capitol
Agenda: FIF bills.

Judiciary Subcommittee on Data Privacy and Information Policy
Chair: Sen. Don Betzold
4:30 p.m. Room 125 Capitol
Agenda: To be announced.
The Welfare Reform Bill Okayed

The Senate approved a final passage for S.F. 1, the welfare reform bill, at the Thurs., Mar. 20, floor session. Before going over the major provisions in the bill, the measure’s chief author, Sen. Don Samuelson (DFL-Brainard), thanked the members of the policy and finance committees for the many hours they contributed as the welfare bill was developed. He also thanked Sen. John Hottinger (DFL-Lakeville), chair of the Health and Family Security Committee, for the large amount of time he had provided to allow for informative and important public testimony. On the bill, the new welfare program, called the Minnesota Family Investment Program (MFIP), will commence statewide Dec. 1, 1997. The bill extends benefits to everyone residing legally in the U.S. except persons defined as non-immigrants. All grants are paid with federal Temporary Assistance to Needy Families (TANF) dollars where permitted, or with state funds. There is a 60-month lifetime limit on assistance, as required by federal law. Furthermore, a 30-day residency requirement is established with exceptions only for unusual hardship. Following the first 30 days, new residents are paid the grant from either the previous state or Minnesota, whichever is lower. However, if they residency requirements are reenjoined, a contingent grant standard is implemented which is about one-third lower than the statewide MFIP standard. In addition, counties must implement an education and training program by Jan. 1, 1998.

Sen. Dennis Frederickson (R-New Ulm) offered an amendment to remove several provision that had been adopted in the human resources finance committee. He explained that the provisions in his amendment delete a residency provision and do not strictly deal with finance issues, and it sets a dangerous precedent to have policy amendments from the finance committee. Sen. Roger Moe (DFL-Erskine) agreed with Frederickson and said, “I intend to support the amendment and uphold a solid procedure that has been established by the former Finance Committee chair, Gene Merriam.” The amendment was adopted.

S.F. 1 received its Third Reading and was given final passage on a 67-0 roll call vote. A second bill was also considered during the floor session, H.F. 268. Sen. Randy Kelly (DFL-St. Paul) explained that the bill changes bonding language that was passed last year for a new discount facility to be built at Rush City. The Dept. of Corrections discovered it was unable to build the type of prison facility specified in the bonding bill and, therefore, the language necessitates a change to allow for the construction of a more affordable facility.

Kelly then offered an amendment that directs the commissioner of administration to work, in conjunction with a legislative working group, to develop a request for proposal to operate the new Rush City prison once construction is completed. Under the amendment, a final proposal for operation must be selected by Feb. 15, 1999. He explained that the amendment allows for contract proposals from private companies that may be able to operate at the facility at a lower cost than the state, which in the long run will save the state a significant amount of money. The Dept. of Corrections will still be allowed to bid for the contract, however, he said.

Sen. Allan Spear (DFL-Mpls.) said, “I support the amendment because it does not necessarily privatize the prison, but it does open the process to allow for private and public competition. It is a very reasonable proposal to reduce the operating cost of this new prison.” The amendment prevailed.

Sen. Thomas Neuville (R-Northfield) also offered an amendment that directs the commissioner of administration to develop a request for proposal to construct the new prison. He said, “I think it is possible to get a reasonable construction bid in time before the state commences with construction.” Neuville said he would expect a bid from a company to save the state tens of millions of dollars.

Spear spoke against the Neuville amendment, saying, “This is a big step to begin privatizing prisons, and I am not in favor of it without careful consideration and a public debate.” The amendment failed, and members granted final passage to the bill.

Stadium Bill Debated

A bill establishing funding for a new stadium for the Minnesota Twins was presented to the Local and Metropolitan Government Committee Mon., Mar. 17. The committee, chaired by Sen. Jim Vickerman (DFL-Tracy), heard testimony from officials from the Twins, the Metropolitan Sports Facilities Commission, the Minnesota Vikings and labor organizations. The Minneapolisahaha, Sharon Sayles Belton, also testified.

The bill, S.F. 1140, is authored by Sen. J Jerry Janezich (DFDL-Chisholm). The bill provides for public ownership of up to 49 percent of the Twins, provides for the construction of a single-purpose outdoor stadium, and establishes a 10 cents per pack cigarette tax, 9 cents of which would go toward the project and 1 cent toward a youth smoking prevention account. The cost of the stadium would be $385 million, according to Janezich. J ohn Pacheo of the Metropolitan Sports Facilities Commission described the events leading to the current discussion. He said, “In the lease with the Metrodome, the Twins have a clause that they can invoke after the 1998 season if certain attendance and revenue criteria are not met. As they have lost money over the last few years, it is apparent that those criteria will not be met, and they have informed us of their intention to invoke the escape clause.” Pacheo cited a number of causes for the loss of revenue, and said, “The Twins are a baseball team playing in what is essentially a football stadium. They receive no parking revenue and no suite revenue.”

Heedited that while the Vikings lease runs to 2011, they, too, have concerns. “Both the Vikings and the Gophers would like more revenue, lease improvements and some remodeling of the Metrodome,” he said. The Twins officials reiterated their desire to keep the team in Minnesota. Jerry Bell, president of the team, said, “We realize this is a difficult public policy issue, but we believe the interests of the people in Minnesota are best served by a partnership that keeps the team here, gives the public an opportunity to own a percentage of the team, and provides revenue to the Pohlads.” Mayor Belton called the team “an asset not only to Minneapolis but to the entire state.” But Stew Wilde, director of marketing for the Vikings, said, “The Vikings haven’t negotiated with the Twins, and although our lease on the Metrodome expires in 2011, we hope those needs are part of your discussion.” He cited a figure of $159 million to cover renovations and improvements of the Metrodome to make it a first-class stadium for the Vikings and the Gophers.

Members of the committee voiced their opposition to the bill. Sen. Douglas Johnson (DFL-Tower) said, “This whole thing has been a comedy of errors. And this bill keeps going up, and we’re not spending $385 million for the Vikings. The Vikings want $159 million. Somebody else wants $50 million for improvements to the St. Paul Civic Center for NHL hockey.” Sen. Edward Oliver (R-Deephaven) said, “What’s missing is the private sector. Why aren’t they stepping up to the plate? Some of our corporate CEOs could do it for their shareholders. Their participation would make a deal more palatable.”

March 21, 1997
Committee Update

Agriculture and Rural Development

Appointments Confirmed

The Agriculture and Rural Development Committee recommended confirmation of two appointments to the Minnesota Rural Finance Authority. Thurs., Mar. 13. The committee, chaired by Sen. Dallas Sams (DFL-St. Paul), also advanced the two bills for further consideration.
The two appointees to the MMEA are Christopher Skaalen and Patrick Thiry. Skaalen, who had planned to testify in person, was prevented from doing so by bad weather. He faxed a letter that pointed to his past service with the MMEA and said, "My primary commitment is to young farmers; I am always good for a vote." Thiry shared that perspective and said, "You don't see many young farmers any more. Combining my banking experience with my agricultural knowledge, I bring a strong understanding of agriculture, the needs of farm families, and the future of farming to the MMEA." Both appointments were confirmed by the committee and sent to the Senate floor.

Hemp Bill Passed

Sen. Reig Stumpf presented S.F. 108, a bill appropriating $250,000 to be credited to the seed potato inspection fund. The bill was approved and advanced to the Environment and Agriculture Budget Division. S.F. 526, authored by Sen. Pat Finnegan (R-Farmland), provides for further certification. The bill was approved and advanced to the Senate floor.

A bill changing grain buyers' license fees, S.F. 817, was presented by Sen. Steve Dille (R-Dassel). An amendment to the bill, with further licensee changes, was adopted, and the bill as amended was approved and sent to the Environment and Agriculture Budget Division.

Hemp Bill Passed

A bill legalizing the production of industrial hemp as a cash crop has many benefits. It can easily be integrated into current rotation, it is resistant to chemicals, and it has lots of different uses. Speaking in opposition to the bill, J. anet McDougal, representing Drug Watch of Minnesota, said, "The cultivation of hemp as a commercial field crop would increase trafficking and used the drug, adding enormously to the world's drug problem." After the bill was amended, removing the legislative findings and purposes subdivision, the bill was approved and sent to the Senate floor.

S.F. 904, authored by Sen. Steve Murphy (DFL-Red Wing), requires the commissioner of agriculture to develop a program to replace mercury manometers in use on dairy farms with nonmercury manometers. A manometer is used in dairy barns to gauge the vacuum in milking machines, and the used mercury manometers pose a potential environmental hazard according to the state Pollution Control Agency. The nonmercury manometers are specified in the bill, which would be spring-loaded. The bill was okayed and advanced to the Environment and Agriculture Budget Division. Sen. Steve Dille (R-Dassel) presented S.F. 816, a bill relating to animal care. The bill permits only veterinarians to perform certain surgical procedures on horses, changes dog shelter entrance requirements, and requires state researchers to develop standards of practice for care of horses. The bill was laid over for further consideration.

Commerce Committee

Health Care Bills Moved

The Commerce Committee, chaired by Sen. Sam Olson (DFL-Duluth), met Thurs., Mar. 13, and advanced three bills relating to health care consumer protection and assistance. S.F. 819, sponsored by Sen. Steven Morse (DFL-Duluth), and S.F. 960, sponsored by Linda Berglin (DFL-Mpls.), both create statewide health care consumer assistance office and program. The bills also prohibit contracts that restrict communication between providers and their patients; require disclosure to patients of health care provider financial incentives; prohibit contracts or agreements that prevent a provider from communicating with a patient regarding their health care, or treatment options if the provider is acting in good faith; and require health plan companies to perform written consumer complaints. The committee adopted the amendments and referred the bill to the Governmental Operations Committee.

Berglin offered an amendment clarifying that self-insured employers or labor unions do not fall under the requirements of the bill's provisions. The amendments were adopted and the bill was referred to the Health and Family Security Committee.

Teen Alcohol Access Limited

A bill aimed at reducing teen access to alcohol was heard in the Commerce Committee Tues., Mar. 18. The bill, S.F. 316, authored by Sen. Ember J. Unne (DFL-New Hope), requires local governments to periodically check alcohol retail outlets for compliance with the under age 21 sales prohibition.

Dr. Alex Wagenaar, from the University of Minnesota School of Public Health, testified that nearly 30 percent of bars and restaurants and nearly 50 percent of liquor and grocery stores in Minnesota sell alcoholic beverages to
customers who oppose underage Wagenaur said "it's not just a few bad apples, it's over half the bushel."

Another study cited by Wagenaur found that 40 percent of 9th graders, 53 percent of 12th graders and 91 percent of 18-20 year olds successfully attempted to purchase alcohol. A third study found that only 4 percent of bars and restaurants and 15 percent of liquor and grocery stores were issued citations for selling to underage customers.

Bob Pomplun, of Loss Control Services, said that the bill should address other problems related to underage alcohol consumption. He said that youth should be arrested at the point of sale when they try to purchase alcohol beverages and that there is no alcohol on an underage people whenever they exchange alcohol. He also said that parents who purchase alcohol are no longer do so without a good reason.

Sen. Allan Spear (DFL-Mpls.) said he was unconvinced that small bottles were marketed to youth and moved to delete the minimum bottle size increase. 

Claudia Brezinsky, representing the Minnesota Spirits Industry, spoke against other provisions of the bill designed to stop the marketing of alcoholic beverages to youth. She said that a provision on raising the minimum bottle size available for sale will result in larger bottles being sold, which in turn could result in greater consumption. She said that the trend in marketing liquor products today is toward single serving convenience packages for adults. Sen. Allan Spear (DFL-Mpls.) sais he was un convinced that small bottles were marketed to youth and moved to delete the minimum bottle size increase. 

Spear was opposed to the amendment, saying that awareness of the bottle size issue was just starting, but the panel sided with Spear.

The committee, chaired by Sen. Sam Son (DFL-Duluth), approved the bill, and sent it to the Senate floor.

**Crime Prevention**

**Graduation incentives okayed**

A bill providing incentives for students to complete high school sparked discussion at the Mon., Mar. 17, meeting of the Crime Prevention Committee. The bill was approved and referred to the Judiciary Committee.

The panel debated a section of the bill that allowed for the use of alcohol-free beverages as an incentive for students to complete high school. Sen. Pat Piper (DFL-St. Paul), the bill's sponsor, argued that the use of alcohol-free beverages was necessary to avoid legal issues.

Other bills heard included a proposal for Minneapolis' Illusion Theater's anti-violence outreach project. Authored by Sen. Randy Kelly (DFL-St. Paul), the bill allows for representatives of a community affected by a crime to submit a request for assistance from the state Department of Health and Human Services.

**HIV protection bill advances**

A bill sponsored by Sen. Pat Piper (DFL-St. Paul) was approved, extending the program year to include summer. On a voice vote, the bill was approved and sent to the Senate floor with a recommendation to pass.

Sen. Pat Piper (DFL-St. Paul) introduced a bill requiring that educational information on HIV and drug abuse and treatment be made available to all high school students. The bill was approved and referred to the Judiciary Committee.

The bill also included a provision for the state Department of Health and Human Services to conduct a study on the impact of the program and to report its findings to the legislature.

**Environment and Natural Resources**

**Landsale bill approved**

The Environment and Natural Resources Committee approved its annual landsale transfer bill at a Mon., Mar. 17, meeting.
The final bill, S.F. 390, sponsored by Sen. Dan Stevens (R-Mora), became the vehicle for five other bills heard by the committee.

Most of the discussion centered around S.F. 1128, sponsored by Committee Chair Bobbi Essard (DFL-Int'l. Falls). The bill directs the sale of Dept. of Natural Resources (DNR) lands to the state of Minnesota Wild Rice Growers Association, said to have been made to improve tax forfeited lands in various counties. The bill as passed, S.F. 307, carried by Sen. David Ten Eyck (DFL-East Gull Lake) for Cass County; S.F. 770, carried by Sen. Becky Loury (DFL-Kerrick) for Aitkin County; S.F. 846, carried by Sen. Dallas Sams (DFL-Staples) for Becker County; S.F. 187, carried by Sen. Don Samuelson (DFL-Brainerd) for Crow Wing County and Stevens' bill for Mille Lacs County. All the foregoing bills were approved, inserted into S.F. 309 and advanced to the Senate floor.

Another bill heard by the panel, S.F. 867, sponsored by Sen. John Hoffting (DFL-Manunko), conveys state land to the city of Mankato for the completion of a trail system. The bill was approved separately and sent to the Senate floor.

**Product labeling law repealed.**

The Environment and Natural Resources Committee met Weds., Mar. 19, and voted to repeal a state law requiring the labeling of producer products as hazardous. The repeal is in S.F. 1115, sponsored by Sen. Steven Novak (DFL-New Brighton).

Novak said that when the state law was enacted in 1993, it included a pre-emption on unlicensed federal government enacting a uniform product labeling law by the year 2000. He said that the federal government has not proceeded with that plan. He added that the state law definition of hazardous products includes many household cleaning products.

Mike Robertson, representing the Minnesota Chamber of Commerce Task Force on Toxic, said the law does not serve a reasonable purpose and can be practically implemented. He said the law takes the federal definition of "waste" and applies it to products. He said that many people might think they need to take empty product containers to household hazardous waste disposal sites. Additionally, he said, without a uniform federal regulations, Minnesota labeling regulations may not be the same as those adopted by other states. The effect, Robertson said, would be chaotic.

Sen. Steven Morse (DFL-Dakota) said that the bill was "over-reaching" and that it takes away the opportunity for the consumer to make an informed decision. He suggested that a point of purchase label could accompany the product on Minnesota shelves to overcome the problem of differing regulations in other states.

Novak said that Minnesota enacted the law in 1993 to begin a national trend. "Now," he said, "four years later, we're the only ones in the nation and we need to reflect on that."

Tom Ososba, of the Office of Environmental Assistance (OEA), spoke in opposition to the bill. He said that state needs to take a "slow and deliberate look" at the entire Waste Management Act, of which trade product labeling law is part, and make changes.

Sen. J. Anet Johnson (DFL-North Branch) offered an amendment to delay the effect of the current law to the year 2004. Novak opposed the amendment, saying the labeling requirement is bad law and degrading its effect isn't a good idea. Morse said a delayed effective date could delay efforts at finding a workable solution to the labeling problem.

Sen. Pat Pariseau (R-Farmington) said the real question is whether or not to make Minnesota an island, not when to do it. The amendment failed on divided vote.

Sen. Larry Pogemiller (DFL-Mpls.) offered an amendment removing the labeling law repeal and authorizing a study by the OEA on the labeling issue. The committee rejected the amendment on a 6-11 roll call, and then approved the bill 11-6.

Earlier, the committee approved S.F. 574, a bill stating that when a person with a disability is fishing, a personal assistant does not need a fishing license. Mark Jacobson, a constituent of the author, Sen. Linda Scheid (DFL-Brooklyn Park), testified that his mother has M.S. and likes to go fishing. Jacobson said that the Dept. of Natural Resources told him that each of his mother's home health assistants needs a fishing license if they help with fishing activities, even if the assistant doesn't do any fishing. The bill was approved and sent to the Senate floor.

**Environment and Agriculture Budget Division**

**Snowmobile trail aid approved.**

The Environment and Agriculture Budget Division considered five bills at an evening meeting Mon., Mar. 17, including a proposal to increase funding for snowmobile trails. The bill, S.F. 287, carried by Sen. Bob Essard (DFL-Int'l. Falls), raises the three year snowmobile registration fee by $15 and increases the amount of state and local tax revenues attributable to snowmobile use. Essard said the registration fee increase will result in an additional $1 million for each of the next three years for the state's snowmobile trail system. He added that 80 percent of snowmobile accidents occur off trails and that the existing trail systems are overcrowded. He also said that in 1993, 90 percent of the state's trails are unmaintained due to a lack of funding. He also said that much of the maintenance work is being done by volunteers.

**Childcare needs heard.**


S.F. 603, authored by Sen. Jane Ranum (DFL-Mpls.), provides that the commissioner of Children, Families, and Learning must establish a process to initiate competitive grant programs to encourage the use of computers and other state-of-the-art technology in early childhood education programs. Under the bill, grant priority must be given to early childhood family education, learning readiness, Head Start, or first grade preparedness programs housed in schools that will offer computer time to early childhood education programs. The bill also appropriates funds to the commissioner of Children, Families, and Learning for the technology grants. Ranum offered an amendment to the bill allowing the grants to be used for the purchase, repair and upgrade of computer hardware and software, and to train staff, students, and parents in the use of

Danni Asmussen, Dept of Natural Resources Trails and Waterways Division director, said the maintenance funds were depleted and the original appropriation was $2.5 million below the need. The panel approved the bill and referred it to the Environment and Natural Resources Committee.

The division also considered a bill giving a loan to the city of Fridley. Sen. Don Bzdok (DFL-Fridley), author of S.F. 377, said the state made the loan to rebuild the Lock and Dam. Bzdok said at that time, the actual cost of rebuilding the dam exceeded the initial estimates on which the loan amount was based. Fridley City Engineer Jim Florasaid that typically state grants are made for more than the local contribution and that the city of Fridley has already contributed more than the current loan balance of $120,000. Division Chair Steven Morse (DFL-Dakota) asked why it was necessary to rebuild the dam. Florasaid that the dam maintains a fish habitat, helps control Mississippi River flooding and maintains a canoe route. The bill was laid over for further consideration.

Other bills considered by the division include S.F. 453, authored by Sen. Dennis Fredrickson (R-New Ulm), clarifying that SCORE block grants can be carried forward to the next year without commission of a financial approval; S.F. 63, authored by Sen. Jim Vickerman (DFL-Tracy), establishing a statewide Beaver Damage Control Board; and S.F. 720, authored by Sen. Steve Dille (R-Dassel), appropriating $400,000 for a livestock control research project. The first two bills were approved and referred to the Environment and Natural Resources Committee, while the last was laid over for further consideration.
Omnibus child care bills heard pending further information. The division laid the bill over for possible inclusion into the family and early childhood education omnibus bill. Ranum said that the bill, if enacted, will make Minnesota the first state in the country having a law providing for early childhood education technology.

S.F. 597, authored by Sen. Becky Lourey (DFL-Kerrick), authorizes Pine County to use a letter of intent instead of completing a grant application needed to obtain social service and employment service funding. The bill also requires the commissioner of human services to report annually to the Legislature on the effectiveness of the alternative funding process and its possible applicability to other small counties. Pine County Human Services Director Robert Walz, said the bill is intended to eventually allow small counties, which cannot afford to produce the professional grants that are submitted by large counties, to have an equal chance of receiving human services funds. The division approved the bill and sent it to the Senate floor.

S.F. 896, authored by Sen. Jerry Zandy (DFL-Chisholm), appropriates $38.5 million for FY 1998 and $38.5 million for FY 1999 to the commissioner for the Head Start program. The bill also clarifies that the Department of Children, Families, and Learning is the state agency responsible for administering the Head Start program. The division approved the bill and recommended that it be held over for possible inclusion into the family and early childhood education omnibus bill.

S.F. 972, authored by Sen. Claire R. Robling (R-Prior Lake), appropriates money for community and school services, and for children and family support, such as adult basic education aid, violence prevention on education grants, after school enrichment grants, emergency food assistance, Head Start programs, and transitional housing programs. The division laid the bill over pending further information.

Omnibus child care bills heard
The family and early childhood education budget division heard family and childhood education budget bills Tuesday, March 18. The division, chaired by Sen. Pat Piper (DFL-Lincoln), laid the bill over for possible inclusion in the family and early childhood education omnibus bill.

S.F. 981, authored by Sen. Becky Lourey (DFL-Kerrick), implements and expands statewide child development education and training programs for child care workers, promotes continuity of care for children in child care centers, and establishes eligibility requirements for child care educational loans not exceeding $5,000 in each year. The bill also provides for a family child care mentorship program and an apprentice mentor program to help child care providers and providers of color meet and exceed the child care education requirements of licensed child care providers.

S.F. 797, also authored by Lourey, provides that the Department of Children Families and Learning may contract, with school districts, to provide programs that stress the dangers of drinking, and driving, supports student programs to discourage driving after drinking alcohol, allows for chemical abuse prevention and education and a community collaborative project for children and youth.

S.F. 870, authored by Sen. Sandra Pappas (DFL-St. Paul), provides for the establishment of integrated child care demonstration projects for children age 12 or under, requires that the projects must integrate Head Start, learning readiness, early childhood education programs, special needs programs, and expand participant access to the sliding fee programs. The bill also requires the commissioner of children, families, and learning to appoint a task force, including minority leaders, to develop criteria for awarding funding for three-year demonstration projects. The bill requires demonstration project applicants to show how the project will combine federal funding streams to create a community-wide child care system based on the sliding fee program and how they will eliminate sliding fee waiting lists.

S.F. 716, also authored by Pappas, specifies that a pupil enrolled for a certain number of hours in a learning program may be counted as more than one pupil in the pupil membership. The bill also prohibits districts from receiving more than 100 percent of the program's actual cost from federal, state aid and tax levy, requires that any entity that receives English as a second language funds shall, in determining the funding formula, specify that pupils enrolled for a certain number of hours in a learning program may be counted as more than one pupil in the pupil membership. An amendment by Sen. Bill Ranum (DFL-Mpls.), raises the school district citizenship programs.

Governmental Operations and Veterans Affairs
BONUS approved, cruelty debated
Sen. Don Betzold (DFL-Fridley), an active Army reservist, himself, said he finds fault with elements of S.F. 445, a bill authored by Chair James Metzen (DFL-South St. Paul) providing monetary bonuses to Minnesotans who served in the armed forces during the Persian Gulf War. Metzen also provided in the bill his proposed compensation to that given to Vietnam War veterans. Betzold pointed out that the volunteer status of Persian Gulf Era troops makes for skewed comparison. "The Vietnam bonus was deliberately structured to compensate a manageable number of people," said Betzold. "This amendment would limit the Gulf War bonus to those who actually incurred a sacrifice." Betzold offered a lengthy amendment that limits benefits to only those active duty service people who declared Minnesota residency during the time and who went to the combat theater. Under the amendment, reservists who were mobilized temporarily and then mobilized and temporarily transplanted would get the bonus even if they were not sent overseas. Betzold also called for an increase in the bonus amount from $300 to $600. After testimony by Jeff Olson, deputy commissioner of the Dept. of Veterans Affairs, who supported benefits for "all those who served in the combat theater," Sen. Linda Runbeck (R-Circle Pines) asked if the money was at this point "promised," and said that if it is, next time distinctions along the lines of those proposed by Betzold should be considered earlier in the process. Metzen renewed his plea for passage stating that the Betzold amendment would cut out 28,000 men and women. The amendment was defeated and the bill was approved and sent to the Governmental Operations Budget division.

"We need to put some teeth in Minnesota's animal cruelty law," said Sen. Charles Wiger (DFL-North St. Paul). The current state law is, he said, one of the country's weakest. His bill, S.F. 1203, comes in the wake of a Scott County incident in which a farmer left a barn full of cows starved to death. Currently, Wisconsin and other states have certain categories of animal cruelty which are considered felonies. S.F. 1203 aims to codify cruelty sections and, he said, "recognizes the link between violence to animals and violence to humans." According to Wiger, "studies show that half of those convicted of rape and homicide have a history of animal abuse.

At the amendment and veto committee, Sen. Pam Finnamore said the bill is a "first step" in the right direction. "The United States is considered the world's leader in animal welfare," she said. "This bill is a show of confidence in the American system and the American people."

According to Wiger, "studies show that half of those convicted of rape and homicide have a history of animal abuse."

In a statement about his bill, S.F. 1203, which creates certain categories of animal cruelty which are considered felonies, Sen. Pam Finnamore said the bill is a "first step" in the right direction. "The United States is considered the world's leader in animal welfare," she said. "This bill is a show of confidence in the American system and the American people."
Committee Update

We've put into statute all sorts of advisory boards, councils, and committees, and we aren't trying to get our arms around what they all do," said Sen. Deanna Weiner (DFL-Eagan). According to Weiner, S.F. 1316 requires all advisory groups established before Jan. 1, 1997, to expire June 30, 1997, while advisory groups established this session will expire June 30, 2001. The bill also requires all advisory agencies to submit a one-page annual update to the appropriations committees and other relevant parties. Those that don't comply will not receive state compensation for their expenditures.

Chair James Metzen (DFL-South St. Paul) said that the number of advisory agencies has become so prolific that lawmakers are having a difficult time keeping track. Members approved the bill but decided to lay it aside in order to attach legislation dealing with the expiration date for advisory groups to the bill in the coming days. Any advisory groups that are not part of S.F. 1316 will expire the following year.

Sen. Dallas Sams (DFL-Staples) presented S.F. 37, a bill providing sunset date extensions for the Physical Therapy, Physicians Assistant, Respiratory Care Practitioners, and Acupuncture Advisory Councils to June 30, 2001.

Sen. David Ten Eyck (DFL-East Gull Lake), also provides date extension for a number of advisory committees. Sen. Martha Robertson (R-Minnonka) successfully offered an amendment that exempts the commissioner of human services from rules adopted to implement welfare reform programs until Feb. 28, 1999. The amendment, she said, is intended to give the commissioner added flexibility when implementing the new welfare program.

Sen. Betty Lourey (DFL-Kerrick) presented a bill, S.F. 347, that extends the life of four agricultural advisory committees. All three bills were approved and amended onto S.F. 1316.

Sen. Richard Kiscaden (R-Rochester) offered two bills for consideration. The first bill, S.F. 652, authorizes the Dept. of Human Services and Children, Families, and Learning to create a task force to conduct a study of the treatment of autism. The bill was amended to comply with S.F. 1316, was approved, and advanced to the floor.

The second bill, authored by Kiscaden, S.F. 228, is the Dept. of Human Services' health occupations measure, modifying provisions dealing with licensure procedures. She reviewed the amendment made to the bill in the Health and Family Security Committee and highlighted the section germane to the Government Operations Committee. The section creates an advisory task force to conduct a study of the overlapping scope of practice among regulated and unregulated health occupations. The bill was amended to sunset the advisory committee June 30, 2001. Werner then offered an amendment tred an extension of a special education section that exempts registered audiologists from increased license fees and some regulation. Since only one person from the public was present to testify, Metzen elected to lay the bill over until a later meeting to allow for balanced public testimony on the controversial amendment.

S.F. 1168, said Sen. Sandra Pappas (DFL-St. Paul), directs Minneapolis, St. Paul, and the Metropolitan Council to establish a task force that is directed to study the feasibility of implementing a school transportation plan using public transit. The bill was amended to remove the advisory task force on June 30, 2001, and the measure was then referred to the Transportation Committee.

Finally, Lourey presented S.F. 1272, a bill that establishes the Firefighters Training Study Committee. According to Lourey, $49,500 is appropriated to the Dept. of Public Safety to createthe committee. After Sen. Lawrence Pogemiller (DFL-Mpls.) successfully offered an amendment to remove language that requires Senate and House membership on the committee, the measure was approved and referred to the Crime Prevention and Judicial Budget Division.

Health and Family Security

Rural health bill okayed

Sen. Dallas Sams (DFL-Staples) presented S.F. 438, a bill that attempts to prevent further decay in Greater Minnesota's health care infrastructure. In the Thurs., Mar. 13, Health and Family Security Committee meeting, he explained that there are approximately 110 hospital in rural Minnesota that are providing health care to small communities throughout the state. However, Sams said, over 20 hospitals in Greater Minnesota have closed since the early 1980s and many more are on the brink of closing, threatening the integrity of the state's health care infrastructure.

"This bill may provide limited relief to these hospitals and communities," he said. Under the bill, rural hospitals that have qualified for a sole community hospital financial assistance grant are classified as an essential provider. The bill also establishes the Rural Hospital Cooperation Consolidation Demonstration Project. Furthermore, a variety of grant programs are created—the Rural Hospital Planning and Transition Grant, Rural Hospital Capital Improvement Grant and Loan, and the Sole Community Hospital Financial Assistance Grant Program. In addition, the bill requires increased state representation on the Minnesota Health Care Commission and repeals the $400,000 annual physician licensure charge.

The bill was approved and referred to the Health and Family Security Budget Division.

The meeting progressed, Chairperson Don Hottinger (DFL-Mankato) announced that the roll call on Senate amendments was completed. The agenda necessitated an additional meeting time in the evening. Sen. Sam Solon (DFL-Duluth) presented a measure changing nursing home reimbursement formulas, S.F. 223. The bill maintains the current nursing home reimbursement rates at a set-to-expire
Mental health initiative okayed

At an emotional meeting of the Health and Family Security Committee Fri., Mar. 14, a bill appropriating an additional $35 million over the biennium for children’s mental health initiatives was discussed. According to the bill’s author, Sen. Steve Dille (R-Dassel), the measure provides approximately $18 million per year for a variety of programs, covering family community support, day treatment, case management, professional home-based family treatment, and the adolescent care support services. Dille said the legislation is a result of recommendations from the governor’s Mental Health Advisory Task Force. Members applauded the intent of the bill, but forewarned that it is unlikely the measure can be fully funded as intended. The bill was approved and referred to the Health and Family Security Budget Division.

Elderly and disabled care discussed

In a marathon meeting, the Health and Family Security Committee considered S.F. 313, a bill that authorizes an exception to the nursing home moratorium for a nursing facility in Belle Plaine. The exception to the nursing home moratorium was requested by the individual over a two-to-three week period while the commitment hearing commences. This amendment fixes that,” he said. The treatment center will be responsible for the interim costs. The Betzold amendment prevailed and the bill was approved and sent to the floor.

Sen. Linda Berglin (DFL-Mpls.) also presented two bills at this meeting. S.F. 927 establishes a pilot project for assisted living services for seniors at the Cedar Riverside housing complex. The program is to be implemented through a contract with the Korean Services Center and provides assisted living care to elderly and disabled individuals to enable them to remain in their homes. Berglin offered the amendment and referred it to the Health and Family Security Budget Division.

The second bill Berglin offered for consideration, S.F. 333, incorporates language from two other bills, S.F. 334, authored by Berglin, and S.F. 645, authored by Sen. Becky Lourey (DFL-Kerrick). Berglin explained that the consolidated bill authorizes Medical Assistance and Alternative Care Reimbursement for home care services provided to elderly and disabled individuals to enable them to remain in their homes. Members approved the measure and referred it to the Health and Family Security Budget Division.

Sen. Don Betzold (DFL-Fridley) explained that S.F. 500 incorporates the 1996 amendments to the Older Minnesota’s Act. Sen. Leo Foley (DFL-Minn.). In another business, at the request of Chair John Hottinger (DFL-Mankato), Sen. Sheila Kiscaden (R-Rochester) presented S.F. 136, the Dept. of Human Services (DHS) children’s initiative bill. She said the comprehensive measure contains a number of statutory changes to improve social services for children. Three substantive amendments were offered by Kiscaden. The first requires DHS to develop uniform standards specifying the level of contribution counties can require from relatives when out-of-home placement is needed. The second amendment creates the Minnesota Treatment of Minors Advisory Committee that is to determine the efficiency of the state’s system for protecting at-risk children. The third amendment deletes several sections from the bill that would have established the measurement regarding the number of foster children. The amendments were adopted and the bill was referred to the Health and Family Security Budget Division.

S.F. 1091, explained Sen. Becky Lourey (DFL-Kerrick), amends the Ombudsman for Older Minnesota’s Act. Sen. Don Samuelson (DFL-Brainerd) offered an amendment that deleted the general fund appropriation language from the bill so that the measure can avoid the budget division and proceed straight to the floor. The amendment prevailed and the bill was approved and advanced to the floor.

Asst. Commissioner Elaine Timmer, Kiscaden said it would be helpful for members to have a sense of the overall public policy implications the bill is facing.

Kiscaden explained the three main sections of the bill. Respectively, a section modifies the number of provisions that cover new requirements for elderly persons, and another modifies provisions for continuing care for disabled persons, and the third establishes a demonstration project to provide managed care services to persons with disabilities. Members were aware of several controversial provisions within the bill, specifically language dealing with nursing home care. Under the bill, reductions are made to nursing home reimbursement rates and a demonstration project is established designed to remove 20 nursing homes from participation in the Medical Assistance (MA) contract program by June 30, 2002.

Kiscaden offered several amendments, all of which were adopted. The amendments include a number of compromises between DHS, advocacy groups, and the counties dealing with the demonstration project for the disabled.

Chair John Hottinger (DFL-Mankato) invited members from consumer advocacy, labor, and care provider groups, to testify. Testimony on the bill filled the evening meeting.

During the evening portion of the agenda, Sen. Linda Berglin (DFL-Mpls.) offered an amendment requiring that people be terminated, under the bill, from Minnesota Comprehensive Health Assistance (MCHA) insurance coverage begin written notice six months in advance. The amendment was adopted. Members approved the bill and referred it to the Health and Family Security Budget Division.

According to Berglin, S.F. 1161 expands the eligibility for the MA Elderly Waiver Program and phases out the Alternative Care Program. Changes to the Elderly Waiver Program, who is eligible for the Elderly Waiver Program, must not be enrolled in the Minnesota Senior Health Options Project. Testimony on the bill filled the evening meeting.

Sen. Claire Robling (R-Prior Lake) presented S.F. 313, a bill that authorizes an exception to the nursing home moratorium for a nursing facility in Belle Plaine. The facility requested an exemption from the one-year moratorium for a nursing facility in Belle Plaine. The facility was not approved by the Department of Health. Linda Sutherland, from the department, explained that a competitive bidding process is used when nursing home facilities are closed from the state. She presented the project to a citizens advisory commit-
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The committee in turn selects the top several projects based on determined need and the state then uses money out of a fund to increase the facilities reimbursement rates to help defray the costs of the improvement. Hottinger said that he appreciated what the Belle Plaine facility was requesting, but he was opposed to the bill because by approving the exemption, the door would be opened to all of the other projects from around the state that want to do the same thing. The department's selection process, "We have a process in place, we shouldn't circumvent it. If we want to allow more programs like this to be approved, we should put more money into the process," he said. S.F. 313 was laid on the table.

Sen. Sam Sonen (DFL-Duluth) presented S.F. 1146, a bill that authorizes the creation of a nonprofit corporation that will own and operate the Miller-Dawn Medical Center. He said such a move is critical for the survival and future of the hospital. The bill was approved and advanced to the floor.

According to Sen. Dean Johnson (R-Willmar), S.F. 799 is a measure that provides an exemption for a hospital-attached nursing facility in Kandiyohi County from nursing home provisions that are scheduled to take effect July 1, 1997. The provision will limit the amount of increased year-to-year spending allowed for Medical Assistance reimbursement. Johnson said that without the exemption, the nursing facility cannot make the transition from a free-standing facility to a hospital-attached one. After an initial motion to refer the bill to the Health and Family Security Budget Division with a recommendation to pass failed, members referred the measure without recommendation to the budget division. S.F. 589, said Sen. Dennis Frederickson (R-New Ulm), provides a rate exemption for a nursing home that underwent a capital improvement project that was completed in 1995. The rate exemption pays for operating costs associated with the new building that was added under the 1993 moratorium exemption process.

In addition, Berglín also presented two nursing home rate exemptions bills. S.F. 915 modifies a rate exception that was granted in 1995 to a nursing facility that completed a partial replacement project under a moratorium exemption. This is an unusual situation. This nursing home came through the moratorium process, the citizens advisory committee approved the project and recommended an exemption, but the commissioner of health did not fund the exemption due to an arbitrary decision that year not to fund projects in the Metropolitan Area. Berglín explained as he presented S.F. 1174, an amendment to S.F. 915, that the same guidelines that defeated Robling's moratorium exemption bill, S.F. 313, should be applied to Berglín's bill. Hottinger said the two bills present distinct policy situations. Under S.F. 1174, the nursing home went through the process, was accepted, but did not get funded at the commissioner level. Under S.F. 313, the Belle Plaine facility's project went through the process but did not get approved. "Therefore, if we support this bill, we don't put a chink in the process," Hottinger said. All three bills were approved and referred to the Health and Family Security Budget Division.

Finally, Sen. Dallas Sams (DFL-Staples) presented S.F. 799, a bill that authorizes hospital districts to acquire and operate facilities that serve persons with mental retardation and facilities that provide supportive services to elderly persons not in need of nursing home care services. The bill was approved and advanced to the floor.

Higher Education Budget Division

Higher education funding discussed

Two bills related to the financing of postsecondary education were presented to the Higher Education Budget Division Fri., Mar. 14. The committee, chaired by Sen. LeRoy Stumpf (DFL-Thief River Falls), also heard testimony regarding the creation of firefighting training video. Stumpf also presented S.F. 711, a bill reducing the assigned student responsibility to 40 percent for purposes of the state higher education grant program and appropriating $89 million each year of the biennium to cover costs associated with the reduction. The bill also requires that all state grant recipients are offered the opportunity to participate in work study programs. "We need to help the students in the state so they don't have to carry 40 hours of work and 40 hours of class," said Stumpf. The committee heard testimony from a number of witnesses. Lester Collins, representing the State Council of Black Minnesotans, said, "Many students are leaving the state because they are being recruited by other schools who offer them better grant packages." The bill was laid aside for further discussion.

S.F. 565, authored by Sen. Steve Morse (DFL-Dakota), appropriates $50,000 for the production and distribution of an innovative video to be made with the cooperation of the Minnesota Fire Relief Association and MnSCU's FIRE/EMS Center. "The proceeds from the sales of the video will go to a district college's pension fund. This would be something that would support the college's pension fund," Morse said. The bill was laid aside for further discussion.

S.F. 794, authored by Sen. Lester Collins (DFL-Brainerd) presents S.F. 1, the bill as amended will be considered as part of the division's omnibus bill. S.F. 1075, authored by Sen. Steve Murphy (DFL-Red Wing) reduces the student's share of the cost of attendance, upon which the HEQ Grant is based, from 50 percent to 48 percent in FY 98 and 46 percent in FY 99. The bill also authorizes that funds left over be carried forward to the next year. This bill was also laid over to be considered as part of the division's omnibus bill. Stumpf presented S.F. 1313, a bill that provides matching state grants for students who win $500 scholarships from the Corporation for National Service. After the bill was amended to make eligibility for the matching grant conditional on attendance at a Minnesota postsecondary institution, the bill was approved and laid over to be considered as part of the division's omnibus bill. A bill that clarifies the mission statement of MnSCU, S.F. 713, was presented by Sen. Steve Kelley (DFL-Hopkins). The bill was amended to require a common course numbering system throughout the MnSCU system to facilitate the transfer of credits for equivalent courses. A further amendment writes into statute a student's ability to transfer credit earned at one institution to another. The student could use the credits toward a baccalaureate degree program. The bill as amended will be considered as part of the division's omnibus bill.

Human Resources Finance

Welfare reform bill discussed

On Mon., Mar. 17, Sen. Don Samuelson (DFL-Brainerd) presented S.F. 1, the controversial welfare reform bill, to the Human Resources Finance Committee. Under the bill, the Minnesota Family Investment Program (MFIP) is extended statewide beginning July 1, 1997. MFIP is not considered an entitlement but, however, the commissioner of human services must report annually on the status of MFIP funding. The bill extends benefits to...
everyone residing legally in the U.S. except persons defined as non-immigrants. All grants are paid with federal Temporary Assistance to Needy Families (TANF) dollars where permitted, or with state funds. There is also a 60-month lifetime limit on assistance, as required by federal law. Furthermore, a 30-day residency requirement is established, with exceptions only for unusual hardship. Following the first 30 days, the new resident is paid the grant from the previous state or Minnesota, whichever is lower. If the residency requirement is enjoined, a contingent grant standard is implemented, which is about one-third lower than the state-wide MFIP standard. As for asset limits, new applicants to the program are allowed up to $2,000, while ongoing recipients are limited to $5,000. Vehicles are excluded up to $7,500 in equity value. The bill specifies that drug felons must receive MFIP benefits through vendor payments for rent and utility costs, with any balance paid to the family, until the court-ordered sentence is completed and, when applicable, the felon has successfully completed a drug treatment program.

Counties must implement an education and training program by January 1, 1998, and the work activity that is required in order to be eligible for MFIP is defined broadly to include anything in an approved plan that is tied to an employment goal. Furthermore, victims of domestic violence are deferred for up to 12 months from development of an employment plan if their safety continues to be a risk. Under an employment plan, post-secondary education assistance is generally limited to 12 months, but up to 24 months is permitted in special cases.

The committee's legislative fiscal analyst detailed the funding issues in the measure.

Samuelson offered several technical amendments that were adopted, but in one case, Sen. Sheila Kiscaden (R-Rochester) requested that Samuelson withhold a specific provision. That amendment would have modified provisions dealing with battered women's shelters. She said she wanted better solutions to the shelters' issue and would revisit it at the next meeting. Samuelson agreed and divided the amendment so as not to include the women's shelter modifications.

Sen. Becky Lourey (DFL-Kerrick) offered an amendment that would have modified the lifetimes of welfare recipients and the number of hours they could work. The amendment was approved.

Calling it the "working families" amendment, "Chair Linda Berglin (DFL-Mpls.) offered an amendment that extends certain families from the 60-month TANF lifetime limit as long as they are complying with specific education requirements. Under the amendment, in two-parent families, one parent must work at least 35 hours per week while the second parent must work a minimum of 20 hours. Single parents are required to work at least 30 hours a week, unless the single parent has a child under the age of six, whereupon 20 hours of work are required to still qualify. Berglin explained that families working the required number of hours would be eligible to continue receiving aid and that it would not have an impact against their TANF lifetime limit. When Samuelson said he was nervous about starting an extensive new state program, Berglin said that her intention was to provide an incentive to someone who is working, and in an education program, to continue their education. Several members expressed concern about whether the new policy limits placed within the amendment. "Theoretically, a person could continue receiving aid for 120 months and not have it count against their lifetime limit," said Sen. Dan Stevens (R-Mora). Though Berglin amended her proposal with limitations on the number of months a welfare recipient would be allowed to void the TANF lifetime limit, members did not adopt the amendment.

The bill was laid over for continued discussion.

Welfare bill sent to floor

Members of the Human Resources Finance Committee returned to S.F. 1, the welfare reform bill, at the Tues., Mar. 18, meeting. Turning immediately to amendments, Chair Linda Berglin (DFL-Mpls.) offered an amendment that identifies which welfare recipients will be exempted from the federal work requirements and not count against the state's work participation rate. Under the federal welfare reform act, the state will have temporary assistance to Needy Families (TANF) block grant reduced if any percentage of the recipient case load is not working in suitable employment by specific deadlines. However, the state has been given flexibility in how it defines "suitable work" and, in addition, is allowed to exempt up to 20 percent of its welfare caseload from the work requirement under the federal sanction. Berglin explained that the amendment is necessary following an amendment made in the Health and Family Security Committee that left the definition of exempted recipients too broad. Therefore, her amendment narrows the list of exempted families so that it will comply with federal law. The amendment was adopted.

Berglin said that as the state has moved towards implementing the Minnesota Family Investment Program (MFIP) statewide, the government has averaged the value of food stamps in the bill. Therefore, some people who would not have qualified for food stamps under the Aid to Dependent Families (AFDC) program will now receive a cash supplement from the state, while other families that were receiving food stamps will now have their state cash supplemental aid for food reduced. "I do not want the state to be taking food away from families and children," Berglin said. She then offered an amendment that raises the average value of the state supplemental cash grant. In order to raise the grant value, the amendment reduces the MFIP assistance grant by the amount of the supplemental food portion for caregivers who are not natural or adoptive parents and who are not required to participate in a welfare work plan. The amendment also delays the state-wide MFIP implementation date from Oct. 1 to Dec. 1, 1997. The committee's legislative fiscal analyst explained that the amendment would save approximately $26.5 million over the two years the amendment would be in effect, while increasing the MFIP grant for eligible recipients will cost approximately $31 million.

Sen. Sheila Kiscaden (R-Rochester) asked Deborah Huskins, asst. commissioner, Dept. of Human Services (DHS), what policy implications were implicit in the amendment and if the amendment reduces the work incentive under MFIP. Huskins said the amendment does not change the work incentive for recipients, raises the family wage level slightly, and may alter the percentage of poverty level that causes people to exit MFIP.

Samuelson said he wanted to maintain the exit point from MFIP at the 120 percent of poverty level and, therefore, he offered an amendment to Berglin's amendment to reduce the income level to 37 percent to 35 percent. This, he said, would maintain the 120 percent exit level. The Samuelson motion was adopted, and when members considered the Berglin amendment, it was approved and attached to the bill.

Next, in a controversial move, Berglin re-offered the "working families" amendment that was rejected at the Mar. 17, committee meeting. The amendment provides exemptions from the 60-month lifetime assistance limit for working families if they work the number of specified hours under the amendment. Working families would be exempted from the limit for up to 18 months under normal circumstances, but in cases where the person is working and is also enrolled in an approved education program, the parent would be exempted for up to 24 months. The amendment was adopted.

"I want to provide more incentives for the small counties to collaborate with each other," said Sen. Sonris Ivers (R-Rochester) as she offered an amendment. Specifically, the amendment provides additional education and training (E&T) funds to counties with populations less than 20,000, to contract with another county to cooperatively offer at least two E&T service providers. She said the program would cost $340,000 a year, and that money also would be equivalent to 25 percent of the county's previous year E&T expenditures for STRIDE and MFIP. The amendment was approved.

In another amendment offered by Kiscaden, the transfer of General Assistance fund for battered women's shelter to the
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Dept. of Corrections is delayed until the year 2000 to avoid impacting this year's budget. The amendment was adopted.

After several additional technical amendments were adopted, the committee approved the bill and sent it to the floor.

Jobs, Energy and Community Development

Telecommunications Bill Heard


S.F. 155, sponsored by Kelley, provides policies to carry out the state's role in telecommunications regulation that encourage high-speed telecommunications services and a greater capacity for services through provision of a state-wide essential local access transport area (ELATA). According to Kelley, the Communications Act of 1996 allowed the creation of five LATA boundaries within the state to facilitate fair competition among telecommunications providers. Kelley said that elimination of intra-LATA boundaries within the state will facilitate improved and more cost-efficient consumer telecommunications services.

Sprint representative Victor Dobras, one of several lobbyists who testified before the subcommittee, denied that Minnesota had the right to eliminate LATA boundaries. He said that under the Telecommunications Act of 1996, only the FCC has the authority to change the boundaries. He said that a LATA boundary elimination would do little to reduce costs.

AT&T representative Andrew Vanderpool said that dismantling LATA boundaries, the result of federal anti-trust action against US WEST, will make it even more difficult for competing companies to obtain needed customer data bases and other concessions held by the telecommunications giant. He said that since federal anti-trust action, US WEST has continued to maintain an advantage over competitors because it already owns the switching stations and lines and enjoys broad name recognition. The bill was laid over pending further discussion.

Minimum Wage Bill Okayed

The Jobs, Energy and Community Development Committee okayed a bill on Tues., Mar. 18, raising the state's minimum wage. The committee, chaired by Sen. Steven Novak (DFL-New Brighton), also approved a bill relating to lease provisions and domestic abuse concerns.

S.F. 18, authored by Sen. Randy Kelly (DFL-St. Paul), makes a number of changes in Minnesota statutes related to minimum wage. Effective April 1, 1997, the bill raises the minimum wage from $4.75 to $5.15 an hour for large employers and from $4.40 to $4.90 for small employers. The bill also changes the definition of large employer to those with annual retail sales of $500,000. An amendment was proposed by Sen. Steve Kelley (DFL-Hopkins), allowing restaurants or food services to apply credits toward payment of the increased minimum wage provided that employers pay the cost of health care benefits. The amendment was adopted.

Proponents of the bill, representing hospital industry employees, testified about the need for an increase in the minimum wage. Opponents of the bill, representing the hospitality industry itself, cited a poll of restaurants in the Metro Area showing an average hourly compensation for waitstaff at $12 to $16 an hour. The bill as amended was approved and advanced to the Senate floor.

S.F. 97, sponsored by Sen. Don Betzold (DFL-Fridley), addresses the increasing number of reported tuberculosis cases. The bill provides for the detention and isolation of persons diagnosed with active tuberculosis who pose a danger to public health, establishes standards and procedures for detention and isolation, and modifies tuberculosis screening requirements. The bill was approved and was referred to the Health and Family Security Committee.

K-12 Education Budget Division

CFL departmental bill discussed

On Fri., Mar. 14, Sen. Linda Sheid (DFL-Brooklyn Park) continued to present S.F. 623 to the K-12 Education Budget Division and Chair Lawrence Pogemiller (DFL-Mpls). The bill contains housekeeping provisions drafted by the Department of Children, Families and Learning.

Proposals approved for inclusion in the omnibus bill include exempting collaborative facilities from restrictions on long-term agreements; adoption of building pre-design processes and standards patterned on those used by the Department of Administration; the answering of the Governor's review authority by the State Board of Education to the Department of Children, Families and Learning; granting permission for charter schools to accept and use funds from grants and other outside sources; adding a non-truancy requirement to graduation incentives; a section dealing with the administration and amendment of graduation rules to address the length of discussion of the graduation rules. The debate centered on whether or not the rules compel and limit curricular options. After first moving to include a provision allowing the state Board of Education to amend graduation rules as part of its authority in the omnibus bill, Sen. Jane Krenz (DFL-May Township) withdrew the motion and the provision was tabled for further review. The bill was laid over.

Housekeeping continues

On Tues., Mar. 18, the K-12 Education Budget Division, chaired by Sen. Lawrence Pogemiller (DFL-Mpls), continued to hear Sen. Linda Scheid's (DFL-Brooklyn Park) presentations of the CFL departmental housekeeping bill, S.F. 623.

Proposals approved for inclusion in the
omnibus bill ludcoulawing summer sessions to be factored in when determining eligibility for post-secondary enrollment options when a student is in a learning-year or other year-round program; clarifying language limiting expulsion on a student a year at a time; revising the library's mission to include online resources.

The bill also modifies language limiting those grants to library systems that decrease their funding support.

Another in a stream of bills requesting the ability for specific school districts to transfer or receive funds to other applications was presented by Sen. Roger Poe (DFL-Erskine) on behalf of the Foston district. S.F. 1231, allowing the district to transfer funds from its debt redemption to building construction. It was slated for inclusion in the omnibus bill. Sen. Charles Berg (R-ND Chokio) offered S.F. 1444, a bill regarding restoration of revenue lost to the foundation for Herman Norcross district. The bill is titled in the omnibus legislation.

S.F. 734, authored by Sen. Keith Langseth proposes that the state use surplus money in the budget to buy down the entire revenue shift that resulted when the state withheld money from the districts in leaner times. Though the bill does not have a noticeable effect on cash flow, the money does not significantly affect revenue received by districts, since they are presently borrowing that money to compensate for the shift. The only negative effect of the shift has been a difference in bond rating for some districts. Langseth argued that the state should prepare for that day in the future when the trend may need to look again to districts for help. Langseth said, this buydown allows the state to ease the desire, and eventually, it will show up as increased expenditure, it will benefit the bill. The bill is "spectacular," as Pappas added. Sen. Charles Wiger (DFL-North St. Paul) continued his presentation of S.F. 916, revisions to the Federal Student Fair Dismissal Act. The subcommittee debated whether or not a school bus system is cheaper than public transit, Pappas said an influx of 20,000 riders would reduce fare costs overall. Sen. Charles Wiger (DFL-North St. Paul) continued presenting S.F. 916, revisions to the Pupil Fair Dismissal Act. Regarding the bill's call for recorded statistics on suspensions, Sen. Kenric Scheevel (R-Preston) said, "I would just show us who is being suspended. I don't think we're ever hurt by knowledge." The bill was laid over for further consideration.

Test scores reporting discussed

Debate ensued at the Subcommittee on Statewide Testing, chaired by Sen. Lawrence Pogemiller (DFL-Mpls.), and Rep. Becky Kelso (DFL-Shakopee), when Department of Children Families and Learning Commissioner Robert Weid recommended not raising the bar on basic skills tests to the originally planned eventual 90 percent mark. Results of the state test released this week show overall statewide improvement in reading and are consistent with last year's passing percentages in math, but appear lower because the passing cutoff has been raised by 1 percent, from 70 to 75. This means that even though 68 percent of students scored 70 percent or better this year in reading, over 63 percent last year, the actual percentage goes 75 percent of students scored 75 percent or better this year in math. Sen. Claire Pappas (DFL-St. Paul) expressed concern that the initiative would go the way of the botched Wide Area Transportation Service program, realizing cost overruns and spotty reliability. Kay Larson, of the Minnesota Rural Special Education Cooperative (MRVSEC) assured the panel that the six districts have collaborated since 1975, and only need to automate their outdated routing system. After hearing that the organization expected to realize a 40 percent savings in their $1.2 million operating budget, Sen. Jane Krentz (DFL-May Township) suggested the appropriation be given as a loan. Pappas asked why affected districts couldn't "kick in $10,000 each." Larson said four were too small, at 1,000 students or less, and could not afford it. The bill was slated for inclusion in the omnibus legislation.

The subcommittee heard two articles and survey results citing in competence on the part of the WATS management. She asked if Van Der Waal of Roseville lewy charter school students and private school students were bussed under the program when satisfactory service was not being provided to special needs students. Project representative said that even as the school administers the program, contractors provided inconsistent service. Van Der Waal also said some drivers would opt not to follow computer route instructions and end up taking longer to deliver students. In response to Pappas inquiry as to where last session's $250,000 had gone, Van Der Waal said some schools had not yet paid for services. Pappas informed the committee that her transportation bill, S.F. 1168, would be presented in the Transportation Committee. She added that the present school bus system is cheaper than public transit, Pappas said an influx of 20,000 riders would reduce fare costs overall. Sen. Charles Wiger (DFL-North St. Paul) continued presenting S.F. 916, revisions to the Pupil Fair Dismissal Act. Regarding the bill's call for recorded statistics on suspensions, Sen. Kenric Scheevel (R-Preston) said, "I would just show us who is being suspended. I don't think we're ever hurt by knowledge." The bill was laid over for further consideration.

School bus safety

Recommendations from the school bus safety advisory committee constitute S.F. 158, authored by Sen. Martha Robertson (R-Minneotka). The bill, presented by Robertston to the K-12 Education Budget Division on Feb. 19, freed districts from the requirement that reserve revenue expenditures be reviewed by the advisory committee. It extends the shelf of the school bus safety advisory committee to allow the school board to designate tests at which flashing lights should not be used and allows the commissioner of public safety to name a designee with power to waive cancellation requirements for school bus endorsements from certain violations. Robertson defended the advisory committee's role, pointing out that the 1999 legislature passed S.F. 158 to equipement specifications better dealt with in an aggregate. "It is an excellent buffer," said Robertson, in his piece-meal requests.

The only contested provision in the bill is a requirement to keep files on bus drivers. At this point, only private companies keep such records. Due to data privacy concerns, the section was laid over. The rest was included in the omnibus bill.
Committee Update

Tribune has bound the department to release raw data to the public before analysis. Rep. Matt Entenza (DFL-St. Paul) gave members notice of his bill H.F. 543, which aims to evaluate programs with the same rigor as the state has chosen to evaluate students. Well said, this seemed appropriate as long as the evaluation uses student readiness as the main gauge of success. In response to a question by Pogenbiller, Entenza noted similar indicators to drive evaluation mechanisms. Members agreed that simply requesting reports from programs routinely results in a glut of generalized overviews that cannot be compared against one another to determine efficacy. Olson mentioned the possibility of using test scores in combination with program auditing to make such determinations.

S.F. 36, authored by Sen. Leonard Price (DFL-Woodbury), requires inspection and regulation of individual sewage treatment systems. The bill allows local units of government increased flexibility in developing inspection standards and requiring inspections and permits. The bill was approved and referred to the Government Operations Committee. Sen. Charles Wiger (DFL-North St. Paul) presented S.F. 389, a bill authorizing the Metropolitan Council to institute a service redesign program and to provide employee compensation in recognition of service redesign. The bill was advanced to the Senate floor.

Local and Metropolitan Government

Compliance checks advanced
A bill requiring an unannounced compliance check for tobacco purchases was advanced by the Local and Metropolitan Government Committee, Mon., Mar. 17. The committee, chaired by Sen. Jim Vickerman (DFL-Tracy), advanced legislation relating to regional development, service redesign, individual sewage treatment systems, and wireless communication services. H.F. 117, the bill relating to tobacco sales, generated the most discussion. Co-sponsored by Sen. Emerg Unger (DFL-New Hope) and Sen. Edward O’Liver (R-Deephaven), the bill also requires counties to inspect and regulate tobacco sales. Cities and towns fail to do so. In addition, the bill provides for additional fines and license suspensions for retail establishments for the sale of tobacco products to minors, and provides fines for individuals under age 21. Vickerman said, “I think agood relationship has developed between the Legislature and the tribes.” Unger said, “In total, we’re hopeful because of your willingness to sit down and talk with us and listen to us.” Vickerman said, “The issue of sovereignty is one of the most important issues facing the Indian community today,” said Norman DeShampe, vice president of the Minnesota Chippewa Tribe. "Moments like this, occasions like this lead me to believe we have arrived at a point in the relationship between the Indian nations and the state of Minnesota." With those words, Chairman Bobby Whitefeather of the Red Lake Nation opened the presentation of the “state of the state” of Minnesota Indian Tribes before a joint hearing of the Senate and House Local and Metropolitan Government Committees Weds., Mar. 19. The hearing, chaired by Sen. Jim Vickerman (DFL-Tracy) and Rep. Ann Rest (DFL-New Hope) was attended by representatives of eleven tribes.

Planning discussion continued
A discussion of two land use bills continued at the Local and Metropolitan Government Committee Weds., Mar. 19. The committee, chaired by Sen. Jim Vickerman (DFL-Tracy), also advanced a bill relating to wastewater infrastructure. The twobills dealing with land use planning were S.F. 738, authored by Sen. Steven Morse (DFL-Dakota) and S.F. 820, authored by Sen. John Hottinger (DFL-Mankato). The bills were presented to the committee by an attorney hearing with the understanding that the differences between the two measures would be resolved. While progress continued along those lines, a complete bill was not offered. Hottinger presented a proposal in the form of a deletion amendment that incorporated parts of both bills. Hottinger said, “Sen. Morse and I have a strong commitment to putting together a land use bill that addresses some of our concerns, we’re not on the same page yet. We need some dialogue on how local governments are the best representatives of the people.” Morse said, “In total, we’re going in the right direction. We need more dialogue to iron out our differences.” According to Hottinger, Article 1 of his new proposal embodies much of S.F. 738 with the exception of sections related to planning review and notification at the beginning of the planning process. Article 1, Article 2, noted Hottinger, was similar to S.F. 820 in that it provided for community-based planning and project reviews. Article 3 removes the authority of the metropolitan board to conduct proceedings, makes determinations, and disseminates related to municipal boundaries. Hottinger pointed to the dispute resolution process set forth in Article 4 and said, “This article provides for binding arbitration by three arbitrators—one from each side and one chosen by the two arbitrators.” Morse said, “The differences between our two approaches are not insurmountable.”

In other business, Sen. Douglas Johnson (DFL-Tower), presented S.F. 16, a bill authorizing townsite sewer and septic system development in nonmunicipal areas. The bill was approved and advanced to the Senate floor.

Indian affairs discussed
“Moments like this, occasions like this lead me to believe we have arrived at a point in the relationship between the Indian nations and the state of Minnesota.” With those words, Chairman Bobby Whitefeather of the Red Lake Nation opened the presentation of the “state of the state” of Minnesota Indian Tribes before a joint hearing of the Senate and House Local and Metropolitan Government Committees Weds., Mar. 19. The hearing, chaired by Sen. Jim Vickerman (DFL-Tracy) and Rep. Ann Rest (DFL-New Hope) was attended by representatives of eleven tribes.

Vickerman said, “I think a good relationship has developed between the Legislature and the tribes.” Whitefeather said, “Minnesota should be proud of the advances put forth in recognition of the rights of Indian tribes. Our brothers and sisters in other states, such as South Dakota and Arizona, are envious of our success.” Dall as Ross, chairman of the Indian Affairs Council, said, “I should ask to re-state my position on the tribesthe state of Minnesota, the three words, I would use are ‘disagreeable, misunderstood and hopeful.’” He cited inadequate housing and unmet social and economic needs and said, “The vast majority of tribesthe state of Minnesota, the three words, I would use are ‘disagreeable, misused and hopeful.’” He cited inadequate housing and unmet social and economic needs and said, “The vast majority of tribes are just now crossing into the second half of the twentieth century.” Ross said, “I am hopeful because of your willingness to sit down and talk with us and listen to us.” He proposed that “the state of Minnesota in cooperation with the Indian Affairs Council and their tribes consider dedicating a year to learn more about each other and each other’s needs.” He called for a year of dialogue and understanding to expand improvements between the Indian and non-Indian communities in Minnesota.”

The issue of sovereignty is one of the most important issues facing the Indian community today,” said Norman DeShampe, vice president of the Minnesota Chippewa Tribe. "Moments like this, occasions like this lead me to believe we have arrived at a point in the relationship between the Indian nations and the state of Minnesota." With those words, Chairman Bobby Whitefeather of the Red Lake Nation opened the presentation of the “state of the state” of Minnesota Indian Tribes before a joint hearing of the Senate and House Local and Metropolitan Government Committees Weds., Mar. 19. The hearing, chaired by Sen. Jim Vickerman (DFL-Tracy) and Rep. Ann Rest (DFL-New Hope) was attended by representatives of eleven tribes.
Two bills forwarded

The Transportation Committee, chaired by Sen. Carol Flynn (DFL-Mpls), approved two bills relating to transit and transportation.

S.F. 155, sponsored by Sen. William Belanger (R-Bloomington), extends the life of the Mississippi River Parkway Commission until June 30, 2001. Belanger said the commission aids in the development and maintenance of the scenic parkway known as the Great River Road. The commission is funded by the trunk highway fund. The committee approved the bill and sent it to the Senate floor.

S.F. 562, sponsored by Sen. J. anetfj Johnson (DFL-North Branch), authorizes the Metropolitan Council to issue $46 million in bonds for transit expenses and related costs. Under the bill, the obligations will be paid back using tax revenues levied by the council within the metropolitan transit taxing district. The bill also revises language requiring employers receiving special discounts on transit passes to establish a payroll deduction plan as a means for its employees to purchase the tickets. The Metropolitan Council to levy a transit tax upon all taxable properties outside of the metropolitan transit taxing district and to use the tax revenues for paratransit services for persons within the taxing area. The bill also deletes a four-year demonstration program that will test paratransit instead of regular route services in certain communities, and specifies that during the demonstration period, cities and towns with greater than 100 hours of weekly paratransit services will not qualify for the transit taxi program.

Commenting on transportation issues involving Twin Cities suburban areas, Sen. Sandra Pappas (DFL-St. Paul), said that it is more reasonable to retain the existing property tax on real estate businesses and jobs, than to attempt to transport people to distant jobs. Belanger supported her remarks.

Sen. J. aneranum (DFL-Mpls.), offered an amendment deleting a section of the bill authorizing the Metropolitan Council to issue $46 million in bonds to be used for transit capital expenditures. The amendment was not adopted. The committee approved the bill and referred it to the Finance Committee for further action.

Transportation Budget Division

Division hears four bills

The Transportation Budget Division, chaired by Sen. J. anetfj Johnson (DFL-North Branch), heard four bills, Tues., Mar. 18, relating to transit and highway funding.

S. F. 1329, sponsored by Sen. Dean Johnson (R-Wilmars), increases the gasoline excise tax four cents per gallon to 24 cents, imposes a corresponding increase in special fuel tax rates, appropriates funds for state road construction, establishes a transit revolving fund to qualify for federal funds, provides that all revenues received from taxes be deposited to the town bridge account, the town road account, the county turn back account, and the municipal turnback account. The bill also requires that all revenues received from taxes collected under the motor vehicle registration tax be deposited in the Minnesota Transportation Fund in the state treasury, specifies that the fund consists of money collected from motor vehicle registration tax other money appropriated by law, allocates funds to counties and cities over 5,000 in population, requires that the motor vehicle registration tax be deposited into the town bridge account, the town road account, the county turn back account, and the municipal turnback account. The bill also requires that all revenues received from taxes collected under the motor vehicle registration tax be deposited in the Minnesota Transportation Fund, provides that counties receiving money under the bill may spend it only on county state-aid highways or on public transit operations, provides that cities receiving money may spend the money only on municipal state-aid streets or on public transit operations, increases the gasoline excise tax from 20 to 25 cents per gallon, increases the sales taxes on special fuels, and after January 1, 2008, limits the Metropolitan Council’s authority to levy a property tax for transit purposes to an amount needed to provide for payment of obligations issued by the council for transit capital.

S. F. 1243, also authored by Sen. Dean Johnson, requires the commissioner of finance to transfer funds from the general fund to the highway user tax distribution fund for transportation infrastructure repair and improvement.

S. F. 861, authored by Flynn, changes the county state-aid distribution formula to provide each county with a base allocation equal to 1997 allocations, provides that any amount in excess of the 1997 apportionment bed distributed on the basis of county population, the proportionate share of vehicle registrations, the proportionate share of CSAH lane-miles, and the proportionate share of monetary needs. The bill also reduces the percentage of motor vehicle base value used in calculating the registration tax in the second and in subsequent years, increases the gasoline excise tax rate from 20 to 25 cents per gallon, reduces the Metropolitan Council members from 17 to 16, provides for council member selection to occur after four-year terms, provides for the council to reorganize following each decennial census, provides for the council chair to be selected by the members for a one-year term, allows the Metropolitan Council to impose a sales tax in the Metropolitan Area at a rate not to exceed one-half of one percent on all sales taxable under chapter 297A, and limits the council’s property tax authority in the metropolitan transit taxing district to an amount needed to repay bonds issued for temporary borrowing purposes or for transit capital to which the council has pledged property taxes.

S. F. 520, authored by Sen. Steven Kelley (DFL-Hopkins), creates the Minnesota Transportation Fund in the state treasury, specifies that the fund consists of money collected from motor vehicle registration tax other money appropriated by law, allocates funds to counties and cities over 5,000 in population, requires that the motor vehicle registration tax be deposited into the town bridge account, the town road account, the county turn back account, and the municipal turnback account. The bill also requires that all revenues received from taxes collected under the motor vehicle registration tax be deposited in the Minnesota Transportation Fund, provides that counties receiving money under the bill may spend it only on county state-aid highways or on public transit operations, provides that cities receiving money may spend the money only on municipal state-aid streets or on public transit operations, increases the gasoline excise tax from 20 to 25 cents per gallon, increases the sales taxes on special fuels, and after January 1, 2008, limits the Metropolitan Council’s authority to levy a property tax for transit purposes to an amount needed to provide for payment of obligations issued by the council for transit capital.
The Minnesota Senate Week at a Glance

Monday, March 24

**Ad Hoc Committee on Information Technology**
Chair: Sen. Steve Kelley
3:30 p.m. Room 112 Capitol

**Agenda**
Year 2000 Project overview. Discussion of how technology can provide the “one-stop-shop” including a demonstration of the U of M’s Internet-based student services, and the MnCEPS (Minnesota Career Education Planning Services) program.

The Senate will meet at 10 a.m.

**Election Laws Committee**
Chair: Sen. John Marty
12 noon Room 112 Capitol

**Agenda**

**Environment and Natural Resources Committee**
Chair: Sen. Bob L. L. Lassard
12 noon Room 107 Capitol

**Agenda**

**Judiciary Committee**
Chair: Sen. Jane Ranum
12 noon Room 15 Capitol

**Agenda**
To be announced.

**Commerce Committee**
Chair: Sen. Sam Sonsteng
2 p.m. Room 123 Capitol

**Agenda**

**Crime Prevention Committee**
Chair: Sen. Allan Spear
2 p.m. Room 15 Capitol

**Agenda**

**Local and Metropolitan Government Committee**
Chair: Sen. Jim Vickerman
2 p.m. Room 107 Capitol

**Agenda**

**Crime Prevention and Judiciary Budget Division**
Chair: Sen. Randy Kelly
Immediately following caucus Room 125 Capitol

**Agenda**
To be announced.

**Environment and Agriculture Budget Division**
Chair: Sen. Steven Morse
6 p.m. Room 316 Capitol

**Agenda**

**Governmental Operations and Veterans Committee**
Chair: Sen. James Meden
6 p.m. Room 15 Capitol

**Agenda**

**Health and Family Security Committee**
Chair: Sen. John Hottinger
6 p.m. Room 107 Capitol

**Agenda**
S.F. 1208-Berglin: MinnesotaCare. S.F. 920-Morse: Regulating Health Plans modifying growth limit regulations. S.F. 630-Berglin: MinnesotaCare technical tax bill.

**Jobs, Energy and Community Development Committee**
Chair: Sen. Steven Novak
6 p.m. Room 123 Capitol

**Agenda**

**Local and Metropolitan Government Committee**
Chair: Sen. Jim Vickerman
6 p.m. Room 318 Capitol

**Agenda**

**Transportation Committee**
Chair: Sen. Carol Flynn
6 p.m. Room 118 Capitol

**Agenda**
Governmental Operations Budget Division
Chair: Sen. Leonard Price
7 p.m. 125 Capitol
Agenda: To be announced.

Crime Prevention Committee
Chair: Sen. Allan Spear
8 p.m. Room 112 Capitol
Agenda: S.F. 1461-Berglin: (8 p.m. time certain) Repeat misdemeanor arrests, penalties, restorative justice. S.F. 537-j unger: Court stays of adjudication (Krotzer). S.F. 832-Kelly, R.C.: Criminal trial final argument.

Tuesday, March 25

Environmental and Agriculture Budget Division
Chair: Sen. Steven Morse
8 a.m. Room 316 Capitol

Family and Early Childhood Education Budget Division
Chair: Sen. Pat Piper
8 a.m. Room 15 Capitol

Higher Education Budget Division
Chair: Sen. LeRoy Stumpf
8 a.m. Room 107 Capitol

Health and Family Security Committee
Chair: Sen. John Hottinger
10 a.m. Room 15 Capitol

Jobs, Energy and Community Development Committee
Chair: Sen. Steven Novak
10 a.m. Room 123 Capitol
Agenda: S.F. 460-Anderson: Allowing nonprofit organizations to participate directly in community rehab program. S.F. 1051-Langseth: Modifying show boiler and engine provisions. S.F. 786-Krentz:

Providing for changes in rights of parties to mobile home park rentals. S.F. 100-Runbeck: Establishing Minnesota Office of technology. S.F. XXXX-Novak: Expanding definition of extended employment program - welfare to work.

Rules and Administration Subcommittee on the Senate Budget
Chair: Sen. Roger D. Moe
10 a.m. Room 237 Capitol
Agenda: Senate budget.

The Senate will meet at 11:45 a.m.

Governmental Operations and Veterans Committee
Chair: Sen. James Metzen
12 noon Room 15 Capitol

Transportation Committee
Chair: Sen. Carol Flynn
12 noon Room 112 Capitol

SCORE task force presentation.

Agriculture and Rural Development Committee
Chair: Sen. Dallas Sams
2 p.m. Room 107 Capitol
Agenda: S.F. 336-Sams: Canging limitations on ownership of agricultural land by corporations, limited liability companies, pension or investment funds, and limited partnerships. S.F. 1292-Morse: Creating a rural dispute resolution procedure. S.F. 1353-

Lourey: Creating a food coupon program using "Minnesota grown" products. S.F. 1591-Sams: Expanding the duties of the board of directors of the agricultural utilization research institute.

Commerce Committee
Chair: Sen. SamSodon
2 p.m. Room 112 Capitol
Agenda: Continuation of Monday's hearing if necessary; remainder of agenda to be announced.

Crime Prevention and Judicial Budget Division
Chair: Sen. Randy Kedly
2 p.m. Room 15 Capitol
Agenda: To be announced.

Rules and Administration Subcommittee on Senate Information Systems
Chair: Sen. Leonard Price
2 p.m. 125 Capitol
Agenda: Senate information systems user policy.

Rules and Administration Committee
Chair: Sen. Roger D. Moe
3 p.m. Room 123 Capitol
Agenda: Personnel issues, Report of the Subcommittee on Senate Budget, other.

Environmental and Natural Resources Committee
Chair: Sen. Bob Lessard
4 p.m. Room 107 Capitol
Agenda: To be announced.

Governmental Operations Budget Division
Chair: Sen. Leonard Price
4 p.m. 125 Capitol
Agenda: Budget presentation for the Administrative Hearings Office. Budget presentation for the intergovernmental Information Systems Advisory Council (IISAC).

Legislative Coordinating Commission
Revisor Subcommittee
4 p.m. Room 500N State Office Building
Agenda: Review proposed budget for the Office of the Revisor.

Taxes Subcommittee on Income and Sales Tax
Chair: Sen. Steve Murphy
4 p.m. Room 15 Capitol
Agenda: SCORE task force representation. S.F. 497-Scheid: Dept. of Revenue policy bill. S.F. 534-Murphy: Exempting replacement capital equipment from taxation.

Agriculture and Rural Development Committee
Chair: Sen. Dallas Sams
6 p.m. Room 118 Capitol
Agenda: S.F. 1346-Dille: State review of county feedlots. S.F. 1102-Stumpf: Limiting application of certain food rules to bakeries and other food businesses. S.F. 1475-Stumpf: Appropriating money for spring wheat research. S.F. 1573-Stumpf: Establishing a rural...

Governmental Operations and Veterans Committee
Chair: Sen. James Metzen
6 p.m. Room 15 Capitol
Agenda: Continuation of afternoon agenda. Tentative: S.F. 637-Morse: Pension bill.

Health and Family Security Committee
Chair: Sen. John Hottinger
6 p.m. Room 107 Capitol
Agenda: To be announced.

Jobs, Energy and Community Development Committee
Chair: Sen. Steve Novak
6:30 p.m. Room 123 Capitol
Agenda: To be announced.

Governmental Operations Budget Division
Chair: Sen. Leonard Price
7 p.m. Room 125 Capitol
Agenda: To be announced.

Judiciary Committee
Chair: Sen. Allan Spear
7 p.m. Room 112 Capitol
Agenda: To be announced.

Wednesday, March 26
Children, Families and Learning Committee
8 a.m. Room 15 Capitol
Agenda: S.F. 400-Murphy: UofM center on grapes and wine. S.F. 486-Morse Constitutional amendment dedicating lottery proceeds for financial assistance to students.

Family and Early Childhood Education Budget Division
Chair: Sen. Pat Piper
8 a.m. Room 15 Capitol
Agenda: Continuation of previous meetings.

Transportation Committee
Chair: Sen. Card Flynn
10 a.m. Room 112 Capitol
Agenda: Bills not heard on March 25th meeting.

The Senate will meet at 12 noon

Election Laws Committee
Chair: Sen. John Marty
Following Session Room 112 Capitol
Agenda: Continuation of Monday's agenda.

Environment and Natural Resources Committee
Chair: Sen. Bobby Lesard
Following Session Room 107 Capitol
Agenda: To be announced.

Judiciary Committee
Chair: Sen. Allan Spear
Following Session Room 15 Capitol
Agenda: To be announced.

Crime Prevention Committee
Chair: Sen. Allan Spear
2 p.m. Room 15 Capitol

Governmental Operations Budget Division
Chair: Sen. Leonard Price
2 p.m. 125 Capitol

Local and Metropolitan Government Committee
Chair: Sen. Jim Vickerman
2 p.m. Room 107 Capitol

Environment and Agriculture Budget Division
Chair: Sen. Steven Morse
4 p.m. Room 107 Capitol

No Senate meetings are scheduled for Thurs., Mar. 27, and Fri., Mar. 28.
The Minnesota Senate Week in Review

March 27, 1997

Stadium bill heard

Discussion continued Mon., Mar. 24, before the Local and Metropolitan Government Committee on a bill providing funding for a baseball-only stadium. It was the only item of business before the committee, chaired by Sen. Jim Vickerman (DFL-Tracy).

The bill, S.F. 1040, authored by Sen. Jerry Z eyanz (DFL-Chisholm), provides funding for an agreement between the state of Minnesota to buy 49 percent of the Minnesota Twins and build a baseball-only stadium in Minneapolis as provided by the original stadium bill. Sen. Steve Kelley (DFL-Hopkins) was the first to introduce a number of amendments that changed the nature of the bill. The first amendment Kelley offered defined the state ownership as “the public authority” and gave that authority the right to approve all organizational changes. Kelley said, “This takes the wheels off the team, sort of, by giving the public authority the right to approve, for example, the sale or relocation of the team.” The amendment was adopted.

Vickerman also proposed a number of amendments. One amendment increased the size of a charitable gift to be given by the current owner to the public authority, from $15 million to $50 million. The amendment was adopted. He also successfully offered an amendment that opens the stadium site options to the entire state rather than limiting the location to Minneapolis as provided by the original bill.

Sen. Douglas Johnson (DFL-Tower) successfully offered an amendment that eliminated all funding mechanisms from the bill. Sen. Charles Wiger (DFL-North St. Paul) proposed an oral amendment stating that state aid to the general fund would not be used for a baseball facility. This amendment, too, was adopted. The bill was re-referred to the Committee on Taxes without recommendation.

Several bills passed, approved

During a floor session Mon., Mar. 24, the Senate granted preliminary passage to several bills on General Orders, and final passage to eight bills on the Calendar.


 Bills granted final passage on the Calendar were S.F. 413, sponsored by Frederickson, authorizes the Dept. of Natural Resources to issue general water permits; S.F. 543, sponsored by Sen. Steve Dille (R-Dassel), changes grain elevator licensing regulations and removes Minnesota from a defunct interstate grain marketing compact; S.F. 324, sponsored by Knutson, reclassified Human Rights Dept. investigative data as private; H.F. 219, sponsored by Sen. Don Samuelson (DFL-Brainerd), allows unpaid leave of absence to serve in the Civil Air Patrol; S.F. 120, sponsored by Murphy, changes housing loan provisions; S.F. 501, sponsored by Sen. Sam Solon (DFL-Duluth), the omnibus commerce bill; S.F. 703, sponsored by Sen. Linda Scheid (DFL-Brooklyn Park), allows municipalities with fewer than 8,000 registered voters to conduct elections by mail; and H.F. 266, sponsored by Sen. Gary Laidig (R-St. Paul), changes the composition of the Board of Soil and Water Resources.

Rule 40 move fails

A move to recall S.F. 11, the “defense of marriage” bill, authored by Sen. Thomas Neuville (R-Northfield), failed in the Senate's floor session Weds., Mar. 26.

Neuville had motioned under Rule 40, a rule that enables the recall of a bill from any committee before referred to another committee or placed on General Orders. This may be done by a majority vote in the Senate before the first deadline. A 60 percent vote is needed after the deadline. Neuville said, “Whether you're for the bill or against the bill it isn't as important as the principle at stake, which is the defense of the bill before the Senate. Despite the fact I requested a hearing in the judiciary Committee at the beginning of the session, the bill has not been heard.” Neuville also expressed concern that, due to the possibility of recognition by the Hawaiian Supreme Court of same-sex marriages, inaction on the bill might lead toward recognition of those marriages in the state of Minnesota.

Sen. Jane Ranum (DFL-Mpls.) spoke against the motion. She said, “The judiciary Committee has passed 61 bills so far this session and still has 81 bills pending. I believe we're dealing with issues Minnesotans are most concerned about.” Complex bills regarding family law and data practices have dominated the panel’s agenda this session, Ranum said. Majority Leader Roger Moe (DFL-Eskime) agreed and said, “We should not use this extraordinary procedure at this time.” The motion failed on a roll-call vote.

The Senate met briefly Tue., Mar. 25, to process committee reports at the front desk.
Agriculture and Rural Development

Mediation program extended

Members of the Agriculture and Rural Development Committee devoted the entire Tuesday, Mar. 25, afternoon hearing to discussion of two bills. The panel, chaired by Sen. Dallas Sams (DFL-Staples), approved both bills and sent them on to the full Senate.

S.F. 1292, authored by Sen. Steven Morse (DFL-Dakota), extends the farmer-lender mediation program for one year and changes the director of the program from the director of the agricultural extension service to the director of the University of Minnesota’s Center for Conflict and Change. Originally, the bill contained language reenacting the program entirely. However, Morse, after the committee adopted an amendment that extends the program for one year beyond the July 1, 1997 sunset date and changed the director, several Senators said they had concerns about extending the program for another year. Sen. Kenrick Scheevel (R-Preston) said that while the program was useful in the mid-eighties, there isn’t a great enough need to justify the expense of keeping the program alive. “It’s time to put this program to bed,” Scheevel said. However, the panel approved the bill on a divided voice vote.

In other action, members approved a recodification of the corporate farming laws. S.F. 338, authored by Sams, makes no substantive changes in current law. According to Sams, the measure makes the law relating to ownership of agricultural lands easier to understand and use.

Bargaining bill okayed

The Agriculture and Rural Development Committee approved a bill Tuesday, Mar. 25, relating to agricultural marketing and bargaining. Chaired by Sen. Sams, the committee reviewed 10 pieces of legislation in a rare evening session in order to make legislative deadlines.

Authored by Sen. Dennis Frederickson (R-New Ulm), S.F. 1635, amended current law and statutory text to provide for mandatory mediation and, if necessary, binding arbitration between a food processor and an accredited growers association in agricultural market disputes. Frederickson said, “Under current law, the producers have no enforceable recourse when they have a dispute with processors. In some cases, this has meant the processors have had no alternative but to accept terms laid down by processors in cases of disagreement.” Sen. Charles Berg (IND-Chokio) said, “This bill is pretty far-reaching. It could include dairies and hog farms.” Berg offered an amendment limiting the bill to processors of fruits and vegetables. The amendment was adopted and the bill as amended was approved and advanced to the Senate floor.

S.F. 1635, authored by Sen. Kenrick Scheevel (R-Preston), removes the $30 million cap on total subsidy payments now paid to alcohol producers under current Minnesota law. Scheevel said, “We have a situation here in which three proposed ethanol producing operations, one each from Luverne, Preston, and Albert Lea, are all seeking to come online within in the next year or so. Lenders won’t provide funding if the subsidy is not there for the producers, and the combined capacity of the three operations will exceed the money available. In fact, there are 22 million gallons left in the subsidy at 20 cents per gallon, and the smallest plant can produce 12 million gallons.” The bill was approved and sent to the Environment and Agriculture Budget Division.

Sen. Bedzyk Lourey (DFL-Kerrick), authored S.F. 1353, a bill that creates a food coupon program using “Minnesota-grown” products. A committee piece of legislation before another committee directed the program to be aimed at helping legal immigrants who will be eligible for public assistance under new welfare reform guidelines. The bill was approved and sent to the Environment and Agriculture Budget Division.

S.F. 688, sponsored by Sen. Richard Cohen (DFL-St. Paul), prohibits housing contractors from contacting clients between the hours of 8 p.m. and 8 a.m. The bill also prohibits contractors from misrepresenting their hours of availability. The committee approved the bill and sent it to the Senate floor.

Commerce Committee

Insurance bills okayed

The Commerce Committee, chaired by Sen. Sam Solon (DFL-Duluth), moved bills relating to professional licensing, contractor sales, rental auto insurance, and insurance sales and coverage, Mon., Mar. 24.

S.F. 1415, sponsored by Sen. Steve Murphy (DFL-Red Wing), requires homeowners’ insurers to make available as an option, insurance coverage for loss or damage caused by the overflow of water or steam. The bill originally required insurance companies to provide the coverage, but subsequent testimony that the bill would attract homeowners who anticipate problems prompted a suggested amendment requiring the coverage be an option. The amendment was adopted. The committee approved the bill, as amended, and sent it to the Senate floor.

S.F. 437, sponsored by Sen. Sam Solon (DFL-Duluth), a resolution, urges Congress to immediately enact legislation to assure that all persons seeking insurance within the state comply with state insurance licensing and educational requirements. The committee approved the resolution and referred it to the Committee on Rules and Administration.

S.F. 239, sponsored by Sen. John Hattinger (DFL-Mankato), requires that, after January 1, 2001, the certified public accountant examination will only be administered to college graduates holding an accounting degree. In addition, the bill requires CPA examination candidates to have completed at least 150 additional hours in related coursework.

The committee referred the bill to the Higher Education Budget Division.

S.F. 688, sponsored by Sen. Richard Cohen (DFL-St. Paul), prohibits housing contractors from contacting clients between the hours of 8 p.m. and 8 a.m. The bill also prohibits contractors from misrepresenting their hours of availability. The committee approved the bill and sent it to the Senate floor.

S.F. 1258, sponsored by Sen. Linda Scheid (DFL-Brooklyn Park), amends current law to assure that auto rental companies provide primary insurance for renter’s insurance. The bill was approved and sent to the Senate floor.

The committee referred the bill to the Higher Education Budget Division.

S.F. 437, sponsored by Sen. Sam Solon (DFL-Duluth), moved bills relating to professional licensing, contractor sales, rental auto insurance, and insurance sales and coverage, Mon., Mar. 24.
Sen. Randy Kelly (DFL-St. Paul) presented SF 812, which clarifies the community notification law dealing with sex offenders. The bill requires an offender's residential facility to convey notice of the offender's release to local law enforcement agencies within seven days. It also requires the Department of Corrections and Human Services to provide law enforcement with all relevant information concerning the offender. In addition, according to the bill, victims who have requested information about the offender's release must be notified of any administrative review hearings requested by an offender. SF 812 was approved and sent to the Senate floor.

The panel approved SF 1027, authored by Speare, clarifying domestic abuse caseworker and investigation procedures. It changes terminology regarding domestic abuse assessment to classify these proceedings as "investigations." It also ensures that victim impact statements are confidential. The bill was sent to the Senate floor.

In the wake of controversy surrounding the selection process for the Rush City prison construction, Sen. Dave Kleis (R-St. Cloud) presented SF 1207. The bill establishes a committee made up of legislators, corrections officials, and transportation officials to consider possibilities for future prisons. The bill also ensures that all costs be included in the project to avoid last-minute additions like the $1.4 million appropriated for road access to the Rush City site. The bill was approved and re-referred to the Government Operations Committee.

A bill addressing the problem of arson was presented by Sen. Steven Novak (DFL-New Brighton). SF 158 provides for statewide arson training classes for law enforcement, creates an arson strike force, provides intervention measures for juveniles, and requires the District Court's authority to punish failure to testify or produce evidence in arson cases. The bill was approved and re-referred to the Government Operations Committee.

Sen. Becky Lourey (DFL-Kerrick) presented SF 1247, creating uniform laws governing the operation, scope, organization, power, investigatory and other duties of ombudsman services. The bill also current law to make the ombudsman directly accountable to the governor rather than to the ministerial authority of the public safety to avoid having the ombudsman report to an official who may be investigated. The bill was recommended to pass and re-referred to the Government Operations Committee.

 Debate ensued over SF 276, a bill offered by Sen. Randy Kelly (DFL-St. Paul), which calls for the reversal of a trademark Minnesota criminal trial procedure. Minnesota, said Kelly, one of the few states in the country to require prosecution to provide a victim's personal information to the defense community.

A roll call vote, S.F. 1121 was defeated.

Crime Prevention and Judiciary Budget Division

Geneticst discussed

On Fri., Mar. 21, Sen. Randy Kelly (DFL-St. Paul) and the Crime Prevention and Judiciary Budget Division heard from John D. Offerman of Genovus Inc., who spoke on genetic and criminal prevention. Kelly said that genetic research is "way ahead of schedule," by 2003, Offerman said, however, the committee that genetics research is "way ahead of schedule." By 2003, Offerman said, however, the industry will have concluded genetic and criminal prevention. Offerman explained DNA fingerprinting methods and said that the molecular techniques of DNA collection that would be used to catalogue inmates in Minnesota correctional facilities, would cost $30 to $50 per inmate. Sen. Jane Ranum (DFL-Mpls.) questioned the ethics and data privacy issues surrounding such
Committee Update

Activity. Offerman said the genetics community is actually quite conservative about such issues.

A representative of the Minnesota Bureau of Criminal Apprehensions forensic unit said the BCA is one year away from DNA fingerprinting. The bureau is switching DNA techniques, developing 12 new tests and increasing automation, he said.

The panel also heard testimony on S.F. 416, a bill authorizing money for the "Weed and Seed" program. Weeded and Seed, which makes grantsto local communities to assist in their efforts to eradicate violent crime, illegal drug activity and illegal gang activity, is astore vitalizedtargeted neighborhoods economically and physically. Kelly, the bill's author, said the appropriation is $2.5 million per year over the next four years.

Kathy Kabat, the coordinator of Railroad Island and Weed and Seed, testified that the grant money is used for police overtime, traffic or drug training, housing inspection and community education. In a neighborhood plagued by noise, drugs and prostitution, the Weed and Seed program has made police respond to calls, numerous arrests and the flight of troublemakers, said Rose Marie Borsen, a longtime resident of Railroad Island. Sgt. Brian Coyle of St. Paul Police Dept.'s FORCE Unit said police got to know the neighborhood and were able to establish a zero-tolerance policy. Of 20 problem properties, there are now only two, and overall, complaints are down, Coyle said.

"But, "hesaid, "we couldn't have done it without them." U.S. Attorney David Lillehaug praised the program for "weeding out crime and seeding opportunity" andemonstrated that targeted neighborhoods have seen an overall decrease in crime. Coyle said the Weed and Seed program has meant an overall decrease in complaints.

Jim Kelly, the bill's author, said the appropriation is $2.5 million per year over the next four years.

Election Laws

Township election bills approved

On Mon., Mar. 24, the Election Laws Committee, chaired by Sen. John Marty (DFL-Roseville), heardfrom Sen. Claire Robling (R-Prior Lake) regarding H.F. 1093, a bill authorizing local governing bodies to move elections from March to November. The bill was recommended to pass and to be referred to be placed on the consent calendar.

Sen. Linda Schied (DFL-Brooklyn Park) presented H.F. 1088, which provides that towns can rotate the names of candidates on ballots. Many, she said, have felt that the top name on the ballot gets undue support from voters merely because of its placement. The bill was recommended to pass and to be referred to the floor to be placed on the consent calendar.

S.F. 1356, presented by Sen. Keith Langseth (DFL-Glyndon), clarifies legislative districting for portions of Moorhead Township annexed by the city of Dilworth after the 1990 federal census. The bill was recommended to pass and to be referred to the floor.

Environment and Natural Resources

Water quality bill heard

The Environment and Natural Resources Committee considered a proposal Fri., Mar. 21, to establish state water quality standards. The proposal, S.F. 1618, sponsored by Sen. John Hottinger (DFL-Mankato), allows a research entity other than the Pollution Control Agency (PCA) to establish water quality standards for municipal wastewater treatment facilities.

Hottinger said that the PCA has established the need for an additional $781 million in wastewater infrastructure development through the year 2002. He said that the bill sets up a process to determine if the PCA's water quality standards are scientifically valid, or to get a "second opinion." He said once the study is complete, the findings may be adopted as rules by the agency.

Hottinger added that the cost of the research will be paid by the municipality.

Parking violation in the omnibus crime bill

Sen. Dave Johnson (DFL-Bloomington) presented a bill to index the maximum state reimbursement to local law enforcement for parking violations in the omnibus crime bill.

Rod Massey of the PCA Water Quality Division said the bill could lead to redundant rulemaking. Establishing a confrontational set-up instead of a cooperative rulemaking, he said, would allow a subcommittee to adopt rules. The bill was adopted and referred to the Government Operations and Veterans Committee.

Hunting, fishing rights affirmed

The Environment and Natural Resources Committee Mon., Mar. 24, approved a bill to amend the state constitution guaranteeing the right to fish and hunt. The bill, S.F. 41, is sponsored by Committee Chair Bob Lessard (DFL-Int'l Falls).

Dr. John Schneider, a biology professor at St. John's University, said that European countries have limited hunting rights because of effective lobbying by animal rights groups opposed to that activity. He said the bill is a "pro-active move" to prevent the situation from happening in the United States.

Howard Goldman, representing several environmental and animal rights groups, spoke against the bill, saying it makes restricting hunting rights difficult. Goldman said the bill would require the municipalities to be set up in the courts, and he would rather see the question decided by all interested parties sitting at the table rather than by judicial interpretation.
Roger Holmes, from the Department of Natural Resources, supported the bill, saying that it addresses the threat of hunting and fishing rights in the state.

The panel approved the bill, and sent it to the Rules and Administration Committee.

In another action, the panel heard S.F. 886, carried by Sen. Roger Mohl (DFL-Esko). The bill extends the Wild Rice Watershed District levy through 2002. The bill now goes before the Committee on Taxes.

Two tax foritalic sale bills were endorsed, combined into one, and sent to the floor. The two bills are S.F. 1354, sponsored by Sen. Leonard Price (DFL-Woodbury), which became the vehicle, and S.F. 1118, sponsored by Sen. Jane Krentz (DFL-May Township). A bill carried by Sen. Keith Langseth (DFL-Glyndon), S.F. 1052, conveying land from the Minnesota State Colleges and Universities Board to the city of Moorhead, received approval and was recommended for the Consent Calendar. The committee also reported approval to S.F. 453, sponsored by Sen. Dennis Frederickson (R-New Ulm). The bill allows SCORE block grants to be rolled over to the next fiscal year by the Office of Environmental Assistance when county five-year plans are not completed by the end of the previous fiscal year.

**Governmental Operations and Veterans**

**Health care reform advances**

On Thurs., Mar. 20, the Governmental Operations Committee and Veterans Committee, chaired by Sen. James Metzen (DFL-South St. Paul), heard from Sen. Dennis Frederickson (R-New Ulm) regarding S.F. 1297. The bill provides for bonding for renovation to the State Capitol Building. "The way it is now, we won't have money for design and construction," Frederickson said. The bill helps fund $1 million within a $6 million budget approved in 1996 for designs and renovations of the Capitol's cafeteria and northwest terrace.

S.F. 819, authored by Sen. Steven Morse (DFL-Dakota), deals with consumer protection in the area of health care. It provides uniform disclosure requirements for health care provider organizations. Debate ensued over the bill's creation of a consumer advisory body. The bill was referred to the Health and Family Security Committee.

S.F. 1351 by Sen. Carol Flynn (DFL-Mpls.), both clarifies the terms by which the Legislature indicates approval of public employee collective bargaining agreements and ratifies the agreements between the state and the interfaculty organization and administrators of Minnesota State Colleges and Universities. The bill was approved and referred to the State Government Finance Committee.

S.F. 755, also carried by Flynn, provides that governmental bodies can meet by electronic means such as interactive videoconferencing, was the subject of a panel hearing before being approved with a recommendation on pass.

Sen. Richard Cohen (DFL-St. Paul) presented S.F. 1334. The bill follows the lead of Hennepin County and allows communities to codify additional classes of dependents eligible for inclusion in employee benefit arrangements. The bill was approved and sent to the floor.

**Hmong resolution advances**

A resolution memorializing Congress to ease the path to American citizenship for Hmong and Laotian veterans was one of eleven measures approved at the Mon., Mar. 24, evening meeting of the Governmental Operations and Veterans Committee. The panel approved a resolution, S.F. 1464, that memorializes Congress to enact legislation waiving the English language and residency requirements for American citizenship for Hmong and other Laotian veterans of Vietnam and their spouses or widows to learn a second language in order to pass the citizenship test. The measure was approved and advanced to the Rules and Administration Committee.

The committee, chaired by Sen. James Metzen (DFL-South St. Paul), cleared their agenda of an additional ten bills. S.F. 389, carried by Sen. Leonard Price (DFL-Woodbury), makes changes to the requirements governing individual sewage treatment systems. The bill requires all counties—unless they have already done so—to adopt ordinances that comply with the Pollution Control Agency's regulations concerning individual sewage treatment systems. The bill does, however, allow local units of government increased flexibility to develop local standards to meet the requirements based on local conditions. The bill also specifies inspection requirements, inspection criteria and complaints. In addition, the measure provides for an advisory committee and specifies the membership. An amendment, offered by Sen. Martha Robertson (R-Minnetonka), delaying the effective date of new rules, the commissioner's actions under the bill have force and effect of rules. The amendment was adopted and the bill was advanced to the full Senate.

S.F. 512, authored by Sen. Linda Runbeck (R-Circle Pines), makes numerous technical and administrative changes in the laws relating to the Department of Employee Relations. The measure requires changes in laws governing state employment. Sen. Don Betzold (DFL-Fridley) successfully offered an amendment incorporating language from S.F. 659 that requires a study of state hiring options to make recommendations on expanding opportunities for public assistance recipients to obtain work in state agencies. The bill was approved and sent to the Senate floor. S.F. 399, authored by Sen. Arlene Lesewski (R-Marshall), provides for the administration of certain federal and state employment and training services. The measure designates Workforce Centers and creates Workforce Councils to administer the programs. The bill was approved and advanced to the Senate floor.

S.F. 1102, authored by Sen. LeRoy Stumpf (DFL-Thief River Falls), limits the applications of food rules to bakeries in retail food stores if the bakeries meet special requirements. Under the bill, the oven or equipment must be designed and used for baking preproofed or par-baked bread at temperatures of less than 450 degrees in small batches for less than 30 minutes. The measure, at this point, allows one company to enter the market in Minnesota. The company uses high spring wheat exclusively in its product. The bill was approved and sent to the Agriculture Committee.

S.F. 1074, carried by Sen. Randy Kelly (DFL-St. Paul), provides that public safety officers are essential employees under the Public Employee Labor Relations Act. The bill was approved and sent to the full Senate. S.F. 1592, sponsored by Sen. Dallas Sams (DFL-Staples), establishes the Minnesota Agricultural Education Leadership Council and provides for a grant program. The measure was approved and referred to the Children, Families and Learning Committee. S.F. 430, authored by Sen. Linda Berglin (DFL-Mpls.), establishes a birth defects information system to collect, analyze and disseminate information regarding the risk and incidence of birth defects. The measure was approved and referred to the Health and Family Security Committee.

S.F. 639, authored by Sen. Pat Piper (DFL-Austin), establishes a Physician Assistant Advisory Council. An amendment, offered by Sen. Martha Robertson (R-Minnetonka), staggering the term for the dietitian board, was adopted. The bill was approved but laid over for inclusion in the omnibus bill that the panel is developing relating to boards and councils.

One bill failed to gain approval. S.F. 1529, authored by Sen. Paula Hanson (DFL-Maple Lake), adds two members to the Board of Electric Power Cooperation. Opposition to the bill led to the bill's failure on a tie vote.
Biomass energy plant discussed

On Tues., Mar. 25, Sen. Dean Johnson (R-Willmar) presented his biomass energy development project, S.F. 1328, to the Government Operations and Veterans Affairs Committee. Under the bill, the Minnesota Biomass Energy Development Authority is created to begin the development of a biomass energy plant project in Granite Falls. The plant will be designed to burn locally harvested alfalfa to generate electric power. Johnson explained that the bill is the result of the 1994 biomass mandate that requires the state to implement a power plant that uses renewable resources within the next few years. The measure, he said, sets up the authority to finance the project.

Sen. Steven Morse (DFL-Dakota) said he was concerned with creating a new state agency that will bear the financial risk for the project. Several other members also expressed concern with establishing the new state agency, which will borrow money in order to attract increased private investment.

Sen. Martha Robertson (R-Minnetonka) suggested amending the bill with language to require the new agency to return to the 1994 Legislation with the financing proposal before any state financial participation is required. The rest of the bill will not be effective until this report comes back, she said.

Chair James Metzen (DFL-South St. Paul) decided to lay the bill over until the evening meeting to allow time to consider Robertson’s suggestion.

Sen. Steven Novak (DFL-New Brighton), author of S.F. 1578, said the bill establishes statewide on-site training courses for fire service and law enforcement personnel. The bill also creates a multi-jurisdictional arson strike force to provide expert investigative and prosecutorial assistance to local agencies. Members then approved the bill and referred it to the Crime Prevention and Judiciary Budget Division.

According to Sen. Jerryarry anezich (DFL-Chisholm), S.F. 448 expands the membership of the Mineral Coordinating Committee from five members to nine. The bill also establishes the Aggregate Resources Task Force that is directed to examine the state’s projected need for aggregate resources. The bill was approved and advanced to the floor.

Sen. John Hottenger (DFL-Mankato) presented two bills for consideration. The first bill, S.F. 1583, sets a new state policy for regulatory rules. Accompanied by former Sen. Duane Benson, Hottenger said, “This legislation is a small step, but an important one, to review and revise the rulemaking process. It attempts to change the culture behind the rulemaking process to look more at outcomes.”

Hottenger said the second bill, S.F. 1250, ensures that exclusive bargaining representatives are informed and allowed to participate in the development of mental health pilot projects. Both bills were approved and advanced to the floor.

The final bill for the morning meeting, S.F. 1216, is carried by Sen. Deanna Wiener (DFL-Eagan). Under the bill, the measure establishes the commissioner of administration’s design-build method for project development for new facilities. The bill is a construction delivery system where a single contractor is responsible for both the design and construction of the project. Wiener explained that the design-build delivery will save state money by consolidating the process. Members advanced the bill to the floor.

Pension, rules review bills advance

On Tues., Mar. 25, the Government Operations Committee, chaired by Sen. James Metzen (DFL-South St. Paul), heard from Sen. Linda Runbeck (R-Circa Pines) who, in an effort to deal proactively with the obsolescence of administrative rules, presented S.F. 874. The legislature over the administrative rules every 10 years. Sen. Martha Robertson (R-Minnetonka) spoke in support, saying that the K-12 Education Budget Division had successfully streamlined a targeted area of education rules in one-year period. Price opposed the bill, calling it “a wholesale attack on the rulemaking process.” However, she said, “I can’t imagine legislators having the time to do justicexamination of all the rules.”

Robertson successfully offered an amendment to lengthen the time frame allotted for rule review. S.F. 961, as amended, was sent to the floor with recommendations.

S.F. 1312, authored by Sen. Leo Foley (DFL-Anoka) requires the state to examine the state’s needs for lular phones. The bill was sent to the floor with recommendations.

Sen. Dan Stevens (R-Mora), author of S.F. 1059, explained that his bill requires legislative approval of proposed rules in certain circumstances. In response to questions when Sen. Leonard Price (DFL-Woodbury) asked that the bill might require the legislature to convene in the fall and interim. The bill was laid over.

Sen. David Johnson (DFL-Bloomington) presented S.F. 444, which covers multiple issues related to corrections. The committee had prior review over a provision extending the authority of the Sexual Assault Advisory Council and Crime Victims Advisory Council, as S.F. 961. The bill was approved and sent to the floor.

Sen. Deanna Wiener (DFL-Minneapolis) presented S.F. 1328, establishing a rural development financing authority and the Minnesota Alternative Energy Development Authority. She said the bill, which would undertake projects involving electric, wind, and other alternative energies, would help those that convert farm-grown biomass to fuel, and stimulate development of technological and business efforts by affected parties. It was approved and sent to the floor.

Health and Family Security

Consumer protection bill okayed

Sen. Deanna Wiener (DFL-Eagan) presented two bills at the Thurs., Mar. 20, Health and Family Security Committee meeting, chaired by Sen. John Hottinger (DFL-Mankato). She first reviewed the major provisions of S.F. 737, a bill that clarifies the status of the Minnesota Comprehensive Health Association (MCHA). She said the bill expands the funding base for MCHA by sharing the costs for the insurance program across all health care entities in order to reduce the funding streams. The bill attempts to stabilize MCHA’s current $43 million a year deficit, she said.

The second bill Wiener offered for consideration, S.F. 320, is a health care consumer protection bill. She explained the bill deals with improving the access and affordability of health coverage for Minnesotans. Sen. Sheila Kiscaden (R-Rochester) successfully offered an amendment that creates a citizens advisory task force that is directed to study mandated benefits. Sen. Don Betzold (DFL-Fridley) also offered an amendment to add a definition to the bill that requires the commissioner of health to treat accreditation of health maintenance organizations by a national accreditation organization as a satisfactory evidence of state regulatory requirements. In the deleted section’s place, Betzold proposed a language to have the Dept. of Health conduct a study of national accreditation organizations and report to the legislature by Jan. 15, 1998. The Betzold amendment prevailed, and both
The Medicaid program would receive a $100 million increase in the bill, which was approved by the Senate. The funding is to support health care providers in rural areas.

Sen. Steve Kelley argued for approval of the bill. He said the funding would help rural providers, particularly in areas with low-income populations. The bill was approved by the Senate and sent to the House of Representatives for further consideration.

Patient protection act discussed

At a meeting of the Senate Health and Family Security Committee, Sen. Linda Berglin introduced a bill to protect consumers from unauthorized charges. The bill would require health plans to provide consumers with accurate information about the costs of services. It would also establish a patient protection act to ensure that consumers have access to the full range of options available.

The bill was approved by the committee and sent to the Senate floor. Sen. Steven Morse, sponsor of the bill, said it was necessary to protect consumers from deceptive practices by health plans.

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Committee update

Berglin explained that S.F. 1528 allows a individual grave markers are not feasible.
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were re-referred to the budget division.
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Berglin said she did not see a need to require
 asbestos in the bill, removing the family
in Minnesota last year where a birth father
disrupted an adoption because he was not
informed of the adoption.  The Berglin
amendments were adopted and the remain-
portion of the bill, removing the family
planning grants caps.

Sen. Dallas Samuels (DFL-St. Paul) presented
S.F. 1722, a measure that officially creates
a fathers’ registration procedure in the bill,
requiring a $75 filing fee and a $75 annual
 fee to maintain the registry of a father
interested in a child and to update his file
with the Dept. of Health, and it is the
father’s responsibility to update his file with
the Dept. of Health. For example, a father
who is, or is expected to be, the subject of an
adoption petition to implement the registry.

According to Sen. Don Samuelson (DFL-
Traver), S.F. 790 allows recipients of
homecare more flexibility to use personal
care assistants.

Sen. Leo Day (DFL-Anoka) presented a bill,
S.F. 1432, that requires the income and
resources of all noncitizens, whose sponsor
has signed an affidavit of support, be
determined when determining eligibility for
the Minnesota Care, General Assistance (GA)
Medical Assistance Care, and GA Programs.

“This bill ensures that people receive the
adequate services they are seeking,” said Sen.
Bucky Lourey (DFL-Kerrick) as he introduced
S.F. 1245. The measure ensures appropriate
appointments for mentally ill persons at the
state-run regional treatment centers (RTCs).
Berglin also presented several bills that
were referred to the budget division. S.F. 1009
directs the commissioner of human
services to replace numbers with individual
names at all graves sights located at state-run
regional treatment centers. She successfully
offered an amendment that appropriates
$400,000 for the program and requires
appropriate memorial markers where
individual grave markers are not feasible.
Berglin explained that S.F. 1528 allows

trauma and drug abuse. Finally, S.F. 126, also
carried by Berglin, creates community and
statewide immunization registries.

In addition to the two consumer protection
bills, the committee heard a variety of other
bills, a number of which were passed and referred to the Health and
Family Security Budget Division for
inclusion into the omnibus health and
human services bill. The following eight
bills were referred to the budget division.

Sen. Susan Witmer (DFL-Duluth) presented
S.F. 813, a bill that directs the Dept. of
Health to work with health care community
to create a voluntary plan for hospitals to
to screen all infants for hearing loss. He
emphasized that the plan is designed to be
voluntary and that he has worked hard to ensure
that all hospitals in the state are able to
perform the testing.

Specifically, the bill creates a paternal
registry of fathers of children born to married,
adolescent mothers. However, the bill’s
author, Lourey, offered an amendment that
deletes the registry portion of the bill and
replaces it with a study of criminal sexual
victimization of adolescent females and adult
males. The amendment was adopted, but
then Berglin offered several amendments
that declares where and when the studies
are required to be performed by the attorney
general’s office and the Dept. of Health, including the
recently adopted Lourey amendment.
Berglin said she did not see a need to require the studies through statute. The Berglin
amendments were adopted and the remaining
portion of the bill, removing the family
planning grants caps, was approved.

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who is, or is expected to be, the subject of an
adoption petition to implement the registry:

“Tuition bill presented

A tuition reduction bill was heard by the Higher Education Budget Division Weds., Mar. 19.

Sen. Cal Larson (R-Fargo) presented S.F. 1144, a bill related to the
regulation of private business, trade and
correspondence schools. In addition to
technical changes and language
clarifications, the bill establishes student complaint
procedures, inventory control requirements, and
performance and incentive programs for
satisfying those requirements. The bill was laid
aside for further consideration as part of the
omnibus bill.

The governor’s supplemental budget
recommendations were all adopted by the
commitee. The recommendations include
$100 million to be used for budgetary purposes
and an additional $10 million to be used for
higher education. The bills were sent to the floor.

Veterans’ tuition break okayed

Armed services members who reside in
Minnesota will receive a reduced tuition
rate at state colleges and universities under a
bill sponsored by Sen. Pat Pariseau (R-
Farmington). The bill, S.F. 701, requires
veterans to show intent to permanently
reside in Minnesota in order to receive the
tuition break.

Coleen Corey appeared before the Higher
Education Budget Division Fri., Mar. 21, and
said that she and her husband moved to

"This legislation is based on a court case
in Minnesota last year where a birth father
disrupted an adoption because he was not
notified of the adoption. S.F. 203 sets up
a notification mechanism," said Berglin.
Specifically, the bill creates a father’s
adoption registry to determine the identity
and location of a father interested in a child
who is, or is expected to be, the subject of an
adoption proceeding. The father has 30 days
following the adoption to register with the Dept. of Health, and it is the
father’s responsibility to update his file with
new information when needed. The bill
also prohibits a father who fails to register
with the department within the time limit from bringing an
action to assert any interest in the child
during the adoption proceeding. Berglin
offered an amendment that places a funding
mechanism in the bill, requiring a $75
administration fee for each adoption petition to implement the registry. The bill removes the dark cloud of an
adoption, because adoptive parents
never know if the birth father will show up
d and claim his parental rights,” Berglin said.
The amendment was adopted, and the bill
was approved and referred to the Human
Resources Finance Committee.
Minnesota, bought a house and paid property taxes within a year of his retirement from the army. She said that when her husband's leaving, he wasineligible for the residutiation rate due to his residency outside the state during his military service.

Sen. Steve Kelley (DFL-Hopkins) said that the state should recognize a veteran’s choice of Minnesota as the new state of residence, but said it raises the question as to when the person leaves the service. Sen. Sheila Kiscaden (R-Rochester) followed up on that point, and said the law should give the veteran the option to leave Minnesota, but it should “close the window” so that veterans who retire in other states don’t later move to Minnesota in order to qualify for the residence tuition rate. The committee adopted a 1-year time limit from the date of discharge to qualify for the rate reduction.

Sen. Robert Stadler (DFL-Rochester) expressed concern that Minnesota attract veterans because of the technical training they receive in the service. The panel approved the bill and decided to incorporate it into the omnibus higher education bill.

The division also heard S.F. 135, sponsored by Sen. Linda Scheid (DFL-Brooklyn Park). The bill requires high schools and state colleges to adopt a policy on student hazing. Scheid said that the people hurt by hazing are often willing victims because of the desire to belong to a group. She also said that her bill requires that students be forewarned of the policy against hazing, and that the prescribed disciplinary action be sufficiently severe to deter hazing.

Sen. Jerry Kelly (DFL-St. Paul) approved the bill as amended, and forwarded it to the Children, Families and Learning Committee.

In another action, the committee considered S.F. 833, authored by Sen. Cal Larson (R-Fergus Falls). Larson said that the bill requires annual audits of state and local campus and student organizations that receive revenues from student fees. The bill heard from University of Minnesota student Matt Curry, whose club, the Minnesota Builders, is a member of the committee that makes recommendation to the University Board of Regents on allocations of student fees to student organizations. Kelley said he was concerned about how to determine if a student group is ideological, a requirement of the bill.

Another provision of the bill requires annual audits of student organizations. Sen. Deanna Werner (DFL-Eagan) said that some smaller groups may not have the audit or be able to afford the auditing. Kelley successfully offered an amendment replacing the audit requirement with an annual financial statement requirement. The division also moved provisions allowing for the refund of that part of a student fee allocated to a particular political or ideological organization, and appealing the refund of any other group a student finds objectionable. The panel approved the bill as amended, and laid it over for incorporation into the omnibus higher education bill.

Finally, the division heard S.F. 326, sponsored by Stumpf. The bill appropriates $1.6 million dollars to the University of Minnesota for research on wheat and barley diseases. The measure was also laid over for the omnibus higher education bill.

Jobs, Energy, and Community Development

Convention Center gains

"The expansion of the convention center is the number one priority for the city of Minneapolis this session," said Mayor Sharon Sayles Belton Fri., Mar. 21, at a meeting of the jobs, Energy and Community Development Committee. She also spoke in support of a bill, S.F. 1369, that provides for an appropriation to begin preliminary work on the expansion of the Minneapolis Convention Center. The bill, authored by Sen. Allan Spear (DFL-Mpls.), also sets as a goal for a bond allocation for additional funding. Sayles Belton said that the expansion is needed in order to attract national conventions that have outgrown the current convention center. She said that the expansion of the convention center is one of the bread and butter issues for the city because of the full time permanent jobs that would result from the expansion effort. Spear said that a similar bill passed last year in the Legislature, only to be vetoed by the governor. Members approved the measure and referred it to the Economic Development Budget Division.

In another action, the committee, chaired by Sen. Steven Novak (DFL-New Brighton), approved the additional bills. S.F. 1328, authored by Sen. Dean Johnson (R-Wilm.), authorizes the establishment of a state alternative energy development authority and also provides Minnesota Valley financing authority to assist with the development of a proposed biomass electric energy generating plant. The proposed plant, located in Granite Falls and fueled by alfalfa, will be connected to the transmission grid. The Prairie Island bill enacted three years ago.

Sen. Steve Murphy (DFL-Red Wing) presented S.F. 1646, a bill that requires the commissioner of public service to collect and hold in a revolving fund $500,000 for the disposal of high-level radioactive waste. The bill was approved and moved to the Senate floor.

Sen. Linda Berglin (DFL-Mpls.) presented S.F. 1087, a bill that prohibits retirement against an employee for reporting a public health risk. The bill was approved and referred to the Health and Family Security Committee. S.F. 1454, authored by Sen. Tracy Bedingfield (DFL-Bricelyn), provides matching funds for rural housing initiatives. The bill was passed and sent to the Economic Development Budget Division.

Civic Center bill okayed

A bill to fund expansion and renovation of the St. Paul Civic Center was approved Mon., Mar. 24, by the jobs, Energy and Community Development Committee. Chaired by Sen. Steven Novak (DFL-New Brighton), the committee reviewed proposals related to nuclear waste, affordable housing, and other measures.

S.F. 834, authored by Sen. Randy Kelly (DFL-St. Paul), appropriates $51 million to the city of St. Paul to upgrade the Civic Center. Testifying in support of the bill, Mayor Norm Demens said, "These renovations put St. Paul in play for a team in the National Hockey League, either through expansion or relocation. As NHL officials are coming to St. Paul April 2 to review our application, your approval will let them know we mean business and are prepared to join the league." The bill was okayed and sent to the Economic Development Budget Division. Sen. Steve Murphy (DFL-Red Wing) presented S.F. 1646, a bill that requires the commissioner of public service to collect and hold in a revolving fund $500,000 for the disposal of high-level radioactive waste. The bill was approved and moved to the Senate floor.

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moved to the Economic Development Budget Division. Novak also presented S.F. 1472, a bill funding home equity conversion counseling. Under the proposal, the money would be used for a counseling service to provide advice on converting home equity.

The bill was approved and advanced to the Economic Development Budget Division. S.F. 555, a bill authored by Sen. Randy Kelley (DFL-Hopkins), authorizes creation of a telecommunications services purchasing cooperative. The bill was approved and sent to the Senate floor.

Sen. Lawrence Pogemiller (DFL-Mpls.) presented S.F. 483, a bill providing funding for the relocation of a steam plant owned by the University of Minnesota. The current site is on the Mississippi riverfront, a site the city of Minneapolis seeks to maintain as part of the St. Anthony Fall development. The bill was okayed and rereferred to the Economic Development Budget Division.

S.F. 1363, authored by Sen. John Hottinger (DFL-Mankato), creates a commission to examine state subsidy programs and tax laws related to economic development. The bill was approved and sent to the Government Operations Committee.

Judiciary

Fathers' adoption registry gains

The Judiciary Committee, chaired by Sen. Jane Ranum (DFL-Mpls.), heard a number of bills relating to a variety of issues during an evening meeting, Weds., Mar. 19. S.F. 203, sponsored by Linda Berglin (DFL-Mpls.), creates a father's adoption registry. Under the bill, the registry is established to aid in determining the identity and location of a father interested in a minor child who is, or is expected to be, the subject of an adoption proceeding. The bill also provides for notification of fathers and sets forth consent provisions in adoption proceedings. The committee approved the bill and referred it to the Health and Family Security Committee.

Members also considered several additional bills. S.F. 431, sponsored by Sen. Linda Higgins (DFL-Mpls.), provides that utility charges become delinquent when they are sent forth in a statement issued by the city and are not paid in full before the due date. The bill also specifies that a delinquent utility charge becomes a property lien from the date the utility charge becomes delinquent. Higgins offered an amendment requiring the utility to issue a request to the utility to begin the delinquent process. The amendment was adopted. The committee approved the bill as amended and sent it to the Senate floor.

S.F. 173, sponsored by Sen. Steve Kelley (DFL-Hopkins), provides for the use of legally binding electronic signatures generally. Kelley argues that the technology encrypts, authenticates, and decrypts electronic messages or documents. According to Kelley, digital signature technology makes the telecommunications system a practical method of sending legal documents and information of value within and outside the state. The committee approved the bill and sent it to the Senate floor.

S.F. 329, carried by Sen. Steve Dille (DFL-Dassel), modifies provisions governing liens for veterinary services. The committee approved the bill and sent it to the Senate floor.

S.F. 457, sponsored by Sen. Don Betzold (DFL-Fridley), relates to the board of social work. The bill proposes a data classification change concerning clients during contested casework. The bill classifies as private client's records, all licensee's health records and other data which might identify an individual during contested casework. The committee approved the bill and sent it to the Senate floor.

Betzold offered an amendment to the bill requiring the board to request a criminal history background check on all applicants for initial licensure. The amendment was adopted. The committee approved the bill, as amended, and referred it to the Health and Family Security Committee.

S.F. 517, sponsored by Ranum, modifies the provision on a proposed session that gives family service collaboratives access to birth certificate data on some unwed mothers, authorizes the county social service or public health representative of a collaborative having access to the data to disclose the data to a collaborator representative who is assisting them in providing services to the mother. The committee approved the bill and sent it to the Senate floor.

S.F. 234, sponsored by Sen. Steven Morse (DFL-Dakota), deals with reconsideration of decisions regarding disqualification of individuals as part of licensing investigations by the commissioner of human services. Among its provisions, the bill allows an individual to request reconsideration on the basis of inaccurate or incorrect information, and shields the consideration determination from further review. The bill also contains provisions regulating facilities that provide services for individuals with mental retardation or other related conditions, allows consumers the right to have information kept private, to be advised of the license holder's policies and procedures regarding disclosure of information, and to be informed of the right of access to records and written information. The committee approved the bill and sent it to the Health and Family Security Committee.

S.F. 218, sponsored by Sen. Randy Kelly (DFL-St. Paul), establishes a juvenile gang strike force to investigate and prosecute crimes committed by criminal gangs throughout the state. The committee approved an amendment allowing the release of a number of juvenile records to law enforcement agencies and prosecuting authorities for the purposes of investigation and prosecution of gang-related crimes. Sen. Thomas Neuville (R-Northfield), offered an amendment to the amendment excluding from the access the records of probation officers. The amended amendment was adopted. Sen. Allan Spear (DFL-Mpls.), offered a amendment preventing the computer entry of data on an alleged gang member unless the individual has been convicted of a gross misdemeanor or a felony or has been adjudicated for crimes that would be considered a gross misdemeanor or a felony if the individual had been convicted as an adult. The amendment was adopted. The committee approved the bill, as amended, and re-referred it to the Crime Prevention and Judiciary Budget Division.

S.F. 1006, sponsored by Sen. Ember) unge (DFL-New Hope), authorizes background checks for firefighters and requires the disclosure of certain information to potential employers. Neuville offered an amendment that requires the fire chief or administrative head to disclose to the applicant, upon request, any information obtained. The committee adopted the amendment. The committee approved the bill, as amended, and sent it to the Senate floor.

S.F. 344, also sponsored by unge, extends the statutory limitations on furnishing information for damages due to sexual abuse. The bill was laid over pending further discussion.

Immunization registry gains

With less than a week remaining before the first committee deadline, the Judiciary Committee tackled a full agenda at the hearing Fri., Mar. 21. The panel, chaired by Sen. Jane Ranum (DFL-Mpls.), advanced a total of five bills.

S.F. 126, authored by Sen. Linda Berglin (DFL-Mpls.), provides for the creation of community and statewide immunization registries. The registries are to exchange registry data to support appropriate immunizations. Debate on the bill centered on the question of whether to have the registries on an opt-in or opt-out basis. In other words, the question revolved around whether individuals would be automatically included in the registries unless they made a request not to be included or whether individuals would have to authorize their inclusion in the registries. The bill specifies that individuals are to be included in the registries unless they specifically request not to be included. Members, however, adopted an amendment, offered by Sen. David Knutson (R-Blaine), requiring individuals to give informed consent to be included in the registries. The measure was advanced to the Health and Family Security Committee.

S.F. 510, authored by Sen. Becky Lourey (DFL-Kerrick), relating to licensing requirements for the provision of ambulance services was forwarded to the Governmental Operations and Veterans Committee. The bill had been amended extensively in the Data Privacy and Information Policy Subcommittee to remove provisions under the jurisdiction of the J udiciary Committee.
A bill establishing North Star as the state government's son-line service was also approved by the panel on S.F. 428, authored by Sen. Steve Kelley (DFL-Hopkins), and specified that the Minnesota Office of Technology provide oversight for the service, establish the information and telecommunications technology community resource development initiative and implement MNarc projects to demonstrate the uses of "smart card" technology. The bill was referred to the Governmental Operations and Veterans Committees S.F. 525, authored by Sen. Sandra Pappas (DFL-St. Paul), modifies ownership restrictions for privatization of capital intensive public services and provides for the new public status of internal competitive proposals. Under the bill, internal competitive proposals are nonpublic or private at prior to the process for the receipt of private sector proposals for the same service. The measure was approved and sent to the Senate floor.

S.F. 982, authored by Runum, makes a number of changes in the statutes governing the access, dissemination and retention of juvenile or criminal history records. The bill is the result of work done by the Criminal Justice Information Policy Work Group, a study by the Minnesota Court of Appeals, and a Minnesota Supreme Court decision on confidentiality of juvenile records. The measure provides for a public record of a juvenile's nonviolent record and for the release of information on juvenile convictions and juvenile delinquency court orders.

Members also passed S.F. 344. The bill, sponsored by Sen. Ember) unger (DFL-New Hope), clarifies the delayed discovery rule governing the statute of limitations for damages due to sexual abuse. The measure was forwarded to the House floor.

S.F. 412, groups and limits certain salary caps or: revenue from the state to the governor, and provisions for the state to become, a "position or a position of interest" to the governor. The bill also provides for the governor's position to be appointed by the governor and the lieutenant governor, the director of the Budget and Management Office, the director of the Legislative Service Commission, and the director of the Legislative Office Building. The bill was approved by the panel and sent to the Senate floor.

S.F. 848, also authored by Flynn, allows a person to bring all charges in either district court against a respondent who has brought a claim in federal court that was intended to obtain the relief of the plaintiff in the state court. The bill was approved by the House and sent to the Senate floor.

K-12 Education Budget Division

Wilder partnership approved

St. Paul Schools Superintendent Curman Gaines said S.F. 1627 is part of the "most promising education reform plan yet," due to its support of private-public partnership and higher educational funding opportunities and its focus on keeping families together. The bill was presented on Fri., Mar. 21, by Sen. Sandra Pappsto Chair Lawrence Pogemiller (DFL-Mpls.) and the K-12 Education Budget Division.

The bill appropriates funds to support St. Paul's Wilder Foundation partnership in the Achieve Plus project. The plan allows for the design, construction, and operation of a community center and school on one lifelong learning facility. The bill was laid over pending receipt of more information on plans by the city and local nonprofit to lighten the state funding burden after the initial capital outlay.

S.F. 1267, offered by Sen. Jim Vickerman (DFL-Tracy), that calls for funds to build a small school viability project at Heron Lake-Okabena was included in omnibus legislation.

Douglas Hennessy of the University of St. Thomas reported to the committee on the school's alternative curricular program for teachers with a high school diploma and who have completed 12 years of education in the community. The bill, sponsored by Sen. Jim Vickerman (DFL-Tracy), that calls for funds to build a small school viability project at Heron Lake-Okabena was included in omnibus legislation.

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Krentz also carried S.F. 607, that allows districts which have been unsuccessful in levying referenda to apply for approval lease funds to the installment purchase of school facilities. Upon Krentz's agreement to work with the administration to tighten language and compromise with the governor's requests on the matter, the bill was included in the B"omnibus legislation.

Lourey's presentation of S.F. 973, requesting $3,000 for an Esko community rehab center was slated for "B" list in omnibus legislation.

Krentz also carried S.F. 607, that allows districts which have been unsuccessful in levying referenda to apply for approval lease funds to the installment purchase of school facilities. Upon Krentz's agreement to work with the administration to tighten language and compromise with the governor's requests on the matter, the bill was included in the B"omnibus legislation.

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Committee update

than outdoor air quality factors. The committee approved the bill, which sets up task forces and creates an ombudsman position to deal with complaints. It was referred to the Government Operations Committee.

Sen. David Knutson (R-Burnsville) was greeted with only opposition testimony on S.F. 585, his bill calling for the limiting of pornographic content available to school children through the Internet. Three librarians testified that blocking software is ineffective and that software is not designed with input from citizens and communities. “We appropriate the money for this technology,” said Knutson, “and we have the obligation to control what we are putting in front of these kids, just as we do with materials in a school library.” Knutson said he disagreed with the librarians’ emphasis on strong school-based Internet use policies, and is simply attempting to begin a larger dialogue on the topic. The bill was laid over.

Local and Metropolitan Government

Stadium testimony heard

“Sports are dessert, not the main course,” said Rev. Ricky Rask, the founder of the grass roots organization Kids First. Rask suggested that the tax cuts resources to “take care of people” and “not be blackmailed into building this stadium.”

Of those who testified Thurs., Mar. 20, before Chair Jim Vickerman (DFL-Tracy) and the Local and Metropolitan Government Committee in support of the Minnesota Twins, many stopped short of supporting the proposal, but called for more. Witnesses included Minneapolis businesses group Minneapolis Business Community, of the taxpayer advocacy group Minneapolis Business Community, which has made little or no effort to finance the stadium project thus far and urged the committee through the bill. Calling attention to the fact that the bill does not mention any specific tax rates, Johnson said he was frustrated with the rush this year. “From what I can see, the city is not on board, the state is not on board, why not take the summer and fall and think this thing out?” asked Johnson, Metropolitan Sports Facilities Commission Chairman.

Gambling bills heard

A number of bills related to gambling were presented to the Local and Metropolitan Government Committee in its evening meeting Mon., Mar. 24. The committee, chaired by Sen. Jim Vickerman, will consider most of the proposals as part of an omnibus bill.

S.F. 971, presented by Sen. Becky Lourey (DFL-Kerrick), raises the legal gambling age from 18 to 21 for pari-mutuel wagering and legal gambling and the lottery. Lourey said, “I don’t think most 18-20 year-olds have the decision-making skills necessary to gamble responsibly.” In addition, the bill requires the governor to contact the chairs of the relevant legislative committees conducting a legal age to 21 at casualty under administration. The bill was laid aside for further consideration.

S.F. 941, authored by Sen. Ember Reichgott Jung (DFL-New Hope), allows a fire or elected official who forms a business as a result of a merger of two fire or elected associations to retain any previous gambling licenses. New associations, according to Jung, are not permitted to hold licenses for three years. The bill was laid aside for further consideration.

S.F. 585, authored by Sen. Pat Pariseau (DFL-Farmington), permits the city of St. Paul to conduct nonregulated gambling. The bill was laid aside for further consideration.

In St. Louis County to attach certain unorganized territory without a petition of residents. The bill was approved and advanced to the Senate floor.

Sen. Sandra Pappas (DFL-St. Paul) authored S.F. 1324, a bill that authorizes the city of St. Paul to begin a program to dovetail rainwater systems and repair defective sewer connections. The bill also allows St. Paul to charge the cost of the program to homeowners requesting it and to collect the charges through installation for a period of 20 years. The bill was okayed and moved to the Committee on Taxes.

Pappas also supported S.F. 1327, a bill that authorizes municipal financing of computer software, hardware and training projects for municipal use. The bill was approved and advanced to the Committee on Taxes.

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Vickerman presented S.F. 566, a bill that makes some changes in charitable gambling. The bill provides regulation of charitable gambling and increases the amount of gross profit from bingo and other forms of lawful gambling that may be used for allowable expenses. The bill also provides that the charitable gambling board shall revoke an establishment’s license for illegal gambling on its premises when its illegal activity takes place with the knowledge and consent of the establishment. The bill was laid aside for further consideration as part of omnibus bill S.F. 807, a bill that allows a card club at Canterbury Park. The bill defines a card club as a facility where card playing for wager is permitted. The bill was approved and sent to the Senate floor.

**Property Tax and Local Government Budget Division**

**TIF bills heard**

The Property Tax and Local Government Budget Division heard a number of bills, Friday, March 21, relating to TIF, transportation, gambling projects, and more. Division Chair Sen. Sandra Pappas (DFL-St. Paul), told the bill sponsor that the liberal legislative policies toward the granting of extensions, exemptions and exceptions to existing TIF districts has resulted in the erosion of TIF’s intent, and has diverted millions of dollars from school districts and other taxing entities that would otherwise benefit from diverted TIF dollars. Pappas asked individuals requesting new TIF districts or modifications to existing TIF districts to conform their remarks to reasons justifying the need for their requests. She said that the bills would be laid over for possible inclusion in the omnibus tax bill.

S.F. 601, sponsored by Sen. Lawrence Pogemiller (DFL-Mpls.), allows the creation of a second type of TIF subdistrict called a "Heritage and Historic" subdistrict, provides that the district may include parcels listed on the national register of historic places or located in local districts designated by local governments or historic preservation commissions. The bill also requires proof that the subdistrict redevelopment would not reasonably occur through private investment or other resources, and that the subdistrict is not larger or is time extended longer than is necessary to provide for the additional costs.

S.F. 704, sponsored by Sen. Linda Schiel (DFL-Brooklyn Park), authorizes the commission of trade and economic development to make a $2 million grant to the city of Brooklyn Center for the purpose of redeveloping the Brooklyndale Regional Center and requires that the grant be used to provide for stormwater retention ponds and to facilitate economic development of the center and surrounding area.

S.F. 809, sponsored by Sen. Mark Orns (R-Buffalo), authorizes the city of Buffalo to extend its TIF district for an indefinite period, and provides that revenues received after April 1, 2001, may be used only to pay the city’s shared costs for a bridge to be constructed over Hwy. 55. S.F. 842, sponsored by Sen. Leonard Price (DFL-Woodbury), eliminates the option in current law for the application of the fiscal disparities law, under which fiscal disparities contributions for TIF district properties are made by the municipality and not by the TIF district properties. Instead, the bill provides that TIF district properties are to be treated the same as properties outside the TIF district for purposes of fiscal disparities applications.

S.F. 926, sponsored by Sen. Steve Kelley (DFL-Hopkins), allows the Minnetonka Economic Development Authority to deposit the balance of revenues from an existing TIF housing district in the authority’s housing development account. The bill specifies that the money may be spent for housing activities in accordance with the TIF plan, and provides that permitted housing activities may include acquisition, rehabilitation, and new or existing single and multifamily housing financing. In addition the bill provides that the activities may occur outside the TIF district and specifies that they meet income, rent, and sales price limitations under the Livable Communities Act.

S.F. 1141, sponsored by Sen. Dennis Frederickson (R-New Ulm), authorizes the city of Gaylord to extend the duration of a TIF district until the year 2018. The bill also allows the city to extend the duration of a TIF district providing it does not exceed 25 percent of the age of the original district.

S.F. 1390, sponsored by Sen. Jerry Anzeich (DFL-Chisholm), extends the East Range Economic Authority TIF districts through 2017, expands or combines the boundaries of two existing districts, exempt the new or expanded districts from LG and HACA offsets, and extends the districts from the year 2013 to the rest of the 2017 fiscal year.

S.F. 482, sponsored by Sen. Lee Stumpf (DFL-Buffalo), authorizes the city of St. Paul to extend the duration of a TIF district by up to ten years, and requires the district must terminate by the year 2017.

S.F. 1465, sponsored by Sen. Tracy Beckman (DFL-Brainerd), exempts small cities having a population of 5,000 or less located ten miles or more from a city that has a population of 10,000 or more from the LG and HACA offsets, amends the use of TIF redevelopment districts to provide that there cannot be limited to those under current law, and expands the allowable use to include structural rehabilitation and hazardous substance remediation.

S.F. 1467, sponsored by Sen. Linda Higgins (DFL-Mpls.), authorizes the city of Minneapolis to establish a housing transition district, provides that parcels within the district need not be contiguous, and removes TIF certified parcels from a pre-existing TIF district and includes them in the housing transition district. The bill also provides that tax increments may be used to purchase property within the district, relocate owner or tenants, demolish structures, do site preparations, and rehabilitate or construct housing structures or make other improvements and to make development loans to public or private entities within the district.

S.F. 1489, sponsored by Sen. Steven Novak (DFL-New Brighton), authorizes the city of New Brighton to establish two TIF projects, and exempts the districts from LG and HACA offsets and from redevelopment district TIF use limitations. The bill also provides that TIF district revenues within the project area may be spent on project activities or pay debt service on bonds issued for finance project area activities.

S.F. 1498, sponsored by Sen. Edward Oliver (R-Deephaven), authorizes the Chanhassen Housing and Redevelopment Authority to establish a TIF district within the city to comply with the affordable housing goals established by the Liveable Communities Act.

S.F. 1628, sponsored by Pogemiller, authorizes the city of St. Paul and Minneapolis to establish a project within the Southeast Minnesota and Southeast St. Paul industrial area.

**Transportation Committee approves bills**

The Transportation Committee, chaired by Sen. Carol Flynn, doyed a number of transportation bills, Monday, March 24. Three of the bills propose increasing the gasoline tax to fund highway, infrastructure, and transit projects.

S.F. 861, authored by Flynn, increases the gasoline excise tax rate from 20 to 25 cents per gallon, indexes the gasoline and special fuels tax rates according to the inflation rate and reduces the percentage of motor vehicle base value used in calculating the registration tax in the second and subsequent years. The bill allows the Metropolitan Council to impose a sales tax in the Metropolitan Area at one-half of one percent, and directs the council to use the proceeds to improve transit services. The committee took up the bill and referred it to the State Government Finance Committee.

S.F. 1329, authored by Sen. Dean Johnson (R-Wilmot), increases the gasoline excise tax from 20 cents to 24 cents per gallon, imposes a special fuel tax at a rate of 8.5 cents per gallon, imposes a sales tax on gasoline and special fuels, and establishes a transportation revolving fund to qualify for federal assistance and to provide money for transit projects. The bill also appropriates funds for bicycle replacement and repair, Greater Minnesota transit, and Metra transit. The committee took up the
Committee update

The bill and referred it to the State Government Finance Committee. S.F. 261, sponsored by Sen. Janet Johnson (DFL-North Branch), increases the gasoline excise tax from 20 cents per gallon to 25 cents per gallon, divides motor vehicle excise tax receipts between the transit assistance fund (25 percent) and the general fund (75 percent), includes funding for public transit, light rail, commuter vans, car pooling and park and ride facilities. The bill also provides for a revision of the statute that requires the legislature to appropriate in each fiscal year approximately 25 percent of the motor vehicle excise tax for transit, and requires that the proposed constitutional amendment be approved at the 1998 general election. All three bills were approved and referred to the State Government Finance Committee.

S.F. 592, sponsored by Sen. Emerenj urg (New Hope), establishes youth-oriented driver improvement clinics, and a two-phase provisional driver's education program. The bill also solicits drivers' privileges for holders of instruction permits and provisional licenses. Members adopted an amendment allowing persons age 15 to receive a restricted farm work license without having completed the provisional licensure requirement. The committee adopted the amendment. The bill was approved and referred to the Government Operations and Veteran's Committee.

S.F. 193, sponsored by Sen. Steve Murphy (DFL-Lakeville), raises the gasoline excise tax to 17 cents per gallon. The bill also provides that the transportation commissioner, in consultation with the legislature, may substitute the gasoline excise tax with the state sales and excise tax on gasoline. The committee approved the bill and it was sent to the Senate floor.

S.F. 193, sponsored by Sen. Steve Murphy (DFL-Lakeville), clarifies current law that a person who drives a vehicle with knowledge that the driver is guilty of a misdemeanor or a gross misdemeanor. The committee approved the bill and sent it to the Senate floor.

S.F. 1404, sponsored by Sen. Claire Robling (R-Prior Lake), requires motor vehicle dealers to file a registration within ten days of a motor vehicle transfer. The committee approved the bill and sent it to the Senate floor.

S.F. 705, sponsored by Sen. Keith Langseth (DFL-Lynden), allows the commission of transportation to substitute a Metropolitan Council transportation plan for another project in the state transportation improvement program that has been designated as a toll facility. In addition, the bill provides for a municipal review and dispute resolution process for state highway projects occurring within municipalities. The committee approved the bill and sent it to the Senate floor.

S.F. 1097, sponsored by Sen. Sandra Pappas (DFL-St. Paul), responds to federal incentives to create a state infrastructure bank (SIB). The bill creates a transportation revolving loan fund that contains a highway account and a transit account necessary to receive federal funding under the National Highway System Designation Act. In response to a meeting inquiry by Sen. Jane Ranum (DFL-Mpls.), Pappas offered an amendment, made an earlier meeting meeting, that no revolving loan funds would be used to install toll facilities on Interstate 35E. The amendment was adopted. The committee approved the bill, as amended, and referred it to the Government Operations Budget Division.

S.F. 1168, also sponsored by Pappas, directs the Metropolitan Council, the Minneapolis District No. 1 school board and the St. Paul School District No. 625 school board to develop a school transportation plan, using the Metropolitan Council's transit system, to be made available at no cost to students. Pappas offered an amendment requiring consideration of extending the plan in subsequent years to children in grades seven and eight. The committee adopted the amendment, approved the bill, and referred it to the Transportation Budget Division.

Transportation Budget Division

Division approves three bills

The Transportation Budget Division, chaired by Sen. Janet Johnson (DFL-North Branch), heard five bills, Fri., Mar. 21. S.F. 984, sponsored by Sen. Carol Flynn (DFL-Mpls.), requires the Dept. of Public Safety to install a computerized system for recording delinquent fines for parking and traffic violations. The bill provides that the issuance of new plates will contain information regarding unpaid fines and prohibits vehicle registrations and new plate issuances until the fines have been paid. The division approved the bill and referred it to the Transportation Committee.

S.F. 1227, sponsored by Sen. Steve Murphy (DFL-Lakeville), is similar to Flynn's bill in that it also establishes a system for recording and collecting delinquent traffic and parking violations. However, the bill's main feature requires the issuance, every five years, of redesigned license plates for passenger automobiles. Murphy said that requiring vehicle owners to relicense their vehicles with redesigned plates every five years would compel them to pay delinquent fines on record with the Dept. of Public Safety and make it easier for drivers who failed to relicense their vehicles to dispose of them more conveniently. Both Flynn's and Murphy's bills attempt to reduce the large number of arrests for minor traffic violations resulting from the resulting court and jail expenses. Murphy offered an amendment requiring the issuance of new plates every four years instead of five years. The committee approved the amendment. The bill was laid over pending further discussion of a fiscal appropriation contained in its language.

S.F. 1097, sponsored by Sen. Sandra Pappas (DFL-St. Paul), responds to federal incentives to create a state infrastructure bank (SIB). S.F. 1097 creates a transportation revolving loan fund that contains a highway account and a transit account. Pappas offered an amendment clarifying additional enhancement items for which revolving loan money may be used, such as lighting, bicycler paths and landscaping. The division adopted the amendment. The bill was approved, as amended, and referred to the Transportation Committee.

S.F. 1172, sponsored by Sen. Linda Runbeck (R-Circle Pines), provides for a special revenue account for alternative fuel vehicles development and establishes a revolving fund to provide loans, grants or rebates to those who purchase alternative fuel vehicles or related fueling facilities. The bill also provides that any remaining funds may be used to promote alternative vehicles through consumer education. The division approved the bill, as amended, and referred it to the Transportation Committee.

S.F. 261, sponsored by Sen. Janet Johnson (DFL-North Branch), eliminates the gasoline excise tax for passenger vehicles and sets all new passenger vehicles to 25 cents per gallon, divides motor vehicle excise tax receipts between the transit assistance fund (25 percent) and the general fund (75 percent), and proposes a Minnesota constitutional amendment appropriating transit assistance in each fiscal year at least 25 percent of the net revenues from sales and excise tax on gasoline, and proposes a Minnesota constitutional amendment appropriating transit assistance in each fiscal year at least 25 percent of the net revenues from sales and exciting tax on gasoline. The bill was approved and referred to the Transportation Committee.
Preview

The Minnesota Senate Week at a Glance

Monday, March 31
No meetings scheduled.

Tuesday, April 1

Legislative Commission on Minnesota Resources Executive Committee
10 a.m. Room 229 Capitol

Human Resources Finance Committee
Chair: Sen. Linda Berglin
11 a.m. Room 112 Capitol

The Senate will meet at 11:45 a.m.

Legislative Coordinating Commission Subcommittee on Salary and Budget
Chair: Sen. Roger Moe
12:30 p.m. Room 300N SOB

Legislative Coordinating Commission
Chair: Rep. Phil Carruthers
1:30 p.m. Room 300N SOB
Agenda: Salary and Budget Subc. report.

Agriculture and Rural Development Committee
Chair: Sen. Dallas Samson
2 p.m. Room 107 Capitol

Commerce Committee
Chair: Rep. Phil Carruthers
2 p.m. Room 112 Capitol

Crime Prevention and Judiciary Budget Division
Chair: Sen. Randy Kelly
4 p.m. Room 118 Capitol

Economic Development Budget Division
Chair: Sen. Tracy Bederman
4 p.m. Room 316 Capitol
Agenda: To be announced.

Environment and Agriculture Budget Division
Chair: Sen. Steve Morse
4 p.m. Room 123 Capitol
Agenda: S.F. 643-Moe: Hybrid vegetation research. S.F. 931-Stumpf: Thief Lake interpretive display; AURI budget overview; Science Museum budget overview.

Governmental Operations Budget Division
Chair: Sen. Leonard Price
4 p.m. Room 125 Capitol
Agenda: Minnesota Senate budget.

Health Care and Family Security Budget Division
Chair: Sen. Don Samuelsen
4 p.m. Room 112 Capitol
Agenda: Bills not previously heard in policy committee. Discussion only.

Property Taxes and Local Government Budget Division
Chair: Sen. Sandra Pappas
4 p.m. Room 15 Capitol
Agenda: Property tax reform proposals.

Family and Early Childhood Education Budget Division
Chair: Sen. Pat Piper
6 p.m. Room 112 Capitol
Agenda: S.F. XX-Piper: Omnibus budget bill.

K-12 Education Budget Division
Chair: Sen. Lawrence Pogemiller
6 p.m. Room 122 Capitol
Agenda: To be announced.

Higher Education Budget Division
Chair: Sen. Lawrence Pogemiller
6 p.m. Room 15 Capitol
Agenda: Omnibus budget bill discussion.

Transportation Budget Division
Chair: Sen. Jay and Johnson
10 a.m. Room 112 Capitol
Agenda: To be announced.

Environment and Natural Resources Committee
Chair: Sen. Boblessard
12 noon Room 107 Capitol
Agenda: To be announced.

Judiciary Committee
Chair: Sen. Jerry N. Kent
12 noon Room 15 Capitol

Crime Prevention Committee
Chair: Sen. Allenspaur
2 p.m. Room 15 Capitol

Economic Development Budget Division
Chair: Sen. Tracy Bederman
2 p.m. Room 123 Capitol
Agenda: To be announced.

Governmental Operations Budget Division
Chair: Sen. Leonard Price
2 p.m. Room 125 Capitol
Agenda: Budget presentation for the Legislative Coordinating Commission.

Local and Metropolitan Government Committee
Chair: Sen. Jim Vickerman
2 p.m. Room 107 Capitol
Agenda: S.F. 1397-Vickerman: Capital improvement...
Thursday, April 3

The Senate will meet at 8 a.m.

Crime Prevention and Judiciary Budget Division
Chair: Sen. Randy Kelly
10 a.m. Room 107 Capitol
Agenda: To be announced.

Health and Family Security Committee
Chair: Sen. John Hottinger
10 a.m. Room 112 Capitol
Agenda: To be announced.

Transportation Committee
Chair: Sen. Carol Flynn
12 noon Room 112 Capitol
Agenda: To be announced.

Family and Early Childhood Education Budget Division
Chair: Sen. Pat Piper
8 a.m. Room 107 Capitol
Agenda: F.XX-Piper: Omnibus budget bill.

Higher Education Budget Division
Chair: Sen. LeRoy Stumpf
8 a.m. Room 107 Capitol
Agenda: To be announced.

Health and Family Security Committee
Chair: Sen. John Hottinger
10 a.m. Room 15 Capitol
Agenda: To be announced.

Crime Prevention and Judiciary Budget Division
Chair: Sen. Randy Kelly
12 noon Room 15 Capitol
Agenda: To be announced.

Environment and Natural Resources Committee
Chair: Sen. Bobb Lessard
12 noon Room 107 Capitol
Agenda: To be announced.

Judiciary Committee
Chair: Sen. Jane Ranum
12 noon Room 123 Capitol
Agenda: To be announced.

Judiciary Subcommittee on Data Privacy and Information Policy
Chair: Sen. Don Bゼッド
12 noon Room 107 Capitol
Agenda: S.F. 100-Rundell: Minnesota Office of Technology. Other items to be announced.

Environment and Agriculture Budget Division
Chair: Sen. Steven Morse
2 p.m. Room 123 Capitol

Judiciary Subcommittee on Family Law
Chair: Sen. Lee Eдэ
2 p.m. Room 112 Capitol

Saturday, April 5

Crime Prevention and Judiciary Budget Division
Chair: Sen. Randy Kelly
9 a.m. Room 107 Capitol
Agenda: To be announced.

K-12 Education Budget Division
Chair: Sen. Lawrence Pogemiller
9 a.m. Room 112 Capitol
Agenda: To be announced.
Omnibus bill gains

The Family and Early Childhood Education Budget Division, chaired by Sen. Pat Piper (DFL-Austin), completed work on the family and early childhood education omnibus budget bill, Tues., Apr. 1. The final figures reflected the division’s primary concerns of adequately funding food shelves, transitional housing, child care and programs needed to assist legal immigrants in achieving citizenship and employment.

Piper said that the committee has received $800 million in requests, while the budget offers only $393 million for FECE programs in the FY 98 and FY 99 biennium.

In keeping with its goal of prioritization and equitable distribution, the division earmarked more than $202 million for child care programs for the FY 1998-99 biennium. Within the appropriation, child care assistance received $195.5 million, and child care development received $6.7 million.

Early childhood programs received appropriations of $93.5 million. Among the appropriations are $40 million for Head Start programs, $28 million for Early Childhood and Family Education Programs, and $20 million for Learning Readiness Programs.

Self-sufficiency programs received $25.2 million for the biennium. The appropriations include more than $4 million for transitional housing, $18 million for Minnesota Economic Opportunity Grants, $3 million for food banks and shelves, and nearly $200,000 for emergency food assistance.

Community and prevention programs received $72.5 million in appropriations. Within the prevention appropriations are $24 million for adult basic education, $10 million for after school enrichment programs, $15 million for family service collaboratives, $6.8 million for violence prevention programs, and $4.5 million for adult graduation aid.

Senators offered many amendments to the bill. Piper offered amendments establishing programs needed to assist legal immigrants preparing for their U.S. citizenship application, increasing Minnesota Economic Opportunity Grants by $2 million for the biennium, designating $500,000 for the biennium for the children’s cabinet for mentoring at-risk youth, excluding from income funds used to pay family members’ health insurance premiums and requiring development grant awards for “start-up” child care services, and for resource and referral programs. The division adopted the amendments.

Sen. Roy Terwilliger (R-Edina), offered an amendment appropriating $30,000 for FY 1998 to test and protect children at risk of sexual abuse. Sen. Leo Foley (DFL-Andoka), offered a amendment designating funding for programs attempting to prevent and ameliorate the effects of teen age prostitution. Sen. Jerry Anaich (DFL-Chisholm), offered an amendment establishing a grant program to ensure assistance for families moving between Minnesota counties. The division adopted all the amendments and sent the bill, as amended, to the full Children, Families and Learning Committee.

SCORE tax bill approved

The state’s SCORE tax and solid waste generator assessment fee are repealed under a bill heard at a Weds., Mar. 26, meeting of the Environment and Natural Resources Committee. The bill, S.F. 1637, sponsored by Sen. Ger Olson (R-Minnepolis), replaces the two fees with a single funding mechanism for waste management activities.

Olson said the new mechanism imposes a flat fee on households and a “percent of billed price” assessment on commercial waste generators. She said that the new fee addresses administrative problems between the two existing fees. Tricia Conroy, from the Office of Environmental Assistance, said that the amount people pay under the new fees system will be roughly equal to what they paid under the existing system. Sen. Dan Stevens (R-Mora) said that the flat fee “hits people unequally, and reduces incentives for recycling.” Conroy responded that the household flat fee is the least component of the total assessment. Olson added that the task force spent considerable time addressing the issue, but decided that the flat fee was the best resolution. The bill was approved and referred to the Committee on Taxes.

The committee also heard a bill and conveyance bills, S.F. 1705, sponsored by Sen. James Metzen (DFL-South St. Paul), transferring land from Inver Hills Community College to the city of Inver Grove Heights for the construction of a new Dakota County library. The bill was approved and placed on the Consent Calendar. S.F. 1066, sponsored by Sen. Douglas Johnson (DFL-Tower), authorizes the proratesale of tax forfeited land in Cook County and S.F. 1139, sponsored by Sen. Bedry Lourey (DFL-Kerrick), does the same for Carlton County. Both bills were recommended to pass and sent to the Senate floor.

Committee Chair Bob Lessor (DFL-Int'l Falls) presented S.F. 1504. Lessor said the bill “extends timber permits to the beginning of next year because of the tough winter.” Bruce Zumbahlen of the Dept. of Natural Resources (DNR) Forestry Division, said that many loggers were allowed by the department to salvage blowdown timber resulting from the windstorms in the summer of 1995. He said that the loggers were encouraged in the salvage operations with the understanding that their logging permits would be extended to the end of that year.

He said that the following two winters were severe, preventing many loggers from using their permits. The bill was endorsed and advanced to the Senate floor.

Sen. Leonard Price (DFL-Woodbury), sponsor of S.F. 1165, said the bill is a compromise between the Nursery Division of the DNR and the Minnesota Nursery Landscape Association (MNLA). Price said a previous agreement between the DNR and the MNLA would in essence get the DNR out of the nursery business, but the attorney general said that the agreement bordered on violating the anti-trust law.

Yess said that the agreement “doesn’t put anybody out of business.” He added, “the state is not here to compete with greenhouses.” The bill was approved and sent to the Senate floor.

The final bill considered by the committee, S.F. 1045, authored by Sen. Steven Morse (DFL-Dakota), changes the state’s used motor oil and filter collection and recycling system. Morse began his presentation by offering a delete everything amendment. Morse said the amendment “is major change” from the agreement on which their original bill was based. Morse said that the agreement was “dysfunctional” and his amendment internalized the processing costs of the used oil and filters into the purchase price of the products. Stevens successfully moved to lay the bill on the table.
Committee Update

Agriculture and Rural Development Committee

Grant bill endorsed

The Agriculture and Rural Development Committee on Tues., Apr. 1 approved a bill that establishes a grant program for livestock and dairy processing facilities and related marketing activities. Under the terms of the legislation, only co-ops would be eligible for the grant program. Beckman said, "We've seen instances where the large cooperatives have come into Minnesota, have made a profit, and then have pulled out, leaving a big void. Co-ops mean stability." The bill was approved and referred to the Environment and Agriculture Budget Division.

S.F. 1371, authored by Sen. Michelle Fischbach (R-Paynesville), delineates the employment status of farm and nutrition assistance personnel. The bill was advanced to the Consent Calendar. Sen. Steven Morse (R-Dakota), presented S.F. 1293, a bill that appropriates funds for a pilot project to test soy-based biofuels in Dept. of Transportation highway maintenance vehicles that currently use diesel fuel. The bill was okayed and moved to the Environment and Agriculture Budget Division.

S.F. 2345, authored by Sen. Steve Dille (R-Dassel), a bill that makes changes in the Minnesota Commercial Feed Law. The bill revises the definition of commercial feed and to mean material distributed for use as feed that is not specifically exempted. The bill also revises the definition of customer formula feed to mean materials manufactured according to a formula developed and provided by, or exclusively formulated for, a purchaser of the feed. The proposal also limits the definition of customer formula feed to mean materials distributed for use as feed or feeding materials manufactured according to a formula developed and provided by, or exclusively formulated for, a purchaser of the feed. The proposal also limits the definition of customer formula feed to mean materials distributed for use as feed or feeding materials manufactured according to a formula developed and provided by, or exclusively formulated for, a purchaser of the feed. The bill was approved and sent to the Senate floor.

Children, Families and Learning

Small counties grant break okayed

On Wed., Mar. 26, the Children, Families and Learning Committee approved a bill that establishes a grant program for livestock and dairy processing facilities and related marketing activities. Under the terms of the legislation, only co-ops would be eligible for the grant program. Beckman said, "We've seen instances where the large cooperatives have come into Minnesota, have made a profit, and then have pulled out, leaving a big void. Co-ops mean stability." The bill was approved and referred to the Environment and Agriculture Budget Division.

Commerce

Three bills approved

The Commerce Committee, chaired by Sen. Sam. Olson (DFL-Duluth), approved three bills, Tues., Apr. 1, relating to insurance surcharges, mental health coverage, and an act allowing gift certificates bearing an expiration date to be exempt from unclaimed property status. S.F. 533, sponsored by Sens. Steve Kelley (DFL-Hopkins) and Linda Murphy (R-Eagan), offered an amendment allowing gift certificates bearing an expiration date to be exempt from unclaimed property status. Sen. John Hottinger (DFL-Mankato) offered an amendment exempting from the term "property" assets of an ERISA-covered employee benefit plan. The committee adopted two of the amendments, approved the bill, and sent it to the Senate floor.

Crime Prevention

Genital mutilation clarified

On Wed., Mar. 26, the Crime Prevention Committee, chaired by Sen. Allan Spear (DFL-Mpls.), approved a bill that establishes a grant program for livestock and dairy processing facilities and related marketing activities. Under the terms of the legislation, only co-ops would be eligible for the grant program. Beckman said, "We've seen instances where the large cooperatives have come into Minnesota, have made a profit, and then have pulled out, leaving a big void. Co-ops mean stability." The bill was approved and referred to the Environment and Agriculture Budget Division.

S.F. 759, sponsored by Sen. Randy Kilty (DFL-St. Paul), prohibits a surcharge for an automobile accident when the insured is a passenger in a bus, taxi or a commuter van that is involved in an accident. S.F. 622, sponsored by Linda Schiell (DFL-Brooklyn Park), prohibits the awarding of health plans to entities that restrict the definition of "medically necessary care." The bill also specifies that medically necessary care must include health care services appropriate to the enrollee's diagnosis in terms of type, frequency, duration, and diagnostic and preventive testing. The bill also specifies that medically necessary care must include health care services appropriate to the enrollee's diagnosis in terms of type, frequency, duration, and diagnostic and preventive testing. The bill also specifies that medically necessary care must include health care services appropriate to the enrollee's diagnosis in terms of type, frequency, duration, and diagnostic and preventive testing.
fall under the scope of the ban, especially if the woman has already previously undergone some form of genital mutilation. A nurse-midwife testified that the growing number of Africans emigrating to Minnesota has meant those in the profession are faced with such situations more often. The bill was amended to make the exemption effective upon passage.

The committee approved S.F. 1178, a bill authored by Sen. Paula Hanson (DFL-Ham Lake), that increases penalties for passing a school bus on the shoulder. The bill was approved and sent to the floor. Another bill approved by the committee, S.F. 779, allows government entities to pursue restitution in a felony, gross misdemeanor and misdemeanor sentencing. The bill will allow government entities to claim victim status.

S.F. 985, repealing restrictions on the sale of legal tax substances to minors, was presented by author Dr. Deanna Wiener (DFL-Eagan). Especially in rural areas, according to Wiener, legitimate reasons for a minor to purchase substances containing tax substances outweigh the risk of potential substance abuse. The bill was approved and sent to the floor.

Sen. Don Betzold (DFL-Fridley) said S.F. 92 closes a loophole in current tax law, upgrading penalties for knowingly and willfully evading mortgage registry tax or deed tax. Currently a misdemeanor, such violations are made a felony under the bill. The bill was approved and referred to the Committee on Taxes.

Sen. Arlene Lesewski (R-Marshall) quickly described the benefits of S.F. 1614, a bill allowing a juvenile detention center in Rock County to exceed the state's current 100 bed limit. S.F. 1641 was approved and sent to the floor.

Auxiliarying an OSHA inspector, says Sen. Linda Runbeck (DFL-Circle Pines), should be considered a gross misdemeanor. A bill to this effect, S.F. 575, was approved and sent to the floor after an amendment stripped it of its "preemption of action" section. S.F. 651, allowing jail to charge booking fees was approved and sent to the floor. Author Sen. David Knutson (R-Burnsville) accepted a suggestion that the bill clarify the charge would not be assessed in a "book and release" situation. The bill provides for fee remuneration to those not convicted. S.F. 985, the omnibus DWI bill, carried by Sen. leof DFI-Lanka) was approved and sent to the floor.

Sen. Randy Kelly (DFL-St. Paul), author of S.F. 1302, explained that the bill requires that part-time peace officers be United States citizens and possess a valid Minnesota driver's license. The bill also requires that the POST Board establish awards for excellence in the area of training. S.F. 1302 was approved and sent to the floor.

**Governor's crime bill advances**

Weds., Apr. 2, the Crime Prevention Committee, chaired by Sen. Allan Spear (DFL-Mpls.), advanced the governor's crime prevention initiatives along with six other bills to the budget division.

Policy provisions in S.F. 25, the governor's crime bill, carried by Sen. Thomas Neuville (R-Northfield), include the establishment of a united crime commission, the expansion of probationary and after-care programs for released prisoners. S.F. 25 appropriates $15.6 million to trunk highway dollars as well as $438.8 million from the general fund over the next biennium.

The bill also establishes funding for the development and implementation of a coordinated statewide public safety, criminal and juvenile justice information system, as well as providing funding to the Department of Children, Families and Learning for the maintenance of after school enrichment programs.

S.F. 1216, presented by Sen. Charles Wiger (DFL-North St. Paul), provides for $250,000 per year for a pilot program modeled after the Boston Gun Project. The Boston Gun Project dramatically decreased gun violence in that city. Wiger said maj or components of Boston's success, like decreased collaboration between probation officers and law enforcement will be emphasized in the bill.

A one-time appropriation of $666,912 is requested by Sen. David Knutson (R-Burnsville) for a pilot project contained in S.F. 1280. The projects is also designed to encourage more effective prosecution in the juvenile justice system. The pilot allocates funding to Hennepin, Ramsey and Dakota Counties for the purpose of establishing probation officers in selected schools. Knutson said he envisioned the replacement of current "assembly line probationers" in favor of a model that hinges upon probation officers becoming accessible community figures.

If Sen. Dave Olson (DFL-Bloomington) guides S.F. 878, passage, penalties for possession and sale of heroin will be raised to the severity of those currently in place regarding cocaine. Law enforcement representatives testified that heroin use is rising and that the drug is in many ways more addictive than cocaine. Some members expressed concern that Minnesota's drug crime penalties are already more severe than national averages, but Sen. Linda Berglin (DFL-Mpls.) cautioned that any lowering of penalties sent the wrong message.

Assault on peace officers with deadly force will incur a maximum sentence of ten years, according to S.F. 370, a bill sponsored by Sen. Randy Kelly (DFL-St. Paul). The current penalty is five years.

A scheduled modification of sentencing guidelines, provided by the 1996 Legislature, will not go into effect this August if Neuville's S.F. 1409 is passed into law. The modifications increase criminal sentence duration at uniform intervals across all criminal history. Neuville said the bed impact would be high if modifications were allowed to occur.

**CrimePrevention and JudiciaryBudget Division**

**Restorativejustice discussed**

Tues., Apr. 1, Chair Randy Kelly (DFL-St. Paul) and the Crime Prevention and Judiciary Budget Division heard presentations of bills to be considered for inclusion in omnibus legislation.

Sen. Linda Berglin (DFL-Mpls.) explained that S.F. 1461 authorizes sentences to restorative justice, an option allowing offenders to interfere with their harm. S.F. 1061, authored by Sen. Linda Shad (DFL-Brooklyn Park), funds a Metro Area law enforcement information-sharing initiative. She said that current collaborations between the BCA and the FBI and local law enforcement don't go to a deep enough level. "A loud noise violation," she said, "can be very important in the investigation of a much larger crime." Kelly expressed concern that the bill duplicates efforts already underway to coordinate technology for information swaps. The bill was laid over.

Sen. Ellen Anderson (DFL-St. Paul) presented S.F. 1569, abill to provide funding to increase law enforcement response to victims of domestic violence. When Kelly reminded the division that Minnesota spends five times as much as some other states on victim's services, Sen. Emger (DFL-New Hope) countered that spending the money to prosecute saves money in repeated, ineffectual home visits and saves community health care dollars spent after the fact. Sen. Allan Spear also expressed reservations. "What bothers me," he said, "is that we're spending money and the statistics don't seem to bear that out that it is doing any good."

Kelly presented S.F. 1299, providing for reimbursement of legal costs to judge Lajune Lange, who was exonerated after a high profile investigation by the judicial Review Board. The bill does not mention Lange by name but is drawn narrowly to apply only to her case. Kelly said the bill was over in order to research any pre-legal situations that might provide guidance as to how the division should proceed.

Sen. Steven Novak (DFL-New Brighton) brought his bill concerning false legislation, S.F. 1578 before the panel. The division may not fund the measures, he said, but he said the issues that the bill should be dealt with proactively.

S.F. 1633, authored by Sen. Martha Robertson (R-Minnenoka), provides $250,000 in biennial funding for the...
Committee Update

Institute for Child and Adolescent Sexual Health to continue treatment programs designed to intervene in cases of children who exhibit sexually aggressive behavior. The president of the institute, Dale Weibush, explained that low numbers of program participants were due to barriers that need to be addressed. "Teachers anecdotally report these children," he said, "though we still can't see the issues in treatment." In opposition to the bill, Department of Health representatives said the money was originally given to the institute, and was not spent. The high-profile .08 blood alcohol threshold for DWI was presented by Sen. John Marty in the form of S.F. 77. The committee discussed a bill on the topic, with the hope that such a change would be made. Referrals will be made to local vo-tech colleges, she said. A fire marshal training study committee is already in place, she said, because at this point, "no one is in charge." Training currently can be obtained from different pools and materials, school tuition and stipends, and must be dealt with separately. "These are two very different groups dispelled some members' misunderstandings about overlap. "The sex act every separate issue," said a victim of both crimes, "and must be dealt with separately." The controversial in-school drug aware- ness program DARE was the subject of much discussion by the panel. S.F. 1274, presented by Sen. Sen. Ember Junge's (DFL-New Hope) Crime Prevention and Judicial Budget Division discussed the following five bills Wed., Apr. 2.

**Detainee housing bill discussed**
Continuing with bill explanation before mark up of omnibus legislation, Chair Randy Kelly (DFL-St. Paul) and the Crime Prevention and Judicial Budget Division discussed the following five bills Wed., Apr. 2.

S.F. 593, sponsored by Sen. Sheila Kiscaden (R-Rochester), requests a $250,000 appropriation to bolster day treatment programs for offenders who have nowhere to go and who are not eligible for parole. A transition program called Productive Day, said Kiscaden, costs the state $4,592 per year, as opposed to residential placement, which costs the state $49,275 or a year at Red Wing, which costs $62,050. Under the bill, the program is expanded to include juveniles.

Sen. Jane Ranum (DFL-Mpls.), presented S.F. 1685, which provides transportation and funding to house Minneapolis offenders in outlying suburban jails. The lack of jail space in Minneapolis is, she said, means that catch-and-release situations are common, resulting in neighborhood frustration.

After trips through many committees, Sen. Mark Ourada (R-Buffalo) said the committee should not be asked to resurrect a bill sponsored by Sen. Tracy Bedakyan (DFL-Brooklyn Park) said she had some concerns about the way the bill would affect the relationship between candidates and their political parties. The meeting was adjourned after Marty failed to get enough support for reconsideration.

**Environment and Agriculture Budget Division**

Hybrid tree production discussed
A bill providing funding for hybrid poplar tree research and production was discussed at a Tues., Apr. 1, meeting of the Environment and Agriculture Budget Division. The bill, S.F. 643, sponsored by Majority Leader Roger D. Moe (DFL-Esko), appropriates...
$200,000 for each of the next two years to the Agricultural Utilization Research Institute (AURI) to develop a plan for plantation production of the trees. 

Moe said that the hybrid trees grow 6 to 10 times faster than native species trees and that he expects paper companies to buy and to grow the trees. Division Chair Steven Morse (DFL-Dakota) asked if the trees were usable as a biofuel source. AURI researcher Ed Wene said that fuel was a possible future use of the trees, but for now they would be used as a paper source for paper production. 

Moe cautioned that it takes 10 years before a crop of the trees can be harvested and that it is not feasible for a farmer on the verge of bankruptcy to grow the trees. Moe added that despite predictions of a “paperless society,” he expects paper consumption to increase.

The panel also considered a request for funds found in S.F. 931. Chief author LeRoy Stumpf (DFL-Thief River Falls) said the request is for a sign at the Thief Lake Wildlife Management Area. Stumpf said that the sign provides historical information about the area. Hesdah said that a previous appropriation for the sign expired before the historical research was completed for the sign. He added that the sign is constructed of fiberglass with embedded color, making it maintenance-free.

The division also gave consideration to S.F. 527, authored by Sen. Dallas Sams (DFL-Staples). The bill establishes an annual operational funding allocation to each of the state’s Soil and Water Conservation Districts (SWCD) of $30,000 to $100,000 according to Sams. All three bills were laid over for inclusion in the omnibus bill.

Later, the division heard a budget overview for the Board of Soil and Water Resources from Director Ron Harnack.

**Feudal Ordinances Discussed**

An amendment granting counties the authority to pass ordinances regulating feudal for planning and zoning purposes was adopted by the Environment and Agriculture Budget Division at a Weds., Apr. 2, meeting. The amendment is part of the dairy development program bill, S.F. 322, sponsored by Sen. Steve Dille (R-Dassel).

The panel spent considerable time discussing a section of the amendment giving the Dept. of Agriculture and the Pollution Control Agency (PCA) authority to review and suggest improvements to proposed ordinances. Sen. Leonard Price (DFL-Woodbury) said that he was concerned about defining “social justification” as the basis for an agency improvement recommendation. Division Chair Steven Morse (DFL-Dakota) said that a rural church in his district moved because the smell of a feedlot built nearby, and cited that as an example covered by the provision. Sen. Charles Berg (IND-Chokio) moved to strike the provision, but Tom Coehn of the Minnesota Agri-Growth Council and Chris Radatz of the Farm Bureau both recommended keeping the provision. Berg later withdrew his motion.

In his initial presentation, Dille said the bill includes a program for dairy diagnostic teams. Dille said the teams evaluate a dairy operation and make recommendations for improvements based upon the dairy farmer’s goals. The bill was laid over for inclusion in the omnibus bill.

Dille also presented S.F. 817, a bill that increases grain buyer licensing fees based on the amount they purchase. Dille said that the federal government previously appropriated $100,000 annually for the program, but that the appropriation was discontinued. Dille said that under the bill, the program is funded with the license fee increase. The bill was also held over for possible inclusion in the omnibus bill.

Early in the panel heard a $30,000 request found in S.F. 815 from Sen. David Ten Eyck (DFL-East Gull Lake). Ten Eyck said the money is to improve the horse boarding section of the Heartland Trail so that small businesses can use it in the winter. The panel also scussed S.F. 556, carried by Sen. Tracy Beckman (DFL-Brooklyn). Beckman said the bill requests $400,000 in operational money for FarmAmerica. In addition, the panel received the funding recommendations of the Legislative Commission on Minnesota Resources from Executive Director John Velin. All items were held over for possible inclusion in the omnibus bill.

**Governmental Operations and Veterans Affairs**

**Naturopath Bill Discussed**

Because the Governmental Operations and Veterans Affairs Committee reviewed S.F. 523 earlier in the session, members acted quickly on the bill at the Weds., Mar. 26, meeting. The measure’s author, Sen. Linda Berglin (DFL-Mpls.), briefly explained the intent of the legislation—to establish licensing procedures for naturopathic doctors. She said the only major policy amendment made in a prior committee request was a study of complementary medicine by the commissioner of health. The types of medicinal practice contained under the definition of complementary medicine include: acupuncture, biofeedback, mind/body control therapies, traditional and ethnobotanical therapies, structural manipulations and energetic therapies, bioelectromagnetic therapies, and herbal medicine. As part of the study, recommendations are to be provided on whether the state should credential or regulate a person practicing the complementary medicine.

Sen. Steven Morse (DFL-Dakota) asked, “What would happen if we don’t act on it this year?” Berglin responded and said that in order for the people to continue practicing, they need a legislative authority. “Not licensure, just legal authority.”

Sen. Linda Runbeck (R-Circle Pines) offered an amendment and said, “I recognize that there is a good rationale behind this bill, but I have several concerns, particularly with the scope of practice defined under the bill.” She explained that the amendment allows the study of complementary medicine to proceed but deletes the remainder of the bill, removing the licensing and scope of practice language. “Licensure is the path to godown, but I am concerned about the number of people the legislation protects versus the number of people who will be fenced out of practice if licensure occurs.” There are only six people who will be licensed if the bill passes,” she said. The Runbeck amendment prevailed after a division vote was tallied. After the amendment was adopted, the bill was approved and sent to the floor.

In other business, the committee approved several bills and advanced them to the floor. The following seven bills were re-referred to the floor:

- S.F. 741 creates the Respiratory Care Therapists Advisory Council and requires the registration and regulation of respiratory care practitioners, “said Sen. Steve Kelley (DFL-Hopkins).
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- The bill also requires all advisory groups to submit an annual report summarizing their activities. (Those that don’t comply will not receive state compensation for their expenditures. Members had approved the bill at a prior meeting, but decided to lay it aside in order to allow the legislature to restructure the bill for advisory groups to the bill. The bill now subject to being sanctioned for practicing medicine without a license. Morse countered, “So in order for the people to continue practicing, they need a legislative authority. Not licensure, just legal authority.”

Sen. Linda Runbeck (R-Circle Pines) offered an amendment and said, “I recognize that there is a good rationale behind this bill, but I have several concerns, particularly with the scope of practice defined under the bill.” She explained that the amendment allows the study of complementary medicine to proceed but deletes the remainder of the bill, removing the licensing and scope of practice language. “Licensure is the path to godown, but I am concerned about the number of people the legislation protects versus the number of people who will be fenced out of practice if licensure occurs.” There are only six people who will be licensed if the bill passes,” she said. The Runbeck amendment prevailed after a division vote was tallied. After the amendment was adopted, the bill was approved and sent to the floor.

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includes the additional language. Any advisory groups that are not part of S.F. 1316 will expire this year, Weiner said. Sen. Becky Lourey (DFL-St. Paul) presented a bill, S.F. 1097, that creates transportation revolving loan accounts. She said any federal aid highway project is eligible to receive the funds.

S.F. 354, carried by Sen. William Belanger (R-Bloomington), adds to the commissioner of trade and economic development to the Qualifications Board. Finally, Sen. Emberlunge (DFL-New Hope) presented S.F. 599, a measure that establishes youth-oriented driver improvement clinics.

One bill was referred to the Judiciary Committee. S.F. 1247, carried by Sen. Becky Lourey (DFL-Kerrick), establishes regulations for the state's ombudsmen. Sen. Donald, Beltrum (DFL-Faribault) said he was concerned about several data privacy issues inherent in the legislation. Therefore, since the bill had not been reviewed by the judiciary Committee, it was referred there without recommendation.

Learning Network bill discussed
Sen. Steve Kelley (DFL-Hopkins) explained that S.F. 1150 eliminates the requirement to establish the Minnesota Communications Council required for government agencies to use the Minnesota Network (MnNet). The bill was presented at the Weds., Apr. 2, Government Operations and Veterans Affairs Committee meeting. The legislation improves the state's electronic learning network by providing funds to purchase high-capacity, secure, fiber-optic connections between the four-year public universities and the state. The bill also expands the high-capacity links to regions of the state where the local telephone companies have not yet invested in the technology, thereby spurring high-technology telecommunications expansion. The end result will be to connect the state's fiber-optic network to the local private networks in rural communities and provide businesses access to a secure electronic trading environment, Kelly said. Kelley then offered an amendment that clarifies the duties for providing access to the new network for the commissioner of administration. The amendment was adopted and the bill was referred to the Government Operations Budget Division.

Another bill, Sen. Roger Moe (DFL-Mankato), presented S.F. 166, which provides for a Minnesota Network pilot project. "MnNet" uses a "MNCard" pilot project. The project is aimed at integrating information and communications technology into a single "smart card" that can be used for a combination of state employee identification, building access, telephonic calling card, and insurance carrier information and debit card features. The measure will be considered for inclusion in the omnibus bill being developed by the division.

The governor's proposal for funding state agencies was also discussed. The bill, S.F. 450, carried by Sen. Dennis Frederickson (R-New Ulm), contains the governor's budget proposal and language altering the timing of various portions of the governor's biennial budget request. The provisions regarding timing requirements contained in the Dept. of Finance, housekeeping bill, Frederickson said, were also discussed. The measure was included in the governor's bill and took no formal action on the measure.

Mighty Ducks bill considered
Sen. James Metzen (DFL-South St. Paul) presented S.F. 403, the Mighty Ducks arena bill, at the Weds., Apr. 2, Government Operations Budget Division, chaired by Sen. Leonard Price (DFL-Woodbury). The bill calls for a study to examine the feasibility of creating universal e-mail accounts for all Minnesota residents. The division launched into thorough discussion that examined the minutiae of the bill. Chair Leonard Price (DFL-Woodbury) said no action would be taken on the bill, but that it would be considered in the omnibus budget process. Under the bill, $50 million is appropriated from the bond proceeds fund to the Amateur Sports Commission for grants of up to $250,000 each to construct and renovate ice arenas throughout the state. Residual fees for the measure are expected to exceed $250,000 annually. There would be over 100 girls hockey teams around the state competing for ice time with other sporting events.

Sen. Steve Kelley (DFL-Hopkins) brought S.F. 428 before the Government Operations Budget Division at the Tues., Apr. 1, meeting. The measure does four principal things, Kelley said. First, the Office of Technology is directed to develop and operate a comprehensive Minnesota state government-wide internet called Northstar. The bill sets up a Minnesota Internet Center, an information and telecommunications initiative that provides planning and technical assistance to communities. Third, the legislation establishes a MNCard pilot project that uses smart card technology to allow citizens to access state services more cost effectively and efficiently. Finally, the bill calls for a study to examine the feasibility of creating universal e-mail accounts for all Minnesotans. The division launched into thorough discussion that examined the minutiae of the bill. Chair Leonard Price (DFL-Woodbury) said no action would be taken on the measure, but that it would be considered for inclusion in the division's omnibus bill.

Senate budget heard
The Government Operations Budget Division, chaired by Sen. Leonard Price (DFL-Woodbury), devoted most of the late afternoon Tues., Apr. 1, hearing to a discussion of the Senate portion of the Legislature's budget. Secretary of the Senate Patrick Flahaven explained that the bulk of the budget was devoted to fixed personnel costs. In addition, Flahaven said that a substantial portion of the budget is devoted to state employee information and data privacy issues inherent in the legislation. Therefore, since the bill had not been reviewed by the judiciary Committee, it was referred there without recommendation.
definition of an eligible person under the MinnesotaCare (MNCare) program is expanded to include senior citizens beginning at age 80, and to otherwise improve eligibility. The person must be a permanent resident of Minnesota. The expanded coverage is paid for through the Health Care Access Fund (HC AF) and targets the people most in need by supplementing their prescription drug payments. Lourey said.

Sen. Martha Robertson (R-Minnetonka) asked how many people are impacted by the bill. Lourey explained that using the 200 percent of poverty guideline, it is estimated that over 124,000 seniors will become eligible.

Sen. Don Samuelson (DFL-Brainerd) said he was unclear as to what MNCare was intended to be. He added that he did not think it was intended to help the working poor. He asked Lourey why her reaction to broadening the scope of MNCare by expanding the program to cover seniors, because doing so will open the door to other groups needing coverage that were not intended under their original program. Lourey responded, “Because MNCare does not provide medical drug coverage, it could be argued that they are uninsured. I believe that with the addition of this measure, MNCare is still narrow in scope.” The bill was approved and referred to the Health and Family Security Budget Division.

The second prescription drug bill, S.F. 1008, sparked a lengthy, contentious discussion. The measure’s author, Sen. John Marty (DFL-Roseville), said the bill’s principal intent is to ensure that people in Minnesota pay fair prices for their prescription drugs. He said that prices for medical drugs in neighboring Canada are on average 40 percent less than prices paid in the United States. The lower prescription drug costs are due, in part, to their nationalized, industrialized nations, he added. Specifically, the bill requires the commissioner of administration to establish a non-governmental, pharmaceutical contracting alliance to negotiate prices for prescription drugs with the manufacturers. The contracting alliance is to be comprised of voluntary pharmaceutical purchasers, such as independent pharmacies, and will follow the procedures established by MinnesotaCare to negotiate better discounts with the drug manufacturers.

Several people testified for and against the bill. One of the first to speak, Merle Mattson, an independent pharmacist from New Prague, explained the drug manufacturers will whisper in your ear that this bill enacts price controls. What this bill allows is a competitive bidding process, the essence of a free market. This bill is not the second coming of the Bolsheviks.”

Asst. Commissioner Kent Allin, Dept. of Administration, said the department has remained neutral on the bill this session, but has expressed reservations about the department’s ability to perform as hoped by the bill’s author. “We have struggled internally on whether we can make this work, but there are the real fail-safe flaws,” he said. First, the level of discount that we can successfully negotiate is suspect. The department may not be able to attract a sufficient number of voluntary purchasers to be able to leverage a decrease in discount. Second, the department is unsure about its ability to calculate what the savings are and ensure that they get passed along to the consumers. Third, private purchasers purchasing drugs are an emerging phenomenon. That low pharmacists join in consolidation of drugs that can negotiate discounts without state involvement. Allin said he did not see how the state can be competitive with private purchasers purchasing drugs.

Robertson asked Allin to provide examples of other areas where the department sets price controls. Allin said that the proposed measure is unique in that there are no other programs where the department actively negotiates prices for the private sector.

Kath Pearson, Minnesota Pharmacists Association, said that the bill does not do the job. He explained that in its own drug negotiations, the state is only able to get 7 percent discount. To pass along 75 percent of these savings to consumers is insignificant and will not improve the quality of life. The issue, he said, is getting people medical coverage for their prescription drugs, and a program like the MNCare program can do this.

Marty then offered an amendment that requires health plans to submit the contract price paid for prescription drugs listed on its drug formulary and specify that the contract prices must include any discounts or rebates. Essentially, he said, the amendment is a proposal of drug disclosure amendment. Tom Lehman, Blue Cross/Blue Shield, said that the amendment is not consumer-friendly and will increase costs for customers. If the health plans are forced to disclose their contracts with the drug manufacturers, the contracts will be void and the plans will lose their discounts; Minnesota will be an island in the nation, he said. The Marty amendment failed.

Robertson then offered an amendment that allows the department to inspect pharmacies to ensure that their discounts are fair and not fraud. Sen. Don Betzold (DFL-Fridley) successfully offered an amendment that deletes all references to the University of Minnesota’s College of Pharmacy.

Citing a letter from the attorney general stating that he would need the necessary authority to investigate unfair drug practices, Sen. Sheila Kiscaden (R-Rochester) offered an amendment to delete the attorney general’s investigatory provisions. The amendment was adopted. Members then referred the bill to the Commerce Committee without recommendation.

Health and Family Security Budget Division

Bills considered for omnibus bill

At the Tues., Apr. 1, Health and Family Security Budget Division, Chair Don Samuelson (DFL-Brainerd) announced that several bills were to be heard in order to consider for the health and human services omnibus bill, that next action would take place on the legislation.

Sen. Jane Kreitz (DFL-May Township) first presented S.F. 642, a bill that appropriates money for Down Syndrome information packets. The packets are to be provided to pregnant patients whose fetus is tested positive for Down Syndrome in order to provide information that will assist them in their choice.

Sen. J. Kiscaden (DFL-May Township) also presented S.F. 750, carried by Sen. Steve Murphy (DFL-Red Wing), initiates a pilot project to downsizeto intermediately-care facilities for mentally retarded (ICF/MR) persons in Wabasha County.

A second bill authored by Murphy, S.F. 1246, restores a portion of the chemical dependency consolidated treatment fund. He said state funding for the fund was removed during the budget crunch in the 1980s, but that the state has a great need of the 257 detoxification centers. Murphy suggested that the issue be heard in order to consider for the health and human services omnibus bill.

Sen. Arlene Lesewski (R-Marshall) presented S.F. 1525, appropriates money to the Board on Aging to enable the board to make grants to state agencies on aging. The area agency on aging provides assistance to seniors in obtaining public and private health care benefits, she explained.

Sen. Dallas Sams (DFL-Staples) presented two bills. The first bill, S.F. 343, funds a rural physician and nurse emergency medical services (EMS) grant program. The program is to be administered in rural emergency centers and trains medical providers in necessary EMS skills. “I wouldn’t take the program out of them, they won’t get the
Committee update

Higher Education Budget Division

Library funds reviewed
A bill appropriating funds for libraries at higher education institutions was reviewed by the Higher Education Budget Division. Weds., Mar. 26. The committee, chaired by Sen. LeRoy Stumpf (DFL-Thief River Falls), approved proposals related to child care programs, the MnLINK library initiative, and improving technology.

Bill consideration continues
Chair Don Samuelson (DFL-Brainerd) said he intended to continue hearing advisory presentations on bills for consideration for inclusion in the university’s funding request. Under the bill, money is appropriated for a grant to a nonprofit agency to provide services to deaf-blind people.

MnLINK approved
In its last meeting before reviewing the omnibus bill, the Higher Education Budget Division held an evening meeting Tues., Apr. 1, to consider a number of bills. The bills were presented by Sen. LeRoy Stumpf (DFL-Thief River Falls), approved proposals related to child care programs, MnLINK library initiative, and improving technology.

Omnibus bill considered
The Higher Education Budget Division began deliberating Weds., Apr. 2, on its omnibus appropriations bill. Sen. LeRoy Stumpf (DFL-Thief River Falls), the committee chair, noted the challenge before the committee and said, "We have approximately $1 billion in new proposals before us, with only about $529 million to spend." Stumpf identified three objectives the committee is pursuing as it considers its final proposal. He said, "Our first priority is to assist students in financing higher education." The use of technology in higher education has caught on like peer refereed and the bill reflects that. And we're re-purposing resources in the area of education toward a getting people into the training and skills they need to get into the job market," he said. The committee voted on the language in the bill one subdivision at a time. The budgetary appropriations of the dollar amounts attached are to be considered at a later meeting.

An appropriation to reimburse campuses in snow disaster areas for costs of snow removal was adopted for inclusion in the omnibus bill. The bill was considered and approved as part of the omnibus bill.
appropriations from one year to the next by the Higher Education Services Office (HESO) was adopted for inclusion. The committee okayed a proposed plan for a vocational technical education program in S.F. 499, a bill authored by Stumpf.

The Appropriations Committee on Education discussed the treaty costs. At the Tuesday meeting, Moe brought forward S.F. 1002 for consideration. Moe said that he supports the bill. The bill appropriates funds to cover costs that are accrued as a result of state compliance with the 1837 treaty with the Mille Lacs Band of Chippewa. The treaty allows the Mille Lacs Band to operate a fishery on Mille Lacs Lake and several other regional lakes. Specifically, $6.5 million is appropriated to the commissioner of public safety, and is available until June of this year. The committee also endorsed a bill that appropriates funds to cover costs that are accrued as a result of state compliance with the 1837 treaty with the Mille Lacs Band of Chippewa. The treaty allows the Mille Lacs Band to operate a fishery on Mille Lacs Lake and several other regional lakes. Specifically, $6.5 million is appropriated to the commissioner of public safety, and is available until June of this year. The committee also endorsed a bill that appropriates funds to cover costs that are accrued as a result of state compliance with the 1837 treaty with the Mille Lacs Band of Chippewa. The treaty allows the Mille Lacs Band to operate a fishery on Mille Lacs Lake and several other regional lakes. Specifically, $6.5 million is appropriated to the commissioner of public safety, and is available until June of this year.
Committee update

Two housing-related bills, S.F. 598, sponsored by Sen. Randy Kelsey (DFL-St. Paul), and S.F. 948, sponsored by Sen. Charles Wiger (DFL-North St. Paul), received the committee's approval. S.F. 598 appropriates $2 million to improve the availability of multi-unit housing in St. Paul. S.F. 948 establishes a pilot project in the MTC. Airy homes, funded by a private foundation, prepared for sustainable and affordable opportunities. The former was sent to the Senate floor, while the latter was sent to the Senate floor.

Other bills considered by the committee included:
- S.F. 1136, sponsored by Sen. Sam Solon (DFL-St. Paul), appropriating a $1.4 million grant to the Duluth Economic Development Authority for a family practice residency program in Duluth.
- S.F. 1574, sponsored by Sen. Linda Runbeck (R-Circle Pines), establishing a pilot loan program for constructing wind energy conversion facilities.

The committee also heard testimony on:

JUDICIARY

Tenant 911 bill okayed

A bill prohibiting landlords from penalizing tenants for calling 911 was one of the highlights of the Tuesday meeting of the Judiciary Committee. S.F. 598, sponsored by Sen. Dave Johnson (DFL-Bloomington), prohibits landlords from including lease provisions that penalize tenants for seeking police or emergency assistance for domestic abuse. The bill is a response to a number of calls the attorney general has received from tenants who have had problems with landlords who have made calls to the police. Johnson said the bill is necessary to prevent landlords from retaliating against tenants who seek assistance.

Adoption bill heard

The Judiciary Committee heard testimony on S.F. 912, sponsored by Sen. Becky Lourey (DFL-Mpls.), which addresses adoption of a minor person unless a birth parent opposes the adoption. The bill also addresses the rights of adopted children and their birth parents.

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caught in support and visitation disputes. The committee adopted the amendment. The bill was approved, as amended, and sent to the Senate floor.

S.F. 813, authored by Sen. Jane Ranum (DFL-Mpls.), provides for the transfer of child custody to a relative by use of a consent decree, authorizes communication of agricultural property when crops are used to secure a loan, and adopts the Uniform Partnership Act of 1994, Weds., Apr. 2.

S.F. 513, sponsored by Sen. Ellen Anderson (DFL-St. Paul), amends the definition of incidents that constitute public nuisance. Under the bill, a public nuisance exists upon proof of two or more separate behavioral incidents occurring within a building and within a 12-month period. Among behavioral incidents included in the bill are prostitution, gambling, the unlawful sale of controlled substances, or maintaining or permitting a condition which unreasonably annoys, injures or endangers the safety, health, morals or comfort of the public. Under the bill, the court may issue an injunction to close the building or a portion of it for a period of one year following proof of two or more separate behavioral incidents.

Sen. Allan Spear (DFL-Mpls.) offered an amendment removing language relating to use or possession of a firearm or "other dangerous weapon," and that the term "dangerous weapon" or explosive. Spear said the language did not adequately define "dangerous weapon," and that the term needed further definition. The committee adopted the amendment. The bill was laid over pending further revision.

S.F. 298, sponsored by Sen. David Ten Eyck (DFL-East Gull Lake), enacts the Revised Uniform Partnership Act of 1994, including 1996 amendments relating to limited liability partnerships. According to Ten Eyck, the 1994 act establishes a partnership as a separate legal entity, and not merely an aggregate of persons. Ten Eyck said the act recognizes the primacy of the partnership agreement over statutory rules. He said the 1994 act specifically addresses the fiduciary responsibilities of partners, provides for express obligations of loyalty, due care, and good faith. Ten Eyck offered an amendment essentially allowing a partnership to continue following the loss of a partner. The amendment was adopted. The committee referred the bill, as amended, to the Senate floor.

H.F. 156, also sponsored by Ten Eyck, is a housekeeping bill from the Office of the Secretary of State. Ten Eyck offered an amendment removing a requirement that financial statements contain a legal description of agricultural property when crops are used to secure a loan, and that the amendment was adopted. The committee approved the bill, as amended, and referred it to the Senate floor.

H.F. 1075, sponsored by Sen. Dave Johnson (DFL-Bloomington), amends the Professional Corporation Act to authorize various health care professionals, such as chiropractors, registered nurses, optometrists, podiatrists, pharmacists, dentists and psychologists, to practice together as a professional health service if the individuals are organized under the Professional Corporation Act. The committee approved the bill and sent it to the Senate floor.

Eyeck said the act recognizes the primacy of the partnership act as a separate legal entity, and that tenancy in common as a separate legal entity, and that tenancy in common is not merely an aggregate of partners. Ten Eyck, the 1994 act establishes a partnership as a separate legal entity, and not merely an aggregate of persons. Ten Eyck said the act recognizes the primacy of the partnership agreement over statutory rules. He said the 1994 act specifically addresses the fiduciary responsibilities of partners, provides for express obligations of loyalty, due care, and good faith. Ten Eyck offered an amendment essentially allowing a partnership to continue following the loss of a partner. The amendment was adopted. The committee referred the bill, as amended, to the Government and Operations Committee.

Division staff presented members with a compiled list of definitions of powers and duties of school districts and employees as they exist in current law and policy. This is done in an effort, said Pogemiller, to encourage members to "take a closer look at what people think they should be doing and compare the definitions to what they think they should be doing." He said that the staffs' definitions of these duties will streamline planned reforms.

Hazing bill approved

Wed., Apr. 2, the K-12 Education Budget Division, chaired by Sen. Lawrence Pogemiller (DFL-Mpls.), considered bills for omnibus inclusion.

Sen. Linda Sheidt's (DFL-Brooklyn Park) S.F. 135, which defines hazing and makes it a crime, was approved by the committee after hearing testimony from Nikki Consentino, a high school student and hazing victim. Consentino described the high school's "sophomore kidnaps" which, she said, has gone over the years from a lighthearted show of camaraderie into a violent expression of rank by older students. The bill was referred for inclusion in omnibus legislation.

Sen. J. Andert Johnson (DFL-North Branch) authored S.F. 20, an bill that allows combined school districts to combine building debt amounts and spread the debt service across all of the property in the school district. The bill was approved and slated on omnibus bill B-list.

S.F. 909, sponsored by Sen. Dan Stevens (R-Mora), appropriates $1.5 million for a school-community center complex. Pogemiller said because the project is not a pilot, funding it would simply open the door to other requests. The bill was not included in omnibus legislation.

S.F. 1175, authored by Sen. Jane Ranum (DFL-Mpls.), aimed to reduce juvenile court interaction more effectively with a child's school and school district, especially in cases involving mental health assessment. The bill specifies that a school district of a child who is subject to court jurisdiction will also be considered under court jurisdiction. Minnesota School Board Association representatives insisted that early intervention and referrals can be accomplished under current law. Sen. Martha Robertson (R-Minnetonka) asked, "Why don't we
Committee update

system to say you have too much or already in state law?" Sen. Thomas Neuville (R-Northfield) expressed concern that schools would become party to criminal justice proceedings. After MBSA's Bob Meeks suggested that parents already have the right to request evaluations and assessments of their children, Ranum replied, "I'm here in the real world, and there are so many things when a child or a child who don't have parents to speak for them."

Before being laid over, the bill was amended to strike appropriations sought through the Department of Health. Neuville presented S. 1512, a bill providing private school students the opportunity to enroll in the state's post-secondary enrollment options program. "The money," he said, "will not be going to secondary enrollment options program. "The policy, in creating the historic district, low rural and urban schools, to register in public schools to attend college classes through the program.

Local and Metropolitan Government

An omnibus bill carrying gambling related legislation was approved Weds., Mar. 26, by the Local and Metropolitan Government Committee. Chairman R. J. M. Vickerman (DFL-Tracy), the committee had a full agenda as the first committee deadline approached.

The omnibus bill, S. F. 566, was presented by Vickerman. The bill contains a number of provisions regarding the privatization of public services in the state. It also appropriates funds to the Metropolitan Council for operation of the metropolitan park system.

Sen. Sandra Pappas (DFL-St. Paul), authored S. F. 1278, a bill that appropriates funding to the city of St. Paul to carry out the Harriet Island Redevelopment project. The bill was approved and sent to the Senate floor. Sen. LeRoy Terwilliger (R-Edina), authorizes the cities to carry out the North End area of St. Paul. The bill was approved and advanced to the Senate floor.

The Gambling Board members approved two appointments to the Local and Metropolitan Government Committee. Sen. Ellen Anderson (DFL-St. Paul) authored S. F. 1195, a bill that appropriates funding for development in the North End area of St. Paul. The bill was okayed and sent to the Senate floor. Sen. Dan Stevens (R-Mora), presented S. F. 1364, a bill that authorizes the city of Roseville to charge a fee for the sale of alcoholic beverages.

The bill was approved and sent to the Senate floor. Sen. Roy Terwilliger (R-St. Paul), authored S. F. 566, a bill that appropriates funds to the Metropolitan Council for operation of the metropolitan park system.

Appointments approved

The Local and Metropolitan Government Committee approved two appointments to the Gambling Board. Tues., April 2, the Property Tax and Local Budget Division, chaired by Sen. Sandra Pappas, continued the hearing on property tax reform proposals.

S. F. 763, sponsored by Sen. Dallas Sams (DFL-Staples), provides a new class for residential non-homestead property having fewer than four units, reduces the homestead agricultural class rate on property with a market value over $320,000, provides for a new class for commercial property, reduces the homestead rate on homestead property from 1.5 percent to 1.25 percent, changes the interest rate to 2.0 percent on the first $100,000 of commercial property at market value, and 4.6 percent of the value for property valued over that amount, changes industrial property class rates from 2.0 percent on the first $100,000, and 3.3 percent of the market value for property valued over that amount.

S. F. 1364, sponsored by Sen. John Hattinger (DFL-Mankato), provides that for
fiscal year 1999 and later years, general education aid is provided in state aid, and S.F. 1096, sponsored by Sen. Dallas Sams (DFL-Staples), relates to motor carriers and allows transportation and public safety personnel to conduct joint motor carrier records audits. The bill requires the commissioner of public safety to provide the commissioner of transportation with information on traffic accidents involving commercial motor vehicles, authorizes the commissioner to accept electronic signatures for electronically transmitted motor carrier documents, and conforms state statutes to federal motor carrier safety regulations.

S.F. 1025, sponsored by Sen. Ember) unge (DFL-New Hope), reduces from ten days to three days the maximum period to notify the owner of an impounded vehicle.

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

S.F. 1179, sponsored by Sen. Paula Hanson (DFL-Ham Lake), provides for oversizesnowplows on motor vehicles.

All six measures were approved and advanced to the Senate floor.

S.F. 1178, sponsored by Sen. Sandra Pappas (DFL-St. Paul), changes the definition of "bus" to include motor vehicles certified by the Dept. of Transportation as special transportation provider vehicles.

The bill qualifies the vehicles to receive reimbursement under state medical assistance programs. The committee referred the bill to the Transportation Budget Committee.

S.F. 1127, sponsored by Richard Cohen (DFL-St. Paul), allows counties to construct, build, and maintain state aid highways by using bond proceeds from the county's state aid highway allocation. Currently, counties cannot use state aid highway allocations for such purposes. The committee approved the bill and sent it to the Senate floor.

Transportation

Committee approves bills

The Transportation Committee, chaired by Sen. Carol Flynn (DFL-Mpls.), considers transportation bills related to emergency vehicles, motor carriers, school buses, snowplows, and special transportation vehicles. Tuesday, March 25.

S.F. 849, sponsored by Sen. Randy Kelly (DFL-St. Paul), creates a state transportation project fund for costs related to the construction of major transportation projects. The bill makes funds available for highway projects that are part of a national highway system or bridge or transit projects.

S.F. 967, sponsored by Sen. Becky Lourey (DFL-Kerrick), requires a driver to reduce speed when approaching a stopped emergency vehicle and its emergency lights flashing. The bill imposes a doubled speeding fine.

S.F. 1057, sponsored by Sen. William Belanger (R-Bloomington), reduces the state general education levy by $200 million, provides that increases in the state general education levy and revenues from new school debt are equal against market values, defines school district categorical program levies as the sum of all school district levies, provides that the general education levy will be separately identified, requires statewide negotiation of teachers' salaries, allows HACA payments only to counties and school districts, and provides that counties will receive an amount equal to 20.5 percent of the sum of their HACA and disparity reduction credits for 1998. The bill also distributes LGA under a new formula to 90 percent of its previous year LGA payment, and provides for payment of a one-time property tax rebate equal to 10 percent of net property taxes payable for 1998.

S.F. 1644, sponsored by Sen. Douglas Johnson (DFL-Tower), establishes a single 1.5 percent tax for low income rental housing, requires that low income rental units must be occupied by persons whose income is no more than 60 percent of the median area gross income, requires that low income rental units must be subject to five-year rent restriction agreements with the Minnesota Housing Finance Agency to qualify for the 1.5 percent rate, and requires that low income rental units must remain below 30 percent of 60 percent of the area's median income. The bill also adds all residential real estate containing one unit (other than cabins) to the homestead class, increases the first tier threshold from $72,000 to $74,000, reduces the lower tier commercial property class rate from 3.0 percent to 2.5 percent, increases base real estate taxes from $100,000 to $200,000 of market value, and eliminates the special class for commercial and industrial property located in transit zones.

S.F. 1723, Sen. Steve Kelley (DFL-Hopkins), increases direct payments to individuals under the property tax refund program based on the level of property taxes paid, increases state funding for K-12 and county provided social services and health services that are provided by local governments, provides for a four-class tax classification system, and increases the homemaker and renter property tax refund program.

Education

The  Transportation Committee, chaired by Sen. William DeLeeuw (DFL-St. Paul), changes the definition of "bus" to include motor vehicles certified by the Dept. of Transportation as special transportation provider vehicles. The committee referred the bill to the Transportation Budget Committee.

S.F. 1057, sponsored by Sen. William Belanger (R-Bloomington), reduces the state general education levy by $200 million, provides that increases in the state general education levy and revenues from new school debt are equal against market values, defines school district categorical program levies as the sum of all school district levies, provides that the general education levy will be separately identified, requires statewide negotiation of teachers' salaries, allows HACA payments only to counties and school districts, and provides that counties will receive an amount equal to 20.5 percent of the sum of their HACA and disparity reduction credits for 1998. The bill also distributes LGA under a new formula to 90 percent of its previous year LGA payment, and provides for payment of a one-time property tax rebate equal to 10 percent of net property taxes payable for 1998.

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S.F. 1178, sponsored by Sen. Sandra Pappas (DFL-St. Paul), changes the definition of "bus" to include motor vehicles certified by the Dept. of Transportation as special transportation provider vehicles. The bill qualifies the vehicles to receive reimbursement under state medical assistance programs. The committee referred the bill to the Transportation Budget Committee.

S.F. 1127, sponsored by Richard Cohen (DFL-St. Paul), allows counties to construct, build, and maintain state aid highways by using bond proceeds from the county's state aid highway allocation. Currently, counties cannot use state aid highway allocations for such purposes. The committee approved the bill and sent it to the Senate floor.

DVI bill okayed

The Transportation Committee, chaired by Sen. Carol Flynn, okayed a bill relating to the definition of "bus" to include motor vehicles certified by the Dept. of Transportation as special transportation provider vehicles. Tuesday, March 25.

S.F. 285, sponsored by Sen. John Marty (DFL-Roseville), broadens the criteria for license plate impoundment to include persons with fewer DWI violations. The bill also requires that persons receiving a second DWI offense within five years must have their license plates impounded for one year, and allows the issuance of special plates to individuals who share a vehicle with a second time offender, allowing them to continue driving that vehicle.
portation Committee adopted the recommendations of the Transportation Budget Division, approved the bill, and referred it to the State Government Finance Committee.

Transportation Budget Division

Division Omnisbus Bill

The Transportation Budget Division, chaired by Sen. J. andet Johnson (DFL-North Branch), okayed the omnibus transportation bill, Wed., Apr. 2.

Included in the proposal are appropriations of more than $35 million in the FY 98 and FY 99 biennium for airport development and assistance, aviation support, air transportation services and for the furnishment of a federal surplus jet for state use. The bill appropriates nearly $29 million during the biennium for Greater Minnesota Transportation improvements, $2.8 million for railroad and waterway projects, and nearly $3 million for motor carrier regulation.

The bill also appropriates nearly $29 million during the biennium from federal highway aid and approximately $442 million for the same period from the trunk highway fund. The bill also appropriates nearly $4.8 million for the biennium for state road payments, $3.6 million for safety initiatives, $2.3 million for road equipment and appropriates $6.8 million in FY 98 for ongoing operational building needs in Greater Minnesota.

The bill also provides $98.7 million for the biennium for Metropolitan Council Transit, and $116 million for the biennium for the State of Minnesota.

Minneapolis Mayor Sharon Sayles-Belton addressed the division concerning the importance of adequate transit throughout Minneapolis and its suburbs. Sayles-Belton said that transit is essential to the success of all facets of welfare reform. She said that people now have more work to not hold jobs they can reach. She asked the division to immediately appropriate funding to improve the transit system.

Sen. Dean Johnson (R-Willmar), suggested an amendment to the omnibus bill. S.F. 1329 provides $14 million in FY 98 and FY 99 for the Metropolitan Council for capital transit improvements. The committee did not act on the amendment after Senators questioned how capital appropriations could be applied cooperatively. The bill was laid over pending further discussion.

Floor Action

Treaty Costs Bill Okayed

A bill appropriating $65.5 million for costs associated with state compliance with the 1837 treaty with the Mille Lacs Band of Chippewa gained final passage at a floor session, Thurs., Apr. 3. The bill was sponsored by Sen. Roger D. Moe (DFL-Erskine), said the measure, S.F. 1645, earmarks the funds for public education and to pay the overtime compensation of officials, should they be incurred, when the Mille Lacs Band exercises their treaty rights. Under the treaty, the Mille Lacs Band may begin net and spear fishing of Lake Mille Lacs and several additional lakes in the year.

Sen. Charles Berg (ND-Chokio) attempted to amend the bill to add language requiring that the Mille Lacs Band pay a portion of the costs. Moe and Sen. Steve Murphy (DFL-Red Wing) opposed the amendment. The amendment failed on a 13-49 roll call vote. The bill was granted final passage on a vote of 61-4.


S.F. 101, authored by Sen. Linda Berglin (DFL-Mpls.), adds an exclusion to the program for elevator regulation, the building code, and other administrative matters and modifies licensure provisions for manufacturers of manufactured homes. H.F. 293, also authored by Belanger, modifies the military situation and textbook reimbursement program. S.F. 420, authored by Sen. Charles Wiger (DFL-North St. Paul), modifies the state law and text book reimbursement grant program. S.F. 4, carried by Sen. Steven Novak (DFL-New Brighton), provides for the sale of lands belonging to the state forest schools. S.F. 1116, authored by Sen. J. Pariseau, provides for the sale of lands belonging to the state forest schools. S.F. 1705, authored by Sen. James Vickerman (DFL-Tracy), provides for direct access to obstetrician and gynecologic services. S.F. 1706, authored by Sen. James Metzen (DFL-South St. Paul), provides for the sale of lands belonging to the trustees of the Minneapolis and St. Paul schools.

Members also granted preliminary approval to a number of bills on General Orders. S.F. 539, authored by Frederickson, designates the Augie Memorial Highway. S.F. 762, sponsored by Sen. Sam Olson (DFL-Duluth), recodifies certain requirements relating to the state's insurance policies. S.F. 4, carried by Sen. Dean Johnson (R-Willmar), changes the military situation and textbook reimbursement grant program. S.F. 539, authored by Frederickson, designates the Augie Memorial Highway. S.F. 762, sponsored by Sen. Sam Olson (DFL-Duluth), recodifies certain requirements relating to the state's insurance policies. S.F. 4, carried by Sen. Dean Johnson (R-Willmar), changes the military situation and textbook reimbursement program. S.F. 420, authored by Sen. Charles Wiger (DFL-North St. Paul), modifies the state law and text book reimbursement program. S.F. 4, carried by Sen. Steven Novak (DFL-New Brighton), provides for the sale of lands belonging to the state forest schools. S.F. 1116, authored by Sen. J. Pariseau, provides for the sale of lands belonging to the state forest schools. S.F. 1705, authored by Sen. James Vickerman (DFL-Tracy), provides for direct access to obstetrician and gynecologic services. S.F. 1706, authored by Sen. James Metzen (DFL-South St. Paul), provides for the sale of lands belonging to the trustees of the Minneapolis and St. Paul schools.

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S.F. 101, authored by Sen. Linda Berglin (DFL-Mpls.), adds an exclusion to the program for elevator regulation, the building code, and other administrative matters and modifies licensure provisions for manufacturers of manufactured homes. H.F. 293, also authored by Belanger, modifies the military situation and textbook reimbursement program. S.F. 420, authored by Sen. Charles Wiger (DFL-North St. Paul), modifies the state law and text book reimbursement program. S.F. 4, carried by Sen. Steven Novak (DFL-New Brighton), provides for the sale of lands belonging to the state forest schools. S.F. 1116, authored by Sen. James Metzen (DFL-St. Paul), does not allow the sale of lands belonging to the trustees of the Minneapolis and St. Paul schools.

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**Preview**

The Minnesota Senate Week at a Glance

**Monday, April 7**

**Environment and Agriculture Budget Division**
Chair: Sen. Steven Morse
8 a.m. Room 123 Capitol

*Agenda:* DNR Budget overview.

**The Senate will meet at 10 a.m.**

**Election Law Committee**
Chair: Sen. John Marty
12 noon Room 112 Capitol

*Agenda:* S.F. 184 - Stevens: Toxics in products.

**Chair: Sen. Bobby Lessard**

*Agenda:* S.F. 308 - Morse: Uniform pension bill.

**Commerce Committee**
Chair: Sen. Sam Sidsen
2 p.m. Room 123 Capitol

*Agenda:* S.F. 1008 - Marty: Prescription drugs.

**Crime Prevention Committee**
Chair: Sen. Allan Spear
2 p.m. Room 15 Capitol

*Agenda:* H.F. 262 - Wiger: Metro transit policies and regulations.

**Local and Metropolitan Government Committee**
Chair: Sen. Jim Vickers
2 p.m. Room 107 Capitol

*Agenda:* S.F. 312 - Dill: To be announced.

**Children, Families and Learning Committee**
Chair: Sen. Pat Piper, Sen. Lawrence Pogemiller and Sen. Leroy Stumpf
4 p.m. Room 15 Capitol

*Agenda:* Higher education omnibus bill.

**Environment and Agriculture Budget Division**
Chair: Sen. Steve Morse
4 p.m. Room 318 Capitol

*Agenda:* S.F. 766 - Dille: Farm safety.

**Tuesday, April 8**

**K-12 Education Budget Division**
Chair: Sen. Lawrence Pogemiller
8 a.m. Room 112 Capitol

*Agenda:* To be announced.

**Conference Committee**
Chair: Rep. Mary Jo McGuire and Sen. Emberlyl Jung
6 p.m. Room 300 South SOB

*Agenda:* H.F. 5: Anti-stalking bill.

**K-12 Education Budget Division**
Chair: Sen. Lawrence Pogemiller
8 a.m. Room 112 Capitol

*Agenda:* To be announced.

**Crime Prevention and Judiciary Budget Division**
Chair: Sen. Randy Kelly
10 a.m. Room 107 Capitol

*Agenda:* To be announced.

**Commercial Litigation Committee**
Chair: Sen. Carol Flynn
5 p.m. Room 316 Capitol


**Economic Development Budget Division**
Chair: Sen. Tracy Beckman
5 p.m. Room 316 Capitol

*Agenda:* To be announced.

**Governmental Operations Budget Division**
Chair: Sen. Leonard Price
4 p.m. Room 125 Capitol

*Agenda:* Information Policy Council.

**Health and Family Security Committee**
Chair: Sen. John Hottinger
6 p.m. Room 123 Capitol

*Agenda:* To be announced.

**K-12 Education Budget Division**
Chair: Sen. Lawrence Pogemiller
6 p.m. Room 112 Capitol

*Agenda:* To be announced.

**Transportation Committee**
Chair: Sen. Carol Flynn
12 noon Room 112 Capitol

*Agenda:* S.F. 243 - Belanger: Wheel flaps on truck tractors requirement.

**Agenda:** S.F. 243 - Belanger: Single license plate for collector vehicles.

**Agriculture and Rural Development Committee**
Chair: Sen. Dallas Sams
2 p.m. Room 107 Capitol

*Agenda:* S.F. 1562 - Berg: Agricultural cooperatives investment tax credit.

**Governmental Operations and Veterans Committee**
Chair: Sen. Larry Lankfod
6 p.m. Room 15 Capitol

*Agenda:* Bills from previous meetings.

**Governmental Operations and Veterans Committee**
Chair: Sen. Larry Lankfod
6 p.m. Room 112 Capitol

*Agenda:* To be announced.

**Health and Family Security Committee**
Chair: Sen. John Hottinger
6 p.m. Room 123 Capitol

*Agenda:* S.F. 777 - Knutson: Opening adoption birth records.

**Governmental Operations Budget Division**
Chair: Sen. Leonard Price
4 p.m. Room 125 Capitol

*Agenda:* To be announced.

**Economic Development Budget Division**
Chair: Sen. Tracy Beckman
6 p.m. Room 123 Capitol

*Agenda:* To be announced.

**The Senate will meet at 12 p.m.**

**Governmental Operations and Veterans Committee**
Chair: Sen. Larry Lankfod
12 noon Room 15 Capitol

*Agenda:* S.F. 233 - Kelly, R.C.: Peace officers killed or injured in the line of duty health insurance coverage.

**H.F. 282 - Wiger: Metro transit correspondence.**

**Economic Development Budget Division**
Chair: Sen. Tracy Beckman
6 p.m. Room 123 Capitol

*Agenda:* To be announced.

**Governmental Operations Budget Division**
Chair: Sen. Larry Lankfod
4 p.m. Room 125 Capitol

*Agenda:* To be announced.
Jobs, Energy and Community Development Committee
Chair: Sen. Steven Novak
6 p.m. Room 107 Capitol
Agenda: To be announced.

Judiciary Committee
Chair: Sen. Jane Ranum
6 p.m. Room 125 Capitol
Agenda: To be announced.

K-12 Education Budget Division
Chair: Sen. Lawrence Pogemiller
6 p.m. Room 112 Capitol
Agenda: To be announced.

Wednesday, April 9

K-12 Education Budget Division
Chair: Sen. Lawrence Pogemiller
8 a.m. Room 112 Capitol
Agenda: To be announced.

Health and Family Security Committee
Chair: Sen. John Hottinger
10 a.m. Room 107 Capitol

Transportation Committee
Chair: Sen. Carol Flynn
10 a.m. Room 112 Capitol
Agenda: S.F. 670-Pappas: Recreational vehicle on trunk highway right-of-way. S.F. 578-Neuville: City of Faribault easements. Additional bills may be added.

The Senate will meet at 11:45 a.m.

Governmental Operations Budget Division
Chair: Sen. Leonard Price
2 p.m. Room 125 Capitol
Agenda: To be announced.

Local and Metropolitan Government Committee
Chair: Sen. JIm Vickerman
2 p.m. Room 107 Capitol

Crime Prevention and Judiciary Budget Division
Chair: Sen. Randy Kelly
4 p.m. Room 125 Capitol
Agenda: To be announced.

Economic Development Budget Division
Chair: Sen. Tracy Bederman
6 p.m. Room 118 Capitol
Agenda: To be announced.

K-12 Education Budget Division
Chair: Sen. Lawrence Pogemiller
6 p.m. Room 112 Capitol
Agenda: To be announced.

The Senate will meet at 8 a.m.

Thursday, April 10

Governmental Operations Budget Division
Chair: Sen. Leonard Price
12 p.m. Room 15 Capitol
Agenda: To be announced.

Transportation Budget Division
Chair: Sen. Randy Kelly
6 p.m. Room 107 Capitol

The Senate will meet at 11:45 a.m.

Crime Prevention and Judiciary Budget Division
Chair: Sen. Randy Kelly
6 p.m. Room 15 Capitol
Agenda: To be announced.

K-12 Education Budget Division
Chair: Sen. Lawrence Pogemiller
6 p.m. Room 112 Capitol
Agenda: To be announced.

Transportation Budget Division
Chair: Sen. Randy Kelly
6 p.m. Room 107 Capitol

Friday, April 11

Second deadline nears
With the approach of the second deadline Weds., Apr. 9, committee agendas are highly fluid as bills are referred from one panel to another. For the latest information, check the Senate's worldwide website at http://www.senate.leg.state.mn.us. Meeting schedules and agendas are updated throughout the day.
Tobacco restrictions debated

Senators devoted most of the Mon., Apr. 7, floor session to debating a bill tightening the restrictions against the sale of tobacco to young people. H.F. 117, sponsored by Sen. Emery Jung (DFL-New Hope), sparked heated debate between members, who all agreed that teen access to tobacco products should be sharply limited, but disagreed on the methods to limit that access.

In his opening remarks, Jung stated, "Studies have shown that if access to tobacco products is cut, usage by young people goes down. And, one out of every three teens who smoke will die of tobacco-related diseases." Jung gave a section by section summary of the highlights of the bill. The measure provides for the suspension of local units of government's licenses for the illegal purchase of tobacco products, authorizes local units of government to license retailers and sets fees, provides for penalties and fines for retailers, provides for compliance checks twice a year, requires the reporting of "slotting fees," and restricts self-service displays of tobacco products.

Debate on the measure began with discussion of an amendment, offered by Jung, to change the self-service display prohibition on the bill. Under the bill, self-service displays of single packs of cigarettes are prohibited. A amendment called for barring self-service displays of cartons as well as single packs. Opponents of the amendment successfully argued that the provision was a compromise reached upon in committee and should not be overturned.

An amendment, offered by Sen. John Hottinger, to ban "slotting fees" touched off heated discussion. Slotting fees are payments made to retailers for displaying the manufacturer's products. Sen. Pat Pasieau (R-Farmington) argued that slotting fees are a common practice in the retail industry for all types of products ranging from cereal to soft drinks and that tobacco products should not be singled out. Sen. Allan Spear (DFL-Mpls.) countered that if a manufacturer could be found to refuse to sell its products because of its detrimental effect on health, "We are moving to the death of tobacco like alcohol, through legal, needs to be regulated more than other products because of its detrimental effects on health." Sen. Kenrie Scheveel (R-Preston) responded, "What we are trying to do is economically force the product out of the retailer's establishment." Sen. Gary Laird (DFL-St. Paul) successfully amended the amendment to prohibit slotting fees for products not in a location accessible to the public. The Hottinger amendment was then adopted.

Sen. Jim Vickerman (DFL-Stillwater) offered an amendment to delete the provision prohibiting self-service displays. Vickerman said that the decision should be left up to the local units of government. The amendment was adopted on a 33-32 roll call vote. However, Sen. Linda Higgins (DFL-Mpls.), moved to reconsider the amendment. Higgins's motion was successful and the Vickerman amendment failed on the subsequent vote 34-31. Sen. Bob Laidig (DFL-Nhpls.), offered an amendment to prohibit slotting fees for products not in a location accessible to the public. The amendment was defeated on a 16-49 roll call vote.

An amendment providing for a mandatory minimum fine of $100 for teenagers using tobacco was offered by Sen. Davey Johnson (DFL-Blacksburg). Johnson said that teens must be responsible for their own behavior and that having a $100 fine provided a real consequence for breaking the law. The amount of the fine was lowered to $75 before the amendment was adopted on a 54-10 roll call vote. An amendment, offered by Sen. Cal Larson (R-Fergus Falls), specifying that if young people are caught smoking on school property, they will lose their driver's license for ninety days was adopted. However, an amendment, offered by Sen. Sheila Kiscaden (R-Rochester) deleting the requirement for twice yearly compliance checks failed to gain approval. After some three hours of debate the measure was given final passage on a 55-6 roll call vote.

In other action, the Senate adopted a grant of passage to a bill on the Consent Calendar. S.F. 1255, authored by Sen. William Belanger (R-Bloomington), clarifies the employment Calendar. S.F. 1255, authored by Sen. William Belanger (R-Bloomington), clarifies the methods to limit that access. The measure provides for the suspension of the local units of government's licenses for the illegal purchase of tobacco products, authorizes local units of government to license retailers and sets fees, provides for penalties and fines for retailers, provides for compliance checks twice a year, requires the reporting of "slotting fees," and restricts self-service displays of tobacco products.

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Committee update

Agriculture and Rural Development

Dairy bill approved

A bill repealing milk over-order premiums was approved by the Agriculture and Rural Development Committee Tues., Apr. 8. Chairman Sen. Dallas Sams (DFL-Staples), the committee reviewed two bills and confirmed an appointment to the Board of Animal Health before adjourning for the session. Sen. Becky Lourey (DFL-Kerrick), presented S.F. 1834, a bill that repeals the Minnesota Dairy Trade Practices Law. As written, the bill repeals the law in order to allow low price milk to decrease, thereby stimulating demand for dairy products and increasing the incomes of dairy farmers. The law currently prohibits the selling of milk below cost. Lourey said, “A Minnesota farmer currently recovers the lowest milk prices in the nation while the states consume the same, paying the highest prices for dairy products. By enabling retailer to sell milk at a lower price, consumption will increase and farmers will profit. This bill is a bill for consumers and for small farmers,” Lourey proposed an amendment limiting the repeal to a period of one year. Sen. Kenrick Scheve (R-Preston), said, “I was unable to find is that the supply-demand relationship is much less direct in dairy, so I voted against the bill on this year.” Sen. Steve Dille (R-Dassie) proposed an amendment repealing only then milk over-order premiums part of the law. The proposal essentially keeps the Dairy Trade Practices Law intact. The amendment passed, making the original Lourey amendment moot. Lourey offered another amendment restoring Dairy Month, a proposal that suspended the law for the next year, making it possible for milk to be sold below cost for that period. The amendment was adopted, and the bill was approved and sent to the Senate floor.

Sen. Charles Berg (ND-Chokio) authored S.F. 1562, a bill that provides tax credits to newly formed agricultural cooperatives. The bill allows a 30 percent tax credit to an individual for investment in a cooperative and limits it to one time per individual. The bill was approved and referred to the Commerce Committee.

Sen. Larry Stumpf (DFL-Thief River Falls) offered amendments to the Higher Education Omnibus Bill. The bill includes provisions to increase the funding for student aid. Stumpf’s amendments include increasing the funding for the Minnesota State University (MnSCU) system.

Children Families and Learning

Early childhood bill okayed


In conjunction with the consolidation of education and family services into the Department of Children, Families and Learning, the bill deals with education policy for young children and integrates the initiatives with related social service programs that are currently administered by various state agencies. The division matched the governor’s recommendation at $339.6 million for spending in FY 98-99, but allocated funds with slightly different emphases. For example, the division’s recommendation for Head Start is $50,000 less than the governor’s recommendation. To compensate for federal welfare cuts, the Family and Early Childhood Education Division is designed to provide funding for child care, transitional housing, child care and immigrant services. The division’s recommendation is $202 million in targeted funds, with $1.4 million to AFDC recipients and the working poor to afford child care while they are expected to work outside the home. Head Start has been increased by $27.1 million, ECFE formulas have increased, adult basic education has increased by $3.8 million, and transitional housing increases by $3 million. Adolescent parenting grants and citizenship promotion grants are also included.

The bill was approved and sent to the Education Finance Committee.

Highereducation bill advances

The Children, Families and Learning Committee met Tues., Apr. 8, to approve the omnibus bill for higher education. Sen. Leroy Stumpf (DFL-Thief River Falls), chair of the Higher Education on Budget Division, presented the bill to the committee and his co-chair, Lawrence Pogemiller (DFL-Mpls.), Pat Piper (DFL-Austin).

By way of historical perspective, Stumpf said, “The 90s are unlike the 80s have been very tight in terms of funding for higher ed. We have seen substantial tuition increases.” He told the committee that the governor has looked at some proposals to encourage parents and relatives to start saving for one of life’s most expensive endeavors. While the budget, he said, is an 8.3 percent increase over the current year, the governor has recommended that higher education funding remain at a fraction of the $12 billion budget.

When Stumpf offered an amendment to shift funds from MnSCU to the University of Minnesota, changing MnSCU appropriation to bonding ability, Sen. Shelia K. Isacson (R-Rochester) objected to this use of funds. She pointed out that community and technical college co-op experiences can be considered work for those transitioning out of welfare. She said 20 percent of MnSCU students are on AFDC and work-study options must be available as registration grows. The Stumpf motion prevailed and raised the University of Minnesota performance items budget by $24 million to $46.5 million.

Student financial aid was expanded to four years with the bill moving from 50 percent to 48 percent. The bill increases the amount allotted for student living expenses to offset inflation costs. The measure also funds the online library info system. The bill changes Minnesota full time student designation from 15 to 13 credits and provides for a school loan program for one student per high school for community service. The governor’s “Edvest” program shows up in modified form in a program allowing parents and grandparents who make less than $50,000 ($100,000 if jointly) to save up to $75,000 annually.

MnSCU is provided with electronic academic funding that $29 million to encourage the delivery of more programs over the Internet, one-stop-shop registration and student services. Schools in areas receiving a disaster declaration are allocated $343,000 for snow removal cost reimbursement. The classroom is a program providing legal service to poor people in reservation areas. Robling’s amendment was adopted.

MnSCU is provided with a program for college co-op experiences that $11 million to be used specifically for women’s athletics.

Sen. Deanna Wiener (DFL-Eagan) offered an amendment to increase funding for Native American Tribal governments, and move to strike the provision, directing the organization’s litigation against the state. Langseth countered that the organization gives legal services to poor people in reservation areas. Robling’s amendment was not adopted.

MnSCU is provided with $34 to $46.5 million to encourage the delivery of more programs over the Internet, one-stop-shop registration and student services. Schools in areas receiving a disaster declaration are allocated $343,000 for snow removal cost reimbursement. Stumpf’s successful amendment to move $250,000 per year from the agriculture and extension service to the area of enhancement of recruitment and collaboration efforts at the University of Minnesota, College of Agriculture. Piper offered but then withdrew, an amendment to appropriate $11 million to be used specifically for women’s athletics.

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Commercial Committee

Shopping cartsafety bill okayed

The Commerce Committee, chaired by Sen. Sam Solon (DFL-Duluth), approved two bills, Thurs., April 3, relating to shopping carts and insurance.

H. F. 410, sponsored by Sen. Sam Solon (DFL-Duluth), requires that sellers equip shopping carts with straps or other equipment designed to prevent a child from falling from a shopping cart. The bill was approved.

In another action, the Senate Commerce Committee approved a bill that would make it easier for former AFDC recipients and the working poor to afford child care while they are expected to work outside the home. The bill was approved and sent to the Senate floor.

The committee also recommended Dr. Joni Scheftel for confirmation to the Board of Animal Health. The recommendation was sent to the Senate floor.

The committee also approved a bill that would increase funding for the University of Minnesota, changing MnSCU appropriation to bonding ability. Sen. Shelia K. Isacson (R-Rochester) objected to this use of funds. She pointed out that community and technical college co-op experiences can be considered work for those transitioning out of welfare. She said 20 percent of MnSCU students are on AFDC and work-study options must be available as registration grows. The Stumpf motion prevailed and raised the University of Minnesota performance items budget from $34 million to $46.5 million.

Student financial aid was expanded to four years, with the bill moving from 50 percent to 48 percent. The bill increases the amount allotted for student living expenses to offset inflation costs. The measure also funds the online library info system. The bill changes Minnesota full time student designation from 15 to 13 credits and provides for a school loan program for one student per high school for community service. The governor’s “Edvest” program shows up in modified form in a program allowing parents and grandparents who make less than $50,000 ($100,000 if jointly) to save up to $75,000 annually.

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shopping cart. Sen. Allan Spear (DFL-Mpls.), said that, under the bill, sellers not providing safety devices would be guilty of a misdemeanor. He said that he did not want to see continued proliferation of misdemeanors, and offered an amendment to make noncompliance noncriminal. The amendment was adopted. The Senate approved the bill, as amended, and sent it to the Senate floor.

Sen. John Kottinger (DFL-Mankato), sponsored the committee omnibus insurance bill. Among its provisions, S.F. 349 allows the commissioner of commerce to order an insurer to cancel a policy if the insurer is in public interest, requires assumption of insurance contracts by another insurer before an insurer can withdraw from the state, and allows the commissioner to impose policy and solvency form requirements in addition to capital or surplus requirements. The bill also adopts: NAIIC Model Rehabilitation and Liquidation Act, language to make it easier for liquidators to recover amounts owed by insurers, amends education requirements for licensees, includes the rehours of state law study, and requires a nonresident agent to meet the same standards as an insurance law knowledgeable resident agent.

The bill included amendments offered by Kottinger, increasing trust fund requirements for some insurance reinsurers, allowing for coverage of at least 50 percent of prescription drug expenses from Medicare supplemental insurance carriers, requiring health plans to provide coverage through the end of the month during which coverage is terminated, allowing a pilot program to explore delivery of accredited courses using new delivery technologies, and limiting lifetime benefits of qualified number one and number two comprehensive health insurance plans to $2 million. Sen. Deanna Wiener (DFL-Eagan) offered an amendment extending to 75 miles the distance an insured may travel for a medical examination that is requested by a reparation obligor. The committee approved all the amendments, approved the bill, as amended, and sent it to the Senate floor.

**Two bills forwarded**

The Commerce Committee, chaired by Sen. Sam Son (DFL-Duluth), approved two bills Tuesday, Apr. 8, relating to auto brokers and payment to contractors.

S.F. 890, sponsored by Sen. Linda Sched (DFL-Brooklyn Park), licenses auto brokers as dealers. The bill adds “motor vehicle brokers” to the definition of “dealer,” prohibits motor vehicle brokers from delivering new or used motor vehicles without being licensed and requires that vehicles be delivered to an established place of business where books, records and files are kept. The committee approved the bill and sent it to the Senate floor.

S.F. 2156, authored by James Metzen (DFL-South St. Paul), requires a primary contractor to pay any subcontractor within ten days after the prime contractor has received payment. The bill also prohibits contracts requiring a subcontractor to waive their right to place a mechanic’s lien before the subcontractor is paid. The bill adds to the provisions that the contract is subject to another state’s laws, and contains provisions of the bill to work on commercial properties. Following residential builders’ testimony that they did not have enough money “up-front” to immediately pay subcontractors, Sen. John Kottinger (DFL-Mankato) offered an amendment excluding from the bill immediate payments for the construction of, and improvements to, residential real-estate and home improvement projects. The amendment was adopted, and the committee sent the bill, as amended, to the Senate floor.

**Crime Prevention and Judiciary Budget**

**Bill considered for omnibus bill**

Chair Randy Kelly (DFL-St. Paul) and the Crime Prevention and Judiciary Budget Division voted Thursday, Apr. 3, to include four bills in the omnibus legislation.

S.F. 257, the governor’s crime initiatives carried by Sen. Thomas Neuvile (R-Northfield), S.F. 878, authored by Sen. Dave J. Johnson (DFL-Bloomington) equalizing the penalty levels for the sale, and possession of heroin with penalties for sale and possession of cocaine, S.F. 1020, authored by Sen. Allan Spear (DFL-Mpls.), providing funding for anti-violence plays and workshops through Minneapolis’ Illusion Theater; and S.F. 1216 authorizing a funding for a Ramsey County pilot version of the Boston Gun Project were all approved for consideration in omnibus legislation.

**Boot camp proposal heard**

Members of the Crime Prevention and Judiciary Budget Division met for an evening hearing Thursday, Apr. 3, to hear bills slated for possible inclusion in the Omnibus Finance omnibus bill. One of the measures creates a pilot project at Camp Ripley for a work program for non-violent felony offenders between the ages of 18 and 25 who have served at least 18 months of a sentence. S.F. 1692, authored by Sen. David J. Johnson (DFL-Bloomington) equalizing the penalty levels for the sale, and possession of cocaine, S.F. 1020, authored by Sen. Allan Spear (DFL-Mpls.), providing funding for anti-violence plays and workshops through Minneapolis’ Illusion Theater; and S.F. 1216 authorizing a funding for a Ramsey County pilot version of the Boston Gun Project were all approved for consideration in omnibus legislation.

**Omnibus bill approved**

“Staff has worked all weekend trying to get the money and the bills together,” Chair Randy Kelly (DFL-St. Paul) said before the Crime Prevention and Judiciary Budget Division began discussion of this session’s omnibus crime bill Monday, Apr. 7. While the division was generally amenable to the bill’s contents, minority members voiced concern over the absence of some of the governor’s recommended programs.

The bill provides that peace officer skills tests be offered as a state-wide component of officer training. It adds $25,000 to develop new screening tests for peace officers and new requalification tests. The bill initially did not fund paying back dues for the Uniform Laws Commission, because, Kelly said, the commission was supposed to pay dues with money received last session. Sen. Allan Spear (DFL-Mpls.) defended the commission and successfully offered an amendment to fund the dues. If the commission were not paid its positions, “he reminded the committee of the importance of uniform laws like the UCC.”

Sen. Eileen Andersen’s (DFL-St. Paul) amendment directing the Department of Human Rights to study discrimination in rental housing and providing $50,000 for the study, was also dropped. She said, “It is saloon level legislation.” Speaker successfully offered an amendment to raise the .04 level for underage drinkers.
Committee update

Kely adopted some policy bills not acted upon by the House as amendments to the omnibus package. These includedSen. Jane Ranum’s (DFL-MLPs) request for $75,000 for Family Violence Coordinating Centers, Sen. Deanna Wiener’s (DFL-Eagan) bill repealing the illegal sale of selling toxic substances to minors for agricultural purposes, and Sen. Arlene, eswé’s (R-Marshall) bill to lift the 100 bed limit for a Rock County juvenile Detention Center.

Sen. David Kutsun (R-Burnsville) successfully moved to increase funding for a Dakota County community-based probation program. Kely successfully offered an amendment to provide $65,000 for the family violence center in the bill.

The Economic Development Budget Division okayed Mon., Apr. 7, a bill that provides incentives to film production companies who hire Minnesota residents to work on films produced in Minnesota. The division, chaired by Sen. Tracy Bedick (DFL-Breezy), reviewed a number of other proposals for consideration as part of the division’s omnibus bill.

S.F. 828, authored by Sen. Richard Cohen (DFL-St. Paul), allows incentives of up to $100,000 per film to be paid to film companies who employ Minnesota residents when films are produced in the state. Senate Adm of the Film Board said, “At present, Minnesota is competing with New Mexico to attract a TV show and on the movie Fargo. This bill may provide the incentive we need to get the film.” The bill was recommended to pass and will be considered as part of the omnibus bill.

Sen. Steven Novak (DFL-New Brighton), presented S.F. 1472, a bill that appropriates $50,000 for the human trafficking Hotline. The Finance Authority said, “The funds will provide for the hotline to receive information from home owners who are house rich and cash poor and need help with basic housing needs. The equity could be used to secure a reverse mortgage that provides the homeowner with some relief.” The bill was approved and will be considered as part of the omnibus bill.

The Environment and Natural Resources Committee held a brief hearing Mon., Apr. 7, on both bills and financial proposals for the Environment and Natural Resources Committee.

Game and fish bill approved

An amendment prohibiting personal watercraft (PWC) in wildlife management areas (WMA) was added to the omnibus bill and the fish bill at the F.S., Apr. 4, meeting of the Environment and Natural Resources Committee. The bill, S.F. 254, carried by Sen. Dennis Frederickson (DFL-New Ulm), changes various provisions in Minnesota’s game and fish laws.

Sen. Linda Higgins (DFL-Mpls.) offered the amendment to prohibit personal watercrafts (PWC) in wildlife management areas (WMA). WMA, which are used for hunting and fishing, are focused in the areas of Head Start, food shelves, transitional housing and childcare. The division matched the governor’s recommendation at $393.6 million for spending in FY 98-99, but allocates funds with different emphasis, spending money for Head Start rather than the governor recommended ECFE formula.

Distribution of funds is focused in the areas of Head Start, food shelves, transitional housing and childcare. The division matched the governor’s recommendation at $393.6 million for spending in FY 98-99, but allocates funds with different emphasis, spending money for Head Start rather than the governor recommended ECFE formula.

Piper explained the bill’s funding concerns are focused in the areas of Head Start, food shelves, transitional housing and childcare. The division matched the governor’s recommendation at $393.6 million for spending in FY 98-99, but allocates funds with different emphasis, spending money for Head Start rather than the governor recommended ECFE formula.

Education Finance

Early childhood bill okayed

Fri., Apr. 4, the Education Finance Committee, chaired by Sen. Kay Erickson (DFL-Glyndon), approved the family and early childhood omnibus bill produced by the Committee on Education Finance.

Committee discussion focused on the transitional housing population. Sen. Pat Pippin (DFL-Austin) supported a bill that increased funding for transitional housing programs. Pippin said that the bill would increase funding for transitional housing programs.

The bill was approved and referred to the Human Resources Finance Committee.

Economic Development Budget Division

Film job bill okayed

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Natural Resourcesthe Dept. of Natural Resources (DNR) will recruit members of the Southeast Asian community to act as conservation officers under a bill presented by Sen. Randy Kiley at a Fri., Apr. 4, meeting of the Environment and Agriculture Budget Division. Under the bill, S.F. 1304, the DNR is seeking $427,000 to recruit members of the Southeast Asian community to enforce game and fish laws. Kiley said that there are 70,000 residents in Minnesota of Cambodian, Vietnamese, Hmong and Laotian descent, and many of these residents hunt and fish. Kiley said there are significant differences between the hunting and fishing practices in Southeast Asia, and the laws of Minnesota. Josee Chung, the Southeast Asian outreach program manager for the DNR, said candidates will be selected on the basis of interest, experience and community support. She said the candidates receive 2 years of community college education and then spend six months working with conservation officers to complete their training. DNR enforcement administrator Mike Grupa said that through the program, members of the Southeast Asian community will see their inclusion in the regulatory process. The bill was laid over for inclusion in the omnibus bill. The Senate, chaired by Sen. Steven Morse (DFL-Dakota) also heard testimony on the impacts of S.F. 1353, a bill on products, sponsored by Sen. Dan Stumpf (R-Mora). The bill removes a ban on products containing certain toxics and establishes a council to review manufacturers’ plans of substitution for the products. The division set the fee to be paid by manufacturers at $275 per year after the first five years. Morse noted that although the fee is set at eight years, it will show a $200,000 debt four years into the program. Steven said the program’s budget is projected to balance when it ends. Sen. LeRoy Stumpf (DFL-Thief River Falls) suggested that there be a cash flow problem could be addressed by having manufacturers pay a higher fee early in the program and receive a higher priority for product certification. Minnesota Chamber of Commerce representative Mike Robertson spoke against the suggestion, saying a uniform annual fee was agreed to by all involved parties. The panel approved the bill and returned it to the Environment and Natural Resources Committee.

Public safety bill okayed

Sen. LeRoy DeYoe (DFL-Anoka) brought forward S.F. 435 at the Thurs., Apr. 3, Governmental Operations Committee meeting. DeYoe said that the measure represents the Dept. of Public Safety’s housekeeping bill and includes a number of modifications to state government regulations. The bill also included a bill sponsored by Sen. Jerry Janezich (DFL-Chisholm), appropriating $1 million for a taconite technical research grant program.

Other bills include S.F. 1353, carried by Sen. Becky Lourey (DFL-Kerrick), establishing a program to issue coupons for food produced in Minnesota to people qualifying for temporary hunger prevention assistance, and S.F. 1293, sponsored by Morse, creating a pilot project to test soy-based diesel fuel in state-owned vehicles. The division discussed S.F. 1574, sponsored by Sen. Jerry Johnson (DFL-North Branch). The bill appropriates $3 million for a farm wildlife protection program. The appropriation section was removed so the bill could be included in the omnibus bill, and the balance of the bill was referred back to the Environment and Natural Resources Committee. One other bill, sponsored by Johnson, S.F. 1399, appropriates $200,000 for a litigation costs associated with abandoning an agricultural ditch in Washington and Chisago counties and was similarly acted on by the committee.

Environmental and Agriculture Budget Division

Budget requests heard

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following four bills were approved and sent to the floor. According to Sen. Bob Lessard (DFL-Tlnr.-Falls), H.F. 566 allows Itasca County to continue a managed care pilot project. The project is trying to determine whether a managed care system is more efficient than a fee-for-service system for financing chemical dependency treatment services, hesaid. Under the bill, the project may continue until June 30, 1999. The bill was recommended to be placed on the Consent Calendar.

S.F. 683, carried by Sen. Jerry Anezid (DFL-Chetek), contains the public notice of all eligibility rules in the event of a dissolution of certain self-funded employee benefit plans. Anezid explained that the bill is targeted at the single employer plans, not the joint employer pools.

Another bill, authored by Anezid, H.S. 108, addresses a "unique situation." Specifically, J. Anezid said, three individuals at the Range Technical College fell through the cracks when they filed a retirement notice. The bill allows persons, who filed a retirement notice prior to July 1, 1995, to collect health insurance benefits provided in the applicable Range Technical College collective bargaining agreement.

Sen. Linda Higgins (DFL-Mpls.), presented S.F. 854, a bill that provides rights and procedures for public employees of local government who are displaced as a result of a transfer of services from one local government to another. For reasons of efficiency, cities and counties often consider combining services. This bill specifies what happens when those employees, "hesaid.

In other business, S.F. 351, carried by Sen. John Hottinger (DFL-Mankato), was approved and referred to the Government Operations Budget Division. He explained that the bill would change the role of the Office of Strategic and Long-Range Planning. Sen. Tom Weidert (DFL-St. Paul), offered an amendment that includes full-time public employees of local government who are displaced as a result of a transfer of services from one local government to another. "For reasons of efficiency, cities and counties often consider combining services. This bill specifies what happens when those employees, "hesaid.

A massive bill, S.F. 157, enacting, eliminating, and redefining the Legislative Commission on Review of Administrative Rules (LCRAR), is set to expire June 30, 2001. The measure was approved and re-referred to the Government Operations Budget Division.

Finally, S.F. 1639, carried by Sen. Tracy Beckman (DFL-Bricelyn), requires a study of past and present state economic policy initiatives. Under the bill, money is appropriated to the Office of Strategic and Long Range Planning to look at ways for developing a cohesive, ongoing state economic policy. In addition, an intergovernmental strategy group is organized to establish guidelines for the formation of a permanent economic policy council. The bill was approved and referred to the Government Operations Budget Division.

**Rulemaking bill okayed**

A massive bill, S.F. 157, enacting, eliminating, and redefining the Legislative Commission on Review of Administrative Rules (LCRAR), is set to expire June 30, 2001. The measure was approved and referred to the Government Operations Budget Division.

**Learning network bill discussed**

At the Thurs., Apr. 3, Government Operations Budget Division meeting, members considered S.F. 1150. Sen. Steve Kelley (DFL-Duluth), explained that the bill is principally an appropriations bill in three related projects. The first project is a gigabyte point-of-presence (Gigapop), an extremely
high-speed fiber-optic connection at the University of Minnesota's Minneapolis campus for telecommunications. This second project connects four public university state wide to the Gigapop in order to expand the state's Learning Network and create a high-speed connection that will allow video communications. Finally, the third project installs computer servers at the public universities to allow for secure communications on the network. The servers, Kelley said, allow for secure information transfers between the academic institutions, as well as for electronic commerce transactions. The MinnesotaNet (MNNet) will be linked to the United Nations-operated, international electronic commerce network, thereby allowing businesses in Greater Minnesota access to markets worldwide. Kelley explained. The major issue in the bill, he said, is whether to allow prorated investments to MnNet.

Current law prohibits private access to the stateoperated telecommunications network, and Kelley's measure brought in this prohibition by requiring that the Telecommunications Council (TC) requires the use of MnNet for educational institutions. If the universities are allowed to contract with providers outside of MnNet, private users would be able to have access to the new, high-speed connection, he said. The cost to the state government, Kelley said, may occur if the universities elect to purchase high-speed telecommunications services through providers other than MnNet.

Commissioner Elaine H. L. Andersen, Dept. of Administration, said the department expects the statutory change to cost the state between $1 million and $2 million annually. She explained that the state contracts with local service providers for a certain volume of telecommunications traffic, and if the public universities leave MnNet, the volume will decrease, thereby increasing costs for all state agencies. Because there was a disagreement between Kelley and the commissioner on what the change will cost state agencies, Chair Leonard Price (DFL-Hopkins) said, "since it is not clear what the costs are to the Dept. of Administration, and the fiscal note need additional work, it would be irresponsible to send this bill along until we have a better idea of what the costs are." The bill was set aside until a later meeting.

Turning to the remaining bills before the division, Sen. John Hottinger (DFL-Mankato) presented S.F. 351, a bill that transfers the authority from the Health Eligibility Division to the Legislative Coordinating Rules (LCRAR) to the Legislative Coordinating Commission (LCC). In order to support the additional responsibilities, the measure calls for an additional state director, a half-time clerical position, and office equipment. The measure was referred to the Government Operations Committee, while the appropriations in the bill will be taken into consideration for the next state government omnibus bill.

S.F. 180, carried by Sen. LeRoy Stumpf (DFL-Thief River Falls), appropriates money for the library and public service of Coon Rapids, Coon Rapids City, Minnesota, and also authorizes the staff while permanent staff are involved in the system planning process. Neemy added that the business community wants the system implemented because of its convenience. Jung urged support for the bill, saying the UBI system "will make Minnesota a better place to do business."

Finally the division considered the omnibus budget bill, S.F. 1486, presented by Sen. Steven Morse (DFL-Dakota). Morse said that under the bill, Dept. of Revenue's seasonal employees are now eligible to participate in the deferred service pension plan. Morse said he also felt the pension administrative costs from the Minnesota State Colleges and Universities (MSCU) board and the employees. Morse said that the new system will be similar to the state's pension plans. Morse said another provision in the bill allows some consolidated pension plans to again qualify as a state plan if proposed changes in actuarial assumptions project an unfunded liability.

The division took no formal action on any of the bills.

Health and Family Security

Pre-paid assistance debate begins

Sen. Don Samuelson (DFL-Brainerd) began presenting the pre-paid medical assistance plan (PAMP) bill, S.F. 1230, at the Thurs., Apr. 3, Health and Family Security Committee meeting. Assisted by Tom Moss, Dept. of Health, Samuelson presented an overview of the bill and demonstrated the department's computerized license application system. The bill will allow for action to on other pending legislation.
Committee Update

legislation. S.F. 1230, he said, would be taken up at the next meeting.

Sen. Steven Morse (DFL-Dakota) brought S.F. 234, the Dept. of Human Service's licensing bill before the committee. He said that because new licensures for caseworkers are needed, the department has developed a new licensing system. Morse then moved to consider the bill for the Health and Family Security Budget Division. Both Morse amendments were adopted and the measure was referred to the Government Operations Committee.

Morse presented S.F. 920, a bill that takes off the expenditure limits for health insurance plans and replaces the limits with health care cost containment goals. The measure was supported by Sen. Judds. S.F. 244, carried by Sen. Sheila Kiscaden (R-Rochester), allows physicians to prescribe controlled substances in cases of intractable pain. She explained that the bill assures doctors that they may prescribe levels of medication to control extreme pain without fear of investigation or censure by the Board of Medical Practices. The list of controlled substances does not include marijuana, she said. The bill was approved and sent to the floor.

PMAP, MinnesotaCare discussed

On Mon., Apr. 7, the Health and Family Security Committee continued the discussion on S.F. 1230, the prepaid medical assistance plan (PMAP) bill, carried by Sen. Don Samuelson (DFL-Blaine). The bill allows counties to purchase medical services on a prepaid plan. Morse then offered to amend the bill to allow patients to receive services from multiple providers. He explained that the language had originally been removed because of fiscal impact concerns, but after examination, the language was reintroduced.

Samuelson successfully offered an amendment that allows the commissioner of health to develop a plan to integrate the MinnesotaCare program with the expanded county-based purchasing plan. The bill was then approved and referred to the Health and Family Security Budget Division.

The committee turned to S.F. 1208, the MinnesotaCare add-on program. Sen. Linda Berglin (DFL-Mpls.), explained that the intent of the measure is to expand coverage under the MinnesotaCare program. Under the bill, health services covered by MinnesotaCare are expanded to include single adults and children with an annual income below 175 percent of federal poverty guidelines. The measure also eliminates the 1 percent premium tax for HMOs, CINs, and nonprofit health services plans and reduces the provider tax from 2 percent to 1 percent.

Several amendments were considered. Berglin offered an amendment that establishes a senior citizen prescription drug program. The senior drug program is slated to begin Jan. 1999. Morse added a provision that increases the program's liability for the supplemental security income (SSI) program; have a household income under 120 percent of poverty guidelines; not have coverage for prescription drugs and not be eligible for coverage under Medicare and Medicaid; be a member of Medicare; and be a member of Medicaid. Berglin said that the program would include other measures to control the structural deficit. Based on the amendments, the measure was referred to the Health and Family Security Budget Division.

MinnesotaCare bill okayed

At the Tues., Apr. 8, Health and Family Security Committee meeting, members moved to reconsider the vote on a controversial amendment made the night before to the MinnesotaCare bill. The amendment, offered by Sen. Sam Solon (DFL-Duluth), reduced the 2 percent provider tax to 1.5 percent. The bill's chief author, Sen. Linda Berglin (DFL-Mpls.), explained at the prior meeting that she did not support the amendment because she believed it would throw the MinnesotaCare program into a structural deficit. Because the amendment was not adopted, Berglin said the program would be reduced to 1.5 percent for two years and then would revert back to 2 percent after the biennium. The Solon amendment was adopted on a 9 to 7 division vote. Berglin then proceeded to the bill.

In other business, Sen. David Knutson (R-Burnsville) presented S.F. 727, an amendment that opens adoption from birth records. Specifically, the bill allows persons age 19 or older to request a copy of their birth certificate from the commissioner of health. Currently, the birth records of people born between 1934 and 1977 are closed to the public. The bill is expected to cost $9 million annually. The amendment was adopted.
1.5 percent failed on a 10-5 roll call vote. The bill was then approved and referred to the Committee on Taxes.

Four other bills were also approved at the meeting. S.F. 1000, carried by Sen. Steve Kelley (DFL-Hopkins), is a housekeeping bill for the Board of Psychology, while S.F. 662, sponsored by Sen. Dallies Sam (DFL-Staples), amends several Board of Psychology provisions. Both S.F. 1000 and S.F. 662 were sent to the floor.

Bergin presented S.F. 1468, a bill that provides reimbursement to counties for care management of mental illness in the same areas of case management for persons with mental disabilities. The bill was approved and referred to the Health and Family Security Budget Division.

Finally, Betzold also brought a measure before the committee. S.F. 457, the Social Work Practice Act. Betzold explained that the bill expands the definition of social work practice and establishes threshold requirements for licensure. The bill was approved and referred to the Human Resources Finance Committee.

Higher Education Budget Division

Omnibus bill advanced

The Higher Education Budget Division approved the omnibus bill Fri., Apr. 4, the division, chaired by Sen. LeRoy Stumpf (DFL-Thief River Falls), considered a number of amendments.

The committee appropriated $2.364 billion in total higher education funding for the biennium, in contrast with the governor’s request of $2.309 billion. The bill allocates $306.7 million to the Higher Education Services Office, $1.055 billion to the MNSCU system, $1.049 billion to the University of Minnesota and $2.4 million to Mayo. The governor’s recommendations were for $284 million, $988 million, $1.070 billion and $1.6 million respectively.

Stumpf proposed an amendment allowing technical and consolidated colleges to consult advisory committees when programs are changed, modified, or eliminated. Under the terms of the amendment, the committees consist of employers, students, and instructors. The amendment was adopted. Sen. Steve Kelley (DFL-Hopkins), proposed an amendment that appropriates up to $1.5 million to establish a gigabit capacity point at the University of Minnesota. The appropriation is contingent on a match by the university or private sources. Kelley said, “The additional gigabit capacity would put the University of Minnesota on the main channel of the global information network.” The amendment was adopted.

Kelley renewed previous amendments that establish performance indicators for the University of Minnesota and the MNSCU system and tie incentive to achievement of the indicators. Under the proposal, the University receives up to $15 million in additional appropriations if it achieves six out of seven of the performance indicators. As listed in the proposal, the indicators are in the areas of enrollment levels, graduation benchmarks, research and development, voluntary support, reduction in administrative expenditures and information technology.

Sen. Sheila Kiscaden (R-Rochester) offered an amendment that performance indicators more general. Kiscaden said, “This proposal encourages quality in the more general. “Our jobs are to represent our constituents and making sure their expectations of results, and that’s what I’m trying to do with this approach.” The second part of Kelley’s amendment offered the University a $20 million appropriation for the development and implementation of a common course numbering system and the integration of technical college coursework in its degree programs. On the suggestion of Sen. Sam Solon (DFL-Duluth), Kelley divided the amendment and offered the performance indicators portion first. On a roll call vote, the proposal failed and Kelley withdrew the second half of the amendment.

Kelley presented an amendment deleting deadlines for the implementation of a common numbering system. The amendment was adopted. Kelley also moved to add $500,000 to the Virtual University programs at the University of Minnesota and the MnSCU system. The Virtual University is a computer-based, interactive distance learning initiative. The amendment was adopted. The committee then approved the omnibus bill and advanced it to the Children, Families, and Learning Committee.

Human Resources/Employment

Crime prevention and public safety omnibus bill okayed

“This bill will strengthen the state’s crime prevention infrastructure and develops a greater capacity to deal with expanding crime problems,” said Sen. Randy Kelly (DFL-St. Paul) as he brought S.F. 1880, the crime prevention and public safety omnibus bill, before the Human Resources Finance Committee at the Tues., Apr. 8, meeting. He explained that approximately $973 million is appropriated for the biennium and the law has jurisdiction over rights-of-way issues. The bill was approved and referred to the Local and Metropolitan Government Committee.

Novak also authored S.F. 1290, a bill that establishes a state office of international affairs. Under the terms of the bill, the office coordinates cultural exchanges, international education opportunities, and promotes international understanding, cooperation, and awareness. The bill was okayed and advanced to the Senate floor.

H.F. 50, presented by Sen. Tracy Beckman (DFL-Brooklyn), allowed local and economic development officers to be placed in nonmetropolitan state offices. The legislation places the economic development officials in Greater Minnesota in order to facilitate local development. The bill was approved and sent to the Economic Development Budget Division.

H.F. 211, presented by Sen. Dick Day (R-Owatonna), authorizes extended area telecommunications service within combined school districts. The bill allows customers to petition the Public Utilities Commission to permit the extended area service and facilitates communication between parents, teachers, administrators, and students from combined school districts. The bill was okayed and moved to the Senate floor.

Railroad leave bill discussed

The committee reviewed a bill Fri., Apr. 4, the Jobs, Energy and Community Development Committee Thurs., Apr. 3. Chaired by Sen. Steven Novak (DFL-New Brighton), the committee also approved bills related to office of international affairs, tourism, and telecommunications within combined school districts.

Novak presented S.F. 442, a bill that gives local units of government the authority to regulate telecommunications rights-of-way. The Public Utilities Commission has jurisdiction over rights-of-way issues. A public right-of-way is defined in the bill as “the area on, below, or above public roadways and sidewalks.” It was approved and referred to the Local and Metropolitan Government Committee.

Novak also authored S.F. 1000, a bill that established a state office of international affairs. Under the terms of the bill, the office coordinates cultural exchanges, international education opportunities, and promotes international understanding, cooperation, and awareness. The bill was okayed and advanced to the Senate floor.

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Committee update

Education, employee representation and wages. S.F. 1291, authored by Sen. Becky Lourey (DFL-Kerrick), requires railroadd companies to provide counseling services and mandatory leave to all railroad crew members involved in serious accidents. The bill requires counseling services within 48 hours of an accident and all for post-event counseling services. The mandatory leave follows an accident. The committee laid the bill aside for further consideration.

Sen. Jane Krentz (DFL-May Township), presented H.F. 889, a bill that clarifies the rights of parties to mobile home park rentals. The bill provides that applications for prospective tenants be judged in a nondiscriminatory way and requires that notices of eviction specify the lease violations that trigger the eviction. The bill was okayed and sent to the Senate floor.

S.F. 1135, authored by Sen. Ember Leunge (DFL-New Hope), creates a universal business identifier to facilitate electronic filing and information retrieval pertaining to business licenses. J. Ungle said, "This legislation enables businesses to file license applications on-line for all licenses and allows for on-line public access for licensing information." The bill was okayed and re-referred to the Governmental Operations and Veterans Committee.

Sen. John Hottinger (DFL-Mankato) presented S.F. 1693, a bill that requires employers to recognize an organization representing at least 50 percent of the employees in the appropriate unit. The bill was approved and advanced to the Governmental Operations and Veterans Committee.

Novak presented S.F. 1820, the omnibus energy bill for consideration. The bill was laid over for further discussion.

Railroad leave bill okayed

A bill related to providing leave to railroad employees was approved by the Jobs, Energy and Community Development Committee.

Sen. Becky Lourey (DFL-Kerrick), presented S.F. 1291, a bill that provides counseling and mandatory leave to railroad employees involved in serious accidents. An amendment made some changes in the bill to address industry concerns. The amendment leaves to the employee's discretion the option of working after an accident if the employee can perform the job safely. The amendment was approved. There was still opposition to the bill because of its impact on the railroad industry, mostly around the issue of state-ordered mandates. The bill as amended, however, was approved and re-referred to the Health Care and Family Security Committee.

S.F. 839, authored by Sen. William Bellanger (DFL-New Hope), makes bond requirements for executive search firms. Current law requires search firms to obtain a $10,000 bond each year. The bill limits the bond requirement to the first five years of a search firm's registration. The bill was okayed and sent to the Senate floor.

Sen. Dave J. Johnson (DFL-Bloomington), presented H.F. 704, a bill that exempts utilities from obtaining a certificate of need when the utility is awarded a contract as a result of participating in the Puget Sound Electric Utility rate modification. The bill was approved and advanced to the Senate floor.

Sen. Ellen Anderson (DFL-St. Paul), presented S.F. 1112, a bill that establishes an advisory task force on lead hazard reduction. The bill was approved and re-referred to the Government Operations and Veterans Committee.

Sen. Steven Novak (DFL-New Brighton), authored S.F. 1820, the omnibus energy bill. The bill strengthens and renames the Legislative Electric Energy Task Force as the Legislative Commission on Utility Energy. The bill provides for a review of electric energy restructuring and makes technical changes in utility statutes. The bill was laid aside for further consideration.

Energy bill advanced

In a busy evening meeting Tues., Apr. 8, the Jobs, Energy and Community Development Committee approved a number of bills. Generating the most discussion among members of the committee, Sen. Steven Novak (DFL-New Brighton), proposed an amendment deleting a section calling for a review of the Conserva- tion Improvements Program. J. Ungle said, "The program has been working pretty well. I don't think we should change it." The motion was approved and the section deleted.

Novak offered an amendment that requires utility companies to provide an annual report on mercury emissions. The amendment was adopted. Sen. Kendric Scheveel (R-Preston) moved to add language calling for the task force to solicit information from all parties affected by electric utility restructuring. The amendment was approved, and the bill as amended was okayed and advanced to the Senate floor.

Sen. Randy Kelley (DFL-Hopkins), presented S.F. 739, a bill related to telecommunications deregulation. The bill outlines the status quo with regard to telecommunications services, prohibits rate changes without a hearing, and requires that the Minnesota Commerce Commission be informed of all new rates. The bill was approved and sent to the Senate floor.

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Sen. Tracy Bedman (DFL-Brooklyn), authored S.F. 1291, a bill that establishes the 1997 Minnesota Employment and Economic Development program. The bill provides for the development of the MEEED program and facilitates the transition from public assistance to work in cases of employment/employment disputes. The bill was approved and sent to the Senate floor.

Sen. David Ten Eyck (DFL-East Gull Lake), authored S.F. 1383, a bill that allows filing of health notices to employees by mail. The bill was okayed and advanced to the Senate floor.

S.F. 1038, authored by Sen. Roy Terviller (R-Edina), requires the commissioner of finance to report on bonding issues to legislative committee chairs by February in odd-numbered years. The bill was approved and sent to the Senate floor.

S.F. 839, authored by Sen. Bob Lessard (DFL-Int'l Falls), designates Koochiching County as an enterprise zone. The bill was approved and re-referred to the Committee on Taxation.

Novak presented S.F. 1268, a bill authorizing a study of utility compliance with the Legislative Electric Energy Task Force study on competitive access to electric energy. The bill was approved and sent to the Senate floor.

Sen. Tracy Bedman (DFL-Brooklyn) authored S.F. 1031, a bill that establishes the 1997 Minnesota Employment and Economic Development program. The bill provides for the development of the MEEED program and facilitates the transition from public assistance to work in cases of employment/employment disputes. The bill was approved and sent to the Senate floor.

Sen. Linda Berglin (DFL-Mpls.), authored S.F. 1419, a bill that establishes a neighborhood revitalization program with funding from housing-related issues. The bill was approved and sent to the Senate floor.
Business license violations not related to clarification of language allowing zoning or substances. The bill was laid over pending building and within a 12 month period.

exists upon proof of two or more separate statutes. Under the bill, a public nuisance amended, and referred to the Health Care and three to seven vote. The bill was approved, as committee adopted the amendment.

due process provisions applicable to the seizure process protections applicable to in driver's foster care from a child's parents, including due the department can seek reimbursement for establishment of the  names of delinquent child support or spousal maintenance is an issue. The bill requires in marriage dissolutions the inclusion location in cases involving domestic abuse and requires in marriage dissolution the inclusion of a social security number when child support or spousal maintenance is an issue. The bill also expands the occupational license suspension statute to include licenses issued by a county or municipality, allowing the suspension or revocation of the names of delinquent child support obligors through a variety of methods in addition to newspaper publication.

Cohen offered an amendment clarifying that the department can seek reimbursement for foster care provided by a child's parents, including due process protections applicable to driver's license suspensions, and streamlining the process of suspensions applicable to these issues of an obligor's bank account funds. The committee adopted the amendment.

Sen. Thomas Neuville (R-Northfield) offered the "Defended of Marriage" amendment which prohibits marriage between persons of the same gender. The amendment failed on a three to seven vote. The bill was approved, as amended, and referred to the Health Care and Family Security Committee.

S.F. 536, sponsored by Sen. Linda Berglin (DFL-Mpls.), amends public nuisance law to include violations of local or state zoning or business, including covenants, ordinances, or statutes. Under the bill, a public nuisance exists upon proof of two or more separate behavioral incidents occurring within a building and within a 12 month period. Among behavioral incidents included in the bill are the following: (a) prostitution, gambling, and the unlawful sale or control of substances. The bill also covers pending clarification of language allowing zoning or business license violations not related to nuisances.

Data privacy bill gains

The Judiciary Committee, chaired by Sen. Jane Ranum (DFL-Mpls.), continued the count down to the second committee deadline with an evening hearing Tues., Apr. 7. One of the key bills heard was the omnibus data privacy bill proposed by Sen. S. F. 1277, authored by Sen. Don Betzold (DFL-Fridley), contains several changes to the laws governing the various classifications of data. However, most of the debate centered on a series of amendments by committee members. Betzold began the discussion by offering a amendment to allow the Attorney General to have an omnibus data classification as the governor's office has for preliminary drafts of legislative proposals and internal use. The amendment was offered by Rep. Mark Finenson, representing the Minnesota Newspaper Association, on the grounds that the amendment cuts off public discussion on issues of importance. Sen. Sheila Kiscaden (R-Rochester) moved to table the amendment. However, the motion failed. Sen. David Knutson (R-Burnsville) also opposed the amendment. Knutson said there is a distinction between the governor's office preparing budgetary and legislative proposals for all of state government and the ingestion of the attorney general. The amendment was adopted on a divided vote.

Ranum offered two amendments. The first allows the disclosure of education data such as a student's full name, address, phone number, school schedule and attendance record and parents' names and addresses and the juvenile justice system. The second authorizes county attorneys, in counties where the county attorney refers children who are in need of protection or services to community programs, to provide the programs data on children who are being considered for participation. Both amendments were adopted.

An amendment, offered by Knutson, classifies data collected in a proposed school data collection pilot project as personal data but allows dissemination of the data to probation officers working with the pilot project. The last amendment was asked to be withdrawn. Sen. Thomas Neuville (R-Northfield) offered the "Defended of Marriage" amendment which prohibits marriage between persons of the same gender. The amendment failed on a three to seven vote. The bill was approved, as amended, and referred to the Health Care and Family Security Committee.

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In other action, members approved seven additional bills. S.F. 100, authored by Sen. Linda Runbeck (R-Circle Pines), establishes the Minnesota Office of Technology. The measure was approved and referred to the Governmental Operations and Veterans' Affairs Committee. S.F. 855, authored by Knuoton, allows an interested person to attend proceedings involving a child in need of protection or services, unless the court determines that the person's presence would not be in the best interest of the child. The bill also defines interested person and specifies that the person must agree not to disclose information from the proceeding. The measure was advanced to the Senate floor.

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Committee update

Pogemiller said the committee will probably adopt Moe's bills. Other bills were offered to similar effect: S.F. 127, authored by Sen. Martha Robertson (DFL-Minneapolis) on behalf of Wayzata, S.F. 206 authored by Sen. Thomas Neuville (DFL-Northfield) on behalf of St. Paul, and Sen. Keith Langseth (DFL-Glyndon) on behalf of Lake Park and Audubon. The above bills were slated for inclusion in the omnibus bill. S.F. 220, S.F. 570, bills pertaining to Labor Day, were also awaiting action.

Sen. David Knutson (DFL-Burnsville), who said that a parent he is frustrated by all the days off in school in his district, asked for a chairing staff development session before Labor Day. Bob Moe (DFL-St. Paul), School Board President, was quoted as being in favor of the omnibus bill legislation. Sen. David Knutson (DFL-Burnsville) said that a parent he is frustrated by all the days off in school in his district, asked for a chairing staff development session before Labor Day. Bob Moe (DFL-St. Paul), School Board President, was quoted as being in favor of the omnibus bill legislation.

Bills considered for inclusion in the omnibus bill.

S.F. 551, and S.F. 550, two of many bills dealing with suburban low-income compensatory aid. She said some people are forced to move because of eviction, and that some students must register five times a year. Testimony was heard indicating that children living in affulent environments receive seven to eleven times higher scores on standardized tests than those living in poverty. The vocabulary words of those living in poverty.

Discussion focused on the compounded social problems affecting education. "Affordable housing is a much larger factor, as anything we do," said Sen. Jane Renum (DFL-May Township). School counseling was important to students, and all students should have access to high school dropouts, at one-fifth the cost. Under this bill, the program would be available to families living below the poverty line.

The program could provide 250 hours of education, 250 hours of community service, and 250 hours of cultural enrichment activity.

Sen. Charles Wiger (DFL-North St. Paul) testified that transportation initiatives proposed by Janezich and Scheid.

"Learn and Earn," the program provides students with in-hand stipends and college accounts and was reported to have the same efficacy in crime prevention as the three strikes policy, at one-fifth the cost. Under this bill, this program would be available to communities with high juvenile crime rates or a high increase in juvenile crime, and is limited to families living below the poverty level. The program could provide 250 hours of education, 250 hours of community service, and 250 hours of cultural enrichment activity.

Sen. Tracy Beekman (DFL-Brooklyn Park) presented S.F. 1760, a school-to-work bill, focusing on a transition from training to the workforce. A specific youth work initiative project, S.F. 1400, was presented by Sen. Krentz. Sen. S.F. 1797, authored by Sen. Gen Olson (DFL-Minnetonka) expands the Minnesota School-to-Work to apply to non-public school children. Sen. Don Samuelson (DFL-Breinard) presented S.F. 1442, appropriating $150,000 for each of the last two years to support the job shadowing program and internships at Camp Ripley. He said the proposal broadens the Who can see the benefits of the program, that it works with children in small groups, and instruction is provided by the after-care teacher. She said, "Kids who would have been in special ed. have been diverted into this program. Kids started in October and are now testing above the district average." These children are also given the benefit of working with children in small groups, and instruction is provided by the classroom teacher. She said, "Kids who would have been in special ed. have been diverted into this program. Kids started in October and are now testing above the district average."

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The K-12 Budget Division held a marathon six-hour evening meeting Mon., Apr. 7, to consider 20 technology or library related bills. The division, chaired by Sen. Lawrence Pogemiller (DFL-Mpls.), has devised a list of categories into which they slot bills brought before the panel. The bills cover categories of an A list of bills ready for inclusion in the omnibus bill, B list of bills for ready for inclusion but containing language that must be altered, C list of bills for inclusion if additional funding is available, and D list of bills that contain an interesting concept but need more work, and E list of bills that are not within the direction the division is heading and a G list of bills that contain onetime spending items.

Most of the technology bills were strung for either the A or the C list categories. The panel has also developed an L list of objectives designed to meet the equal statement set forth by the division earlier in the year. S.F. 1503, authored by Sen. Bob L. Essand (DFL-Int'l Falls), permits a public library to operate jointly with a school library in Nashua County. S.F. 1472, also sponsored by Essand, provides an appropriation for the North Central Minnesota Technology Consortium's "Gateway to the World" grant. S.F. 219, sponsored by Sen. Keith Langseth (DFL-Glyndon), provides for an academic library to provide training opportunities for educators, administrators and librarians in the use of technology in and its integration into learning activities, provides for a learning resources network, provides for school district technology plans and provides for site-based technology planning grants. S.F. 1013, also sponsored by Langseth, changes the distribution formula for library grants for regional public library systems.

S.F. 196, carried by Sen. Jim Vickers (DFL-Tracy), allows Independent School District 549, Sandborn, to enter into an interdistrict agreement with the Thief River Falls School to provide for an interdistrict technology program. S.F. 1777, also sponsored by Vickers, provides for an appropriation for a high school remote access program in Independent School District 178, Storden-Jeffers; 633, Lamberton; and 638, Sandborn. S.F. 1563, carried by Sen. LeRoy Stumbo of the Thief River Falls School, provides for telecommunications access grants.

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been higher for older kids because high schoolers need more expensive materials. The division considered the governor’s plans for dealing with AFDC concentration calculations for compensatory aid. The bill operates on the current “district level” approach, but Pogemiller said the division is considering a “school district” approach. Historically, pupil weighting has been much higher for younger children, and a bill sponsored by Sen. Steve Kelley (DFL-Hopkins), provides for an appropriation for the High Museum of Natural History to deliver science curriculum to students in grades K-12 through distance learning methods. S.F. 1010, also sponsored by Kelley, appropriates money for a multicounty, multipurpose library system.

S.F. 1794, sponsored by Sen. Sandra Pappas (DFL-St. Paul), appropriates money for a collaborative urban education program. S.F. 1003, carried by Pogemiller, appropriates money to fund the Minnesota International Center’s International Classroom Connection. S.F. 1370, sponsored by Pogemiller, allows certification through the National Board for Professional Teaching Standards to satisfy licensure renewal requirements.

S.F. 885, authored by Sen. David Knutson (R-Burnsville), requires the Dept. of Children, Families and Learning to develop and distribute a model policy for school districts concerning the appropriate use of the Internet and to research and recommend software products to block the use of school computers for pornographic materials. The bill originally contained a requirement that each school district must utilize protective software within one year. However, members said that the decisions about the use of protective software were best left with individual districts. The requirement for use of protective software was deleted and the bill was okayed for the A list category.

S.F. 988, authored by Sen. Thomas Neuville (R-Northfield), appropriates money for technology improvements at the Minnesota State Academies. S.F. 1108, also sponsored by Neuville, Director of the Omnibus Committee, moves to include the language in omnibus legislation that the school technology upgrade purchases by borrowing against capital funds, instead of generating one-day bond debt, is permissible without affecting the general fund. Pogemiller successfully offered an amendment allowing districts to purchase computer software without regard to its rated obsolence.

Currently, capital notes may only be used if the purchases have an expected life exceeding the notes’ lives. The committee voted to hold language relating to rolling limited English proficiency funding into basic skills revenue.

The bill provides that all loan payback language be made consistent with the payback terms of capital funds. Language clarifying when districts can build with leveraged money was put in the omnibus bill as a counterpart to a bill already presented by Sen. Jane Renzelt (DFL-May Township). Districts will handle unemployment as reimbursement rather than a loan. Sen. Steve Kelley (DFL-Hopkins) raised the temptation to keep a fund balance for this purpose. Under the bill, school districts are permitted to pay off loans with operating funds if they choose.

Items concerning debt service were put on hold because small school debt service equalization bills are pending. Also, a measure providing that referendum revenue follows students to charter schools and open enrollment. Bob Meeks, a legislative aide to the MSTA testified against the measure. Krentz says it makes sense for compensatory aid to follow a student, but not referendum revenue. He brought up the point that non-parents in a community are not voting to provide money to specific children, but to enhance the community. The section was put on hold.

The panel took testimony on lifework development. The bill provides funding at $4 million per year for employment options to include nonpublic school students. S.F. 1321, also sponsored by Sen. Jane Renzelt (DFL-May Township), establishes the Partners for Quality Education Plus community center and school site-based initiatives. Sen. Dave Johnson (DFL-Bloomington) presents a budget for approval by the legislature. Sen. Becky Laurey (DFL-Kerrick), extends ombudsman service to all children in coordinating common goals between social service and education systems. Also, authored by Sen. Joe Grueling (DFL-Mpls.), the bill provides $1 million in ongoing permission for McGregor School District. Sen. Charles Wiger (DFL-North St. Paul) presented S.F. 568, a bill awarding a grant for Achievement Plus community center and school collaborative. Sen. Jane Renzelt (DFL-May Township) authored S.F. 944, requiring school officials to report tobacco use by students.

S.F. 1103, presented by Sen. Don Betzold (DFL-Fridley) makes the State High School Leagues subject to the commissioner of finance’s rules and requires the body to submit a budget for approval by the legislature. Sen. Steve Kelley (DFL-Hopkins) presented S.F. 1710, establishing the partners for quality school improvement pilot training program to train school employees in shared decisions and site-based management skills. The bill appropriates $4 million. The committee moved to group the bills 50/50 with others being considered relating to staff development and site-based initiatives.

S.F. 1762, presented by Wiger, authorizes a lease of land for the expansion of the west wing of North High School in St. Paul. The existing lease expires on an instructional space. Two bills by Sen. Steve Kelley (DFL-Hopkins) include S.F. 1774, a bill funding family connection aid and S.F. 1073, funding a South Aguilas Community project. S.F. 50, a bill by Wiger, appropriates $500,000 to continue examining the feasibility of year-round schools. Sen. Leonard Price (DFL-Woodbury) authored S.F. 1746, eliminating the state $100 referendums. The measure requires a super majority to pass. Wiger said the measure is designed to give school administrators and parents the time necessary to consider the impact of the measure.

Omnibus Construction continues

On Tues., Apr. 8, the K-12 Budget Division, chaired by Sen. Lawton Pogemiller (DFL-Mpls.), heard bills for consideration in omnibus legislation.

S.F. 992, a bill authored by Sen. Pat Piper (DFL-Austin) appropriates $600,000 to establish a demonstration project to provide grants to school districts to promote the awareness of and prevent the risk of AIDS. A representative from the Minnesota AIDS Project said that the bill needs to be brought to abstinence issues. The bill would target Greater Minnesota. The committee tested that many options for curricula are already available, and said money would go toward training.

Included in omnibus legislation were the following bills. A bill authored by Sen. Leo Foley (DFL-Anoka), S.F. 198, modifies immunization policy, exempting religious nursery patients from the immunization requirements of medical records. S.F. 346, authored by Sen. Becky Laurey (DFL-Kerrick), extends ombudsman service to all children in coordinating common goals between social service and education systems. Also, authored by Sen. Joe Grueling (DFL-Mpls.), the bill provides $1 million in ongoing permission for McGregor School District. Sen. Charles Wiger (DFL-North St. Paul) presented S.F. 568, a bill awarding a grant for Achievement Plus community center and school collaborative. Sen. Jane Renzelt (DFL-May Township) authored S.F. 944, requiring school officials to report tobacco use by students.

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Committee Update

their countries of origin.

Sen. Steve Dille (R-Dassel) explained that S.F. 1857 appropriates $1 million per year to compensate for federal cuts in Title One. A Dept. Of Children Families and Learning representatives testified that new campus updates will shift funding inequitably. The Division has voiced concern about the bill’s on in omnibus legislation but thanked Dille for bringing up the issue.

Local and Metropolitan Government Committee

Planning bill advanced

A bill combining features from a variety of land use planning proposals was approved by the Local and Metropolitan Government Committee Mon., Apr. 7. Chaired by Sen. J.im Wickman (DFL-Tracy), the committee also considered a bill for rights-of-way, manufactured home parks, the Metropolitan Council, and local government issues.

S.F. 738, presented by Sen. Steven Morse (DFL-Dakota), includes parts of S.F. 820, authored by Sen. John Hottinger (DFL-Mankato). The bill is designed to represent a consensus of a number of parties to the process, including the townships, cities and counties. It’s goal is a community-based planning process.

The bill also defines urban growth areas and requires municipal coordination and negotiation of annexation issues. In addition, the bill establishes an advisory council on community-based planning,Sunsets the Metropolitan Council, and calls for a dispute resolution process with mediation and arbitration as its focus. The bill was approved and referred to the Government Operations Committee.

Sen. Steven Novak (DFL-New Brighton) authored S.F. 693, a bill that redefines a manufactured home park as a permitted use, expanding the authority of local governments to allow for manufactured home parks within their jurisdictions. The bill was approved and referred to the Government Operations Committee. Novak also presented S.F. 442, a bill that gives local units of government the authority to manage and regulate communications rights-of-way. A public right-of-way is defined in the bill as “the reason, below, or above public roads and sidewalks.” The Public Utilities Commission currently has jurisdiction over issues related to rights-of-way. Novak said, “A coalition of citizens, telecommunications companies, and representatives of municipal organizations got together for the common good of the citizens of Minnesota to come up with a statewide standard on this issue. There are, however, a few small areas of disagreement, but at the bill moves to the Senate floor, we’ll keep working on those. When we started, we had perhaps 35 percent agreement among the parties involved; now I think we’re at about 92 to 95 percent.” The bill was okayed and sent to the Senate floor.

S.F. 175, authored by Sen. Carol Flynn (DFL-Mpls.), authorizes an elected Metropolitan Council. The members of the Council have been appointed by the governor until the present reorganization of Minneapolis, testified in support of the bill and said, “The objective of the Council is compromised by the governor’s authority to appoint its members, making it another state agency rather than a representative of the people in the Minneapolis area.” The bill was approved and sent to the Elections Committee.

Flynn also presented S.F. 1122, a bill that establishes an advisory council on local government responsibilities. Under the terms of the bill, the council membership consists of representatives of cities, towns, counties, school districts, the State legislature, the Metropolitan Council, and members of the public. The bill was approved and referred to the Government Operations Committee. Sen. Charles Wiger (DFL-North St. Paul) authored S.F. 884, a bill that requires employers of employees of a merged St. Paul-Ramsey County public health department to consider classified service employees for purposes of eligibility for competitive promotional exams. The bill was okayed and sent to the Senate floor.

Property Tax and Local Government Budget Division

Reform proposal heard

The Property Tax and Local Budget Division, chaired by Sen. Sandra Pappas (DFL-St. Paul), continued hearing property tax reform proposals Thurs., Apr. 3. The bills are among many presented in the pursuit of a more equitable and simplified system.

S.F. 1168, authored by Sen. Linda Runbeck (R-Circle Pines), establishes a new 3d property class rate of 2 percent for golf courses open to the public and without membership requirements that are located in a county in which a competing municipal or county golf course is located.

S.F. 1133, sponsored by Sen. Edward Oliver (R-Deephaven), provides an additional property tax refund if the property tax on a home owned by someone age 65 or older exceeds 6 percent of the owner’s household income.

S.F. 1189, sponsored by Sen. Robert Lessard (DFL-Int’l Falls), provided that a privately-owned seasonal golf course operation will receive a lower 4p property classification of 2.3 percent instead of a commercial property class rate of 3.0 percent on the first $100,000, and 4.6 percent on the remainder. The bill requires the operation to be open to the public but allows it to charge greens fees.

S.F. 1379, also sponsored by Lessard, authorizes the FLooodwood joint Recreation Board to levy a tax of up to $25,000 on property within the territory of independent School District 768, requires that the revenues be used for the development of recreational facilities, and requires that the increase be approved by the governing bodies within the area.

S.F. 1735, sponsored by Sen. Leonard Price (DFL-Woodbury), allows Washington County to levy $2 million for taxes payable in 1998 and $4 million thereafter. The bill also allows the County to make available property tax revenues by $200 million for taxes payable in 1998 and subsequent years.

The bill also provides that the portion of any county, city, town or special taxing district levy that exceeds its levy for taxes payable in 1997 will be levied against market value, and increases the base property tax refund if the property tax on a home owned by someone age 65 or older exceeds 6 percent of the owner’s household income.

Property Tax and Local Budget Division heard, Fri., Apr. 4, a number of bills relating to tax refunds, market value exclusions, golf courses, tax increment financing (TIF) restrictions and enterprise zones.

S.F. 669, sponsored by Sen. Sandra Pappas (DFL-St. Paul), amends the “this old house” provision, provides that the age of the residence is the original year of its construction rather than the number of years that the residence has existed at its present site, provides that only home improvements for which building permits were issued after the residence was relocated and those improvements undertaken during the year lag in fiscal disparity calculations are among many presented in the pursuit of a more equitable and simplified system.

S.F. 1758, sponsored by Sen. William Belanger (R-Bloomington), allows cities having populations of 10,000 or more to conduct joint truth in taxation hearings concerning the budget and levy, and allows the inclusion in the hearings of state Senators, Representatives, county board and school district members.

S.F. 1068, sponsored by Sen. Linda Runbeck (R-Circle Pines), establishes a new 3d property class rate of 2 percent for golf courses open to the public and without membership requirements that are located in a county in which a competing municipal or county golf course is located.

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populace of 10,000 or less, is located outside the seven-county metropolitan area, has a total estimated market value for land and buildings of $100,000 or less before improvement, and has an estimated property market value no greater than the property's estimated market value in each of the two previous years.

S.F. 1763, sponsored by Sen. Linda Hagin (DFL-Mpls.), allows any tax increment finance district to elect to make a qualifying contribution rather than the LGA/ HACA contribution, if it files a request with the county auditor by the end of 1997.

S.F. 1763, sponsored by Sen. Linda Hagin (DFL-Mpls.), allows the Hennepin County Board to grant reductions or abatements on applications relating to taxes payable in the current year and for the last six years for the old chamber of commerce building.

Johnson reviewed each article of the bill. "This is a bare-bones bill. With a few exceptions, we followed the governor's recommendations for the most part," Johnson said, "This is a bare-bones bill. We will make some minor adjustments to the bill to a purchaser who is not the original owner.

Transportation bill approved


Transportation Division Chair Sen. Dean Johnson (DFL-North Branch) reviewed the bill with the committee. Johnson said, "This is a bare-bones bill. With a few exceptions, we followed the governor's recommendations for the most part."

The total biennial appropriation under the bill is $2,931 billion, approximately $10 million under the governor's recommendation of $2,942 billion. Of this, $2,629 billion is appropriated to the Dept. of Transportation and $212.8 million to the Dept. of Public Safety.

Johnson reviewed each article of the bill, pointing out the highlights. The Access to Jobs and Training Program, a proposal that facilitates the transition between public assistance and employment by subsidizing public transit for recipients of public assistance with a $2 million appropriation, was approved. The program is based on the governor's recommendations. A total of $3.6 million was provided to the Highway Helper program. The Orion Intelligent Transportation System, a system that provides travel information via telecommunication sources, was approved.

A demonstration congestion-pricing program on I-394 was okayed. A school transportation plan making the public transit system available at no charge to public school students in Minneapolis and St. Paul is also part of the omnibus bill.

Regarding public safety appropriations, Johnson said the committee made recommendations for public safety appropriations so that there were no changes between the Transportation Committee and the Crime Prevention Committee. A number of items in the public safety appropriations were highlighted. Proposal for a public awareness campaign on DWI vehicle forfeiture and plate impoundments, for the implementation of the impoundments and for the costs of adding alcohol blood concentration information to driving records are contingent on the passage of S.F. 285, a bill that puts those provisions in statute. The bill is currently under consideration by the Crime Prevention Committee as part of its omnibus DWI bill. The language of the part of the bill related to S.F. 285 was later amended to cancel the relative provisions unless a relevant law is enacted. A proposal to appropriate $401,000 for additional Capitol Security personnel was approved, as was a study to be conducted to determine the feasibility of commuter rail service in the Twin Cities area. The committee made a few additional amendments. A determination that one percent of all gasoline received in the state and produced or bought in the state is being used for the operation of snowmobiles in the state and that one percent of the revenue derived from gasoline taxes is a fair amount of tax on fuel used in snowmobiles in the state was expanded to include both fiscal years 1998 and 1999.

An amendment that allows the commissioner of transportation to transfer funds from the county state aid highway fund to a snowmobile account was adopted. Discussion on a subdivision related to local bridge replacement was initiated by Sen. Steve Kelley (DFL-Hopkins). Kelley expressed concern that the subdivision may be related to bonding concerns, calling the bill into question for the current session. Johnson agreed to seek advice on the subdivision, and the bill was approved and sent to the Senate floor.

Transportation Committee

Four bills forwarded

The Transportation Committee, chaired by Sen. Carol Flynn (DFL-Mpls.), approved four bills Thurs., Apr. 8, relating to public safety, collector cars, motorcycle helmets, and rental car fees.

H.F. 454, sponsored by Flynn, allows the issuance of single license plates, each having a single enable number, for collectors' "Pioneer" vehicles manufactured before 1936, class B cars manufactured between 1925 and 1948, collector vehicles that are of a defunct make or model, or are of a defunct make or model in a restorations. The committee approved the bill and sent it to the Senate floor.

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S.F. 243, sponsored by Sen. William Belanger (R-Bloomington), changes current law disallowing the highway operation of vehicles with pneumotor gasoline or diesel engines as the grass weight on any axle group is more than the permitted weight with all of the interior or exterior disregarded. Belanger offered an amendment to the bill to require an inspection of the vehicle being moved and the vehicle being rented or purchased. The bill was approved and sent to the Senate floor.

S.F. 1281, sponsored by Sen. Keith Langseth (DFL-Glyndon), declares inadmissible in evidence any statement made by a person in a personal injury or property damage litigation in the form of a written or oral statement describing the injury or property damage. The bill also states that the written or oral statement is inadmissible in evidence in a personal injury or property damage litigation if it is not made in the presence of the person who is alleged to have caused the injury or property damage.

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

S.F. 1023, sponsored by Sen. Steve Murphy (DFL-Red Wing), imposes a fee equal to 3 percent of the price paid on the sale or lease of a non-use or non-use of protective headgear by a motorcyclist, scooter rider, or passenger in a negligent accident involving a head injury. The committee approved the bill and sent it to the Senate floor.

S.F. 591, sponsored by Sen. Neuville (R-Northfield), requires the commissioner of transportation to transfer funds from the county state aid highway fund to a snowmobile account. The committee approved the bill and sent it to the Senate floor.

S.F. 1755, sponsored by Sen. Lawrence Cohen (DFL-St. Paul), makes a few minor amendments to the bill. The committee adopted the amendments and sent the bill to the Senate floor.

S.F. 1763, sponsored by Sen. Neuville (R-Northfield), imposes a fee equal to 3 percent of the price paid on the sale or lease of a non-use or non-use of protective headgear by a motorcyclist, scooter rider, or passenger in a negligent accident involving a head injury. The committee approved the bill and sent it to the Senate floor.

S.F. 1721, sponsored by Sen. Dean Olson (R-Willmar), provides that a Buffalo Lake TIF district is exempt from the local government aid (LGA) and homestead agricultural credit aid (HACA) offset if the board of real property has a reasonable and prudent basis for the determination. The committee approved the TIF district plan to allow increments generated in that district to be spent in another district for infrastructure and other public improvements related to the construction of the Cambridge Community College.

The committee made a few additional amendments. A determination that one percent of all gasoline received in the state and produced or bought in the state is being used for the operation of snowmobiles in the state and that one percent of the revenue derived from gasoline taxes is a fair amount of tax on fuel used in snowmobiles in the state was expanded to include both fiscal years 1998 and 1999. An amendment that allows the commissioner of transportation to transfer funds from the county state aid highway fund to a snowmobile account was adopted. Discussion on a subdivision related to local bridge replacement was initiated by Sen. Steve Kelley (DFL-Hopkins). Kelley expressed concern that the subdivision may be related to bonding concerns, calling the bill into question for the current session. Johnson agreed to seek advice on the subdivision, and the bill was approved and sent to the Senate floor.

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The amendment was adopted. The committee approved the bill, as amended, and recommended the bill for the Consent Calendar.

Transportation Budget Division

Omnibus Bill approved

The Transportation Budget Division, chaired by Sen. Janet Johnson (DFL-North Branch), approved the division’s omnibus bill Mon., Apr. 7.

The total biennial appropriations under the bill are $2.931 billion, approximately $10 million under the governor’s recommendation of $2.942 billion. Of this, $2.629 billion is appropriated to the Department of Transportation and $212.8 million to the Department of Public Safety.

The appropriations for the Department of Transportation are $36 million for aeronautics, $30 million for Greater Minnesota transit, $3 million for railroad and waterways, $5 million for motor carrier regulation, $841 million for local roads, $1.6 billion for state roads and $78 million for general support. Under the terms of the bill, the Metropolitan Council is appropriated $100 million for transit. For the Department of Public Safety, $23 million is for administration and related services, $110 million for the State Patrol and $72 million for driver and vehicle services, traffic safety and pipeline safety.

A total of $3.6 million was provided to the Highway Helper program, The Access to jobs Training Program received $2 million. The Orion Intelligent Transportation System, a system that provides travel information via telecommunications sources, was approved and will receive $1.6 million for the biennium. A demonstration congestion-pricing program on I-394 was okayed. A school transportation plan making the public transit system available at no charge to public school students in Minneapolis and St. Paul was also part of the omnibus bill.

Immediately following the meeting, the full Transportation Committee met to take action on the bill. The panel, chaired by Sen. Carol Flynn (DFL-Mpls.), approved the measure and re-referred it to the State Government Finance Committee.

Preview

The Minnesota Senate Week at a Glance

Monday, April 14

Rules and Administration Committee
Chair: Sen. Roger D. Moe
9 a.m. Room 107 Capitol
Agenda: S.F. 292-Junge: Providing sign language interpreters. Late bills (Joint Rule 2.03); other.

The Senate will meet at 10 a.m.

Human Resources Finance Committee
Chair: Sen. Linda Berglin
4 p.m. Room 112 Capitol
Agenda: To be announced.

Tuesday, April 15

The Senate will meet at 8 a.m.

Taxes Subcommittee on Income and Sales Tax
Chair: Sen. Steve Murphy
3 p.m. Room 15 Capitol
Agenda: Income/Sales Tax Article of Omnibus Tax Bill.

Legislative Commission on Pensions and Retirement
6 p.m. Room 107 Capitol
Chair: Sen. Steven Morse
Agenda: S.F. 637-Morse/H.F. 647-Jefferson: Various plans; major benefit increase. Other items as added by the commission chair.

Wednesday, April 16

The Senate will meet at 8 a.m.

Committee on Taxes
Chair: Sen. Douglas Johannson
3 p.m. Room 15 Capitol
Agenda: Omnibus Tax Bill.

Thursday, April 17

The Senate will meet at 8 a.m.

Friday, April 18

The Senate will meet at 8 a.m.

Frequently called numbers

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G-17 Capitol 296-4791
Legislative Reference Library
645 State Office Building 296-3398
Capital Information Desk
1st Floor Capitol 296-3962, 296-2739
Capital Security
Toll free 1-800-657-3550
Briefly

**The Minnesota Senate Week in Review**

April 17, 1997

**Gastax okayed**

A bill that raises the state $20 million in excise taxes was okayed by the State Government Finance Committee Weds., Apr. 16. The committee, chaired by Sen. Richard Cohen (DFL-St. Paul), reviewed bills related to the state's transportation and education issues. The committee approved S.F. 215, a bill that makes technical changes to the Metropolitan Council Authority. The bill was approved with minor changes.

**K-12 omnibus bill advances**

The K-12 education budget draft for the 1997-98 school year was approved by the Senate Education Committee on April 17. The bill includes increases in funding for schools, including more money for special education and gifted programs. The bill was sent to the Senate floor for further consideration.

**Natural resources budget passed**

The environment and agriculture budget for 1997-98 was passed by the Senate on April 16. The bill includes $631.6 million in direct appropriations for environmental assistance, the Minnesota Zoo, the Agricultural Utilization Research Institute, and other agencies. The bill was approved by a voice vote.

**Natural resource budget suffered defeat**

A bill to create a new property tax levy for natural resource projects was defeated by a 22-43 roll call vote. Sen. Jim Vickerman (DFL-Tracy), who sponsored the bill, said it would help fund conservation efforts. However, Sen. Doug Johnson (DFL-Tower) argued that the bill would hurt local property values.

**Legislature sets 1998-99 budget priorities**

The legislature set priorities for the next fiscal year on April 17. Among the priorities were transportation, education, and health care. The legislature also set aside $2.5 million for an appropriation for local bridge replacement and rehabilitation. The legislation was approved by the Senate, and it was sent to the House for further consideration.

**Legislature approves budget for 1997-98**

The Senate approved a budget for the 1997-98 fiscal year on April 17. The budget includes $100 million for highway projects, $20 million for a homework helpline, and $20 million for a new performing arts center. The budget was approved by a voice vote.

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Committee Update

Economic Development:
Budget Division

Omnibusbill reviewed

The Economic Development Budget Division, chaired by Sen. Tracy Beckman (DFL-Bricelyn), approved the omnibus bill Fri., Apr. 11. The committee met its spending target of $351.8 million, $20 million over the governor's request. The Dept. of Trade and Economic Initiatives, which has nearly $3.7 million for the biennium, proposed $800,000 to the Minnesota Interpretive Center for new initiatives in the area of business and community development. The Board of Invention received $25,000 under the Senate proposal; the governor requested $100,000.

The committee approved the Omnibus bill on a vote of 6-3. The bill includes $500,000 for new initiatives in the area of business and community development. The Board of Invention receives $25,000, but the Senate proposal includes $100,000. The committee appropriated $500,000 to new initiatives. The bill also appropriates $50,000 to the Center for the Deaf/Hard of Hearing, $100,000 to the Minnesota Interpretive Center, and $45,000 to the Upper Minnesota Interpretive Center.

Higher Education:
Budget Division

The Higher Education Budget Division, chaired by Sen. Kenric Scheevel (R-Preston), approved the omnibus bill Weds., Apr. 9. The committee, chaired by Sen. Keith Langseth (DFL-Glyndon), approved the bill with few changes. The chair of the Higher Education Budget Division, Sen. LeRoy Stumpf (DFL-Thief River Falls), presented the bill. Stumpf said, "On review of the omnibus bill, a couple of things stand out. Clearly, the division took note of the high cost of tuition and tried to focus its effort on helping students with those costs through financial aid. And, more than ever before, information technology is becoming part of the classroom and the learning process, and a number of our initiatives reflect that." Stumpf singled out the Mnl.ink program, an online library information system, as an example of an initiative that keeps Minnesota on the cutting edge of technology.

The general appropriations in the bill are approved by the Committee on Taxes remain unchanged. A total of $302.7 million is approved to the Higher Education Office (HEO). An amendment making the HEO the administrative office for the Edvest program was proposed by Langseth and adopted by the division. The MnSCU system receives $1.1 billion for the biennium. The University of Minnesota is appropriated $1.06 billion. The bill also provides $781 million to the Mayo system. The total appropriations for the higher education bill are $2.364 billion.

Stumpf proposed an amendment adding $500,000 in discretionary expenditures for the purpose of reimbursing campuses located in snow disaster areas for snow removal expenses in excess of 150 percent of the amount budgeted. The amendment was approved.

Sen. Kenric Scheevel (R-Preston) expressed concern over the section of the bill describing the Lean Repayment Assistance Program. The program assists law school graduates who take jobs with nonprofit, public interest organizations with the repayment of law school loans. The assistance enables law school graduates to work for these organizations when they may not otherwise afford to do so. Scheevel cited a provision in the bill that qualifies Native American tribal governments, court systems, and public interest organizations as participating organizations in the program and said, "How can we apply this program to one sovereign nation and not others, especially one in litigation against the state of Minnesota?" He proposed an amendment deleting the provision, and the motion was adopted. The bill as amended was approved and sent to the Senate floor.

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Election Laws

Elected Met Council gains

A bill providing for an elected Metropolitan Council died at its last committee hurdle at a meeting of the Election Laws Committee Weds., Apr. 9.

The bill, S.F. 175, authored by Sen. Carol Flynn (DFL-Mpls.), was heard by the panel in order to review the campaign finance provisions of the bill. According to Flynn, the campaign finance provisions of the bill mirror those of state elections. The major difference is the source of the matching public funds. Under the bill, property taxes levied by the Met Council provide the source for the funds.

The policy question of whether or not to have an elected, rather than an appointed, Met Council had been decided earlier in the Metropolitan and Local Affairs Committee. However, members did discuss the issue. Sen. Emran (DFL-Minneapolis), author of S.F. 638, said, "I am opposed to this bill because there is no need for another Metropolitan Area and I think having elected members will fractionalize the council." Sen. Linda Sched (DFL-Brooklyn Park), countered and said, "The issue is accountability and having the members elected is the best form of accountability." The bill was advanced to the Senate floor on a divided voice vote.

In another action, the committee, chaired by Sen. John Marty (DFL-Roseville), also approved a bill allowing minors to be elected to the Ethical Practices Board. The bill failed to gain the committee's approval.

Sen. Randy Kelly (DFL-St. Paul) presented a bill to allow downtown renewal authority to Washington and Chisago Counties to pay the administrative costs associated with abandoning an agricultural land. Sen. Dennis Fredericksen (R-New Ulm) said that the bill originally sought an appropriation for the ditch abandonment, but the budget division decided against giving state money to local government for that purpose. The bill now goes to the Senate floor for further consideration.

Governmental Operations

Panel wraps up work

The Governmental Operations and Veterans Committee met twice Weds., Apr. 9, in order to complete work for the session before the second committee deadline. The panel approved a variety of bills and considered several changes to provisions relating to the Dept. of Transportation and the transfer of ownership of licenses for public safety radio system frequencies in the Metro Area. S.F. 1393, authored by Sen. William Belanger (R-Bloomington), extends the membership of the Legislative Audit Commission from three to five members from the Senate and from three to five members from the House of Representatives.


S.F. 1122, authored by Carol Flynn (DFL-Mpls.), establishes an advisory council on local government roles and responsibilities. S.F. 184, carried by Sen. Dan Stevens (R-Mora), modifies requirements relating to intoxicating products. S.F. 234, carried by Sen. Steven Morse (DFL-Dakota), makes modifications in human services licensing act provisions.

Several changes to provisions relating to public employees pensions. All of the bills were approved and advanced to the Senate floor.

Govermental Operations Budget Division

Office of Technology discussed

Sen. Linda Runbeck (R-Circle Pines), accompanied by Executive Director John Gunyou, Office of Technology, reviewed S.F. 100 at the Weds., Apr. 9, Governmental Operations Budget Division meeting. According to Runbeck, the measure will give technology a more prominent role in state government operations by creating the Office of Technology. Gunyou assured members that the new office is purely an advisory body that will assist the government in technology planning.

After listening to the brief overview, Chair Leonard Price (DFL-Woodbury), said, "In listening to all of the things that have happened to the technology, it occurred to me that maybe we want to get the operating and planning functions." Pricen offered a substitute amendment for members to consider that creates the Dept. of Information Technology (DIT). The proposed amendment consolidates the various technology, planning and operating agencies.
into onestateagency, Price explained. The newdepartmental duties includethose listed under the Office of Technology, Information Policy Office, Interstate Group, Government Information Access Council, and the Governmental Information Systems Advisory Council. Gyou said the original language contained in S.F. 100 is the correct approach and is the direction the governor’s administration envisions heading. He explained that the measure makes theearliest distinction between policy analysis on one side and operations on the other. “Having two distinct agencies makes sense from an oversight and management perspective. If both functions are folded into one department, the state does not have the necessary checks and balances. Further, the office of technology should not be burdened with the day-to-day operations of state business and should instead be flexible and responsive to new ideas,” Gyou said.

Sen. Don Betzold (DFL-Fridley) agreed with Gyou and said that if the state wants efficiency, then combining all functions into one department would provide that, “but I don’t know how efficiency is something you always want in government. Checks and balances in government protect the privacy of citizens.”

He also said he was concerned that amending the bill with such a far-reaching policy decision is beyond the purview of the budget division, and amending the Price proposal onto the bill would necessitate sending the measure back to the judiciary Committee. The bill was laid over for further discussion.

Planning bill advances

A comprehensive state wide community based planning bill was heard at the Weds., Apr. 9 evening meeting of the Governmental Operations Budget Division. S.F. 738, carried by Sen. Jim Vickerman (DFL-Tracy) contains elements of both bills originally sponsored by Sen. Steven Morse (DFL-Dakota) and Sen. John Hottinger (DFL-Mankato). Vickerman said the bill had had extensive negotiations by interested parties. The measure establishes goals for community-based planning in all of Minnesota’s counties and municipality transfer community-based plans, establishes an advisory council to develop the framework for implementing community-based planning and appropriates money. The measure was laid over for consideration in the division’s omnibus budget bill.

In another action, the division, chaired by Sen. Leonard Price (DFL-Woodbury), heard a bill modifying provisions relating to parking fees paid by state employees working at leased facilities. Members adopted an amendment that repeals a particular section of law, thereby accomplishing the amended as the bill was attempting to accomplish. The concept, though, will be considered in the omnibus bill. The measure, S.F. 742, is sponsored by Sen. John Marty (DFL-Roseville).

A bill dealing with prescription drug prices, S.F. 1008, sponsored by Marty, was set aside after members determined the fiscal note was inaccurate and that they did not have a current version of the bill.

Omnibus bill approved

In a culmination of several months of bill presentations, public testimony, and policy and fiscal debates, members of the Governmental Operations Budget Division approved the 1997 state government omnibus budget measure at the Thurs., Apr. 10, meeting. Assisted by staff, chief author and division chair Sen. Leonard Price (DFL-Woodbury) reviewed S.F. 1905 in detail. Under the bill, approximately $665 million is appropriated over the biennium to fund the various legislative and administrative expenses of state government. Direct appropriation decisions include $54 million to the Attorney General’s Office, $93.6 million to the Department of Administration, $43.6 million to the Department of Finance, $19.5 million to the Department of Military Affairs, and $4.2 million for the controversial new Office of Technology.

Price then invited members to present amendments. Sen. Richard Cohen (DFL-St. Paul) offered the first of several amendments. One amendment directs the State Arts Board to look at the capital needs of the numerous nonprofit organizations in the arts community in order to assess their future needs. A second amendment clarifies that the $750,000 appropriation given to the Minnesota Amateur Sports Commission is intended to cover all of the costs associated with holding amateur sport events at the Target Center in downtown Minneapolis. According to Cohen, there is apparently some disagreement about how the funds should be used by the commission. Both amendments were adopted.

Sen. Linda Runbeck (R-Circle Pines) successfully offered an amendment that adds the director of the Office of Technology to the Information Technology Task Force.

Price then moved to amend S.F. 100, the measure that officially establishes the Office of Technology, onto the omnibus bill. After S.F. 100 had been attached to the omnibus bill, Runbeck offered an amendment to the funding levels that had been requested by the governor. However, the committee was unwilling to take funds from other initiatives to provide the office with the requested funding, so the amendment failed. The omnibus bill was then referred to the floor in order for it to be officially introduced before being sent to the State Government Finance Committee.

Health and Family Security

Childsupport bill okayed

At the final meeting for the session, Weds., Apr. 9, the Health and Family Security Committee processed four bills. The first measure, S.F. 880, was sponsored by Sen. Richard Cohen (DFL-St. Paul). He explained that the legislation is on the omnibus child support bill and has three major objectives: to make Minnesota law comply with federal requirements, simplify the child support process, and expedite child support collections. Sen. Becky Lourey (DFL-Kerrick) offered an amendment that awards performance bonuses to counties that process child-support orders on-time. The Lourey amendment was adopted and the bill was sent to the floor.

The committee then turned to S.F. 228, the controversial health occupations bill, carried by Sen. Sheila Iskandar (R-Rochester). Shesaid that all language dealing with fees, including the increased fees as a result of certain exemptions for audiologists, were deleted from the measure and was amended into the health and human services omnibus bill. In addition, a section requiring a health occupations study was also removed for inclusion in the omnibus measure. The division report was approved and the bill advanced to the floor.

Sen. Linda Berglin (DFL-Mpls.) presented S.F. 473, a measure that repeals the Medicare recertification requirement in the Medicare Maximization Program for certain providers. Members adopted the division report after Berglin explained an amendment that had been adopted in a prior committee. The new language allows the Department of Health to develop new criteria for personal care assistants. The bill was referred to the floor.

Finally, Sen. Deanna Wiener (DFL-Eagan) explained that S.F. 1487 modifies minimum loss ratios for health insurance plans by modifying the components that are used in calculating a loss ratio. Furthermore, Wiener said that the state’s health plans must put revenue into benefits for policy holders versus what the plans are allowed to spend for operating expenses is among the highest in the nation. This high rate is forcing some plans to move from the state or prevent other companies from expanding services into the state, and therefore, the bill also proposes rolling back the rate to make Minnesota more competitive. Chair, John Hottinger (DFL-Mankato) said he was concerned because he believed the bill was being sold as helping the small plans, but it looked like the measure benefited the large providers the most. Berglin then offered an amendment that limits the rate roll back to the small health insurance plans. The amendment was adopted and the bill was sent to the floor.
Human Resources Finance

Omnibus bills approved

The Human Resources Finance Committee held two meetings, Mon., Apr. 14, and Tues., Apr. 15, to discuss both the health and human services and the economic development omnibus bills. At the Monday meeting, Sen. Don Samuelson (DFL-Brainerd) provided a brief overview of S.F. 1908, the health and human services omnibus legislation. He explained that the bill appropriates approximately $5.4 billion over the biennium to the departments of Health and Human Services, the health-related licensing boards, and to a number of small state agencies.

David Giel, Senate Counsel and Research, then provided an overview of the various departmental rider language that had been placed in the bill, highlighting the riders with large policy and fiscal implications.

Members quickly turned to amendments. Samuelson was the first to offer an amendment that modifies the welfare reform package by changing the timeframe for enrollment of recipients receiving cash assistance. He was required to participate in the Minnesota Family Investment Program (MFIP) for three months to six months. He said the time extension is necessary. The amendment was adopted.

Sen. Sheila Kiscaden (R-Rochester) successfully offered an amendment that reduces the fees for hearing instrument dispensers if they participate in the Minnesota Family Investment Program (MFIP) for six months. The amendment was adopted.

Several amendments were offered at the Monday meeting that had significant fiscal implications for the bill. Over the objections of Samuelson, who said he did not want to send a bill to the floor that was not in balance, several were adopted. However, upon subsequent examination, these amendments—offered by Kiscaden and Sen. Dallas Samson (DFL-Staples)—were later reconsidered and withdrawn at the Tuesday meeting.

Kiscaden's amendment deals with the costs of uncompensated care for the state's hospitals. The amendment allows general assistance medical care (GAMC) aid to be paid for services rendered on Minnesota residents who receive emergency services for traumatic injuries. She later withdrew the amendment because she said it is a concept that needs further work and would have had a $1.5 million cost.

The Senate amendment affects the nursing facility rate adjustment policy. He explained that in his amendment, the rate will be adjusted according to the February 1997 forecast in order to provide facilities a more generous reimbursement rate. Even though it had been adopted, he later withdrew it because it created a $6-10 million hole in the budget and starts a new precedent that converts the forecast into an expenditure floor.

After the amendments were withdrawn at the Tuesday meeting, the committee approved the omnibus bill and sent it to the floor.

Chair Linda Berglin (DFL-Mpls.) asked Sen. Tracy Beckman (DFL-Brooklyn) to present S.F. 1909, the economic development omnibus bill. Beckman said, "This bill is a good balance between the metropolitan and rural interests. It also has a good focus on jobs by concentrating on the non-profits agencies, who have shown they are good job creating groups." Beckman reviewed the major provision in the bill that has a total appropriation of $404 million for the biennium.

The committee spent significant time discussing a controversial funding initiative that appropriates $15 million to create the Center for Rural Policy and Development at Mankato State University. Beckman said the provision establishes an academic policy analysis center that will be able to assist legislators with rural development issues.

Members said they were concerned with appropriating such a large amount of money upfront without any performance guarantees. Others also said they were concerned that there was no public/private partnership and questioned why the money was private funding to match public money.

Sen. Dan Stevens (R-Mora) also raised concerns over a funding decision in the bill when he asked why the wastewater infrastructure funding program had received no appropriation. He explained that the city of Cambridge had used 60 percent of its wastewater infrastructure funds on the Rum River, which runs through the city, was designated a wild and scenic river. This new designation specifies stricter water quality standards which in turn necessitates improvements to the city's waste treatment facilities. "The people of Cambridge did not choose to designate the Rum River a scenic river. That decision was made by the Legislature, so if we're going to make those kind of mandates, we need to pay for them," Stevens said.

Beckman responded that funding the Cambridge project would put the state in the difficult position of having to fund projects in several other cities in similar situations with a total cost of $14 million. However, he offered an amendment that addressed Stevens' concerns. The amendment moves $2 million from the Center for Rural Policy's appropriation and provides $1.5 million for a loan to Cambridge while reserving $500,000 to be used for municipal wastewater infrastructure projects. The Beckman amendment was adopted and the bill advanced to the floor.

Four bills processed

At the Weds., Apr. 16, Human Resources Finance Committee meeting, members approved and advanced four bills to the Senate floor. Sen. Dennis Frederickson (R-New Ulm) started the meeting by presenting S.F. 148, a measure that increases the revenue bond authority of the Public Facilities Authority (PFA). He explained that by removing the cap on the amount of revenue bonds the PFA can issue, more money can be made available for continuing drinking water projects.

Sen. Don Betzold (DFL-Fridley), the author of two bills, first explained S.F. 53. The bill, he said, is the result of a Supreme Court task force and clarifies portions of the Civil Commitment Act. The second bill, to be carried by Betzold, S.F. 97, is the Tuberculosis Health Threat Act and authorizes health professional to isolate and detain non-compliant carriers of tuberculosis (TB). The bill also sets aside $45,000 for the biennium for patient care.

Finally, Chair Linda Berglin (DFL-Mpls.) said S.F. 203 establishes the father's adoption registry, a voluntary registry where fathers can officially establish paternity in order to obtain future legal entitlements in the event of an adoption. She successfully offered an amendment that appropriates $286,000 from the state government special revenue fund to initiate the registry.

Judiciary

Nuisance bill forwarded

The Judiciary Committee, chaired by Sen. Jane Ranum (DFL-Mpls.), acted on bills relating to nuisances, snow removal, and motorcycle helmets, Weds., Apr. 9. S.F. 513, sponsored by Sen. Ellen Anderson (DFL-St. Paul), amends the definition of incidents that constitute public nuisances. Under the bill, a public nuisance exists upon proof of two or more separate behavioral incidents occurring within a building and within a 12-month period. Behavioral incidents include prostitution, gambling, the unlawful sale of controlled substances and alcohol, or maintaining or permitting a condition which unreasonably annoys, injures or...
Committee update

endanger the safety, health, morals or comfort of the public. Under the bill, the court may issue a permanent injunction closing the building or a portion of it for a period of one year following proof of two or more separate occurrences of incidents.

Sen. Linda Berglin, (DFL-Mpls), offered an amendment allowing the recipient of a notice of nuisance to enter the property. The amendment also allows temporary injunction if the property owner has not complied with either an abatement order or an abatement plan. The committee approved the bill, as amended, and sent it to the Senate floor.

S.F. 1281, sponsored by Sen. Keith Langseth (DFL-Glyndon), declares inadmissible in personal injury or property damage litigation proof of nonuse of a motor vehicle helmet. The bill also allows a person to maintain a lawsuit concerning a defective design of manufactured helmet, and repeals a law permitting admission of evidence of use or nonuse of protective headgear by a motorcyclist or passenger in a negligence action concerning head injuries. Following considerable discussion, the bill was laid over.

S.F. 1833, sponsored by Sen. David Ten Eyck (DFL-East Gull Lake), provides that a county issuing a permit for certain races and other competitions is not liable for any injuries occurring at these events. The committee approved the bill and sent it to the Senate Committee on Capital Investment.

S.F. 768, sponsored by Sen. Jim Vickerman (DFL-Tracy), allows cities, counties and towns to use private citizens and their equipment for purposes of emergency snow removal, provides that counties and towns are not liable for damages arising from their assistance to the extent that the city, county or town is not liable for the damages that had been caused by its own equipment or employees. The committee laid the bill over pending further clarification of language defining liability responsibility.

K-12 Education Budget Division

Bills considered for omnibus

Wed. Apr. 9, the K-12 Education Division, chaired by Lawrence Pogemiller (DFL-Mpls), heard major funding bills for consideration in omnibus legislation.

S.F. 1808, sponsored by Sen. John Hottinger (DFL-Mankato), provides for an adjustment of $4.4 million in teacher training and experience formulas. S.F. 1190, sponsored by Sen. Jane Krentz (DFL-May Township), provides for inflationary increases in school base funding. Krentz said, "It's the fair way to program, reduce development and class size education. I'm not comfortable supporting spending on all these programs where we have capped inflationary increases for schools as a whole." The bill limits class size reduction to those students for whom targeted funding is available, and eliminates some programming.

A White Bear Lake parent spoke on S.F. 1427, which is carried by Sen. Paula Hanson (DFL-Ham Lake), that addresses the issue of raising the formula allowance. The parent said salary freezes and program cuts are a threat to the community's success.

The panel discussed changing the compensatory formula, increasing basic skills funding to increase transportation, increasing integration of transportation funding to keep pace with inflation, increasing LPF funding and increasing special education formula allowance.

S.F. 1732, presented by Pogemiller, contains a reduced recommendation of the education community. Inflationary increases of 3 percent were recommended by the school boards, as well as increased technology funding. According to the bill, special education funding is increased by 3 percent per year. An MEA representative spoke in favor of the bill's provision to create an Office of Educational Accountability.


The division discussed drafts of Article One and Article Nine of the omnibus bill. Article One concerns tax relief to those earning under $39,000. Article Nine discusses home school families. The initiative focuses on private schools and 12 percent would be families with children in public schools, benefiting from the tax credits, two-thirds would be families with children in public schools.

Testimony in support of the credits began with comments by Tim Sullivan from the governor's office, who said that those benefiting from the tax credits, two-thirds would be families with children in private schools, one-fourth would be families with children in private schools, and one-twelfth would be families with children in public schools.

The initiative focuses on lower income families, offering full tax relief to those earning under $39,000. Sen. Gen Olson (R-Mineopa) pointed out that with the credits, the state will be energying only about eight percent of actual expenditure, encouraging people to spend their discretionary dollars on education.

Speaking in opposition to the credits, education activist and former Minneapolis Superintendent John Davissaid, "There is not a strong component of accountability here." Davissaid that the state's responsibility to ensure high quality education.

Members disagreed as to whether tax code changes would encourage or discourage changes or simply reward those already spending on education. "We need to go to businesses to encourage," said Schevel, "why shouldn't we be doing that for education?"

When James countered that business deductions are indirectly related to the earning of income, Neuvillioposited that education actually is a proven investment in eventual earnings.

Pogemiller said, "I believe when you really get down, it is this kind of thing. It keeps people apart rather than bringing them together."

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K-12 Education Budget Division

"common schools of excellence" proposal

Fri., Apr. 11, the K-12 Education Budget Division met to hear testimony on Chair Lawrence Pogemiller's (DFL-Mpls) "common schools of excellence" proposal. The proposal allows interested schools to create a "common school of excellence" proposal. The proposal allows interested schools to create a "common school of excellence" proposal.

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n tional opportunities. However, the union does not support the use of tuition certificates allowing students to attend private schools. Bob Mears of the School Board Association echoed the sentiment.

The issue of local control and a level playing field was debated. Sen. Gen Olson (R-Minnetrista) said that with no way to override a local board, privatists might have a hard time gaining approval. “This is the check,” said Pogemiller, “it puts local boards in control.”

Representatives of the Minnesota PTA, Minneapolis Public Schools, Schools for Equity in Education, and the State Board of Education said they support elements of the concept but had reservations about public funding for privatists.

Sen. Ember (DFL-New Hope) brought up the constitutional issue. Pogemiller said, “If this becomes law, there will probably be a lawsuit.” Sen. Kenric Scheevel (R-Preston) reminded the committee that public schools are presently allowed to contract with sectarian schools for provision of alternative education services.

Department of Children, Families, and Learning Commissioner Robert Wedl said the governor likes the bill’s emphasis on parental involvement, but is unsure about the regulation of privatists. Minnesota Association of Secondary School Principals spokesman Roger Arneson also couched his opposition in terms of protecting the rights of privatists.

Rural Education Association representative Verna Hasbargen spoke in full support of the proposal. “In rural Minnesota,” she said, “we already have common schools, and with 85 percent of our rural schools eligible for designation, schools would be foolish not to take advantage of this opportunity.”

Voicing strong opposition, Sen. Keith Langseth called the bill “totally unworkable.” He continued, “The concepts are good, but I can’t see having $18,000 going to a private school while a public school student gets $5,000.”

On a vote, the panel included the proposal in omnibus legislation. The proposal will be voted on by the Senate Education Committee.

Charterschoolsdiscussed

Ember (DFL-New Hope) and Sen. Gen Olson (R-Minnetrista) presented an amended version of the charter school bill S.F. 598 to the K-12 Education Budget Division, Tuesday, Apr. 15. The major change to the bill is the removal of the $24 million in FY 98 and $23.9 million in FY 99, a reduction, a bill noted, by a 5 percent. The panel deleted many line items from the bill, in an attempt to reduce legislative waste.

Oregon’s decision making policy, reiterated graduation rule expectations, funds St. Paul’s community-based school Willard Foundation partnership and bolsters advanced placement and international baccalaureate programs. ArtideSix, Nutrition and other Education Programs, contains the superintendent’s salary cap repealer, an HIV education program and an AIDS education proposal, changed from a demonstration project to a training program. The article also contains school breakfast programs. ArtideEight, Libraries, contains a grant initiative to encourage the recruitment and education of people of color in the field of library science.

Pogemiller reiterated that ArtideNine, Technology, focuses on training. The section includes appropriations for libraries, learning academies, teacher training, electronic curriculum resources, development and science, and math.

On a vote, the panel defeated the proposal. “We’re not just going to continue to fund the department to do the grade rule,” said Pogemiller. Commissioner of the Department of Children, Families and Learning Robert Wedl testified that the department is requesting $24.3 million in FY 98 and $23.9 million in FY 99, a reduction, a bill noted, by a 5 percent. The panel deleted many line items from the bill, in an attempt to reduce legislative waste.
Committee Update

Committee update

the division has been trying to get away from giving line item prescriptions to the department.

Provisions laid over from S.F. 619, the government initiatives, carried by Olson, were then taken up by the panel. A provision giving the C.F.L. commissioner blanket authority to waive statutory requirements in order to expedite requests for districts was considered. School Board Association representative Bob Meeks spoke in support, saying the measure reduces housekeeping activity now needlessly routed through the Legislature. He cited the example of districts needing waivers of Labor Day start dates for purposes of construction. Members deemed the provision too broad and did not incorporate it into the omnibus bill. Another local control provision, allowing school boards to hire nonlicensed community experts without approval by the State Board of Teaching was also defeated. The panel voted down a provision allowing nonpublic schools to request instruction while a district reduced staff size. A provision allowing school boards to reorganize non-profit districts was defeated. The panel did approve giving schools the ability to contract with private entities for at-risk student services.

A measure regarding PELRA providing the option of binding arbitration if there is not a labor agreement before Aug. 15 did not advance. Under the provision, either side can request binding arbitration, but if a school board requests it and teachers did not agree, they would go to right to strike. Sen. Kenric Scheevel (R-Preston) moved to eliminate this contract deadline: "The $25 per pupil unit penalties paid by districts not in compliance just takes money away from kids," he said. Meeks agreed, saying the deadline inputs more pressure on boards and favor teachers. MIA's Hank Stankiewicz replied that the deadline is "doing what it's supposed to do." Pogemiller said the Legislature "has a different interest than the local players," and that without the deadline, the Legislature would be pressured to subsidize individual school districts during the session.

Scheevel's repealer was not adopted.

A provision for a $10 million lab school initiative sponsored by Sen. Martha Robertson (R-Minnetonka) was removed from omnibus consideration. Sen. Jane Krentz (DFL-May Township) suggested that labs schools could be beachers. She successfully offered an amendment to fund a homework hotline. Pogemiller distributed a draft initiative for an/automatic bill of rights and responsibilities. Pogemiller also successfully offered an amendment to include an omnibus legislation appropriation for the one-room schoolhouse on Angle Inlet.

Major funding provisions are included in Article One of the omnibus bill. Free and reduced eligibility is proposed for compensatory aid calculation rather than AFDC. Pogemiller said the measure "makes the bigger for the number of kids eligible for aid, and gives Minneapolis and St. Paul less percentage of the money than they now receive." Members discussed the design of "eligibility." Sen. Keith Langseth (DFL-Glyndon) said "we have challenged in the past that only people on AFDC are poor, but there are families out there who don't even have health insurance, who are therefore not even as well off as someone on welfare." Robertson said she is concerned, however, that under the new system, concentration of poverty would not be addressed. Sen. Sandra Pappas (DFL-St. Paul) agreed, "a couple of poor kids in a rich school don't constitute poverty."

A new addition to the omnibus mix is a section allowing districts to hire referenda or an income tax surtax as opposed to property tax. The bill also includes Pogemiller's $150 million Common Schools of Excellence proposal. A new amendment provides that districts like St. Paul may not sue the state over administrative funding structure.

Local and Metropolitan Government

State mandates bill approved

Sen. Steve Morse (DFL-Dakota) presented S.F. 634, a bill regulating state mandates on local governments, at the Weds., Apr. 9, meeting of the Local and Metropolitan Government Committee.

Morse said the bill defines the term state mandate, requires a fiscal note preparation for state mandates, and requires a "policy goal" statement in each mandate to encourage finding a better way to accomplish the goal. John Harris, a Dakota County commissioner and member of the Metropolitan Inter-County Ass'n. (MICA), supported the bill, but said that MICA "doesn't question the authority of the state to pass mandates." He added that MICA questions the structure, financing and regulation of mandates.

Sen. Carol Flynn (DFL-Mpls.), counting on a negative reception of mandates, said "mandates are good." She said that the pay equity mandate has protected counties from the cost of discrimination lawsuits and that the teacher licensing mandate prevents school districts from hiring anyone they will not teach. The panel endorsed the bill and sent it to the Committee on Taxes.

Earlier, the committee considered two bills authored by Sen. Jerry Jernick (DFL-Chisholm.). Jernick said that the first bill, S.F. 1391, creating the Virginia area ambulancedistrict, was passed two yeas ago but died because local approval required with a two year timelimit was not met. The bill was approved and referred to the Committee on Taxes. The other bill, S.F. 1423, adds St. Louis County Court bailiff to the undclassified county civil service. The bill was okayed and now goes to the Senate floor.

State community citizenship was the subject of S.F. 1266, sponsored by Committee Chair Jim Vickerman (DFL-Tracy). Under the bill, a town board may submit for elector approval at annual town meeting an ordinance requiring the removal of snow or icedeposits on a town road from a private driveway. The bill specifies that if the ordinance passes, the town board must give removal notices for violations, and the board may place a lien on the property for removal costs if the material is not removed.

The bill was approved and now goes to the Senate floor.

The committee also considered S.F. 1755, sponsored by Sen. Ember Junge (DFL-New Hope). The bill gives Hennepin County HRAs the same authority that municipal HRAs have. Junge said that under the bill, if the Hennepin County HRA plans any activities within a municipality, it is only required to give notice of that activity plan to the municipal HRA once a year.

Sen. Steve Kelley (DFL-Hopkins) successfully offered an amendment designating a site in St. Louis Park as a "high priority" clean up site. Kelley said that the site is needed for a railroad right-of-way to replace the 29th street rail right-of-way, and the amendment sets up a partnership between the city of Minneapolis and Hennepin County to accomplish that purpose. The bill now goes to the House Energy and Community Development Committee for further consideration.

Property Tax and Local Government Budget Division

Property tax provisions heard

The Property Tax and Local Government Budget Division, chaired by Sen. Sandra Pappas (DFL-St. Paul), introduced the 1997 omnibus property tax reform proposal, Fri., April 11. Pappas said the proposal lays the groundwork for long-term property tax reform. She said the proposal offers Minnesotans $650 million in property tax relief, provides over $100 million of net tax relief to Minnesota businesses, cuts rental property taxes, increases the state's share of education costs, eases the burden placed on property taxes by schools, increases a "circuit breaker" relief to protect homeowners from property tax shifts, and requires higher levels of truth-in-taxation statement disclosures.

Among many provisions, the proposal creates a 1.0 percent single assessed rate for low-income rental housing, reduces from 2.3 percent to 2 percent the assessed distinction between single-family homestead properties and single-family rental properties having two or three units, reduces from 3.4
percent to 2.5 percent the rates for apartment buildings with four or more units, and reduces commercial and industrial property tax rates from 4.6 percent to 4.0 percent. The proposal reduces the general education levy from $1.35 billion to $1.1 billion for taxes payable in 1998 and thereafter, places a one-year moratorium on a new referendum operating levies for taxes payable in 1998, converts the alternative facilities levy to both an aid and a levy, and limits revenues to the amount of current levy authority.

The proposal sets the property tax refund (PTR) for renters at 20 percent of rent paid, and requires the commissioner of revenue to annually adjust for inflation the PTR refund thresholds and maximum refunds.

In addition, the proposal provides that school districts certify two-part proposed levies consisting of a state education levy and the total of all other levies to appear separately on Truth-in-Taxation statements.

The proposal also defines the constant spending levy amount for counties, cities, towns, and special taxing districts as the tax levy needed so that the levy remains constant from the current year to the proposed levy year, requires a comparison of the proposed tax levy with the level of property tax spending if that level did not change in the current year, authorizes cities having populations of 10,000 or more to conduct joint Truth-in-Taxation hearings involving county board members and school board members from within the cities' boundaries, and requires Ramsey County, the city of St. Paul and the St. Paul school district to initially hold joint public hearings.

The proposal requires the preparation of a fiscal impact note when the state mandates cost-incurring activities to local governments, requires proposed legislation imposing costs on local governments to include in the legislation's purpose and fiscal impact, allows input from agencies involved in carrying out the legislation's provisions, and requires the commissioner of finance to review, every five years, rules having a significant financial impact on local governments.

The proposal reduces the corporate franchise tax rate from 9.8 to 7.5 percent, imposes a business activity tax of .45 percent of a firm's tax base for taxable year 1998 and .55 percent for taxable year 1999 and thereafter, provides that the business activity tax applies to firms engaged in business activities in Minnesota, and defines a firm's tax base to be its business income before various deductions and exclusions. In addition, the bill repeals the corporate minimum tax and the minimum fee for corporations and partnerships.

The proposal allows an authority creating a TIF district to establish a "heritage and historic" subdistrict within the new district, provides that heritage and historic subdistricts are exempt from local government aid (LGA) and homestead agricultural credit aid, and reduces the general education levy to both an aid and a levy, and limits revenues to the amount of current levy authority.

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Committee update

Mental assistance, the Minnesota Zoo, the Animal Health Board, the Minnesota/Wisconsin DNR, the Voyageurs National Park Commission, the Science Museum, and the Agricultural Utilization Resource Institute concurred with the governor's requests. The division's allocations are $631.6 million in direct appropriations, $11.6 million over the governor's budget request.

Under the terms of the bill, the Pollution Control Agency receives $87.5 million, $2 million below the governor's request. A new appropriation of $814,000 for water quality programs, in addition to the governor's request, is part of the omnibus bill. The bill also includes funding for the development of a Red River basin water management plan. Superfund appropriations by the Senate are $1.4 million, under the governor's recommendation. Water quality fees are reduced under the terms of the bill. Proposed appropriations for the Minnesota Zoo includes an increase in funds for technology.

Direct appropriations to the Dept. of Natural Resources under the bill are $351.4 million, $22.1 million below the governor's request. A number of projects in the governor's budget are not funded, such as the Sustainable Agriculture Plan, Minneapolis Lakeshore Restoration, the North Minneapolis Upper River Master plan, the Sand Dunes State Forest acquisition, and the Minnesota Red Lake Tree Planting and Preservation Grant Program. Proposals not recommended by the governor but funded in the omnibus bill are food and water mitigation grants, Minnesota River basin restoration, the East Grand Forks River basin stabilization project and wind damage grants. A total of $10.5 million is provided for the development and maintenance of snowmobile trails in the omnibus bill. The bill also includes an increase in funding for research, recommended by the governor. An electronic licensing system is funded by the division.

Morse said, "The division followed most of the governor's recommendations for the Dept. of Agriculture. Funding for the Dairy Producers and Consumers Board was added, as was an appropriation for seed potato studies. In addition, there is a new funding for color control research, potato blight, and a Minnesota-grown food promotion program." Morse also pointed out that 100 of the 144 programs recommended by the Legislative Committee on Natural Resources were approved. These programs include converting properties at Fort Snelling into youth hostels, funds for a Jay Gilday Landmark, a variety of water resource initiatives, sustainable farming initiatives and a sustainable private wood program.

In terms of new revenues, additional fees were recommended by the division, Morse said. A park permit increase requested by the DNR was not adopted. The governor's request for a 50 percent increase in water permit fees for the biennium was not included in the Senate budget. The omnibus bill includes a savings in services fees, snowmobile license fees and a fertilizer inspection fee. Under the terms of the bill, the blender's credit for ethanol is phased out.

Morse offered a technical amendment that also includes an appropriation of $260,000 for emergency deer feeding. The motion was adopted. Sen. Bob Leccisenti (DFL-Bemidji), proposed an amendment to add $600,000 to the snowmobile trail and enforcement account for trail maintenance. The motion carried. Morse also offered a proposal that extends timber permits due to expire in 1998 for one year. The extension allows additional time for timber sales by loggers unable to sale timber due to difficult weather conditions. The amendment was approved.

Morse proposed an amendment that transfers money from the ethanol development fund to the general fund for the purposes of reimbursing ethanol producers for uncompaid claims. Sen. Steve Dille (R-Dassel) opposed the measure and offered his own amendment with alternative uses for money from the ethanol development fund. The Dille proposal appropriates $150,000 to the University of Minnesota for agriculture education, $50,000 to the Dairy Leaders Roundtable, $200,000 for dairy development grants, and $100,000 for stray voltage studies. The amendment provided by the Dille amendment includes $1.1 million from the timber fund to the general fund for reimbursement of farmers for inspection fees. Morse offered a compromise, incorporating Dille's proposed appropriation for dairy inspection fees and a transfer of $320,000 from the ethanol development fund to the general fund. The motion was approved. The remaining Dille amendment was not adopted. Sen. Jerry J. Janezich (DFL-Chisholm), moved to have the remaining balance in the Taconite Environmental Protection Fund that is to be used to develop and acquire land for the Iron Range developed highway redevelop area, remedial available by June 30, 1998. The motion was approved. The bill as amended was approved and sent to the Senate floor.

Committee on Taxes

Income tax provision okayed

During an evening meeting, Weds., Apr. 16, the Taxes Subcommittee I incorporated the Sales Tax, chaired by Sen. Steve Murphy (DFL-Roseville), heard provisions of the omnibus tax bill in its omnibus and sales tax section. Among its many provisions, the bill allows individual state tax incentives for homeownership, credit of 10 percent of the amount of a charitable contribution made to a nonprofit institution in the state exceeding the state's minimum tax credit of $5,000 to job training programs hiring qualified program graduates, and a deferral that mail order businesses are not the sellers of tangible property or services ordered by facsimile or other electronic means.

The bill's sales and excise taxes section allows a refund of motor fuel taxes paid by a distributor of gas or special fuel sold for on-farm bulk storage, makes most food sold for immediate consumption subject to sales tax, specifies that property used to provide recreation or amusement shall not be considered exempt property purchased for resale, and a tax on "storage" and use of storage facilities.

The bill's proposed tax on sales tax exemption for purchases made by state veterans' homes and hospitals, exempts from the sales tax construction materials used to construct or improve a local government recreational facility mandated by state or federal law, exemptions from the sales tax of the donation to a nonprofit organization of a motor vehicle used exclusively for religious or other social or charitable purposes.

The bill's solid waste management section imposes a solid waste management tax on mixed municipal solid waste (MMSW) residential generators, political subdivisions and multi-residential housing managers that provide waste management services without directly charging multi-dwelling residence, imposes a tax on commercial MMSW service generators of 17 percent of the waste management service costs paid by waste generators, and provides that self-haulers must pay the same state tax as commercial waste generators.

In addition, the bill authorizes the commissioner of commerce and economic development to taxio an additional $1.5 million for tax reductions to enter new tax zones located on the state's western border, and increase the budget reserve to $52 million on July 1, 1997.

Senators offered a number of amendments to the bill. Sen. Arlene Lesesewski (R-Marshall) offered an amendment excluding from the state tax wind energy conversion systems used in cogenerated electric power.
Following much discussion, Lesewski withdrew the amendment. Sen. William Belanger (R-Blair) offered an amendment making the misuse of property purchased for resale and not subject to subsequent user's taxes. Sen. Steven Novak (DFL-New Brighton) offered an amendment excluding from the sales tax material used to construct biomass electrical power facilities. The amendments did not prevail.

Other amendments were unsuccessful. Novak offered an amendment exempting from sales tax phone calls made using a prepaid calling card upon which sales tax has already been paid. Hesaid that a higher initial card purchase price and sales tax would generally compensate for sales taxes currently paid to the state by phone companies that process calls made using the cards. The committee adopted the amendment. Sen. Linda Scheid (DFL-Brooklyn Park) offered an amendment allowing apartment and mobile home residents a reduced solid waste management tax. Scheid said that persons residing in such dwellings generate less waste and should fall under the lower taxed residential classification instead of the commercial classification. The committee approved the bill, as amended, and sent it to the full Committee on Taxes.

Friday, April 11

Tax filing deadline extended

With the arrival of the second deadline for committee action, the Senate continued the work to hold longer daily floor sessions for committee action. The Senate first acted on an urgent matter brought by Sen. LeRoy Stumpf (DFL-Thief River Falls). H. F. 2132, sponsored by Stumpf, extends the income tax return filing deadline to May 30 for people living in counties declared as federal disaster areas. Co-sponsor Dean E. J. Johnson (R-Willmar) urged unanimous passage of the bill, saying the "last thing on their (the flood victims') minds is filing income tax returns."
The bill passed 54-0.

The Senate spent considerable time acting on bills on General Orders and granted preliminary passage to 24 bills. A bill sponsored by Sen. Edward Oliver (R-Deephaven) touched off a discussion on the topic of physician assisted suicide. Oliver said that the bill changes the requirements for dispensing controlled substances in Minnesota. Oliver said that previous pharmaceuticals were orally allowed to dispense medicaq prescribed by a physician licensed in Minnesota. He said that restriction was later expanded to include prescriptions written by physicians in border states. The bill now extends the law that prescriptions written by a doctor licensed in any state may be filled in Minnesota. He added that the Mayo Clinics as well as many Minnesota-based pharmaceutical companies will benefit from the legislation.

An amendment prohibiting the filling of a lethal prescription was offered by Sen. Michelle Fischbach (R-Paynesville). Fischbach said the amendment prevents physicians' assistance to suicide. Oliver said he didn't oppose the amendment, but didn't see the need for it. Sen. David Knutson (R-Burnsville) said the amendment was unnecessary because such a prescription violates other parts of Minnesota law and couldn't be filled anyway. Sen. David H. Johnson (DFL-Bloomington) questioned whether the amendment was enforceable because of a technical flaw. Oliver moved to progress the bill in order toward a final clarification.

In other action, the Senate took up the Calendar and gave final passage to 36 bills.

Monday, April 14

Crime prevention bill passed

Senators devoted the entire Mon., Apr. 14, floor session to consideration of the first three major budget bills to reach the floor. The omnibus transportation bill, S.F. 1881, the omnibus higher education bill, S.F. 1888, and the omnibus crime prevention and judiciary bill, S.F. 1888, were all granted final passage on Special Orders.

The omnibus crime prevention and judiciary bill touched off the greatest debate. The measure, carried by Sen. Randy K. Kelly (DFL-St. Paul), appropriates $1.1 billion to address crime prevention and corrections throughout the state. Kelly said the bill is a truly bipartisan effort that attempts to strike a balance between law enforcement and prevention efforts. The bill represents a 13 percent increase over the biennium.

The bill passed 13 percent over the biennium. Kelly said that spending for judicial information systems is one of the major items contained in the bill. The measure also contains provisions creating a crime prevention strike force, providing for a coordinated and integrated statewide criminal and juvenile justice information system, setting up a work program at Camp Ripley for adult male nonviolent first-time offenders, and providing for a weekend camp program at Camp Ripley for first-time and second-time male juvenile offenders. The measure also provides for a Crime Prevention Innovation Office in the Dept. of Public Safety to administer grants, the Crime Prevention Innovation Office in the Dept. of Public Safety to administer grants, and specifies that state and local governments shall be reimbursed for the costs of local governments because people will change their behavior and not drive after drinking. Kelly also argued against the amendment. He said that the amendment provided a standing open appropriation and that members had no real idea of what the costs, if any, would amount to. Johnson responded that efforts to reform the property tax system are hampered by the amendment that "bulges out" the property tax system. The amendment was adopted on a 41-23 roll call vote.

A second amendment dealing with the .08 blood alcohol level also sparked debate. Sen. Dallas Samuels (DFL-Staples) offered an amendment specifying that the .08 level only apply to second or subsequent DWI offenses. Samuels said that the problem is the repeaters and that the bill does not address the problem. Marty argued that the bill, as originally drafted would have more of a deterrent effect on behavior. Sen. Dick Day (R-Owatonna) spoke for the bill and said that the amendment was an improvement to the measure. The amendment was adopted 39-28.

The third amendment to generate discussion, offered by Sen. Thomas Neuville (R-Northfield), specifies that persons convicted of a third or more assault against a person are sentenced for additional time, to be suspended as a condition of probation and that the person would be more likely to be convicted of a third or more assault. Neuville further amended the bill as originally drafted would have more of a deterrent effect on behavior. Sen. Dick Day (R-Owatonna) spoke for the bill and said that the amendment was an improvement to the measure. The amendment was adopted 39-28.

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Transportation budget bill okayed

Senators also considered the omnibus transportation budget bill at the Mon., Apr. 14, floor session. The measure, carried by Sen. Janelle Johnson (DFL-North Branch), appropriates a total of $2.94 billion from all funds for state and interstate highways. Johnson said that in assembling the bill, the Transportation Budget Division followed the governor's recommendations for the most part. The major exception, Johnson said, was that the bill does not increase state trooper staffing the governor requested. Sheslow said that if a transportation funding package is successful, then the increase in the number of troopers might be included in the proposal.

The bill provides for $32.5 million increase each year for state roads. However, Johnson said the funding does not match the level of increases that occurred in the 1980s. Johnson also said that the funding for Greater Minnesota transit represents maintenance of current levels rather than an increase. Debate on the measure centered on a proposal for congestion pricing demonstration project on I-354. Sen. Jane Ranum (DFL-Mpls.), offered an amendment specifying that the communities involved in the demonstration project must approve the project before it could go forward. Ranum said that the amendment allows more participation by affected communities and provides for the engagement of the public in the debate. Sen. Sandra Pappas (DFL-St. Paul) countered that the amendment allows one community to hold the entire demonstration project hostage. The amendment was supported, though, by Sen. Steve Kelley (DFL-Hopkins) and Sen. Edward Oliver (R-Minnetonka), who both said that fairness dictated involvement of the local communities. The amendment was adopted on a 40-24 roll call vote. The bill was granted final passage on a 63-0 roll call vote.

Early childhood bill reviewed

The omnibus bill of the Family and Early Childhood Budget Division was reviewed in the morning portion of the floor session Tues., Apr. 15.

The bill, S.F. 1858, was presented by Division Chair Sen. Pat Piper (DFL-Austin). Piper discussed the funding components of the bill. A total of $393.4 million is appropriated to the various agencies under the bill, in line with the governor's request. The omnibus bill calls for $93.4 million to be appropriated to early childhood programs, $2 million below the governor's recommendation. Funding for community and prevention programs is set at $72.5 million under the Senate proposal.

Self-sufficiency initiatives are budgeted at $27.3 million, $2.9 million above the governor's request. The bill concurs with the governor's budget for childcare. Under the terms of the bill, Head Start programs are appropriated $94 million for the biennium. A total of $95,000 over the governor's request is added to a school diploma assistance program. After school enrichment grants are appropriated $5.9 million, $1 million below the governor's recommendation. A request for an early intervention program for children age 6 through 12 is not funded in the bill. Funded initiatives not requested by the governor include $1 million for adolescent parenting grants, $357,000 for the Willmar Child Guidance Prevention program and $1.8 million for ESL training as part of the Citizenship Promotion program. Piper said, "We wanted to be sure that we did everything we could to help those affected by welfare reform. We are appropriating $3 million to food banks for the biennium, $1.6 million more than the governor requested. Transitional housing will receive $4.7 million."

Sen. Claire Robling (R-Prior Lake), offered a proposal for an at-home infant child care program. Under the terms of the amendment, a parent who chose not to work could receive up to $200 per at-home infant child care. Piper said, "While the program is worth exploring, we need to look at tax issues, the effect of the program on human services and implications for federal funding. I think we should take it up in the next session." Robling withdrew her amendment.

Sen. Michelle Fischbach (R-Paynesville), proposed an amendment to section 7 of the Minnesota Adolescent Parenting program that assists pregnant and parenting adolescents with career counseling, family planning counseling and parenting skills education. The Fischbach amendment defines pregnancy prevention as preventing fertilization from occurring. Fischbach said, "I wanted to make it clear that this program does not and can not include abortion services." Piper said, "These programs do not include abortion referrals. I don't think that language is necessary." Sen. Sheila Kiscaden (R-Rochester), said, I have a problem with the language of the amendment. Since some birth control methods are effective after fertilization, this proposal would prohibit them. I don't think we should be establishing birth control policy. "Kiscaden proposed language stating the program "does not include abortion services." The Fischbach amendment as originally offered did not pass. Kiscaden's amendment to the Fischbach proposal was approved. In order to wait House action on the companion bill, Piper moved the Senate bill as amended to lay on the table for further consideration.

In other business, sixteen bills on General Orders were approved. A number of bills generated discussion. S.F. 960, authored by Sen. Linda Berglin (DFL-Mpls.), requires dislodged health care provider financial and incentive and establishes a consumer advisory board to monitor consumer health care insurance concerns. Berglin said, "This bill is a product of the efforts of consumer groups and health care providers who worked together to reach a consensus on consumer health care issues." Sen. Edward Oliver (R-Deephaven), asked, "Dowgeata lot of complaints about health care? Everything!" V reedpoints to Minnesota's health care systems as being among the best in the country." Berglin said, "This
The bill was okayed.

Vickerman said, "The burden is on the prove. This puts a burden on the operators."

imposed against lawful gambling premises for of the bill that allows for sanctions to be

Berg (IND-Chokio), alluding to the section increases bingo maximums. Sen. Charles

allows for tournament card games and gambling against lawful gambling premises,

control board to impose sanctions for illegal gambling only if the operator

knowingly permitted the illegal activity, said, "The word 'knowingly' is difficult to prove. This puts a burden on the operators." Vickerman said, "The burden is on the Gambling Control Board to prove the operator knows about illegal gambling." The bill was okayed.

State government budget passed

The major piece of legislation considered by the body during the afternoon portion of the session was the state government omnibus bill, S.F. 1905, sponsored by Sen. Leonard Price (DFL-Woodbury). Prices said the bill appropriates $665 for legislative and general administrative operations.

Lengthy debates surrounded an amendment offered by Sen. Shella Kiscaden (R-Rochester) appropriating $3.6 million for the next biennium from the state lottery prize fund for compulsive gambling treatment programs. Sen. Arlene Lesewski (R-Marsh) said that 85 percent of all gambling is conducted at Indian casinos and asked how much tribal governments contribute to the fund. Sen. John Marty (DFL-Roseville) said that four years ago legislation was passed requiring the Administration Department to ask the tribal governments for a contribution, but that was never done.

Sen. Bob Lessard (DFL-Int'l. Falls) argued against the amendment, saying that the lottery is the least addictive form of gambling and the appropriation will take money away from the EnvironmenTrust Fund. Minority Leader Dean Johnson (R-Willmar) countered, lessard's stance, saying that gambling addiction frequently starts with lottery tickets. Johnson said the amendment is "not perfect, but it's a good start."

Majority Leader Roger Moss said that tribal casinos annually contribute $100,000 to compulsive gambling treatment programs. The amendment was adopted on 57-7 roll call vote.

Extensive debate was generated by an amendment offered by Sen. Linda Scheid (DFL-Brooklyn Park) requiring local governments to disclose the amount of money they spend on lobbying the Legislature. Marty proposed an amendment to Scheid's amendment requiring more detailed information. Sen. Ember Uenge (DFL-New Hope) successfully challenged the germaness of Marty's amendment, whereupon Marty successfully challenged the germaness of Scheid's amendment.

After all amendments were considered, the Senate passed the bill on a 54-10 roll call vote.

Wednesday, April 16

Economic development bill passed

The second portion of the Wednesday floor session was highlighted by passage of S.F. 1909, the economic development omnibus bill. The measure's chief author, Sen. Tracy Beckman (DFL-Brickley), reviewed the major provisions contained in the bill. "If I were to say something about this bill, I would say this bill is about jobs and job creation," he said. The omnibus bill appropriates approximately $404 million for the biennium to fund the departments of trade and economic development, employment services, and commerce.

Turning to amendments, Beckman offered an amendment that addresses concerns expressed by members at a prior meeting in the Human Resources Finance Committee. He explained that the amendment does two things. "First, it is reasonable to send a strong message to the nonprofit community that we support them," Beckman said. Therefore, the amendment appropriates $300,000 to the Minnesota Futures Fund, administered by the Minneapolis Foundation, to assist the nonprofit community with restructuring efforts as they struggle to adapt to changes following welfare reform, he said. Second, the amendment restructures the financing method for the proposed Center for Rural Policy and Development. The bill originally appropriated $15 million to the center as an endowment but, instead, the amendment appropriates $400,000 over the biennium for the center's operation costs. The amendment also specifies that $300,000 available if matched by private funds. The Beckman amendment was adopted.

Sen. Steve Murphy (DFL-Red Wing) also offered an amendment that limits the number of years a person may serve on the Rehabilitation Advisory Council for the Blind to six years, or two terms. "There has been a stagnation of ideas on the council and with this amendment, we'll gain new ideas and insight for blind persons," he said. The amendment prevailed on a 20 to 17 vote.

The economic development bill was approved on a 61 to 3 roll call vote and was also laid on the table to await the companion bill.

Members also granted final passage to a motion by Sen. LeRoy Stumpf (THF River Falls) giving an update to members on damage caused by the flooding of the Red River.

Frequently called numbers

Secretary of the Senate
231 Capitol
296-2344

Vocational order bills
296-2343

Chief Clerk of the House
211 Capitol
296-2314

Index, Senate
110 Capitol
296-2887

Index, House
211 Capitol
296-6646

Information, Senate
231 Capitol
296-0504

Toll free
1-888-234-1112

Information, House
175 State Office Building
296-2146

Toll free
1-800-657-3550

Committee Hotline, Senate
296-8088

Committee Hotline, House
296-9283

Sergeant at Arms, Senate
G-1 Capitol
296-1119

Sergeant at Arms, House
45 State Office Building
296-4860

Counsel & Research, Senate
G-17 Capitol
296-4791

Research, House
600 State Office Building
296-6753

Legislative Reference Library
645 State Office Building
296-3398

Revisor of Statutes
700 State Office Building
296-2868

Capital Information Desk
1st Floor Capitol, 296-3970

Capital Historic Site Program (tours)
B-9 Capitol
296-2881

Capital Security
B-4 Capitol
296-6741

Toll free
296-0250

TTY, Senate
1-888-234-1216

TTY, House
296-9996

Frequently called numbers

1-800-657-3550

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Bills granted final passage under Suspension of Rules Friday, April 11
H.F. 2132-Stumpf: Extends income tax deadline from April 15 until May 30 for persons in counties that have been declared flood disaster areas.

Bills granted preliminary passage on General Orders Friday, April 11
S.F. 1503-Hottinger: Sets state policy for regulatory rules and programs of agencies and regulates obsolete, unnecessary or duplicative rules.
S.F. 35-Greenslade: Changes the membership of the Environmental Quality Board.
S.F. 1072-Kleis: Modifies requirements for operating an emergency vehicle.
S.F. 193-Murphy: Makes a technical correction to ensure a vehicle driver is held liable for knowingly driving the vehicle without insurance.
S.F. 1136-Solon: Transfers responsibility for a family practice residency program from the city to the Duluth economic development authority.
S.F. 1179-Hansen: Authorizes state and local authorities to issue an annual override permit for certain snowplowing vehicles.
S.F. 1025-Junge: Changes the time period relating to impounded vehicles in custody.
S.F. 1383-Anderson: Creates a new state tax on tobacco products and tax laws related to economic development.
S.F. 1431-Anderson: Adds an exemption to the imputed medical malpractice for certified nurse midwives.
S.F. 339-Metzen: Omnibus banking bill.
S.F. 1207-Kleis: Creates the selection committee to recommend sites for future correctional facilities.
S.F. 448-Janezich: Expands membership on the mineral coordinating committee and establishes the aggregate resource task force.
S.F. 1621-Lourey: Modifies provisions for family planning special project grants and repeals the ENABL program.
S.F. 1861-Johnson, D.E.: Limits entry into facilities in which confined farm animals are kept.
S.F. 1312-Foley: Implements the Federal Communications Commission requirement for wireless enhanced 911 service and establishes a method of determining the primary answering point for 911 calls.
S.F. 1187-Johnson, D.E.: Authorizes the city of Buffalo Lake to negotiate contracts for a specific project without competitive bids.
S.F. 117-Betzold: Adding an exception to the tort claim act for military property.
S.F. 1599-Morse: Creates and operating a profit-sharing surplus pool in Houston County.
S.F. 756-Johnson, D.H.: Prohibits landlords from penalizing tenants for seeking police or emergency assistance.
S.F. 154-Frederickson: Provides for the transfer of the ownership of the city of Ramsey to the nonprofit corporation.
S.F. 495-Novak: Requires health insurance coverage for diabetes outpatient self-management training and education.
S.F. 1115-Novak: Repeals the hazardous products labeling law.
S.F. 236-Foley: Allows evidentiary use of accident reports by peace officers.

Bills granted final passage on the Senate Calendar, Friday, April 11
H.F. 612-Wigler: Permits the appointment of the recorder and auditor-treasurer in Washington County. 51-10
H.F. 379-Oliver: Regulates securities and authorizes small corporate offering registrations. 62-0
H.F. 601-Vickerman: Authorizes boundary commissions. 62-0
S.F. 1146-Solon: Authorizes the creation of a nonprofit corporation and the transfer of all of the assets and liabilities of the Miller-Dwan Medical Center to the nonprofit corporation. 62-0
S.F. 309-Bowers: Authorizes the transfer, sale and conveyance of various tax-forfeited lands bordering on public waters. 62-0
S.F. 154-Frederickson: Authorizes limited liability for injury-related claims to certain food distributors in the state and political subdivisions. 59-0
S.F. 330-Spear: Provides limits on liability of private correctional treatment facilities that receive patients under court or administrative order. 61-0
S.F. 652-Kiscaden: Establishes a task force to study treatment options for autism. 61-0
S.F. 1094-Scheid: Repeals budget compensation paid by licensees to tenants for referrals. 62-0
S.F. 888-Higgins: Removes the sunset relating to state licensing of Minneapolis building contractors. 62-0
H.F. 90-Johnson, J.B.: Allows an exemption from commercial driver's license requirement for certain snowplow operators. 62-0
S.F. 574-Kleis: Authorizes personal assistants to aid disabled persons with disabilities without having to purchase a disability license. 61-0
S.F. 122-Robertson: Requires notificiation of placement or adoption of a child to the other birth parent; requires background checks for adoption; provides for recognition of adoptions which occurred in a foreign country. 59-0
S.F. 517-Ranum: Modifies a provision concerning the identity of unwed mothers by family services collaboratives. 61-0
S.F. 329-Dille: Modifies provisions of the license for veterinary services. 63-0
S.F. 1091-Lourey: Clarifies and expands activities of the Ombudsman for Older Minnesotans statewide. 62-0
S.F. 355-Limmer: Expands coverage for crime victims reparations to include Minnesota residents who are victims of terrorist acts committed outside of the United States. 63-0
S.F. 375-Belanger: Expands the crime of fleeing a peace officer and adds a definition of "motor vehicle" to certain sections of law. 63-0
S.F. 755-Flynn: Authorizes meetings of governmental bodies by interactive television if certain criteria are met. 62-0
H.F. 277-Solonen: Omnibus liquor bill that makes numerous changes to laws governing the sale of alcoholic beverages. 62-0
H.F. 835-Betzold: Creates an exemption for a separate annual audit of a county operated day training and habilitation program. 63-0
S.F. 364-Hugger: Authorizes hospital districts to provide support services to persons in need of nursing home care and authorizes a study of assisted living facilities. 60-1
S.F. 1155-Wigler: Modifies provisions relating to mental health case management services for children and adults by extending the time period for review of individual community support plans and modifies rules extending the time period for updating the community support plans. 63-0
S.F. 525-Pappas: Authorizes restrictions for privatization of capital intensive public service programs and provides for nonpublic status of capital intensive proposals. 63-0
H.F. 959-Janezich: Provides that St. Louis County may add an unorganized territory to the town of White without a petition of residents. 62-0
S.F. 789-Flynn: Creates a task force to study and make recommendations on judicial selection and retention. 63-0
S.F. 772-Kelly, R.C.: Clarifies and extends the jurisdiction of the ombudsman for corrections. 63-0
S.F. 399-Lesewski: Permits the appointment of the recorder and auditor-treasurer in Washington County. 51-10
S.F. 848-Flynn: Modifies provisions relating to "slap suits" by creating a state court action for relief for damages caused by a federal court action that affects public participation by the plaintiff. 63-0
S.F. 1646-Murfitt: Requires the commissioner of public service to collect and hold in escrow funds earmarked for the disposal of high-level radioactive waste. 60-1
S.F. 1189-Ranum: Creates a pilot project grant program toward grants for juvenile assessment centers. 61-0
S.F. 1027-Spear: Changes procedures and terminology for postassessment and postassessment for the Department of Corrections. 62-0
S.F. 555-Kelley, S.P.: Authorizes creation of telecommunication services purchasing cooperatives. 63-0
S.F. 1527-Hottinger: Creates an exception for a separate annual audit of a county operated day training and habilitation program. 63-0
S.F. 1382-Langseth: Modifies show boiler and engine provisions. 63-0
Bills granted concurrence and repassage Tuesday, April 15
S.F. 458-Higgins: Changes to the fire escrow law; clarifies the right to escrow for certain losses in certain cases. 63-0

Bills granted final passage on Special Orders Wednesday, April 16
S.F. 1907-Morse: Omnibus environment and agriculture budget bill. 61-4

Bills granted final passage under suspension of rules Wednesday, April 16
S.F. 1909-Beckman: Omnibus economic development budget bill. 61-3

Bills granted final passage on the Senate Calendar Wednesday, April 16
S.F. 1722-Sams: Defines pharmacy technician. 65-0
S.F. 960-Berglin: Prohibits contracts that restrict communication between health care providers and their patients; requires disclosure of health care provider financial incentives; requires that health plan companies provide continuity of care; requires access to specialty care for certain enrollees; prohibits certain exclusive arrangements; and establishes a consumer advisory board. 60-0
S.F. 813-Ranum: Provides for the transfer of custody to a relative by a consent decree; authorizes communication or contact agreements between adoptive parents and birth relatives; and provides for a relative conference and relative care agreement following a report of child abuse or neglect. 62-0
S.F. 747-Knutson: Provides a uniform process for children in need of protection or services petitions; provides notice in voluntary placements; provides for access to certain data on children; provides for contact and communication agreements in adoption; modifies reasonable efforts requirement when a child has been placed outside the home; modifies time requirements for permanency planning; and modifies grounds for termination of parental rights. 62-0
S.F. 1037-Belanger: Permits the appointment of the auditor, recorder and treasurer in Scott County. 65-1
S.F. 1114-Kelly, R.C.: Increases tort liability limits relating to claims against governmental units. 65-0
S.F. 1720-Tervilliger: Permits the cities of Bloomington, Chanhassen, Eden Prairie, Edina and Richfield to issue general obligation bonds for a joint training facility. 64-1
S.F. 566-Vickerman: Omnibus gambling bill. 58-9
S.F. 432-Hanson: Modifies execution and consent requirements for designated caregiver agreements. 67-0
S.F. 597-Lorey: Establishes an alternative grant application process for categorical social service programs in Pine County. 67-0
S.F. 421-Ranum: Clarifies grant limitations relating to early childhood learning and protection facilities. 65-0
H.F. 645-Scheid: Provides a uniform minimum definition of medically necessary care for mental health care in health plans. 67-0
H.F. 1045-Kelly, R.C.: Prohibits a surcharge for an automobile accident in which the insured is a passenger in a bus, taxi, or commuter van; prohibits discrimination in automobile policies based on coverage; and removes a surcharge for the automobile theft prevention program. 67-0
S.F. 951-Stumpf: Authorizes the county board to assign certain duties of the county auditor and treasurer. 65-1
S.F. 1669-Stevens: Permits the combining of the offices of auditor and treasurer in Benton County; permits appointment to the office of the recorder in the county. 60-7
S.F. 244-Kiscaden: Allows physicians to prescribe and administer controlled substances in cases of intractable pain. 67-0
H.F. 108-J anezich: Provides for the protection of health insurance benefits for certain Range Technical College employees. 66-0
S.F. 683-J anezich: Requires notice before solution of self-insured employee benefit plans. 66-0
H.F. 156-Ten Eyck: Regulates filing fees and procedures for the Office of the Secretary of State. 66-0
H.F. 356-Marty: Authorizes consideration of cost as a criterion in the designation of newspapers for official publication. 63-3

Bills granted concurrence and repassage Thursday, April 17
S.F. 1908-Samuelson: Omnibus health and human services budget bill. 66-0

Bills granted concurrence and repassage Thursday, April 17
S.F. 539-Frederickson: Relates to George Mann Memorial Highway and designates the Augie Mueller and Don Rickers Memorial Highways. 60-4
S.F. 1527-Hottinger: Conforms state law to provisions of the Post-Assessment Property and Liability Insurance Guaranty Association Model Act. 61-0

Bills granted final passage on the Senate Calendar Thursday, April 17
H.F. 753-Metzler: Omnibus banking bill. 58-3
H.F. 255-Belanger: Changes the membership of the Environmental Quality Board. 63-0
H.F. 686-J ohnson, D.H.: Prohibits landlords from penalizing tenants solely for seeking police or emergency assistance. 64-0
More flood aid okayed

In the morning floor session Fri., Apr. 18, the Senate passed an emergency flood aid bill. The bill, S.F. 1894, appropriates an additional $20 million from the Budget Reserve in the General Fund to assist victims of recent spring floods throughout Minnesota. "We want to send the strongest signal possible that the Minnesota Senate will do everything it can to alleviate the problems of those who are suffering at this time," said Senate Majority Leader Roger Moe (DFL-Erskine). Minority Leader Dean Johnson (R-Willmar) supported the bill and said, "The floods are having a tremendously negative impact on agriculture throughout the state. Some farmers aren't going to be able to get their spring planting done. They need our help." The bill passed unanimously. The Senate passed the omnibus bill of the Family and Early Childhood Budget Division, H.F. 2147, the House Early Childhood bill, was amended with the language of S.F. 1858, and was passed as amended on a unanimous vote.

In other business, twenty-five bills on General Orders were passed. A few bills generated some discussion and controversy. Sen. Sam Solon (DFL-Duluth) presented H.F. 10, a bill that requires child protective devices in shopping carts. The bill calls for a percentage of shopping carts in grocery stores to be fitted with seatbelts. A number of Senators questioned the cost of implementing the requirements, and the bill was not approved. Sen. Deanna Wiener (DFL-Eagan) authored S.F. 865, a bill that regulates rent-to-own purchase agreements. The bill allows cost-of-lease services to be negotiated with the lessor. The bill receives its third reading and was laid on the table to await the arrival of the other chamber's version.

Tax bill debated

After processing several bills on special orders, the Senate returned to the omnibus tax bill, S.F. 493, that had been processed earlier in the morning of Tues., Apr. 22. Members immediately began offering a variety of amendments. Sen. Douglas Johnson, chief author of the bill, said he was not in favor of amendments that had a fiscal impact on the budgetary balance in the omnibus bill. Under the measure, money is set aside to offset the cost of the amendments. The amendment that specifies that two persons can be considered married for income tax purposes if they are married to a person of the opposite sex—persons in same sex marriages are not considered married taxpayers. The amendment also excludes same sex marriages from the list of "protected" property owners, Larson withdrew his amendment.

In other controversial business, Sen. Tom Neuville (R-Northfield) offered an amendment that specifies that two persons can be considered married for income tax purposes if they are married to a person of the opposite sex—persons in same sex marriages are not considered married taxpayers. The amendment also excludes same sex marriages from the list of "protected" property owners, Larson withdrew his amendment.

A second unsuccessful amendment, that was opposed by Johnson because of its fiscal implications, was offered by Sen. Roy Terwilliger (R-Edina). Terwilliger explained, "We have a huge budget surplus because we tax too much. We should prevent over collection in the future with not a tax rebate or a tax shift, but with a tax reduction." The Terwilliger amendment reduces the income tax rate from 6 percent to 4 percent on the first tier of income tax calculations. However, the amendment also failed on a 24 to 38 roll call.

Sen. Don Samuelson moved to reconsider the Larson amendment that had been adopted earlier that morning. The amendment limits the amount of annual property assessment increases to 5 percent or the rate of inflation, the Consumer Price Index (CPI), whichever is lower. Samuelson said, "I voted for the amendment because it was under the impression that it did not shift any of the tax burden on others. But after talking with others, I now understand that the amendment does shift the property tax burden." Members voted to reconsider the amendment and Sen. Dean Johnson (R-Willmar) asked Sen. Douglas Johnson what the cost of the Larson amendment would be. Douglas Johnson explained that the amendment's effect is a shift of property taxes on top property owners—homeowners, renters, farmers, and businesses—that do not have an inflationary increase on their property. Though Sen. Edward Oliver (R-Deephaven) said he intended to offer an amendment to the amendment to expand the rate increase to the other "unprotected" property owners, Larson withdrew his amendment.

A second unsuccessful amendment, that was opposed by Johnson because of its fiscal implications, was offered by Sen. Roy Terwilliger (R-Edina). Terwilliger explained, "We have a huge budget surplus because we tax too much. We should prevent over collection in the future with not a tax rebate or a tax shift, but with a tax reduction." The Terwilliger amendment reduces the income tax rate from 6 percent to 4 percent on the first tier of income tax calculations. However, the amendment also failed on a 24 to 38 roll call.

Once debate concluded, the omnibus tax bill received its third reading and was laid on the table to await the arrival of the other chamber's version.
Committee Update

Children, Families and Learning

Omnibus Bill Okayed

Thurs., Apr. 17, Sen. Lawrence Pogemiller (DFL-Mpls) presented the K-12 omnibus bill to the full Committee on Children, Families and Learning. The committee is co-chaired by Sen. Pat Piper (DFL-Austin), Sen. Leroy Stumpf (DFL-Thief River Falls) and Pogemiller.

After walking the committee through the bill, Pogemiller said the “Common Schools of Excellence” concept is the division’s attempt to “try to deal with some of the governor’s objectives.”

Sen. Leof O’Day (DFL-Anoka) asked for some clarification from Pogemiller. “My district tells me they can’t provide basic programs and instruments. This is a workingman’s district, the income is very low. We can’t raise enough money on levies to counterbalance what some of the richer communities can do.”

Pogemiller replied that the Committee on Taxes is working on referendum caps.

Sen. Jane Krentz (DFL-May Township) successfully offered an amendment that was offered and defeated in the division. The amendment limits the scope of the Wide Area Network transportation project to special education students.

A school bus advertising proposal discussed but not included in the bill was successfully offered by Sen. Jerry Janezich (DFL-Chisholm). Anticipating biennial revenue of $40 million, Janezich’s amendment earmarks this amount for Head Start funding. Foley asked if colors and the House bill amount. When asked by Sen. Dean Johnson (R-Lake) circulated ads from a magazine targeted at high schoolers, “I’m not sure, if we do this,” she said “that we will be able to prevent these images from showing up on our school buses.”

Testimony from the public safety commissioner bolstered Larson’s position, as did that of an advertising law expert, who said the state constitutionally cannot require private entities to convey speech or expression that they do not agree with. “This is fatal and will die if challenged in court,” he said. Despite the testimony, Sen. Jane Krentz (DFL-May Township) successfully amended Larson’s amendment, upholding the advertising option, but making the language permissive, thus allowing for more discretion in the process.

The bill was approved and referred to the Senate floor.

Governmental Operations and Veterans

Pension Uniformity Okayed

A bill instituting pension uniformity among state employees was approved by the Governmental Operations and Veterans Committee, Thurs., Apr. 17. The committee, chaired by Sen. James Metzen (DFL-South St. Paul), also approved confirmations and okayed the Uniform Partnership Act.

S.F. 637, authored by Sen. Steven Morse (DFL-Dakota), makes pension costs and benefits uniform for state and public employers and employees. Morse said, “When we first started to look at pension uniformity, we had five major goals: providing uniformity in benefits and cost of living adjustments, improving benefit design, addressing funding...
Under the measure, $20 million is taken approved and referred the bill to the floor. At the Thurs., Apr. 17, Human Resources (DFL-Erskine) as he presented S.F. 1894. This legislation will help alleviate some of the enormous amount of pressure, particularly in the western portion of the state, and can. The people have been under an enormous strain, and we are doing everything we can. The additional $20 million will provide some relief.

Human Resources
Finance

Additional flood relief approved

"It is important to assure the people throughout the state that we are doing everything we can," said Sen. Roger Moe (DFL-Erskine) as he presented S.F. 1894. At the Thurs., Apr. 17, Human Resources Finance Committee meeting, members approved and referred the bill to the floor. Under the measure, $20 million is taken from the budget reserve in the general fund to reimburse the counties, cities, and towns that have sustained damage as a result of the 1997 flood. Moe explained that this money will augment $3 million that has already been appropriated under S.F. 114, the emergency snow removal bill that was passed and signed by the governor.

Jim Franklin, director of Emergency Management, Dept. of Public Safety, detailed the magnitude of the damage the flooded regions of the state have endured. "We are seeing substantially more damage than we did during the 1993 flood when the state incurred over $100 million in infrastructure damage. Though we will not know the total damage amount for several months, this flood will surpass that amount," Franklin said. He also explained that the water saturated ground will prevent much of the necessary reconstruction to roadways, bridges, and sewer systems from beginning before the next snow this fall.

Chair Linda Berglin (DFL-Mpls.) asked if the additional $20 million is enough money to meet the needs of the impacted communities. Franklin answered, "In the long-term, probably not, but the money will certainly help in the near future." He said the money is necessary to match the federal disaster relief aid that is now granted to the state.

Moe offered two amendments, both of which were adopted. The first affects the counties that have designated federal disaster areas by making the homestead and agricultural credit aid payments available as soon as practicable. The second amendment grants a special construction moratorium exemption for a 49-bed nursing home facility located in Norman county that was destroyed by flooding.

In other business, members also advanced S.F. 457, authored by Sen. Don Betzold (DFL-Fridley), to the floor. He explained that the bill makes a number of changes to the Social Work Practice Act. One of the major modifications requires criminal background checks for social work license applicants, as well as a one-time check on current licensees. Once it was explained that the money needed to perform the background checks is contained in the omnibus crime bill, the measure was approved.

K-12 Budget Division

Omnibus bill approved

The K-12 Education Budget Division voted Thurs., Apr. 17, to approve the nearly $7 billion omnibus bill presented by Chair Lawrence Pogemiller (DFL-Mpls.). The bill's provisions, when added to the $337 million appropriated at the start of the session to lift previous formulas caps, account for $1 billion over current expenditures. A total of $113 million entirely buys back the revenue shift that occurred when the state borrowed from districts in the 1990s to maintain steady cash flow; $100 million funds a base formula increase that will provide a guaranteed $35 per pupil, a one percent increase each year.

The bill provides $92 million for technology initiatives, $31 million of which will go to every school district on a per pupil basis. A $50 million initiative sponsored by Sen. Jane Krentz (DFL-May Township) increases the amount of referendum revenue equalized by the state from $315 per pupil to $350, as well as undoing a part of the existing "Bauerly provision" that currently reduces state aid by $100 per pupil in some districts with referenda. Under the bill, compensatory funding calculation is changed from AFDC rollsto free and reduced lunch eligibility in an attempt to fully acknowledge, at a cost of $64 million, the needs of the state's working poor.

Pogemiller spoke on the $150 million provided for the "Common Schools of Excellence" provision. The provision is an attempt to counter the governor's tax credit proposal, which diverts money from this system. Pogemiller's proposal allows interested schools having a student population with at least 25 percent eligible for free and reduced lunch the opportunity to establish admission standards and advertise for students. A student desiring to attend the school receives a state certificate valued at $6,000 or higher if the state is paying more for that student than it receives from the school district.

The Senate provides more funding than the governor recommended on Limited English Proficiency programs, magnet schools, homeless student programs, school breakfast and first grade readiness. The bill funds a "Learn and Earn" college incentive program authored by Sen. Allan Spear (DFL-Mpls.), an enhance parenting program sponsored by Sen. Jane Ranum (DFL-Mpls.), an agriculture leadership program brought to the division by Sen. Dallas Samson (DFL-Staples) and funding for an advanced placement program requested by Sen. Martha Robertson (R-Minnetonka).
The bill provides less than the governor's recommendations for site performance pay as well as grants for technological equipment. The Senate bill does not include the governor's education tax credits and deductions, and the Dept. of Children, Families and Learning budget is cut by $5 million because the department did not bring graduation rule up to speed in time and within budget, said Pogemiller.

Panel reaction began with Education Finance Committee Chair Keith Langseth (DFL-Glyndon). Langseth said the $35 in increased foundation aid per pupil is not enough to ensure the survival of schools in middle class districts with low property valuation. "These districts," he said, "are only going to get a maximum of two percent." Pogemiller replied, "The other body has funded very few of the governor's initiatives and neither body aligns very well with the governor right now. Nobody has inflation in the base formula. It seems unrealistic to think we are going to spend this $150 million on the base and that it's going to become law."

Computer runs on the compensatory aid switch revealed that some districts have higher AFDC numbers than reduced lunch participants. Under the new calculation, schools get full compensatory aid for free lunch students and 1/2 the reduced lunch pupils. Sen. Emroy Jung (DFL-New Hope) observed that districts may not have identified students eligible for free and reduced lunch because the stakes for doing so have never been so high.

To compensate for the underfunding of districts with low property valuation or without referenda, Pogemiller successfully offered an amendment to put $20 million into graduation rule compliance, weighted amounts in favor of the desegregated districts. Jung expressed a doubt, "Why would we want to imply that working on the graduation rule is more important for a district without a referendum?" Sen. Janie Krentz (DFL-May Township) spoke for the lighted districts. "There are other districts getting compensatory aid, and Limited English Proficiency funding and desegregation aid and other categories."

Conversely, Sen. David Knutson (R-Burnsville) questioned the logic of funding a district that has not passed a referendum. "What does not having a referendum mean? Does it mean that people are poor? Or do it mean that they don't trust the school board, or possibly that they are satisfied with their school as they are?" Sen. Sandra Pappas (DFL-St. Paul) suggested looking at test scores. "Maybe we should look at some of these districts with 35 to a classroom. Are they all suffering, or are some doing okay because they come from intact families and supportive environments?" She suggested that the extra money could perhaps be targeted to aid communities where children are not meeting graduation standards.

Langseth was not successful in offering an amendment allowing school boards in districts without referenda to levy up to $100 per pupil. "I admit, it's a patch," he said, "but we need it because we're not funding inflation." Prior to the vote, Sen. Martha Robertson (R-Minnetonka) said that states have built inflationary salary increases into teacher salary "steps and lanes" and gone on to fund even higher increases. "I get a little frustrated with this statement that we don't fund inflation," she said.

Some new provisions in the bill include adding funding for magnet programs, LEP, assurance of master's programs and food assistance. Professional teaching certification money is increased in the bill for more early reading readiness. Other provisions include the addition of a homework help line and the combination of school nutrition and food service technology funding. An amendment, offered by Sen. Thomas Neuville (R-Northfield), allowing a charter school to be sponsored by a private college was not adopted.

The bill was approved and sent to the Committee on Children, Families and Learning.

**State Government Finance**

**Land-use bill approved**

The State Government Finance Committee okayed a land-use community planning bill Weds., Apr. 23. The committee, chaired by Sen. Richard Cohen (DFL-St. Paul), approved three other bills.

S.F. 738, authored by Sen. Jim Vickerman (DFL-Tracy), is a community-based land-use bill. Vickerman said, "This bill is the product of the efforts of Sen. John Hattinger (DFL-Mankato) and Sen. Steven Morse (DFL-Dakota), who each brought a land-use bill before the Local and Metropolitan Government Committee. They've been working with state agencies, municipal organizations, citizen groups and other organizations to come up with this compromise." The bill establishes county and municipal community-based planning processes, sunsets the municipal board, establishes a pilot land-use project in Stearns County and establishes an alternative dispute resolution process. The bill was approved and sent to the Senate floor.

Sen. Dennis Frederickson (R-New Ulm), presented H.F. 664, a bill that gives the Board of Water and Soil Resources the authority to accept federal grants, donations and gifts. The bill was approved and moved to the Senate floor. S.F. 1351, authored by Sen. Carol Flynn (DFL-Mpls.), requires insurance and benefit provisions for MnSCU faculty be the same as those provided to other executive branch employees and modifies provisions governing collective bargaining within MnSCU. Flynn proposed an amendment providing for the use of arbitration in disputes resolution for firefighters. The amendment was approved, and the bill, as amended, was okayed and advanced to the Senate floor. Morse presented S.F. 1486, a bill that modifies various pension provisions for state employees. Morse pointed out a provision that includes seasonal employees of the Dept. of Revenue in a general state employee retirement plan coverage. The bill was approved and sent to the Senate floor.

**Committee on Taxes**

**Omnibus tax bill reviewed**

The Committee on Taxes, chaired by Sen. Douglas Johnson (DFL-Tower), reviewed the income tax section of the omnibus tax bill, Thurs., April 17. That portion of the bill was explained by Sen. Steve Murphy (DFL-Red Wing).

Among its provisions, the income and sales tax section of the omnibus tax proposal allows individuals an income tax credit of 30 percent of the amount of a charitable contribution made to a nonprofit institution of higher education, allows a maximum tax credit of $8,000 to job training programs hiring qualified program graduates, and clarifies that mail order businesses are those that sell tangible personal property or services ordered by facsimiles of other electronic media.

The bill allows a refund of fuel taxes paid by a distributor of gasoline and special fuels sold for on-farm bulk storage, makes most food sold for immediate consumption subject to the 6% sales tax, and clarifies that "storage and use" does not include warehousing property that is shipped into the state by a common carrier for the...
The proposal’s solid waste management section imposes a solid waste management tax on mixed municipal solid waste (MMSW) residential generators, political subdivisions, and multi-residential housing managers that provide waste management services without directly charging each multi-dwelling residence. The proposal also imposes a tax on commercial MMSW service-generators of 17 percent of the waste management service-costs paid by waste generators, and requires self-hauler’s to pay the assessed solid waste tax as commercial waste generators.

The proposal authorizes the commissioner of trade and economic development to allocate an additional $1.5 million for tax reductions to enterprise zones located on the state’s western border, and increase the budget reserve to $522 million on July 1, 1997. Senators offered a number of amendments to the bill. Sen. Edward Oliver (R-Deephaven) offered an amendment to retain the Minneapolis Twins within the state. His amendment involved private funding from general and limited partnerships, and public funding from the city of Minneapolis. The amendment did not prevail.

Other amendments included an amendment offered by Sen. William Belanger (R-Bloomington) detaching language stating that property used to provide recreation or amusement, or used to dispense goods or services, is not considered tax-exempt property purchased for resale. Belanger said that the deletion would maintain current law upon which a pending Minnesota Supreme Court case is based.

Sen. John Hottinger (DFL-Mankato) offered an amendment, applicable to government operating expenses, deleting the property tax referendum and substituting an income tax referendum based on an individual’s state liability.

Douglas Johnson (DFL-Tower) offered an amendment allowing tax increment “pooling” to pay debt service on bonds issued by the city of New Brighton, allowing the city of Deephaven to spend tax increments from one district for activities outside the district, and requiring the Department of Revenue to survey charitable contributions made to elderly assisted living facilities as an attempt to justify the preservation of the tax exemption for elderly care assisted living.

Sen. Lindy Runbeck (R-Circle Pines) re-offered an earlier amendment allowing a reduced tax rate for privately owned golf courses, open to the public, that are located within a county in which a competing, tax exempt, municipal or county golf course is located.

Sen. Steven Novak (DFL-New Brighton) offered an amendment exempting from sales and use tax material used to construct facilities to produce a derived product or electricity, or to construct a cogeneration heating and cooling facility using wood waste as a primary fuel source. The committee adopted the amendments, and incorporated the provisions into the omnibus tax bill, S.F. 493.

**K-12 omnibus amended, approved**


The panel discussed the K-12 bill’s income tax surtax provision, mirrored in the omnibus tax bill, which allows school districts to hold referendum levy for income taxes.

The bill was successfully amended by Sen. Sandra Pappas (DFL-St. Paul) to include funds originally dedicated to the bill’s income tax surtax provision, mirrored in the omnibus tax bill, which allows school districts to hold referendum levy for income taxes.

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Committee update

"federal contingency reserve" that acts as a cushion against decreased federal funding for basic health care services. Runbeck said that current reserves are more than adequate, and that continuation of the fund is costly and unnecessary. She said the reserve could be restored if the need arose. The amendment did not prevail.

Several Senators said they opposed expanding MinnesotaCare to cover single adults and households without children, but they offered no amendments.

Johnson told members that MinnesotaCare has contributed to the quality of life within the state. He said that without the program many working people of all income levels would have no access to affordable health care. Johnson said that he approved of the program’s coverage extending to some working people, and he added that he felt the funds in Northwestern Minnesota should remind members that no one is above hardship times.

Sen. Sandra Pappas (DFL-St. Paul) offered an amendment temporarily exempting from the annual premium fee those individuals and families having incomes under 100 percent of the federal poverty guidelines. Pappas said the fee, although reasonable, may pose a hardship for impoverished and struggling families. The amendment failed, and the bill, as amended, was referred to the Human Resources Finance Committee.

Thursday, April 17

HHS omnibus bill okayed

On Thurs., Apr. 17, the Senate considered S. F. 1908, the health and human omnibus bill for the 1997 session. The measure’s chief author, Sen. Don Samuelson (DFL-Brainerd), said formulating the contents of the $5.4 billion legislative package was not an easy task, primarily because seventy-five to eighty legislative proposals had been sent to the Health and Family Security Budget Division to be considered, totaling $285 million dollars above the governor’s recommended budgetary target level. As for the bill itself, Samuelson said there are three major issues addressed—the governor’s General Assistance Medical Care (GAMC) proposal, nursing homes, and cost-of-living (COLA) adjustments. The governor proposed moving funding for GAMC out of the general fund and over to the health care access fund (HCAF). Samuelson explained that the bill does not follow the governor’s recommendation because such a move would put HCAF into a deficit and people would then be dropped off of GAMC; keeping GAMC in the general fund costs $55 million for the biennium. Second, he explained that the governor had recommended reducing nursing home reimbursement rates, and again he said that the bill does not follow the governor’s proposal because “now is not the right time to reduce their operating budgets.” Therefore, the bill maintains all nursing home reimbursement rates at their current levels at a cost of $8.3 million. Finally, Samuelson said the bill provides 5 percent COLA as for the “many thousands of employees who take care of our most vulnerable citizens.” He added that many of these health care service employees have not received COLA for many years. Therefore, with nearly $100 million in the budget before other proposals were even considered, it was difficult to prioritize the other decisions.

There is a broad range of issues in our bill, work that is representative of many of our Senators. Sadly, there are many things that were not able to fund, but we did deal with many federal government reductions. However, this bill is a very balanced proposal, and we did an outstanding job of meeting the needs of the citizens of this state,” Samuelson said.

The floor was then opened up to amendments. Sen. Roger Moe (DFL-Erskine) offered an amendment that takes necessary money out of the nursing home moratorium exception account in order to fund repair of nursing homes damaged by the floods. Moe said that he did not know any specific amounts, but it has come to his attention that at least one home has been totally destroyed. He added that $1 million is appropriated to the moratorium exception account and that this amendment would not bust the account’s budget. The amendment was adopted.

Sen. Tom Neuville (R-Northfield) offered an amendment that contains portions of the Defense of Marriage Act. He had authored this session, along with technical language that would make Minnesota law conform to federal laws that can be used against people from outside this state," he said. The Limmer amendment prevailed on a 35-29 roll call. Later, Berglin returned to the birth defects registry debate by offering an amendment that allows the transfer of data across state lines as long as there is patient consent. The Berglin amendment was adopted.

In another amendment, Limmer explained he wants parents to be able to control the health records of their children. Therefore, he offered an amendment that prohibits the inclusion of immunization data in a centralized registry without a patient’s consent. In the case of children, this would require the consent of the parents. Berglin said she was also opposed to this amendment because the immunization registry is crucial to protecting the public’s health by giving health care providers, school districts, and day care centers quick access to a person’s immunization history. However, the Limmer amendment was adopted on a 37 to 28 roll call vote.
Friday, April 18  

**Speed limits debated**  
During the afternoon floor session Friday, April 18, members continued the debate on Sen. J. anet Johnson (DFL-North Branch), a debate concerning the Department of Transportation housekeeping bill. Sen. Deanna Wiener (DFL-East) offered an amendment that expands highway speed limits to include specific types of roadways. Sen. Sheila Kiscaden (R-Rochester) successfully amended a provision on to the Wiener amendment that expresses no speed limit throughout the state.  

**Monday, April 21  
Tax bill debated**  
The 1997 omnibus tax proposal dominated the afternoon session, which continued Monday, April 21. Sen. Douglas Johnson (DFL-Tower), the proposal’s sponsor, said that S.F. 493, reflects a concerted effort by both parties to craft a tax reform proposal that is fair to all concerned. Johnson said that the proposal is not perfect, but he appealed to members to continue to put aside partisan issues and to maintain a spirit of constructive cooperation in reaching a finished proposal.  

Johnson said the proposal offers Minnesotans $604 million in property tax relief in 1998 and $653 million in 1999, offers an annual school property tax reduction of $400 million, provides $246 million in homeowner’s property tax reduction, provides $195 million in tax relief to seniors and saves $231 million in business property tax relief. The bill does not contain provisions for a $700 million tax refund as proposed by the governor.  

Following conclusion of a section by section discussion of the bill, Senators offered a series of amendments. Sen. William Belanger (R-Bloomington) offered an amendment providing Minnesotans a $170 million in income tax refund to be provided from the state budget surplus. Sen. Edward Oliver (R-Deephaven) supported the proposed amendment. He said that some of the $240 billion surplus should be used for property tax reform and other necessary expenditures, but that the rest should be refunded to residents. The amendment failed.  

Sen. David Knutson (R-Burnsville) offered an amendment deleting the business activity tax (BAT) section of the bill. Knutson said the BAT discourages business incentives within the state, taxes wages, and discourages health benefits for workers. Sen. Dean Johnson (R-Willmar) agreed with Knutson, and said the BAT was a poor policy at a time when the state needs a budget surplus. Johnson said that the tax would discourage any business from entering Minnesota.  

Sen. John Hattenger (DFL-Mankato) opposed the amendment. He said that the state’s tax base would suffer if the tax were eliminated. Hattenger also pointed out that the BAT is an integral part of property tax relief provided in the proposal. He said that the BAT is a more equitable way to tax Minnesota businesses. The amendment failed on a vote of 32 to 33.  

The Senate also approved several changes to the omnibus tax proposal. Sen. Gen Olson (R-Minnestrosa) offered an amendment increasing the federal income tax credit for dependent children in grades K through 6 from $650 to $1,950 and from $1,000 to $3,000 for dependents in grades 7 through 12. She said that the increase would cost approximately $150 million. The amendment failed.  

Sen. J. anet Johnson (DFL-North Branch) offered an amendment reducing from $46 million to $30 million the amount of certificates of indebtedness that the Metropolitan Council may issue for replacement buses in the Metropolitan Area. The amendment was adopted. The bill was progressed pending further amendments.  

In other action, members discussed a bill that would regulate rent-to-own businesses operating within the state. S.F. 465, authored by Sen. Deanna Wiener (DFL-East), regulates rental purchase agreements, limits charges for lease purchases and provides evidence of the “cash price.” Wiener said the bill allows persons with poor or no credit rating to purchase products they could not otherwise purchase. Sen. Ember Reichgott Junge (DFL-New Hope) opposed the bill.  

Junge said such businesses charge usurious interest rates and would not otherwise purchase the products they could not otherwise purchase. Wiener said the bill allows persons with poor or no credit rating to purchase products they could not otherwise purchase. Sen. Ember Reichgott Junge (DFL-New Hope) opposed the bill. Junge said such businesses charge usurious interest rates and would not otherwise purchase the products.  

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**Tuesday, April 22  
Tax bill reviewed**  
In a morning session Tuesday, April 22, the Senate continued the review of the omnibus tax bill. The Senate also approved several changes to the omnibus tax bill. In addition, members passed a resolution in support of Earth Day. Members also took up a number of amendments to the omnibus tax bill.  

Sen. Gen Olson (R-Minnestrosa) proposed an amendment that imposes a solid waste tax on owners of multiple residences.
Committee update

12 Education Budget Division bill to the K-12 omnibus passes Wednesday, April 23

okayed.

Sen. Cal Larson (R-Fergus Falls), proposed an amendment limiting increases in market value on homes and apartment building to increases in the Consumer Price Index or 5 percent, whichever is lowest. Sen. Douglas Johnson (DFL-Tower), chief sponsor of the bill, said, “To vote for this amendment might be a good political vote, but it changes the bill. Other taxpayers will be paying the taxes reduced by this proposal.” The motion was adopted on a vote of 42-20. Johnson then progressed the bill.

The Senate then moved to general orders. S.F. 724, presented by Sen. Janet Johnson (DFL-North Branch), is the MnDOT transportation housekeeping bill and had been in progress for an earlier session. Sen. Leif Doley (DFL-Anoka) proposed an amendment increasing the speed limit on Minnesota’s rural interstate highways from 65 to 75 miles per hour and on the state’s urban interstate highways from 55 to 65 miles per hour. Sen. Steve Dille (R-Dassel), offered an amendment to the Doley amendment making it a primary offense to not wear seatbelts. The proposal was ruled not germane. Sen. Richard Cohen (DFL-St. Paul), proposed an amendment exempting from the amendment a portion of I-35E that maintains a 45 miles per hour speed limit. The motion was approved. Dille attempted again to amend the Doley amendment with another mandatory seat belt proposal, adding a provision that uses the proceeds of fines for violators of seat belt laws for driver safety education. This was also ruled not germane. The Doley amendment was approved on a vote of 43-19, and the bill, as amended, was okayed.

Wednesday, April 23

K-12 omnibus passes

Presenting his division’s omnibus K-12 Education Budget Division bill to the floor Wed., Apr. 23, Sen. Lawrence Pogemiller (DFL-Mpls.) prefaced his presentation with a plea for deference to what he said was the result of the “very open process” conducted by the division.

Pogemiller explained that, when added to the $337 million appropriated at the start of session to lift previous formula caps, the bill increases K-12 spending to $1 billion over current expenditures. The bill provides $20 million for graduation rule enhancement, and gives much more funding for schools with low property valuation. The bill spends $32 million on heavier first through third grade pupil weighting and also provides $40 million to fund a statewide property tax referendum reduction. A total of $100 million out of an original $150 million is provided for Pogemiller’s “Common Schools of Excellence” provision, which Pogemiller said is an attempt to offset the governor’s tax credit proposal. “Common Schools is a market approach,” he said, “and in the spirit of what we do with tax dollars.” After explaining the bill’s $64 million change in compensatory funding from AFDC rolloffs and reduced lunch eligibility, with reduced lunch rolls funded at 1/3 of the amount generated by a student receiving free lunch, and with per pupil $300 increase, he added, “We are earlier trying to target free and reduced lunch recipients, and early trying to target low property value districts.”

The “Common Schools of Excellence” provision came under fire from both those who support a base formula increase and those objecting to the idea that private schools meeting certain criteria could become designated recipients of public funding. Sen. Steven Novak (R-New Brighton) offered an amendment to apply the $100 million to the general formula. He asked members, “Do you want to spend money on a provision that will maybe affect 8,000 kids or one that will affect 875,000 kids in every school district in this state?”

Pogemiller countered, “I think this is a false premise. I don’t believe it will reduce class sizes, but it does create a mechanism that will be unacceptable to the governor. It eliminates one of the creative ideas in the bill and, effectively, we are rushing this up to the governor for a veto.” Sen. John Marty (DFL-Roseville) spoke in support of the Novak amendment. “Schools don’t need to cover inflation. This gives them the basic amount of money to operate.” Sen. Martha Robertson (R-Minnetonka) reminded the body that “Common Schools” is a capped appropriation, while Novak’s proposal would create a formula increase in current law. “The amendment was not adopted on a roll call 36-26.

An amendment, offered by Sen. Keith Langseth (DFL-Glyndon), to change gradeschool weighting from 1.08 to 1.1, to increase the necessary $46 million per year out of “Common Schools,” making it a pilot. After the amendment was defeated, Langseth offered a similar amendment that would leave common schools with $18 million. This was also defeated 32-30.

Sen. Steve Kelley (DFL-Hopkins) offered an amendment to provide $20 per student for schools showing improvement of at least three percent on standardized tests. Sen. John Huttering (DFL-Mankato) said such practices simply reward privilege. The amendment was not adopted.

Challenging “Common Schools of Excellence” on the grounds of constitutional ambiguity, Sen. Leonard Price (DFL-Woodbury) offered an amendment removing private schools as eligible recipients of the “Common School” funding. After conceding that the provision will almost surely draw a lawsuit, Pogemiller said, “If a family wants to place a child in a school that’s diverse, that builds in collective bargaining, that follows the Human Rights Act, they should be able to do that. I would argue that some of our current public schools are not public schools. There is an entrance requirement based on income that allows people to live in community. Minnesota schools are segregated by race and economics. No one is a stronger advocate of common education than I, but that is one thing we cannot ever do.”

Sen. Ember Junge (DFL-New Hope) pointed out that charter schools must accept students on a first-come-first-served basis. She added, “Minnesota law is clear, we can’t use public dollars to advance religion.” The Price amendment was defeated 33 to 30, and a later motion to reconsider was also defeated.

Sen. Mark Ourada (R-Buffalo) challenged the provision allowing advertising on school buses to fund Head Start. Ourada, citing a recent fatal school bus accident in Buffalo, said ads would be distracting and unsafe. Sen. Kenric Scheve (R-Preston) supported Ourada, “I don’t understand. We are facing a budget shortfall, I could understand. We are facing a budget...”
surplus of 2.3 billion dollars. Why can't we take the money from somewhere else rather than turning our schools into moving billboards?" The amendment was defeated 31 to 29.

Other significant amendments to the bill include a provision offered by Sen. Roger Moe (DFL-Esko) requiring schools to spend ten percent of state funding on early childhood and learning readiness, as opposed to the current one percent. Sen. Cal Larson (R-Fergus Falls) successfully offered an amendment to allow post-secondary institutions to exact penalty funds when students needed remediation. Sen. Edward Oliver (R-Deephaven) successfully offered an amendment preventing school districts from adopting a higher standard of passage than other district on basic skills standardized tests. Sen. Warren Limmer (R-MinnMaple Grove) successfully amended the bill to require parental permission for first grade preparedness home visits.

Sen. Jane Ranum (DFL-Mpls.) was unsuccessful in offering amendments lengthening compulsory school age.

Before the final vote, Sen. Gen Olson recalled the high-level discussions and "very thought-provoking times" experienced in the K-12 Education Budget Division over the course of the session, and recognized Pogemiller for advancing the formulation of the division's "mission statement." Olson then successfully amended that mission statement to include language prioritizing parental accountability. Before the final vote, Sen. Thomas Neuville (R-Northfield) also praised the mission statement and the willingness of Pogemiller to entertain bipartisan compromises, but cautioned that without the governor's tax credits, the bill is en route to a veto. The bill was given final passage 47-16.

**Thursday, April 24**

**City to city aid bill okayed**

On Thurs., Apr. 24, the Senate held a session in order to process a number of bills. After dispensing with procedural business, members moved on to Special Orders and gave final passage to several measures.

S.F. 435, explained Sen. Leo Foley (DFL-Anoka), is a Dept. of Public Safety bill and modifies a number of provisions dealing with motor vehicles. Sen. Carol Flynn (DFL-Mpls.) offered an amendment to allow for a vehicle registration fee refund for any vehicle that is destroyed by the flood. She explained that currently, in order for a person to obtain their insurance payment for a flood damaged vehicle, the owner must submit their title card and thereby making it impossible to get a refund for the registration fee. The amendment was adopted.

Sen. John Marty (DFL-Roseville) also offered an amendment that prohibits the sale of motor vehicle license agents and deputy registrars. He said that the agenda is state appointments to issue state licenses and that the state should not allow the sale of the appointments. The Marty amendment was successfully attached and the bill was passed unanimously.

S.F. 1074, authored by Sen. Randy Kelly (DFL-St. Paul), designates 911 emergency response systems to police and fire dispatchers as essential employees. He said that the dispatchers are skilled professionals and serve as the hub in every public safety department in the state. "Their work is indispensable to the community and without their work, the agencies would shut down," Kelly said. He added that the bill affects approximately 1,000 workers and that the employees are not state workers, but are employees of local units of government.

Sen. Marty (DFL-St. Paul) explained that conceivably the increased penalties in the bill could be used in a domestic assault case, but the prosecutor would not have to prove the domestic assault, but would also have to prove that the attack occurred because of bias. Therefore, she said, it would be unlikely that a prosecutor would seek the increased penalties under the bill for domestic violence cases.

The Senate suspended the rules to allow for the introduction and passage of S.F. 1953. The bill's author, Sen. Jim Vickerman (DFL-Tracy), said, "This issue was brought to my attention last night. The bill clarifies for the State Auditors Offensive that cities and counties may raise money for and provide assistance to other Minnesota counties and in the flood relief effort." He explained that the measure will allow counties to police, fire, and medical personnel assistance, along with financial aid, to the area that have been devastated by this year's flooding. The bill was unanimously passed.

**Conference committees begin**

Senators completed work on all the major budget and tax bills this week. Attention now moves to the various conference committees as they work out differences between the Senate and House versions of the bills. Members are spending long hours in daily floor sessions to process non-budget related bills.

For the latest information on floor session and conference committee schedules, please check the legislature's world wide web site or contact the Senate Information Office at 296-0504 or 1-888-234-1112. The URL for the website is: http://www.senate.leg.state.mn.us

**Frequently called numbers**

Secretary of the Senate
231 Capitol
VoiceMail/order bills
296-2344
296-2343

Senate Information
231 Capitol
296-0504
Toll free 1-888-234-1112

Senate Counsel & Research
G-17 Capitol
296-4791

Legislative Reference Library
645 State Office Building
296-3398

Senate TYT
296-0250
Toll free 1-888-234-1216

Senate Committee Hotline
296-8088

Senate Sergeant at Arms
G-1 Capitol
296-1119
**Flooraction**

**Bills granted under suspension of rules Friday, April 18**

S.F. 1894-Moe: Providing for an emergency appropriation for flood relief. 63-0
H.F. 2147-Piper: Omnibus early childhood education budget bill. 56-0

**Bills granted preliminary passage on General Orders Friday, April 18**

S.F. 865-Wiener: Regulates rental-purchase agreements; modifies the definition of terms; provides evidence of the cash price of property; and limits charges for cost-of-lease services.
S.F. 854-Higgins: Provides rights and procedures for certain public employees of local government units who are displaced as a result of a transfer of the provision of services from one local government unit to another.
H.F. 1075-Johnson, D.H.: Regulates professional health services under the professional corporation act.
H.F. 211-Day: Authorizes the installation of extended area telecommunications service within combined school districts.
H.F. 179-Ranum: Provides for designation of advance health care directives on drivers' licenses and Minnesota identification cards.
S.F. 569-Scheevel: Clarifies tax exemptions for implementations of handb binder and increases the speed limit for towing heavy farm trailers not equipped with brakes.
H.F. 889-Krentz: Provides for changes in rights of parties to mobile home park rentals.
H.F. 949-Johnson, J.B.: Requires manufacturers of electric relays or other electrical devices responsible for disposal costs of the devices.
S.F. 351-Hottinger: Assigns responsibility for legislative review of administrative rules to the Legislative Coordinating Commission.
H.F. 780, Johnson, J.B.: Modifies requirements for mercury testing in incinerator emissions.
H.F. 1301-Wiger: Defines the department's classified service under a merged St. Paul and Ramsey County Dept. of Public Health.
S.F. 1000-Kelley, S.P.: Modifies certain Board of Psychology requirements relating to education and supervision.
S.F. 890-Scheevel: Provides for regulation and licensing of motor vehicle brokers.
H.F. 1123-Johnson, J.B.: Establishes the practices of slamming and loading as consumer fraud and provides penalties and remedies.
H.F. 704-Johnson, D.H.: Exempts large electric power generating plant from certificate of need proceeding when selected by the PUC from a bidding process to select resources to meet utility's projected energy demand.
S.F. 839-Belanger: Modifies bond requirement for certain search firms.
S.F. 157-Betzold: Enacts, eliminates, continues, or modifies certain exemptions from the rule making requirements of the Administrative Procedure Act.
S.F. 536-Berglin: Adds to the definition of nuisance and the list of acts constituting a public nuisance.
H.F. 591-Neuville: Requires the commissioner of transportation to transfer certain easements to the city of Faribault.
S.F. 1470-Berglin: Modifies provisions concerning neighborhood revitalization programs.
S.F. 1266-Vickerman: Authorizes town electors to require the removal of snow or ice from town roads in certain circumstances.
H.F. 1170-Scheevel: Authorizes minors to be elected a delegator officer at the precinct caucus.

**Bills granted concurrence and repassage Monday, April 21**

S.F. 1116-Higgins: Allows the use of certain Hennepin County facilities for commercial wireless service providers and allows the lease of sites for public safety communication equipment. 58-0
S.F. 495-Novak: Requires health coverage for diabetes outpatient self-management training and education. 59-0

**Bills granted final passage on the Senate Calendar Monday, April 21**

S.F. 865-Wiener: Regulates rental-purchase agreements; modifies the definition of terms; provides evidence of the cash price of property; and limits charges for cost-of-lease services. 34-31
S.F. 854-Higgins: Provides rights and procedures for certain public employees of local government units who are displaced as a result of a transfer of the provision of services from one local government unit to another. 63-2
H.F. 211-Day: Authorizes the installation of extended area telecommunications service within combined school districts. 64-1
H.F. 179-Ranum: Provides for designation of advance health care directives on drivers' licenses and Minnesota identification cards. 65-0
S.F. 569-Scheevel: Clarifies tax exemptions for implementations of handb binder and increases the speed limit for towing heavy farm trailers not equipped with brakes. 64-1
H.F. 889-Krentz: Provides for changes in rights of parties to mobile home park rentals. 65-0
H.F. 949-Johnson, J.B.: Requires manufacturers of electric relays or other electrical devices responsible for disposal costs of the devices.
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H.F. 591-Neuville: Requires the commissioner of transportation to transfer certain easements to the city of Faribault. 65-0
S.F. 1470-Berglin: Modifies provisions concerning neighborhood revitalization programs. 65-0
S.F. 1266-Vickerman: Authorizes town electors to require removal of snow or ice from town roads in certain circumstances. 65-0
S.F. 1170-Scheid: Authorizes minors to be elected a delegate or officer at the precinct caucus. 36-29

Bills granted final passage on the Consent Calendar Tuesday, April 22
S.F. 273-Lesewski: Authorizes improvements at the Hastings, Luverne and Silver Bay Veterans Homes using donated funds. 59-0

Bills granted final passage under suspension of rules Tuesday, April 22
H.F. 2150-Morse: Omnibus environment, agriculture and natural resources budget bill. 55-7

Bills granted final passage on Special Orders Tuesday, April 22
S.F. 1342-Krentz: A resolution memorializing Congress to recognize Earth Day as a national day of service and education and establishing Earth Day as a state day of service and education. 56-0
S.F. 724-Johnson, J.B.: Dept. of Transportation housekeeping bill that includes raising speed limits. 47-10
S.F. 97-Betzold: Provides for the isolation and detention of persons with active tuberculosis who pose an endangerment to public health. 54-0
S.F. 457-Betzold: Modifies provisions relating to the Board of Social Work. 53-0
S.F. 1122-Flynn: Establishes an advisory council on local government roles and responsibilities. 48-3
S.F. 513-Anderson: Adds to the acts that constitute a nuisance and modifies nuisance remedies and procedures. 50-0
S.F. 575-Runbeck: Dept. of Employee Relations agency bill that modifies requirements for drug and alcohol testing and clarifies provisions on review of personnel records by employees. 53-0
S.F. 512-Runbeck: Omnibus Dept. of Employee Relations bill. 57-0

Bills granted concurrence and repassage Wednesday, April 23
S.F. 145-Runbeck: Makes technical changes in provisions relating to reemployment insurance. 52-0

Bills granted final passage on the Senate Calendar Wednesday, April 23
H.F. 1075-Johnson, D.H.: Regulates professional health services under the professional corporation act. 52-0
H.F. 704-Johnson, D.H.: Exempts large electric power generating plant from certificate of need proceeding when selected by PUC from a bidding process to select resources to meet utility’s projected energy demand. 52-0

Bills granted final passage under suspension of rules Wednesday, April 23
H.F. 2158-Beckman: Omnibus economic development bill. 55-6

Bills granted final passage on Special Orders
S.F. 1925-Pogemiller: Omnibus k-12 education budget bill. 47-16 Laid on the table.

Conference committee reports and repassed Wednesday, April 23
H.F. 473-Wiger: Allows the Metropolitan Council to provide a program for health and wellness services for council employees. 60-0

Bills granted concurrence and repassage Thursday, April 24
S.F. 1094-Scheid: Regulates compensation paid by licensees to tenants for referrals. 53-0

Bills granted final passage on Special Orders Thursday, April 24
S.F. 500-Foley: Adopts changes to the Uniform Interstate Family Support Act. 57-0
S.F. 435-Foley: Makes technical changes to clarify that pickup truck with slip in camper may be registered depending upon its weight; restricts telephone access to certain information related to vehicle registration; and provides for the appointment, duties and discontinuance of appointment of driver's license agents. 60-0
S.F. 985-Foley: Omnibus DWI provisions. 57-0
S.F. 1074-Kelly: Provides that public safety dispatchers are essential employees. 49-7
H.F. 209-Knutson: Changes provisions for placement of children. 55-0
S.F. 651-Knutson: Establishes booking fees for local jails and procedures for collections. 53-1
S.F. 948-Wiger: Authorizes a jobs-plus welfare reform pilot project in Ramsey County. 62-0
H.F. 282-Wiger: Provides for appointment, discharge and discipline of Metropolitan Transit Police peace officers. 60-0
S.F. 203-Berglin: Creates a father's adoption registry and makes changes to adoption notice and consent provisions relating to fathers. 58-1
S.F. 1402-Berglin: Provides additional penalty enhancements for certain crimes motivated by bias. 50-1
S.F. 473-Berglin: Eliminates the Medicare certification requirement for home care providers. 53-0
H.F. 1383-Ten Eyck: Provides that certain notices relating to occupational health and safety are filed when placed in the U.S. mail. 52-0
S.F. 1097-Pappas: Creates revolving loan accounts for trunk highways, county state aid highways, and municipal state aid streets and creates a transportation revolving loan fund for federally eligible transportation projects. 49-0
S.F. 1487-Wiener: Regulates health care policy rates. 51-2
S.F. 1316-Wiener: Modifies provisions relating to state advisory councils; changes publication dates and requirements; modifies registration requirements; changes the expiration date for certain multimember agencies; extends expiration dates for certain health-related advisory councils; extends certain advisory committees; and exemptions certain advisory councils and committees from expiration. 51-0
S.F. 156-Sams: Regulates interest payment on utility deposits. 45-5
S.F. 453-Frederickson: Gives revenue bonding authority to the Public Facilities Authority. 48-0
S.F. 148-Frederickson: Provides that SCORE block grants that are withheld may be carried forward by the office of environmental assistance. 50-0
S.F. 912-Lourey: Provides for custodial and noncustodial parent education and cooperation for the children program pilot projects. 55-0
S.F. 257-Lourey: Establishes licensing requirements for the provision of ambulance services and establishes registration requirements for first responders. 53-0
S.F. 1834-Lourey: Suspends the dairy trade practices laws during the month of June. 52-0
H.F. 271-Lesewski: Modifies wage reporting requirements for employers for purposes of reemployment insurance. 48-0
S.F. 779-Piper: Includes government entities as victims for the purpose of restitution orders. 50-0
S.F. 1165-Price: Restricts the production of planting stock by the commissioner of natural resources and requires public disclosure of information relating to the commissioner’s production of planting stock. 47-0
H.F. 317-Johnson, D.J.: Authorizes towns to exercise eminent domain and other powers for purposes of wastewater infrastructure. 47-0
S.F. 166-Kelly, R.C.: Allows sale 25 days after notice of vehicles by Minneapolis, St. Paul or Bloomington. 52-0
S.F. 812-Kelly, R.C.: Clarifies provision in the law governing community notification of the release of sex offenders. 53-0
S.F. 1217-Cohen: Authorizes counties to sell county state-aid highway bonds for construction of buildings and other facilities for the maintenance of county state-aid highways. 48-2
S.F. 90-Cohen: Updates statutory references to legislative committees and repeals references to abolished legislative commissions. 50-0
S.F. 91-Cohen: Appropriates money as 1996 police state aid and ratifies the calculation of certain 1996 police state aid amounts. 50-0
S.F. 294-Junge: Requires law enforcement agencies to conduct background investigations for applicants for employment as peace officers and requires employers to disclose personnel records for law enforcement purposes. 53-0
S.F. 627-Ranum: Requires certification of expert review in actions against certain professionals. 58-0
H.F. 756-Knutson: Changes procedures for certain population and related estimates by the state demographer. 58-0
S.F. 735-Robbling: Allows the Metropolitan Council to determine an allocation method for wastewater services. 51-0
S.F. 215-Spear: Modifies previous appropriations for certain capital improvements. 58-0
S.F. 442-Novak: Modifies provisions relating to municipal utilities, cooperative electric cooperatives and natural gas pipelines and regulates use of public rights-of-way by telecommunications carriers. 49-1
H.F. 1637-Novak: Adopts insurance-related recommendations of the Arson Task Force. 58-0
S.F. 1693-Hottinger: Requires public employers to recognize certain employee organizations. 60-0
S.F. 816-Dille: Allows veterinarians to dock horses; repeals requirements for the care of equine animals; repeals restrictions on clipped animals; repeals restrictions on clipped animals and changes dog house specifications. 61-1

Bills granted final passage under suspension of rules Thursday, April 24
S.F. 1928-Vickerman: Allows cities and counties to provide assistance to other cities and counties for 1997 flood relief. 61-0
H.F. 1684-Pogemiller: Omnibus K-12 education funding. 48-16
The Minnesota Senate Week in Review

May 2, 1997

Statewidetestingpassed

A bill providing for statewidetesting of students in the third, fifth and eighth grades was granted final passage at the Weds., Apr. 30, floor session. Chief author, Sen. Lawrence Pogemiller (DFL-Mpls.), said the bill, H.F. 2179, sets out the general framework within which we want the tests to be developed. "We do not spell out what the test must contain," Pogemiller said, "and these tests should be considered a subset of the graduation rule.

Under the bill, every school site would give the tests beginning in the 1997-98 school year. The bill also spells out the information that is to be given to the public. We have tried to frame it so that the reporting will be accurate and meaningful as possible," he said.

"We have a good bill here, we provide the flexibility to gather meaningful information but we don't over-test. We are testing early enough to allow us to assess students and make sure that children have the best opportunity to move forward," Pogemiller said.

Most of the debate on the measure centered on an amendment, offered by Sen. Ember Junge (DFL-New Hope), providing that students who don't speak English are exempted from the testing for one year after their arrival in this country. Pogemiller countered that the bill already contains limited exemptions from the testing requirements and that the amendment opens up the bill to more exemptions. The amendment failed to be adopted.

Sen. Linda Runbeck (R-Circle Pines) argued against the bill and said that she questioned the value of developing a customized state test. "This seems too costly and too complicated. There are cost-effective, efficient ways to do things without reinventing the wheel and starting all over," Runbeck said. Pogemiller countered that the bill attempts to strike a balance and that state tests take into account state curriculum requirements. If we use national standardized tests, we are forced to align our curriculum with national norms," he said.

The bill was granted final passage on a 65-0 roll call vote.

Stadium proposals hear

A joint meeting of the Senate and House committees on Taxes, co-chaired by Sen. Douglas Johnson (DFL-Tower) and Rep. Dee Long (DFL-Mpls.), heard stadium funding proposals from both Senate and House members, Weds., Apr. 30. The meeting began in the morning and was continued during an evening hearing devoted to gathering public testimony.

During the crowded evening hearing, Acting Baseball Commissioner Bud Selig said the Minnesota Twins are in a tenuous financial position. He said that baseball cannot consign an owner to losing $10 to $15 million a year, and that teams in such a position may be given permission to move. He told the joint committee that the Twins are a small market team, but that small market teams become large market teams when given a stadium that encourages performance and competitiveness. Selig added that he thought Twins owner Carl Pohlad's offer to the state of a 49 percent share of ownership plus $15 million in cash was generous. He also said that baseball would take a close look at a stadium financed with gambling revenues.

In her remarks to the joint committee, Minneapolis Mayor Sharon Sayles Belton spoke in support of a stadium proposal authored by Rep. Ann Rest (DFL-New Hope). Belton pointed out that the city of Minneapolis had already pledged financial assistance from parking fees and other special stadium area taxes. She said that the decision to build the stadium should encompass multiple objectives necessary to help the local economy, and she pointed out that out-of-state fans patronize large numbers of Twin Cities businesses, ranging from restaurants to the Mall of America.

Former Minnesota Twins players Kirby Puckett and Kent Hrbek spoke in favor of stadium construction. Puckett said that "baseball will always be America's number one pastime." He said that the Legislature should not hesitate to build the stadium. Sen. Douglas Johnson asked if Puckett could guarantee this prognosis concerning the game's popularity. Puckett replied, "I provide no guarantees. If I didn't still playing baseball." Sen. John Marty echoed Johnson's concern. Marty said that he wasn't convinced that baseball would retain its popularity in the early years of the 21st century. He expressed concern that within five years of receiving a new stadium the team would again threaten departure if not offered a new monetary incentive.

Red Lake Tribal Chairman Bobby Whitefeather spoke in opposition to expanding gaming to finance the stadium. Whitefeather said that the added gaming would compete with northern Minnesota tribes already earning little from their gaming operations. He said that generally, only 20 percent of a tribe's population benefits from gaming profits.

Several nonprofit organizations also supported the stadium, and praised the Twins' community contributions.

Welfare bill approved

The Senate approved the Conference Committee report on welfare reform at its floor session on Mon., Apr. 28. Sen. Don Samuelson (DFL-Blaine), chief author of S.F. 1, said, "The emphasis is no longer on welfare; the emphasis is on work and on jobs. We're giving people the opportunity to help themselves."

Under the terms of the bill, the Minnesota Family Investment Program (MFIP), formerly a pilot project, becomes the vehicle for statewide welfare reform. The implementation date for MFIP cash assistance is Jan. 1, 1998. Counties have until March 31, 1998 to convert current cases to the new program. The program allows individuals to earn up to 120 percent of poverty before becoming ineligible for cash assistance. The bill also establishes a 30-day residency requirement, with exceptions only for hardship and for migrant workers. New residents are then paid, for the next eleven months, the lower of the grant from the previous state of residence or the Minnesota grant. As required by federal law, there is a 60-month lifetime limit on assistance, with an exception for individuals 60 years of age or older. The bill also provides sanctions for individuals who do not comply with the program requirements.

Failure to comply with child support enforcement requirements results in the grant being reduced by 25 percent. Sen. Becky Lourey (DFL-Kerrick), said, "I applaud the efforts of everybody who worked on this issue, but I have to express my concern about legal immigrants and others left behind by welfare reform."

The report was approved 67-0.

Members also soakedit the omnibus tax bill. H.F. 2163, with the language of S.F. 493, was given final passage on a vote of 39-26.
Committee update

Children, Families and Learning

Statewidetestingbill okayed

The full Children, Families and Learning Committee met Tues., Apr. 29, to consider a bill providing the framework for statewide testing for children in the third, fifth and eighth grades. The panel, co-chaired by Sen. Pat Piper (DFL-Austin), Sen. LeRoy Stumpf (DFL-Thief River Falls) and Sen. Lawrence Pogemiller (DFL-Mpls.), approved the bill, S.F. 1394, and sent the measure to the full Senate.

According to Pogemiller, chief author of the bill, the measure is the result of work carried on throughout the session by an informal working group of seven members of the Senate, seven members of the House of Representatives and the commissioner of the Dept. of Children, Families and Learning.

The bill directs the commissioner to adopt a comprehensive assessment system. Its development will be based on an existing list of previously adopted standards and criteria. The bill also outlines development of specific performance baselines and provides for limited exemptions from the testing requirement. In addition, the bill spells out the reporting requirements for data developed from the testing.

Pogemiller said, "Statewide testing is a subset of the state-wide graduation rule. It is a mechanism we have but as a tool for measuring accountability."

Sen. Martha Robertson (R-Minnetonka) added, "Schools may still give other tests, this is simply to see how we're doing statewide.

Debate on the measure focused on refining the specific language in the measure, not with altering any of the substantive provisions. The bill now proceeds to the Senate floor.

Human Resources Finance

MinnesotaCare bill approved

At the Mon., Apr. 28, meeting, the controversial MinnesotaCare bill, S.F. 1208, made a final stop in the Human Resources Finance Committee before heading to the floor. The measure's chief author, Chair Linda Berglin (DFL-Mpls.), explained that the bill expands eligibility for the MinnesotaCare Program for single adults and households without children to 175 percent of federal poverty guidelines. The bill also expands the types of covered health services to include respite care for adults with family incomes less than 175 percent of poverty guidelines. Furthermore, the legislation establishes a seniors citizen prescription drug program to provide low-cost prescription drug coverage. The measure also reduces the current per-patient provider tax to 1.75 percent, as well as eliminates the 0.05 percent premium tax for HMOs, CIGNA's, and non-profit health service plans that have met cost containment goals for the FY 98-99 biennium.

Turning to the appropriations, Berglin said the senior drug program is to be funded out of the general fund, approximately $26 million is appropriated to the Department of Human Services to fund the new program. In addition, $127.9 million is appropriated from the health care access fund (HCAF) to fund MinnesotaCare over the biennium.

Sen. Sheila Kiscaden (R-Rochester) said she did not agree with the policy decision in the bill to increase the dental reimbursement rates for services covered under MinnesotaCare by 15 percent. "We aren't doing this rate increase for other publicly funded health programs, so we should do it uniformly for all programs," said Kiscaden. She offered an amendment that deleted the reimbursement rate increase language. However, the amendment failed 5 to 9 on a roll call vote.

Berglin successfully offered an amendment that sets the provider tax at 1 percent for medical services rendered to nonresidents. Presently, the provider tax is set at 2 percent. However, the amendment, she said, "represents a compromise between the state and the border communities and the major medical centers located at the University and in Rochester." The medical facilities that provide services for people from out-of-state report that the 2 percent provider tax makes them uncompetitive with facilities in other states.

The bill was okayed and advanced to the floor.

State Government Finance

Salary increase bill okayed

The State Government Finance Committee approved a bill Thurs., Apr. 24, increasing the salaries of some public employees. Chaired by Sen. Richard Cohen (DFL-St. Paul), the committee also okayed proposals related to language interpretation, state budget forecasts and an agriculture task force.

S.F. 412, presented by Sen. Roy Terwilliger (R-Dina), is the public employees salary increase bill. Under the terms of the bill, salaries are increased for some public employees. Constitutional officers, judges, legislators and administrative law judges. The bill also establishes new salary ranges for heads of state agencies. The general increase range is 2.5 percent.

Sen. Dennis Frederickson (R-New Ulm), authored S.F. 1630, a bill that establishes an agricultural marketing and bargaining task force. Under the terms of the bill, the task force includes representatives of agricultural producers, farm organizations, food processors, potatogrowers and various state agencies. Frederickson proposed an amendment making members of the task force ineligible for reimbursement of expenses. The proposal was adopted and the bill as amended was approved and sent to the Senate floor. Cohen presented S.F. 1862, a bill that requires the commissioner of the Dept. of Finance to consult with the chair of the Senate State Government Finance Committee, the chair of the House Ways and Means Committee and the fiscal staffs of both the Senate and the House when estimating the impact of the rate of inflation on state expenditures. According to the bill, the inflation estimate is used in forecasting state expenditures. Cohen said, "It is important that the Legislature be represented and consulted in the discussions of state..."
upgrade underground petroleum storage funds to reimburse small gasoline retailers for older retirees to 12 percent for younger retirees, but also provides a permanent benefit increase to compensate retirees for lost pension surpluses to make up for deficiencies to the Teachers Retirement Association included a reduction of teachers' contributions to the various plans. The bill affects a variety of plans, including the PERA Local Correctional Plan, the Legislators Plan, the Minnesota Post Retirement Investment Fund, the Police State Aid Program, MSRS, the State Patrol, TRA, and MERF. Other plans changed under the terms of the bill are the Duluth Teachers Retirement Fund Association, the Duluth Teachers Retirement Fund and the Minnesota Police and Fire.

Among the changes made by the bill are the extension of the Police State Aid Program to cover members of the State Patrol Retirement Fund as well as employees of the Depts. of Public Safety and Natural Resources. The bill includes a reduction in cost of living adjustments by 1 percent, but also provides a permanent benefit increase to compensate retirees for the reduction. The permanent increase will vary with age, ranging from 4 percent for older retirees to 12 percent for younger retirees. Other significant changes include a reduction in teachers' contributions to the Teachers Retirement Association, unity of formula multipliers, a reduction in future post-retirement increases and a redistribution of existing pension surplus to compensate for deficiencies. The bill was approved and advanced to the Senate floor.

Morse also authored S.F. 638, a bill that creates a petroleum tank upgrade assistance program. The bill appropriates funds to reimburse small gasoline retailers for the costs associated with petroleum tank removal and replacement. Under EPA mandates, gasoline retailers must upgrade underground petroleum storage tanks to meet new EPA standards by December 22, 1998. Morse said, "The costs of complying with these mandates may put a number of smaller retailers out of business. These are typically the retail businesses in small communities, who sell a little gas and a variety of other things, and in many cases, they're the only retail operation in those small towns." The bill also provides funds for brownfield cleanup and wastewater and septic tank projects. Sen. Randy Kelly (DFL-St. Paul), said, "The brownfield issue is going to be with us for a long time, and this is just the start. The funds in this bill will make approximately 125 acres of brownfield cleaned up and ready for development, but there are about 4,000 acres of brownfield land in the state. Even if we do 200 acres a year, it will take 20 years to clean them all up." The bill was okayed and moved to the Senate floor.

Pension bill okayed
The State Government Finance Committee okayed an omnibus pension bill Weds., Apr. 30. The committee, chaired by Sen. Richard Cohen (DFL-St. Paul), also approved bills related to housing and petroleum tank upgrades. The omnibus pension bill, S.F. 367, was presented by Sen. Steven Morse (DFL-Dakota). The bill makes state employee pension provisions uniform by changing cost of living adjustments, eligibility requirements and contributions made by employers and employees to the various plans. The bill affects a variety of plans, including the PERA Local Correctional Plan, the Legislators Plan, the Minnesota Post Retirement Investment Fund, the Police State Aid Program, MSRS, the State Patrol, TRA, and MERF. Other plans changed under the terms of the bill are the Minneapolis and St. Paul Retirement Fund Association programs, the Duluth Teachers Retirement Fund Association and the Minneapolis Police and Fire.

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Joint House Senate Subcommittee on Statewide Testing
Testing bill advances
The Subcommittee on Statewide Testing, chaired by Sen. Lawrence Pogemiller (DFL-Mpls.) and Rep. Becky Kelley (DFL-Shakopee) spent most of its meeting in, Apr. 25 considering the implications of test scores and the packaging of results. Said Pogemiller, "The decision we need to make today is the scope of information we want, what we gain by having all this information and what we lose by presenting too much." Since the requirement for testing was enacted at the beginning of session, the subcommittee has been struggling with the question of whether all children should be tested, and if so, how the results should be reported. Early in the session, the panel heard testimony on the results of a commissioned study conducted by University of Minnesota analyst Robert Brunikis. Brunikis advised that reported test results should account for a variety of indicators influencing a child's performance. The panel has discussed constructing a system that enables the administration to agency to present to the public and media a not only raw scores but a break out of socio-economic and other factors possibly affecting results.

In response to a question by Sen. Gen Olson (R-Minnetrista) concerning why the state is developing a test instead of buying a national test, Department of Children, Families and Learning's Cathy Wagner said state developed tests are aligned to graduation standards and contain more open response questions. Rep. Matt Entenza (DFL-St. Paul) successfully offered an amendment requiring that accommodations be made for students with disabilities to participate in the testing. In support, Kelso said, "If we start excluding people who would like to take the test, it's a slippery slope." Other education-related bills included separate reporting for these children. The bill allows for separate reporting columns for raw scores, results without Limited English Proficiency students and results with special education students having individual education plans. Sen. Jane Kentz (DFL-May Township) suggested further breakdown, reporting a column for kids not generating any categorical such as Limited English Proficiency or free and reduced lunch. Amid many such suggestions, Pogemiller said, "The point is to trust our CLE to design this, too not overly prescriptive." After the bill was amended to require that the department report to stakeholders on the efficacy of the test, it was approved and sent to the K-12 Education Budget Division.

Committee on Taxes
Rent tax okayed
The Committee on Taxes, chaired by Sen. Douglas Johnson (DFL-Tower), approved a number of bills related to rental car transactions, Department of Revenue disclosures, city sewer connections, Indian gaming casinos and public finance issues. Thurs., April 24.

S.F. 567, sponsored by Sen. Steve Murphy (DFL-Red Wing), authorizes a 3 percent fee on rental car transactions. Under the bill, rental car companies are authorized to use proceed from the fee to cover the higher cost of registering their vehicles in Minnesota. The fee will be submitted to the Department of Revenue and refunded to the rental companies as a rebate. The bill provides that the fee will be separately stated on the rental car invoice so consumer that they are paying a proportionate share of the vehicle's registration costs. Under current law, rental car companies are attempting to recoup higher Minnesota vehicle registration costs through increased rental rates. Sen. Ellen Anderson (DFL-St.
Paul), said that rental car companies should collect the fee up-front, as a portion of the registration fee, and not burden the Department of Revenue with the time and expense of processing company rebates. She also said the bill allows auto rental companies to shift responsibility for higher rental fees to the state. An auto rental company spokesperson said that other states with high vehicle registration fees have adopted a similar legislation, and that adoption of the legislation would make more rental vehicles available in Minnesota. The Committee approved the bill and sent it to the Senate floor.

S.F. 92, sponsored by Sen. Don Betzold (DFL-Fridley), requires that persons, organizations, corporations, and others that are doing business with the state, its departments, agencies or educational institutions provide the agency with the names and addresses of owners of dry cleaning facilities to the Minnesota Pollution Control Agency, and allows the disclosure of income tax return information to law enforcement officials in cases involving threats of death or physical harm. The Committee approved the bill and sent it to the Senate floor.

S.F. 1324, sponsored by Sen. Sandra Pappas (DFL-St. Paul), authorizes the city of St. Paul to disconnect water service to defective sewer connections on private property upon the property owner's written request. The bill also authorizes the city to disconnect sewer connections on private property upon the property owner's written request. The Committee approved the bill and sent it to the Senate floor.

S.F. 1662, sponsored by Sen. Dan Stevens (R-Mora), requires the commissioner of revenue to pay counties, in which an Indian gaming casino is located, ten percent of the state's share of all taxes generated from reservation activities and collected under tax agreements with a tribal government. Steven's said that the 10 percent payment would defray a county's costs for providing increased county services related to casinos. Currently, not all revenues from Indian reservations go to county governments. The Committee took no action on the bill.

S.F. 1754, sponsored by Sen. Lawrence Pogemiller (DFL-Minneapolis), adds "investment banker" to the definition of broker, providing that a government unit must annually provide a broker a statement of investment restrictions indicating compliance with state statutes and the investment of public funds, provided that the broker must acknowledge in writing having received the statement, requires that any taxes payable to a bonded indebtedness within a town or municipality that has been annexed by a second municipality shall be the obligation of the former town or municipality, and extends a municipality's power to acquire and modify gas and electric distribution facilities. The bill also includes in the definition of "project," a facility for the care and treatment of persons with mental retardation and a facility attached to or related to a nursing home providing supportive services to older persons not yet in need of nursing home care. Pogemiller offered several amendments to his bill, including an amendment providing that the Minnesota Department of Human Services will be responsible for verifying income eligibility and premium payments under the MinnesotaCare program, which allows the commissioner of human services to verify income eligibility and premium payments. The Committee approved the bill, as amended, and sent it to the Senate floor.

S.F. 737, sponsored by Sen. Deanna Wiener (DFL-Eagan), expands the definition of "writing carrier." To include entities that may not currently be contributing members of the Minnesota Comprehensive Health Care Association (MCHA), and requires the commissioner to annually report to the legislature the cost incurred by the association to provide coverage to persons enrolled in the Medical Assistance or General Assistance programs. The Committee approved the bill and sent it to the Senate floor.

S.F. 1697, sponsored by Pogemiller, updates and clarifies bond allocation provisions to accommodate the Rural Finance Authority's request for a guaranteed bond amount with the increased demand on the "small issue pool." The bill changes the dollar amounts of tax exemption bond authority, allocations made to the housing and small issue pool to achieve a $5 million increase in the allocation to the small issue pool. The bill also provides conditions under which tax exemption bonds proceeds may be used for non-casino rental properties having federal rental assistance. The Committee approved the bill and sent it to the Senate floor.

Floodreliefbill okayed


Co-author Dean Johnson (R-Wilmara) presented S.F. 390, authored by Sen. Roger Moe (DFL-Erskine). The bill, one of two bills raising gasoline taxes and other fuels proportionately, increases the gasoline tax an additional one cent, for a period of one year to help finance the repair of flood damaged highways, roads and bridges. Johnson said the proposed penny increase would raise an additional $27 million per year and increase the state's eligibility-level for matching federal disaster funding.

Sen. Leonard Price (DFL-Maplewood) suggested a two percent increase. He said that twicethemoney would allow for immediate and permanent repairs and double the state's eligibility for matching disaster funds. Sen. William Belanger (R-Bloomington) said that the full extent of road and bridge damage would not be known until after the close of the 1997 legislative session. He suggested a special session if an addition to the proposed tax were needed.

Sen. Linda Runbeck (R-Circle Pines) suggested discarding the proposed penny increase and appropriating $27 million from the general fund to repair the damaged roads and bridges. Following additional discussion, the Committee approved the bill and sent it to the Senate floor.

A separate bill, H.F. 243, sponsored by Sen. Dean Johnson, proposes a four cent gasoline tax increase over the next two years and increases the price of other fuels proportionately. Johnson said the proposed tax, unrelated to flood damage, is necessary to repair and replace deteriorating roads and bridges statewide. He said the tax would cost drivers driving 20,000 miles a year an average of $20 per year. He said that was a small price to pay for refurbishing the state's highways.

The bill also provides that the Metropolitan Council may impose an additional Metro Area sales tax of 0.25 percent on all taxable sales occurring in the Metropolitan Area to maintain and improve the Metro Area transit services.

Sen. Steven Novak (DFL-New Brighton) offered an amendment appropriating $200,000 over FY 1998 and FY 1999 to recruit and train women and minorities in the
construction trades. Flynn said that Minnesota ranks far behind others in the number of women holding construction jobs. Sen. Sandra Pappas (DFL-St. Paul) said that access to women is especially important now, when welfare reform requires many more women to enter the workforce. However, the amendment did not prevail.

Dean Johnson offered an amendment to his bill, supported by the governor, appropriating approximately $5.5 million for the 1998 and 1999 biennium for 50 state patrol positions. The committee adopted the amendment. The committee approved the bill, as amended, and forwarded it to the Senate floor.

Carbon tax explored
The Subcommittee on Income and Sales Tax, chaired by Sen. Steve Murphy (DFL-Rochester), took action on bills relating to a carbon tax, charitable gambling bank accounts, and tax credits for long-term care insurance premiums, Tues., Apr. 29.

Sen. Steven Morse (DFL-Dakota), sponsored a bill that restructures a portion of the state's tax system to shift taxes away from employment payroll taxes and other taxable products and activities, and places the taxes on pollution-causing carbon fuels. S.F. 1110, sponsored by Sen. Douglas Johnson (DFL-Tower) and Rep. Dee Long (DFL-Mpls.), heard a committee proposal from both Senate and House members, Wed., Apr. 30. The meeting began in the morning and was continued during an evening hearing devoted to gathering public testimony.

During the morning meeting, a number of stadium proposals were tabled. No action was taken on any of the bills.

H.F. 1367, authored by Rep. Ann Rest (DFL-New Hope) provides for a new retractable roof stadium to be owned by individuals or entities, provided that it must be built in Minneapolis, and states that all construction, operating and maintenance costs be paid by the combination of users charges, special stadium district taxes, stadium sales taxes and lottery proceeds and not by any state or local taxes. Some specific provisions require a 30-year use agreement with the baseball team, requires that corporations purchase $25 million of private seating, includes a ticket tax and a four percent surcharge on all professional players' incomes of $100,000 or more. In addition, the proposal requires the Pohlad's to make an additional cash donation of not less than $15 million, and requires the state to buy out the Pohlad's share of the team by 2006 if the family cannot find another buyer.

Sen. John Marty (DFL-Roseville) said his draft proposal asks nodollars from taxpayers, gambling, or the Pohlads. Under Marty's proposal the Metropolitan Sports Facilities Commission (MSFC) would be allowed to construct an outdoor, retractable-dome stadium financed by revenue bonds sold to private investors. Under the proposal, bond debt service would be paid with revenues generated from the new stadium. Marty said that the proposal prevents any bond sales prior to negotiation with thirty-year lease agreement from the Twins. In addition, the proposal requires two independent analyses that ensure that stadium revenues will be sufficient to cover the repayment of bonds purchased at the investor's risk.

A proposal, sponsored by Rep. Mark Holsten (DFL-Stillwater), creates a sports infrastructure fund (SIF) from which revenues would be made available for new outdoor stadiums for the Minnesota Twins, restoration of the Metrodome for the Minnesota Vikings, and for professional hockey at the St. Paul Civic Center. Under S.F. 492, the sports infrastructure fund would be derived from the installation of 1,500 video lottery terminals (VLT) at Canterbury Park, following a $25 million dollar Twin's ticket purchase by the state of Minnesota. Van Dellen did not purchase a retractable roof stadium proposal from the state.
Committee Update

Team's Departure

The proposal also captured $24 million of Canterbury Park VTL gasoline taxes, used to provide property tax aid to local governments, and provides a means for St. Paul or Minneapolis to attract an NHL hockey team. Van Dellen said the bill requires no taxpayer funding, retains the Twins in Minnesota until 2011, and provides sufficient property tax aid to St. Paul and Minneapolis to compete for an NHL hockey franchise. He also said the proposal satisfies the agreement that the Twins’ owners, the Pohlads, agreed they would need to keep the team playing in the Metrodome until 2011.

Transportation Committee

Flood Relief Tax

The Transportation Committee, chaired by Sen. Carol Flory (DFL-Mpls.), reviewed measures relating to one-cent gasoline tax and critical habitat license plates, Thurs., Apr. 24. Sen. Keith Langseth (DFL-Gyndon) offered S.F. 1930 increasing the tax on special fuels and gasoline an additional one cent from 24 to 25 cents to help finance repair of highways, streets, roads and bridges damaged by the 1997 floods. Langseth told a committee that the increase would raise an additional $27 million annually and increase the state’s level of matching federal disaster funding. He said that the additional appropriation would not be distributed according to existing statutory formulas, but will be distributed among counties on the basis of repair needs, emergency assistance funds and the state on the basis of the purpose of repairing highways, streets and roads. The bill was referred to the Committee on Taxes.

Another bill unrelated to flood damage, H.F. 243, sponsored by Dean Johnson (R-Winona), raising the gas tax from 22 to 24 cents between July 1, 1997 and June 30, 1998, and other fuels proportionately, was recently approved by the Senate. The Senate supplemented an existing statutory formula, increased the tax by one cent from 24 to 25 cents to help pay for emergency repair of highways, streets and roads. The bill was referred to the Committee on Taxes.

In another action, Sen. Leonard Price (DFL-Woodbury) presented an amendment that continues the manufacture and handling of the special plates. According to Price, the idea for these plates was created as an extension of a successful Florida program. The amendment will be offered as an amendment to S.F. 254, a bill referred to the DFL-Woodbury, authored by Sen. Dennis Frederickson (DFL-New Ulm).

Thursday, April 24

K-12 Bill Approved

In a procedural move, the Senate approved the K-12 bill in a busy afternoon session Thurs., Apr. 24. Sen. Lawrence Pogemiller (DFL-Mpls.), presented the bill, H.F. 1684, with the language of S.F. 1926, was okayed by a 49-16 vote. In addition, a total of twenty-three bills were passed on Special Orders.

Legislative Bill 34, an amendment that continues the manufacture and handling of the special plates, according to Price, the idea for these plates was inspired by a successful Florida program. The amendment will be offered as an amendment to S.F. 254, a bill related to wildlife, authored by Sen. Dennis Frederickson (DFL-New Ulm).

Friday, April 25

Gulf War Bonus, Land Use Bills Pass

Fri., Apr. 25, the Senate took up S.F. 445, authored by Sen. James Metzen (DFL-South St. Paul). The bill appropriates $17.5 million to be distributed in the form of a bonus for veterans serving on active duty during the Persian Gulf Conflict. Under the bill, 13,200 veterans from Minnesota who served in the Gulf theater will receive $600, while 30,000 on active duty during the time will receive $300.

Sen. Don Betzold (DFL-Fridley), who unsuccessfully offered a lengthy amendment to the bill, in the Government Operations Committee, offered a series of amendments. Those gaining approval included giving a veteran’s mother and father equal status for receipt of the bonus if the veteran is deceased and exempting bonus payments from taxation.

Betzold offered an amendment limiting the bill’s $2,000 service-connected injury bonus to those who incurred injury in service connected to Southwest Asia. Members questioned whether those working in a capacity toward the Gulf effort who were injured outside the Gulf theater would be compensated. Despite Betzold’s assurance that these service people would receive the bonus, the amendment did not pass. Betzold offered an amendment excluding active duty personnel not residing in the state from the bonus. The amendment failed on a roll call of 40-15.

In an attempt to rescind the bill’s provision of bonuses to service people receiving a general discharge, Betzold said, “I am a volunteer military, a general discharge is not a good thing.” Sen. Steve Murphy (DFL-Red Wing) countered, “General discharge under honorable conditions means that the superior said, ‘Yes, this person made a couple mistakes, I would not hold it against them for the rest of their lives.’” Betzold said a blanket bonus “demotes the service” whose service was honorable.

In support of the original language, Metzen said that a serviceperson can have a clean unblemished record and begin a general discharge for medical reasons. The amendment was defeated. Finally, Betzold offered an amendment limiting bonuses to only those on active duty whose normal
patterns of duty were impacted by the conflict, and extending bonuses to those serving in Bosnia and Haiti. Metzen pointed out that voters had approved by referendum a bonus plan to pay Persian Gulf Conflict veterans. The amendment was defeated. S.F. 445 was passed as amended.

Community-based and land use planning is the subject of S.F. 738, authored by Sen. Jim Vickerman (DFL-Tracy). Calling S.F. 738 a "summit bill," Sens. Steven Morse (DFL-Dakota) and J ohn Hottinger (DFL-Mankato) explained that the bill encourages cooperation and coordination among local and state governments.

Morse said, "Annexation and planning can be pretty contentious. This initiative will encourage sharing of information concerning growth patterns and regional planning. When we put in roads, sewers, schools, we're going to get more bang for the buck in terms of state infrastructure." The bill sets up an advisory committee made up of local government representatives, state legislators, business representatives and citizens. Hottinger explained the bill's provision to establish a new alternative dispute resolution process, aimed at dealing with friction in annexation agreements.

Recalling what he called the loss of personal property rights in the wake of the state's wetlands legislation, Sen. Charles Berg (I-ND-Chokio) cautioned that the bill gives government an unfair balance of power. Sen. Steve Dille (R-Dassel) questioned the voluntary nature of the bill, which requires local entities, once they accept state funding, to participate in dispute resolution if parties do not agree. Sen. Dan Stevens (R-Mora) urged the requirement to participate in dispute resolution if parties do not agree. Morse spoke against the amendment and said, "We can't have any side picking up the marbles and going home." An amendment offered by Sen. Pat Pariseau (R-Farmington), deleting the bill's sunset would be passed by the State Municipal Board was opposed by Hottinger, who said simply, "This will break the deal." The Stevens and Pariseau amendments were defeated and the bill gained final passage.

Feed of legislation authored by Sen. Dallas Sams (DFL-Staples) was also approved. S.F. 1409 allows the agriculture committees of the House and Senate to review pollution control rules for comment. According to Sams, such review would allow legislators to confer and indicate to the administration any areas of disagreement. "This would be," said Sams, "a heads up for the agency to see where compromise and disagreements may occur." Dille cautioned that such a review process threatens to privilege political power over science. Morse spoke in support, saying Sams had presented a "strong argument for the amendments." Dille cautioned that such a review process threatens to privilege political power over science. Morse spoke in support, saying Sams had presented a "strong argument for the amendments."
from releasing patient data to external researchers. Sen. Sheila Kiscaden (R-Rochester), spoke against the proposal and said, "When this data is shared with external researchers, it is done soanonymously. The data is coded and no names are divulged. This data is extremely important in medical research."

By a vote of 12-49, the amendment did not prevail. Cohen presented an amendment repealing a provision in Minnesota statute that allows executive state agency heads to keep budget and legislative proposal data private. Cohen said, "With this amendment, I'm trying tolevel the playing field, as I said before. We should treat all executive officers equally. The motion failed by a vote of 31-32. Ranum again requested progress while waiting for an amendment to be drafted. The bill was laid on the table for later consideration.

**Tuesday, April 29**

**Closing argument bill okayed**

According to Sen. Randy Kelly (DFL-St. Paul), "S.F. 832 is a small bill but has a certain amount of controversy because it makes a significant change in how our judicial system works. It amends the law specifying the order of closing arguments in criminal trials." During the floor session on Tues., Apr. 29, he explained that since 1875, Minnesota law has specified that in the closing arguments to a criminal trial, the prosecutor makes his or her statement first, followed by the defense. By allowing the defense to make the final remarks, Kelly said, "This bill alters the law in the most natural order and allows the defendant to have the last word. The defense can have their say and then the prosecutor can respond."

Sen. Douglas Johnson (DFL-Tower), however, said, "We have to remember the rights of the victim. We are only statutorily allowed to have the final say and this needs to be changed. When we balance it out, we should come down on the side of the victim." The bill passed by a vote of 45-16 roll call vote.

Explaining that S.F. 184 represents an agreement between the Pollution Control Agency (PCA), the Office of Environmental Assistance (OEA), the Chamber of Commerce, local governments, facility operators, and citizen groups, Sen. Dan Stevens (R-Mora) asked members to vote in favor of the bill. This session's toxicins products measure lists the ban on the use of listed metals in products. The bill was passed unanimously.

Continuing on Special Orders, Sen. Steven Morse (DFL-Dakota) said S.F. 1292 extends the farmer-lender mediation process for another year. He explained that after amid-1980s at the height of the farm crisis, the state established a farmer-lender mediation program. Morse said that in revamping the program, he hoped to extend the dispute resolution process to other contentious agricultural areas. "This is not just the small operators that end up in mediation," Morse said.

Sen. Roger Moore (DFL-Erskine) said, "When we put the farmer-lender mediation program into place back in the 1980s, we set in place a very workable and structured and reasoned approach to work out differences. I hope we can continue this. I would continue like to see the need for this process go away, but things like floods come along and I know some of these farmers are going to have financial difficulty. Unfortunately, the process will be used in the future by more farmers than we want." The bill passed 51 to 3.

The conference committee report on H.F. 5, the anti-stalking legislation, was also approved unanimously. The bill's chief author, Sen. Ember Une (DFL-New Hope) explained that most of the Senate positions were upheld in the conference committee and that the compromise that was worked out will withstand review by the Supreme Court. The legislation, she said, was created in response to a Supreme Court decision requiring proof that accused stalkers specifically intended to intimidate their victims. Une explained that the proposed law now requires that prosecutors only need show that allaged stalking is intentional, that the accused knew or had reason to know that it would frighten the victim, and that it actually produced that reaction in the victim. "This is a new and more equal standard," Une said.

**Wednesday, April 30**

**MinnesotaCare bill passed**

Senator's devoted most of the Weds., Apr. 30, floor session to consideration of twobills. In addition to granting final passage to the state wide testing bill, members devoted the lion's share of the session to debating a bill making changes to the MinnesotaCare program.

S.F. 1208, carried by Sen. Linda Berglin (DFL-Mpls.), expands eligibility for the program for single adults and households without children to 175 percent of federal poverty guidelines. The measure also expands the type of covered health services to include restorative dental care for adults with family incomes less than 175 percent of federal poverty guidelines. In addition, the measure establishes a senior citizen prescription drug program. Under the bill, the provider tax is reduced from 2 percent to 1.75 percent and the 1 percent premium tax for HMOs, CINs and non-profit health service plans that have met cost containment goals is eliminated. In addition, the provider tax is set at 1 percent for medical services to nonresidents. Berglin said that the bill provides direct tax relief of about $400 per year to physicians and expands eligibility to more Minnesotans.

Debate centered on a series of amendments offered to the bill. Sen. Dan Stevens (R-Mora) led off with an amendment to limit coverage for persons whose...
income exceeds 275 percent of federal poverty guidelines. Berglin opposed the amendment and said that there would be no savings associated with the provision. In addition, she said that because of the sliding scale, persons who werе at the higher levels paid their full share of the costs. The amendment failed on a 23-38 roll call vote.

An amendment, offered by Sen. Edward Oliver (R-Deephaven), reduced the provider tax to one percent, removes the increase in coverage, removes the federal reserve fund established in the bill and removes a shift relating to MCHA and GAMC. Sen. Don Samuelson (DFL-Blaine), spoke against the amendment and said that the provision leaves a large hole in the general fund budget. Sen. Sheila Kiscaden (R-Rochester) said, “I am a strong supporter of reducing the provider tax, but I am aware that the Oliver amendment would break the agreement with parties who have tried to find a middle ground.” The amendment failed on a 24-37 roll call vote.

Sen. Tom Neuville (R-Northfield) followed the Oliver amendment with an amendment of his own that reduces the provider tax. He said, “As the bill stands now, the provider tax is reduced to 1.75 percent, but only for a limited time.” He offered an amendment that reduces the provider tax to 1.5 percent while at the same time requiring that a $100 million reserve be maintained for the healthcare access fund; in the event the balance falls below $100 million, the provider tax can be raised to 1.75 percent. “This amendment is a reasonable compromise,” he added.

Berglin said she opposed the amendment, but offered an amendment that alters the Neuville amendment in the event the provider tax is reduced to 1.5 percent. Berglin explained that in order to pay for the provider tax reduction, other cost savings in the bill would have to be removed. Her amendment deletes language that eliminates the chance on health provider licenses and also removes the provider tax reduction on non resident services. Though she withdrew her amendment before the vote on the Neuville amendment, Berglin said she would offer it if the Neuville amendment was adopted.

Sen. Roger Moe (DFL-Erskine) weighed in during the ensuing discussion and said, “The Minnesota Care bills add to the state’s permanent tax relief for fiscal years 1998 through 2001 and $72 million of temporary tax relief for fiscal years 1998 through 2000. The bill is a logical balance and the

Neuville amendment removes a card from the house of cards.” The Neuville amendment failed 25 to 38 on a roll call vote.

Sen. Pat Pariseau (R-Farmington) offered two amendments that affect dental services for MinnesotaCare participants. The first amendment reduces the provider tax for dentists to 1 percent. Pariseau explained that the tax reduction is necessary for dentists because the contributions under the provider tax outweigh the benefits they receive. Berglin said she opposed the amendment because the bill already gives dentists a 15 percent reimbursement rate increase and any tax reduction would create a hole in the budget. The first amendment failed on a 33 to 33 roll call vote.

“Since members are unwilling to treat the dental community equitably, I am going to offer this next amendment that removes all of the dental services added to the bill,” Pariseau said. The amendment deletes the section that expands MinnesotaCare services to include adult restorative dental care. Berglin again opposed the amendment, explaining that the targeted section is a compromise where the cost for services is half-paid by MinnesotaCare and half-paid by the patients. “This is a benefit they would not only go for, but when they need caries once the patients have to pay half,” Berglin said. These two Pariseau amendments also failed, this time on a 25 to 38 roll call vote.

Sen. Sheila Kiscaden (R-Rochester) offered an amendment that proved to be highly controversial. She explained that the amendment allows small businesses, trade associations, municipalities, counties, and other governmental entities to cooperate with and restorative dental care. Berglin again opposed the amendment, explaining that it targets a section is a compromise where the cost for services is half-paid by MinnesotaCare and half-paid by the patients. “This is a benefit they would not only go for, but when they need caries once the patients have to pay half,” Berglin said. These two Pariseau amendments also failed, this time on a 25 to 38 roll call vote.

The Senate on the world wide web
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.

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 http://www.leg.state.mn.us.

The Legislature’s World Wide Web is a dynamic entity and more information items are being added. The site makes an incredible amount of information instantly available to anyone who has computer on-line capabilities.

Hearing interpreters services
The Legislative Coordinating Commission has contracted with the Minnesota Foundation for Better Hearing and Speech to provide sign language interpreters for deaf and hard of hearing people during the legislative session. The foundation’s coordinator for this project will maintain an office in Room 90 of the State Office Building.

Requests for ASL interpreters services should be directed to the coordinator at 282-2231. Interpretive services are available to facilitate testimony, to interpret for those attending hearings, and to interpret for meetings between members and constituents.
Conference committee reports adopted and repassed Friday, April 25
H.F. 601-Vickerman: Authorizes boundary commissions. 57-0

Bills granted final passage on Special Orders Friday, April 25
H.F. 1162-Johnson, D.H.: Makes changes of a technical and housekeeping nature relating to state employment. 58-0
H.F. 966-Johnson, D.H.: Modifies provisions governing payment of wages and includes the state in the definition of employer for certain purposes. 57-0
S.F. 662-Sams: Establishes licensure requirements for volunteer practitioners of psychology and modifies requirements for licensure as licensed psychologists and for professional identification. 61-0
H.F. 1409-Sams: Provides for legislative review of feedlot permit rules. 60-0
S.F. 445-Metzen: Establishes a program to pay a monetary bonus to veterans of the Persian Gulf War. 61-0
S.F. 256-Metzen: Regulates building and construction contracts and regulates payments and retainages. 62-0
H.F. 512-Hottinger: Relates to municipalities and authorizes bankruptcy filing. 56-1
S.F. 173-Kelley, S.P.: Provides for the use, validity, and security of electronic signatures and messages transmitted in commerce. 54-0
S.F. 741-Kelley, S.P.: Regulates the practice of respiratory care; establishes the requirements for registration and regulation of respiratory care practitioners and provides for continuing education, fees, reporting obligations, disciplinary actions and for an advisory council. 55-0
S.F. 404-Kelley, S.P.: Expands the telephone assistance program to provide assistance to low-income families with children. 39-15
S.F. 1383-Belanger: Increases membership on the Legislative Audit Commission and the Commission Advisory Council. 55-0
H.F. 1850-Kiscaden: Relates to employment compensation; provides for less frequent payment schedules for certain employers and provides for nonchaining of benefits in certain situations. 55-0
S.F. 738-Vickerman: Establishes goals for community-based and use planning; establishes a county community-based planning process; establishes a municipal community-based planning process and establishes an alternative dispute resolution process. 49-6

Resolutions adopted by the Senate Friday, April 25
S.R. 47-Berglin: A Senate Resolution urging the President of the United States to direct the Department of the Interior to add a statue to the Franklin Delano Roosevelt memorial showing his disability.

Conference committee reports adopted and repassed Monday, April 28
S.F. 1-Samuelson: Welfare reform. Establishes the Minnesota Family Investment program statewide; establishes work first program pilot projects; makes changes to public assistance programs; and makes program integrity initiatives. 67-0

Bills granted final passage on the Consent Calendar Monday, April 28
S.F. 1697-Pogemiller: Updates and clarifies bond allocation provisions. 60-0

Bills granted final passage under suspension of rules Monday, April 28
H.F. 807-Belanger: Makes policy changes to income and withholding taxes, property taxes, mortgage registry and deed taxes, sales and use taxes, MinnesotaCare taxes and tax collections. 62-1
H.F. 2163-Johnson, D.J.: Omnibus tax bill. 39-26

Bills granted final passage on Special Orders Monday, April 28
S.F. 349-Hottinger: Regulates insurance companies and agents; provides immunity from suit and indemnification for receivers and their employees; regulates coverage; covers certain notices and filing requirements and provides for a study. 63-0
S.F. 739-Kelley, S.P.: Provides policies to carry out the state's role in telecommunications regulation; provides for a state policy encouraging high-speed telecommunication services and greater capacity for services; and provides for a single statewide local access and transport area. 44-19
S.F. 92-Betzold: Provides for disclosure or inspection of certain data or tax return information and limits disclosure of certain data under subpoena. 62-0
H.F. 1460-Betzold: Omnibus data practices changes. 61-3
S.F. 412-Terwilliger: Establishes and modifies salary provisions for certain public employees. 42-20
S.F. 234-Morse: Adds provisions for human services licensing programs and imposes and modifies civil penalties. 55-1
S.F. 995-Morse: Omnibus public employee pension bill. 59-0
S.F. 1754-Pogemiller: Modifies provisions relating to the issuance of debt and the use and investment of public funds. 56-0

Bills granted final passage on Special Orders Tuesday, April 29
S.F. 832-Kelly: Provides for the electronic conduct of state business and authorizes the commissioner of administration to approve digital signatures. 51-3
S.F. 1504-Lessard: Extends permits for timber sales that expire in 1997. 53-0
S.F. 1807-Runbeck: Changes certain reporting deadlines relating to workers' compensation; modifies certain workers' compensation procedures and adds correctional officers to the presumption of occupational disease. 57-0
Bills granted final passage on Special Orders Thursday, May 1
S.F. 1111-Fischbach: Changes well water testing requirements for certain grade A milk producers. 60-0
S.F. 1268-Noval: Provides for an analysis of certain utility personal property taxes. 61-1
S.F. 80-Johnson, D.J.: Provides for presidential primary to be held the first Tuesday in March; increases the amount of the filing fee; and encourages parties to file by primary. 39-23
H.F. 241-Sams: Allows personnel of the Dept. of Transportation and the Dept. of Public Safety to conduct joint or combined audits of motor carrier records; requires the commissioner of public safety to provide the commissioner of transportation with information on traffic accidents involving commercial vehicles and provides for enforcement authority relating to motor carriers. 61-0
S.F. 1351-Flynn: Ratifies certain labor agreements; modifies definitions; and modifies certain arbitration procedures. 62-0
S.F. 1423-Janeyich: Adopts court bailiffs in St. Louis County to the unsanctioned service. 55-0
H.F. 664-Fredrickson: Adopts authority for the Board of Water and Soil Resources to accept and administer federal grants, donations, gifts and other contributions to achieve authorized objectives of the agency. 53-0
S.F. 1862-Cohen: Clarifies a duty relating to state expenditure forecasts. 54-0
S.F. 1328-Johnson, D.E.: Provides for action by the Public Utilities Commission on purchases of wind and biomass power. 53-0
S.F. 1419-Johnson, D.E.: Authorizes municipal and cooperative utilities to form joint ventures for the provisions of utility services. 59-0
S.F. 609-Junge: Provides for enforcement of orders for protection issues in other states and imposes criminal penalties. 57-0
S.F. 1464-Anderson: A resolution memorializing the President and Congress to enact legislation waiving the English-language and residency requirements for American citizenship for Hmong and other Laotian veterans of American-recruited and -trained special guerrilla units. 56-0
S.F. 737-Wiener: Opens the process for selecting a writing carrier for the comprehensive health care association. 57-0
S.F. 364-Knutson: Authorizes release of investigative data relating to crimes perpetrated by a juvenile to the victim and provides that persons convicted of terrorist threats or felony stalking or harassment violations have the burden of proof to establish that custody or visitation is in the best interests of a child. 56-0
S.F. 298-Ten Eyck: Enacts the revised Uniform Partnership Act of 1994 and provides for limited liability partnerships. 54-0
S.F. 830-Cohen: Modifies provisions governing the establishment and enforcement of child support and maintenance. 64-0
H.F. 299-Morse: Omnibus state parks bill. 65-0
S.F. 437-Solon: A resolution memorializing Congress to pass federal legislation requiring persons selling insurance in federally chartered financial institutions to comply with all applicable state insurance laws and regulations. 63-0

Conference committee reports adopted and repassed Tuesday, April 29
H.F. 5-Junge: Clarifies the elements of the harassment and stalking crime; increases the penalties for a violation of a domestic abuse order for protection and a harassment restraining order; and adds certain violations of the harassment and stalking law to the list of crimes for which mandatory minimum prison sentences must be imposed. 57-0

Bills granted concurrence and repassage Wednesday, April 30
S.F. 512-Runbeck: Makes technical and administrative changes in provisions relating to the Dept. of Employee Relations. 51-0
S.F. 351-Hottinger: Assigns responsibility for legislative review of administrative rules to the Legislative Coordinating Commission. 58-0
S.F. 950-Kelly, R.C.: Adopts working group recommendations for conducting teacher background checks. 59-0

Bills granted final passage under suspension of rules Wednesday, April 30
H.F. 2179-Pogemiller: Provides for statewide testing in grades three, five and eight. 59-0

Bills granted final passage on Special Orders Wednesday, April 30
S.F. 1208-Berglin: MinnesotaCare provisions. 42-22

Bills granted concurrence and repassage Thursday, May 1
S.F. 1894-Moe, R.D.: Provides $20 million for emergency flood relief; provides an exception to the nursing home moratorium; and provides for early payment of state aid to local governments. 59-0
S.F. 472-Belanger: Reclassifies sales taxes on cigarettes and tobacco products. 59-0
S.F. 101-Berglin: Adds an exclusion to elderly housing with services establishment; downsizes the number of I.D. beds; modifies the appeal process for skilled nursing facilities; changes the procedure for permanent placement of a child and provisions for reimbursement for family foster care. 60-0
S.F. 166-Kelly, R.C.: Allows the sale, 15 days after notice, of vehicles imposed by Minneapolis and St. Paul. 57-4
S.F. 813-Ranum: Provides for transfer of custody of a child to a relative by consent decree; authorizes communication or contact agreements between adoptive parents and birth relatives; and provides for a relative conference and relative care agreement following a report of child abuse or neglect. 55-0
S.F. 333-Berglin: Makes changes to provisions relating to home care; modifies an exemption from the definition of provider; requires rules to include certain standards; and establishes an assisted living home care provider license. 57-0
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Briefly

May 9, 1997

**Conference panels meet**

Attention shifted from floor action to conference committee meetings this week as Senators devoted more time to working out differences in the major tax and budget bills. The Senate held shorter floor sessions, and did not meet at all on Weds., May 7, in order to devote more time to the various conference committees. With the deadline for adjournment less than two weeks away, members met with their House counterparts in long meetings to reconcile policy and funding differences in the budget bills. In addition, a variety of other bills were sent to conference committees throughout the week.

Conferences will meet on the major budget bills until differences are resolved. The Tax Conference Committee meets in Room 15 of the Capitol; the K-12 Education Budget Conference Committee meets in Room 112 of the Capitol; the Crime and Juvenile Budget Conference Committee meets in the basement heating room of the State Office Building; the Education and Community Development Conference Committee meets in Room 10 of the State Office Building; the Health and Human Services Conference Committee meets in Room 123 of the Capitol; the Government Operations Budget Conference Committee meets in Room 316 of the Capitol; the Environment and Natural Resources Budget Conference Committee meets in Room 107 of the Capitol; and the Higher Education Budget Conference Committee meets in Room 318 of the Capitol.

**Gas tax okayed**

A bill raising the current tax on gasoline from 20 cents per gallon to 24 cents was granted final passage at the Mon., May 5, floor session. Sen. Dean J. Johnson (R-Wilmur) said the proposed gas tax, necessary to repair and replace deteriorating roads and bridges statewide, is necessary to repair and replace deteriorating roads and bridges statewide. H.F. 243 raises the gasoline tax from 22 to 24 cents per gallon between July 1, 1997 and June 30, 1998. The bill also raised the tax on other fuels proportionately. Johnson said the last gas tax increase was in 1988, and raised the tax from 17 to 20 cents per gallon. He said the bill provides a needed infusion of $107 million a year in additional state transportation system funding. In addition, the bill appropriates $14 million to improve Metropolitan transit, adds a 0.25% sales tax to replace property tax funding for transit, and appropriates money for 50 new state troopers as recommended by the governor.

Sen. Roger Moe (DFL-Erskine) offered an amendment, formerly S.F. 1930, that was approved April 28 by the Committee on Taxes. The amendment provides for an additional one-cent gas tax to remain in effect from July 1, 1997 until June 30, 1998. The one-cent increase will help finance the repair of flood-damaged highways, streets, roads and bridges. Moe said the penny tax would raise an additional $27 million within the year, and increase the state's level of matching federal disaster funding.

Sen. Janelle Ranum (DFL-Mpls.) questioned how the additional penny increase would affect federal relief. She suggested postponing passage of the penny tax until a possible Special summer session when more would be known concerning federal aid and the extent of the flood damage.

Moe said that the federal matching reimbursement may be as high as 75 percent, and he added that there is enough known damage and needed projects to justify collecting the penny tax immediately. The Moe amendment was adopted.

Sen. Keith Langseth (DFL-Glyndon), offered an amendment changing the County State Aid Highway formula and shifting more of the bill's new tax revenues to the Metropolitan Area. Langseth's amendment countered an earlier amendment offered by Sen. Steven Novak (DFL-New Brighton), that was incorporated by into S.F. 243 by the Committee on Taxes, April 28. Novak's amendment apportioned evenly among counties any new money in excess of $280 million. The Langseth amendment also divides any new money in excess of $280 million, but alters the distribution on a per capita basis and on the basis of population, and 60 percent apportioned on the basis of county needs. Langseth said the amendment treats metropolitan and rural areas more fairly. He said the amendment still offers counties more money than in the past, but not as much as they would have received under amended S.F. 243. He said counties would receive increases of between 3.5 and 20 percent. Sen. Carol Flynn (DFL-Mpls.) said the amendment was fair and takes into account needed transportation projects in the Metropolitan Area. The Amendment was adopted.

Sen. Linda Runbeck (R-Circe Pines) offered an amendment that increases the $27 million within the year, and increase the state's level of matching federal disaster funding. The Moe amendment was adopted.

Sen. Roger Moe (DFL-Erskine) offered an amendment that allows for a permanent appropriation increase for transit funding in the metropolitan area. Currently, the bill makes no time $14 million appropriation increase from the general fund to the Metropolitan Council for metro transit needs. The amendment extends the increase indefinitely. He said, "As long as we're going to have a permanent 4 cent increase in the gas tax, we should have a permanent increase for transit funding in the metro area. This is an economic development issue, as well as an issue of fairness." The amendment prevailed.

Several amendments were ruled not germane to the transit bill, including an amendment offered by Sen. Leo Foley (DFL-Anoka) that increases speed limits on freeways.

An amendment offered by Sen. Sheila Kiscaden (R-Rochester) extends the 25 percent metropolitan sales tax for transit operating expenses. The bill provides authority for the Metropolitan Council to increase the sales tax in the metropolitan area in order to reduce the metropolitan property tax levy for transit costs. She explained that the amendment removes the section because the language creates a new tax that will have an ever increasing puruse but has no legislative oversight until the bill is enacted. Flynn, along with Sen. Dean J. Johnson, said they were opposed to the amendment because the metropolitan sales tax will allleviate the property tax burden. "The property tax is an inappropriate way to fund transit in the metropolitan area," said D. Flynn. Though other members expressed concern that the sales tax increase will unfairly charge Greater Minnesota residents who travel to the seven county metro area, the amendment failed on a 30-33 roll call vote.

Focusing on the gas tax, Sen. Steve Kelley (DFL-Hopkins) offered an amendment that allows for a permanent appropriation increase for transit funding in the metropolitan area. Currently, the bill makes no time $14 million appropriation increase from the general fund to the Metropolitan Council for metro transit needs. The Kelley amendment extends the increase indefinitely. He said, "As long as we're going to have a permanent 4 cent increase in the gas tax, we should have a permanent increase for transit funding in the metro area. This is an economic development issue, as well as an issue of fairness." The amendment prevailed.

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Committee update

Judiciary

Appointments approved


The committee approved the appointment of attorney Peter Watson for continued service on the Board on Judicial Standards. Watson told the committee that his qualifications include extensive state-wide litigation, and a familiarity with the practices, habits and personalities of many judges. He said that he could help the board interpret conduct and to make appropriate recommendations. Watson said that most complaints about judges arise from persons who feel they have not received justice. He said that complaints are frequently the result of a judge's comments. He also said that the board presently favors conciliation over confrontation.

The committee also approved, in absentia, Jon Haaven. Haaven was unable to attend the committee hearing, but forwarded his remarks to committee members. In a supplemental questionaire for the governor's advisory committee, Haaven said that his previous experience on the board would enhance his future effectiveness and preserve badly needed continuity on the board.

The committee postponed approval of Republican Party Chairman Christopher Georgacas. Ranum suggested postponement following testimony from a witness to which Georgacas was unable to respond due to previous litigation between Georgacas and the witness. The committee may consider Georgacas' approval after it has received waivers of confidentiality concerning material contained in that litigation.

In another action, the committee approved Delores Fridge for Senate confirmation as the commissioner of the Department of Human Rights. Fridge described for the committee her successful activities within the department to streamline its operation, and to assure its continued efficiency and competency in investigating and processing complaints.

State Government Finance

Revenue building sites reviewed

In a joint session with the House Capital Investment Committee, the State Government Finance Committee, chaired by Sen. Richard Cohen (DFL-St. Paul), discussed a report on the Dept. of Revenue building on Tues., May 6. The lease for the department, now housed at the Riverfront Park Plaza in St. Paul, expires November 30, 1998. In 1996, the Legislature appropriated $2 million to fund a study that would lead to the design and construction of a new building for the department. The Legislative Coordinating Commission engaged the services of the SGS Group, a government facility planning consultancy, to explore alternatives, and to present a report to the Legislature.

The report identifies four possible sites and costs associated with each. One site, now occupied by the State Farm building, is located at the intersection of Snelling Avenue and Highway 36 in Roseville and would result in total costs of $54.5 million. Another location suggested in the report is currently occupied by the NCR building at 2700 Snelling Avenue, also in Roseville, with costs of $54.7 million. A possible site on 55th Street in Inver Grove Heights was identified, at the cost of $59.5 million. The fourth alternative is the department's current location, which would require the purchase of land and addition to the current structure at a cost of $74.2 million. The committee moved to request an appropriation of $49.5 million for a contingency fund for the department to be used toward the project and to discuss and consider over the interim the alternatives as detailed in the report.

Thursday, May 1

Foster care, primary bills passed

Sen. Jane Ranum (DFL-Mpls.) asked that members accept the house changes in S.F. 813, foster care reform legislation providing for the transfer of custody of a child to a relative by consent decree, or, for the transfer of custody to a relative by consent decree, and to discuss and consider over the interim the alternatives as detailed in the report.

Sen. Ember Unge (DFL-New Hope) attempted to delete the bill's binding primary refund credit provision, arguing...
that the penalty for not honoring the primary would be misplaced. She urged members, "Many of our constituents contribute, and they have determined that they will be reimbursed. People contribute in good faith, having no idea that the party didn't conform to some rules they don't understand. The people who will really be hurt by this will be your friends and neighbors who vote their choice." The unamendment was adopted, 25-34, and the bill was passed, 39-23.

The Senate passed S.F. 1351, a collective bargaining bill sponsored by F. Lynn, including MnSCU employees and ratifying an interlocal approval process. S.F. 1423, adding court bailiffs in St. Louis County to the unclassified service was passed, with H.F. 664, a bill giving authority to the Board of Soil and Water Resources to accept federal grants and other contributions.

A biomass energy bill, S.F. 1328, authored by Sen. Dean Johnson (R-Wilmarr), was successfully amended by the author to provide a mechanism by which the Public Utilities Commission may approve disapproved power purchase contracts entered into by utilities to satisfy the wind and biomass mandates. The bill, which also commissions a biomass energy policy analysis, was passed by the Senate. Another utilities bill, S.F. 1419, also sponsored by Johnsen was successfully amended by the author to allow a municipal utility in Wilmarr to form joint ventures. Members from other areas expressed some frustration at not being included in the project, but were assured by Johnson that the project would only be viable on a small scale and could later be expanded. An amendment, successfully offered by Sen. Steve Kelley (DFL-Hopkins), subjects the bill's joint ventures to current law with regard to telecommunications transactions.

S.F. 609, sponsored by Unger, concerns enforcement of court orders for protection (OPF). It unsuccessfully amended the bill to require that in divorce situations, counties consider one another's OPFs. The bill establishes grants for family visitation centers and requires that the centers have a knowledgeable person on staff. The bill was given final passage.

Sen. Ellen Anderson (DFL-St. Paul) presented S.F. 1464, a resolution for federal legislation waiving certain citizenship requirements for Hmong and Laotian veterans who fought with the United States in guerrilla units in Laos. The resolution passed.

S.F. 354, sponsored by Sen. David Knutson (R-Burnsville), authorizes prosecutors to release information on juvenile defendants for insurance purposes and requires that courts make a good faith effort to notify victims if an offender's sentence changes. The bill passed. The Senate also passed S.F. 298, the Uniform Partnership Act, changing the terms of limited liability partnerships.

Bergløn urged concurrent on S.F. 333, a bill concerning the licensure of housing facilities that specifies when a house providing social services is operated by the Dept. of Health, all services will not be revoked. The Senate concurred and passed the bill.

During the afternoon session Thurs., May 1, members returned from a brief recess and immediately turned to S.F. 830. The bill's chief author, Sen. Richard Cohen (DFL-St. Paul), said there were two major articles in the omnibus child support legislation. Cohen asked Sen. David Knutson (R-Burnsville) to explain in the first article which changes Minnesota law to reflect the requirements of federal law, primarily in the area of vehicular licenses. Under the bill, licenses for vehicles, along with recreational licenses, can be revoked if a person fails to make the required child support payments. Cohen said these two articles specify the procedures for the payment of child support.

Sen. Bob Lessard (DFL-Int'l Falls) then offered several amendments. One of the amendments reduces the minimum amount of required child support that is to be paid by the non-custodial parent. Under the bill, the child support formula uses a 200 percent of minimum wage figure in determining the level of support. The Lessard amendment originally reduced the amount to 100 percent of minimum wage because he said he was concerned that people in northern Minnesota don't make wages that can support such a high level of payment. However, Knutson said he recognized Lessard's concern and offered a compromise figure of 150 percent of minimum wage when determining child support levels. Lessard accepted Knutson's suggestion and the amendment was adopted.

Lessard also offered a controversial amendment that allows a court to consider the failure of the custodial parent to cooperate with visitation rights when determining the non-custodial parent's failure to make timely child support payments. Cohen said he opposed the amendment because he believes it is not a good policy to tie child support payments to visitation rights. After the amendment failed, the bill was passed unanimously.

**Friday, May 2**

**Clean-up bill passed**

The Senate passed an environment cleanup bill in its afternoon session Fri., May 2. In addition, a number of conference committee reports were approved. S.F. 638, authored by Sen. Steven Morse (DFL-Dakota), is a bill appropriating $64.9 million for various environmental cleanup projects. Under the terms of the bill, reimbursement is provided to small gasoline dealers for tank removal and replacement costs associated with compliance with federal standards for underground petroleum tanks. The bill also creates a contaminated site cleanup and redevelopment fund for purposes of brownfield cleanup and restoration. In addition, the bill provides funds for individual sewage and wastewater cleanup programs and provides regulations for used motor oil and used motor oil filter collection. Morse offered a proposal regulating the disposal of antifreeze. The motion was adopted.

Sen. Ed Walz (DFL-Deephaven) proposed an amendment limiting the appropriation to $6.9 million. The amendment did not prevail. The bill as amended was passed unanimously.

Sen. Linda Berglin (DFL-Mpls.), moved concurrent on S.F. 536 as amended by the House. The bill defines acts constituting a public nuisance. The House amendment adds prostitution to the list of those acts. The bill was passed unanimously and sent to the governor.

Sen. Charles Wiger (DFL-North St. Paul) moved passage of the conference-committee report on S.F. 35, a bill permitting the election of soil and water conservation district supervisors in Ramsey and Washington Counties. The bill was passed on a vote of 57-0. Sen. Steve Dillie (R-Dassel) moved passage of the conference-committee report on S.F. 543, a bill exempting grain banks from seed deaning permit requirements. The bill also repeals the interstate compact on grain. The bill was repassed unanimously.

Sen. Dallas Sams (DFL-Staples) moved passage of the conference-committee report on S.F. 1722, a bill defining pharmacy technicians. The bill defines a technician as someone who assists a pharmacist by performing data entry and other
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nonjudgmental tasks under the supervision of a pharmacist. The bill also defines the powers and duties of the Board of Pharmacy. The bill was passed by a vote of 56-0.

Earlier, the Senate considered a bill that Sen. Steven Morse (DFL-Dakota), sponsor of S.F. 637, said "focuses on virtually all public pension plans." Morse said that the bill has been labeled as the pension uniformity bill and that the objective of the bill is structural changes in the various pension funds. Morse highlighted several provisions in the bill including a cash payment to the retirement plans for teachers in first class cities (Mpls., St. Paul and Duluth) and the requirement of an actuarial equivalency accounting for individual legislators at the time of retirement. Morse said that the actuarial accounting won't result in a windfall for anyone. Concluding his opening remarks, Morse said the bill does move toward uniformity by the various plans. He stated that the Legislative Commission on Pensions and Retirement (LCPR) did discuss consolidating all the funds, but he said that would require further study and more money.

Two amendments on the topic of legislators' pensions generated a great deal of discussion. The first, offered by Sen. Dave Kleis (R-St. Cloud), eliminates pensions for legislators elected in 1998 or later. Kleis said that under his amendment, legislators elected before 1998 may opt out of the plan if they choose. Kleis urged adoption of the amendment, saying that taxpayers shouldn't have to pay for the years after a legislator's time of public service. He said that under the current Legislative pension plan, after ten years of service, a legislator qualifies for a $12,500 annual pension. In contrast, Kleis said that a state employee earns $25,000 annually must work for 20 years to qualify for the same pension. Morse opposed the amendment and questioned the accuracy of Kleis's numbers. Morse said that the amendment is presented by Kleis, the legislator will only qualify for an annual pension of $8,000. Morse added that under the bill, the legislator contribution is increased from 9 percent to 10 percent of salary and the plan operates at approximately half the cost of other plans. The amendment was rejected on a voice vote.

The other amendment, offered by Sen. Steven Novak (DFL-New Brighton), deletes the changes to the legislator and constitutional officer pension plan. Opposition was voiced by Sen. Edward Oliver (DFL-Deephaven) who said that under the bill, the pension plan moves toward a defined contribution system. He said that pension plans get into trouble when they use a defined benefit system, and the Novak amendment does just that. The amendment was rejected on a 10-51 roll call vote.

Other discussion centered around an amendment offered by Sen. Randy Kelly (DFL-St. Paul) putting a $20,000 public school teachers into the Teacher's Retirement Association (TRA). Kelly said that the existing plan has a $169 million unfunded liability and that amount will rise to $234 million with benefit increases contained in the bill. Morse supported the amendment, saying it would make the TRA stronger by adding more members. He said that although the amendment does not consolidate the pension funds, it's a step in that direction. Morse added that frequently the state acts as the "rich uncle" by bailing out the first class cities teacher's plans, and the bailout costs are greater than fund consolidation. But Sen. Emberly urg (DFL-New Hope) urged rejection of the amendment and claimed it will put additional costs on school districts in her area. The amendment failed on a 19-39 roll call.

Other amendments adopted by the body included a measure offered by Sen. Dan Stevens (R-Mora) increasing the contribution of state judges into their pension plan by 2 percent of salary. The provision was adopted on a divided voice vote. Morse successfully offered another amendment allowing teachers in flood stricken areas who are scheduled to retire to go ahead and retire at the end of the current school year, and make up missed work days later. The bill passed 62-0 on third reading.

The Senate also considered S.F. 1023, authored by Sen. Steve Murphy (DFL-Red Wing). Murphy said that the bill makes the rental car industry more profitable by dedicating a portion of the rental fees to the register for registering the vehicle. Murphy said that Minnesota has a deficit of rental car availability, but Wisconsin has more cars available because of a similar fee. Sen. Ellen Anderson (DFL-St. Paul) successfully offered a compromise amendment supported by Murphy that simplifies the process. Anderson said that the rental agency is reimbursed for the vehicle registration cost from the 3 percent fee. She added that fees collected above the registration costs will go to the Dept. of Revenue.

Oliver said that "Minnesota is the champion of high registration fees" and asked why vehicles register fees are so high. Murphy said that in Wisconsin, the cost of vehicle registration is subsidized by the gasoline tax, making the fees lower. Sen. Gen Olson (R-Minnetrista) added that unlike Wisconsin, part of the Minnesota registration fee goes toward highway maintenance costs, resulting in higher fees.

Sen. Dennis Frederickson (R-New Ulm) asked if fees collected beyond the vehicle registration costs are dedicated to the state general fund or the highway user tax distribution fund. Murphy said that under the Anderson amendment, the excess goes to the general fund. That prompted Stevens to offer an amendment directing the excess fees toward highway maintenance costs. Stevens' amendment was adopted and the bill passed 53-1.

The Senate also adopted the conference committee report on S.F. 277, the omnibus liquor bill. Sen. Sam Solon (DFL-Duluth) said there was no change in the number of liquor licenses allocated to Moorhead from the three to two and removal of two provisions concerning North Dakota wholesalers selling to Minnesota retailers and liquor control enforcement practices within the Dept. of Public Safety. The measure was repassed 53-1.

Additionally, the Senate concurred with amendments made by the other body to Senate bills. Sen. Steve Kelley (DFL-Hopkins), sponsor of S.F. 741, said the amendatory version of the bill preserves the physician assistant advisory council, expands the council's scope and reclassifies a violation to a gross misdemeanor from a misdemeanor. The bill was passed 45-0. S.F. 156, carried by Sen. Dallas Samson (DFL-St. Paul) was also passed 53-1. Samson said the bill reduces the interest state paid by utility companies on deposits from 6 percent to 10 percent or less than 3 percent.

Monday, May 5

Game and Fish bill passed

In addition to acting on the gas tax, Senators also passed several additional
Contributing to maintenance. Further-
riders. He explained that visiting
$10 trail fee to only apply to out-of-state
and moved to amend it by requiring the
particular provision in the amendment
from Nov. 1 to Apr. 30. Sen. Steven
maintained trails. The permits are to be valid
bile trail permit if they use state main-
increase the three year snow mobile
snowmobiles. She said the amendment
makes several changes to laws regulating
Branch) offered an amendment that
department is then to report to the
Natural Resources to examine the use of
vehicles from sunset to 9 a.m. and
prohibits persons from operating the
issued by the state. The amendment also
amendment addresses safety issues by
personal water craft. He explained that
number of changes to laws dealing with
Sen. Gary Laidig (R-Stillwater) offered the first in a series of
amendments. The Laidig amendment
alter the youth hunting provision in the
bill that allows adults to hunt waterfowl
after 4 p.m. as long as they are accompa-
nying a hunter under the age of 16. Cur-
rent law prohibits hunters from shooting
waterfowl after 4 p.m., but several Sena-
tors said the afternoon cut-off line unfairly
penalizes young hunters and therefore the
bill was changed to allow for an ex-
emption for hunters under 16 and their adult
companions. Under the amendment, the
adult accompanying the youth hunter
may not shoot or kill waterfowl, however
it was quickly opposed by both Sen. Bob
Lessard (DFL-Int'l Falls) and Frederickson and
the amendment failed 11-52.

An amendment, offered by Sen. LeRoy
Stumpf (DFL-Thief River Falls), adds a
number of changes to laws dealing with
personal water craft. He explained that
the amendment addresses safety issues by
requiring that a person born after Jan.
1, 1979 must possess a safety certificate
issued by the state. The amendment also
prohibits persons from operating the
vehicle from sunset to 9 a.m. and
increases the no-wake operating speed
distance from shore to 150 feet. The
amendment was adopted.

Lessard successfully attached an
amendment that directs the Dept. of
Natural Resources to examine the use of
funds appropriated out of the game and
fish fund and to determine the appropri-
ateness of those expenditures. The
department is then to report to the
Legislature on its findings.

Sen. Jane Johnson (DFL-North Branch)
offered an amendment that makes several changes to laws regulating
snowmobiles. She said the amendment
increases the three-year snowmobile
registration fee from $30 to $45 and also
requires riders to purchase a $10 snowmob-
il trail permit if they use state main-
tained trails. The permits are to be valid
from Nov. 1 to Apr. 30. Sen. Steven
Morse (DFL-Dakota) objected to this
particular provision in the amendment
and moved to amend it by requiring the
$10 trail fee to only apply to out-of-state
riders. He explained that visiting
snowmobiles are taking advantage of the
state's extensive trail system but are not
contribution to maintenance. Further-
more, he said, it's not fair to the residents
of Minnesota to charge them an addi-
tional fee when they are already
paying other taxes and fees that are used
for trails. Members agreed with Morse
and adopted his amendment to the
Johnson amendment.

Johnson went on to explain that the
amendment requires that by Oct. 1, 1999,
snowmobile operators under the age of 18
must have completed a safety education
and training course and must have the
certificate in their possession when riding.
Furthermore, the amendment requires
riders under 18 to wear safety helmets.
The Johnson amendment prevailed.

Sen. Pat Pariseau (R-Farmington)
successfully offered an amendment that
establishes a two-year firearms safety pilot
program to promote awareness for the
use and storage of firearms. The omnibus
fame and fish bill was granted final
passage 49-4 on a roll call vote.

Turning to conference committee
reports, Sen. Lawrence Pogemiller (DFL-
Minneapolis) explained the changes made to
H.F. 2179, the statewide education testing bill. He explained that the conferences were
able to hold onto most of the Senate's
position, however he highlighted three
major items that were not in the Senate
version of the legislation. First, in
addition to the performance tests required
in third, fifth, and eighth grade, the bill
now requires a fourth test in high school
in order to assess student skills. The bill
requires that the tests begin during the
1999-2000 school year and specifies nine
required learning areas that will be tested-
reading, writing, and speaking, arts,
mathematics, inquiry, sciences, people
and cultures, decision making, and
managing resources.

Second, the commissioner of education,
ist to report back to the Legislature within
one year "on whether the instruments
developed are appropriate measures of
student performance." Pogemiller also
said the commissioner must demonstrate
whether or not the high school perfor-
mancc test can be given statewide by the
department. He explained that the tests
are not a measure of improvement on the
test," Pogemiller said. In addition, the
Board of Education does not want to raise
the cut score and thus the language was
added to repeal the undesirable rule.

Sen. Jane Krentz (DFL-May Township)
explained that she did not sign on to the
conference report, though she has been
heavily involved in the process through-
out the debate and was a conferee,
because the additional fourth test
"has the potential to dramatically change
the way we deal with education on the
secondary level. I will not test minimal
competency and, I fear, may lower
standards as people teach to the test."
However, she was able to support the
legislation because of the escape clause.
The bill was passed unanimously on a
59-0 roll call vote.

In other action, the Senate approved
H.F. 244, a bill authored by Sen. Leonard
Price (DFL-Woodbury). The bill allows
local governments to adopt ordinances
meeting PCA sewage treatment system
requirements. Prices said the bill allows
local governments the flexibility to adopt
laws applicable to soil conditions, popula-
tion-density and groundwater variables
in their areas, as well as the opportunity
to explore new sewage treatment technolo-
gies.

Several amendments were offered. Sen.
LeRoy Stumpf (DFL-Thief River Falls)
offered an amendment allowing treatment
systems meeting PCA health and safety
standards, and having at least two feet of
soil separation between groundwater and
the system, to remain in use.

Price opposed the amendment. He said
it precluded local government's authority
to take into account soil, population and
groundwater conditions applicable to
their areas. Sen. Gen Olson (R-
Minnetrista) supported Stumpf's amend-
ment. She said that it protects individuals
whose septic systems are safe, but may not
conform to local government regulations,
from financial hardship and property
depreciation. Olson said that laws should
not always protect the government. The
amendment prevailed, and the bill passed
on a vote of 62 to 0.

Tuesday, May 6

Speed limits repassed
The Senate repassed a bill raising speed
limits in the state during the floor session.
Tues., May 6. The Senate also approved a number of bills on Special Orders. Sen. S.F. Johnson (DFL-North Branch), authored S.F. 724, a departmental bill from the Department of Transportation. The bill, returned by the House for concurrence by the Senate, raises speed limits on nonurban interstate highways from 65 to 75 miles per hour and the speed limit on urban interstate highways from 55 to 65 miles per hour. In addition, the bill raises the speed limit on nonurban four-lane highways from 55 to 65 miles per hour. Johnson moved concurrence on the bill as amended by the House and said, “The House made a few small changes. Regarding noise abatement standards, the bill provides an exemption from standards limiting noise related to highway activity, but Senate language made an exception from that exemption for cities of the first class. The House amended the exception to include only Minneapolis and St. Paul, in effect making Duluth exempt from noise abatement standards. The House also added language related to animal husbandry vehicles, expanding the definition to include farm tractors and farm wagons.” The bill was passed on a vote of 40-16 and sent to the Governor.

Sen. Linda Berglin (DFL-Mpls.), authored S.F. 641 for concurrence. The bill requires peer review of substance abuse health provider decisions regarding veteran certification. The bill was passed on a 36-16 vote and sent to the Governor. Sen. Sandra Pappas (DFL-St. Paul), authored S.F. 1097, a bill that creates revolving loan accounts for highway and transportation projects. Pappas moved concurrence and the bill was passed unanimously.

On Special Orders, Sen. Steven Novak (DFL-New Brighton), presented S.F. 1370, a bill that provides a central location for information related to underground utilities for purposes of excavation. The bill was passed unanimously. S.F. 900, authored by Johnson, allows the Minnesota Pollution Control Agency to regulate toxic substances in packaging. The bill was approved 57-0. Sen. Dennis Frederickson (R-New Ulm), carried H.F. 1863, a bill that establishes an agricultural marketing and bargaining task force. The bill was okayed 55-0. S.F. 418, sponsored by Sen. Deanna Winter (DFL-Eagan), allows the design-build method of construction to be used on state projects. Winter said, “The design-build method enables the state to work with a single contractor saving time at all stages of a project. More importantly, this method provides a cost savings of 10 to 15 percent.” The bill was passed on a vote of 53-0. H.F. 858, authored by Sen. Steven Morse (DFL-Dakota), replaces statutory limits in health plans with health maintenance organization goals determined by the Department of Health. Berglin offered an amendment requiring disclosure of expenditure increases by health plan companies. The amendment did not prevail by a vote of 10-47. The bill was granted final passage on a vote of 57-1.

Morse also authored S.F. 436, a bill that provides bonding for environmental learning centers. The bill became the omnibus bonding bill for the session, as several amendments were proposed. Morse proposed an amendment requiring the preparation of a predesign package by contractors for state projects. The package defines the purpose, scope, cost and schedule of the proposed project before the design stage is implemented. The amendment was adopted. Morse offered an amendment authorizing appropriations for the petroleum contamination cleanup fund, the underground petroleum tank replacement fund, contaminated site cleanups, local government facilities and the Lyndale Performing Arts Center. The amendment was adopted.

Sen. Edward Oliver (R-Deephaven), author of S.F. 1350, explained that the measure authorizes physicians in other states to prescribe controlled substances for patients suffering control symptoms such as chronic pain. Current law only allows filling of prescriptions written by physicians in Minnesota and bordering states. However, Morse successfully offered an amendment that prohibits persons from dispensing controlled substances to assist another person in a suicide. After the amendment was adopted, the bill was granted a unanimous final passage.

Members also granted concurrence and repassage to three bills. S.F. 703, authored by Linda Scheid (DFL-Brooklyn Park), allows mail ballots in certain elections in additional cities and towns. S.F. 868, carried by Sen. Linda Higgins (DFL-Mpls.), delays the sunset date relating to state licensing of Minneapolis building contractors. S.F. 72, sponsored by Sen. John Marty (DFL-Roseville), makes technical changes and clarifies state election laws.

**Thursday, May 8**

**Brief floor session held**

During the Thurs., May 8, floor session, the Senate took up two bills on Special Orders. The first bill considered, S.F. 1334, was described by Sen. Richard Cohen (DFL-St. Paul) as a measure that allows municipalities and local units of government to be able to extend employee health insurance benefits “to other classes of people,” namely to family members and living partners.

Sen. Tom Neuville (R-Northfield) offered an amendment and explained, “The bill as it is now is too broad as it allows the addition of any class of person to the expanded health benefits. This can include not only same-sex partners, but unmarried couples, roommates, and friends. The amendment narrows the definition of persons to whom benefits may be extended to blood relatives. Because the definition is too broad, Neuville said, the potential costs to local governments are too great. However, when the Neuville amendment prevailed on a 33-30 roll call vote, Cohen laid the bill on the table.

Sen. David Knutson (R-Burnsville) successfully offered an amendment that prohibits persons from dispensing controlled substances to assist another person in a suicide. After the amendment was adopted, the bill was granted an unanimous final passage.

Members also granted concurrence and repassage to three bills. S.F. 703, authored by Linda Scheid (DFL-Brooklyn Park), allows mail ballots in certain elections in additional cities and towns. S.F. 868, carried by Sen. Linda Higgins (DFL-Mpls.), delays the sunset date relating to state licensing of Minneapolis building contractors. S.F. 72, sponsored by Sen. John Marty (DFL-Roseville), makes technical changes and clarifies state election laws.
Bills granted concurrence and repassage Friday, May 2
S.F. 741-Kelley, S.P.: Regulates the practice of respiratory care; establishes the requirements for registration and regulation of respiratory care practitioners; and provides for continuing education, fees, reporting obligations and disciplinary actions. 50-0
S.F. 156-Sams: Regulates interest payments on utility deposits. 53-1
S.F. 536-Berglin: Adds to the definition of nuisance and the list of acts constituting a public nuisance. 57-0

Conference committee reports adopted and repassed Friday, May 2
S.F. 277-Solon: Omnibus liquor bill. 53-1
S.F. 35-Wiger: Provides for the election of Ramsey County Soil and Water Conservation District supervisors by only the voters in supervisor districts for which candidates are nominated. 57-0
S.F. 543-Dille: Changes grain bank license requirements and repeals the Interstate Compact on Agricultural Grain Marketing. 57-0
S.F. 1722-Sams: Defines pharmacy technician. 56-0

Bills granted final passage on Special Orders Friday, May 2
S.F. 637-Morse: Pension uniformity bill. 62-0
S.F. 1023-Murphy: Imposes a fee on motor vehicle rentals and provides for a rebate of the fees to motor vehicle lessors to compensate for motor vehicle registration fees paid by lessors. 53-1
S.F. 638-Morse: Petrofund; brownfields provisions. 57-0

Bills granted concurrence and repassage Monday, May 5
S.F. 1807-Runbeck: Changes reporting deadlines relating to workers' compensation; modifies certain workers' compensation procedures; and adds state correctional officers to the presumption of occupational disease. 56-0
S.F. 1136-Solon: Transfers responsibility for a family practice residency program from the city of Duluth. 55-0
S.F. 995-Morse: Omnibus pension provisions. 53-0

Conference committee reports adopted and repassed Monday, May 5
H.F. 686-Johnson, D.H.: Prohibits landlords from penalizing tenants solely for seeking police or emergency assistance. 61-0
H.F. 156-Ten Eyck: Secretary of State's Office housekeeping bill. 61-0
H.F. 2179-Pogemiller: Formulates statewide testing and reporting systems. 59-0

Bills granted final passage on Special Orders Monday, May 5
H.F. 244-Price: Modifies requirements relating to individual sewage treatment systems. 62-0
H.F. 243-Johnson, D.E.: Highway and transit funding. 34-31
H.F. 1755-Kelley, S.P.: Provides for procedures between the county housing and redevelopment authority and certain municipalities and municipal authorities. 52-8
S.F. 254-Frederickson: Omnibus game and fish bill. 49-4

Bills granted concurrence and repassage Tuesday, May 6
S.F. 641-Berglin: Requires a peer of the treating mental health or substance abuse provider to review a utilization review organization's determination not to certify a mental health or substance abuse service. 36-16
S.F. 1097-Pappas: Creates revolving loan accounts for trunk highways, county state-aid highways and municipal state-aid streets and creates a transportation revolving loan fund for federally eligible transportation projects, managed by public facilities authority. 56-0
S.F. 724-Johnson, J.B.: Exempts certain roads, streets, and highways from noisestandards and clarifies that specific servicesigns may be placed at certain intersections of trunk highways. 40-16

Bills granted concurrence on Special Orders Tuesday, May 6
H.F. 1370-Novak: Relates to excavation notification and requires notice of underground facilities in drawings for bid specifications or plans. 58-0
S.F. 900-Johnson, J.B.: Amends provisions relating to toxis in packaging. 57-0
H.F. 1863-Frederickson: Establishes a task force to make recommendations on modifications to the agricultural marketing and bargaining law. 55-0
S.F. 418-Wiener: Provides that for certain contracts the design-build method of construction may be used. 53-0
H.F. 858-Morse: Regulates health plans and provides for certain disclosures. 57-1
S.F. 436-Morse: Modifies the requirements for a program for environmental learning centers and changes the source of funds for certain projects. Laid on the table.
H.F. 254-Knutson: Provides for open juvenile court hearing in certain proceedings and provides certain juvenile records are open to public inspections as provided by the rules of juvenile Court. 61-0

Bills granted concurrence and repassage Thursday, May 8
S.F. 703-Scheid: Allows mail balloting in certain elections in additional cities and towns. 39-14
S.F. 868-Higgins: Delays the sunset relating to state licensing of Minneapolis building contractors. 54-0
S.F. 72-Marty: Changes and clarifies provisions of the Minnesota election law. 57-4

Bills granted final passage Thursday, May 8
S.F. 1350-Oliver: Modifies the requirements for dispensing controlled substances. 65-0
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Regulatesession ends
The Senate adjourned the 1997 regular session a few minutes before midnight on May 19. Senators spent the hours immediately preceding adjournment processing a flurry of major bills including the K-12 budget bill, a compromise bonding package, and a package that included salary increases for state agency heads along with the minimum wage increase. Negotiations with the governor over the K-12 budget bill continued until the eleventh hour but ultimately the parties failed to forge an agreement. The K-12 budget conference committee report was re-passed despite the threat of a gubernatorial veto and the possibility of a special session.

Major bills approved
Four controversial bills gained Senate passage during the final two hours of the regular session. A scaled down bonding package, a compromise gas tax increase and state agency head salary increase bill that contained the minimum wage increase were all acted upon in the final minutes of the regular session. The gas tax increase and transit funding bill did not reach a vote in the House and the salary increase package was defeated in the House, noneither bill will become law.

The compromise bonding package, H.F. 632, carried by Sen. Steven Morse (DFL-Dakota), did pass the other body and will become law. The measure authorizes a total of $89.6 million in bonds for a variety of projects. The Senate version of the measure authorized $123 million in bonding, but negotiations with the other body reduced the total significantly. According to Morse, the main issue was the funding for a new building for the Dept. of Revenue. Under the compromise, $73 million is authorized to either purchase the current building or for construction of a facility in the Capitol Complex or at a site in Inver Grove Heights. The measure also provides $7 million for wastewater infrastructure projects, $7 million for contaminated site cleanup, $6.4 million for "Superfund" projects, $3 million for local bridges and $4 million for flood damage projects. In addition, the measure authorizes $45.5 million for Hibbing Community College. Morse said that the items in the Senate had approved-appropriations for magnet schools, moving the steam plant at the U of M away from the river and items relating to the school of architecture—were dropped from the bill. The bill was approved on a 56-9 vote.

The gas tax increase proposal, H.F. 457, authorizes a temporary one-cent increase in the gas tax, One cent was earmarked for transportation flood relief efforts and the other penny designated for emergency highway repair and maintenance. Chief author, Sen. Johnson (DFL-North Branch), said the measure was a modest attempt to shore up highway funding. The bill also contained $2 million for Greater Minnesota Transit, $16 million for Metro Area transit and funding for an additional 30 state troopers. Johnson said that without an increase in revenues, funds for highway repair and maintenance will be exhausted in just a few years. Sen. Dean Johnson (R-Willmar) spoke in support of the measure and said "The condition of our roads is deteriorating and this one cent will still not get us where we need to be." The bill passed 50-10.

S.F. 412, authored by Sen. RoyTermillier (R-Edina), sets the salary levels for elected officials, judges and state agency heads. In addition, the compromise package included an increase in the minimum wage. The governor had vetoed an earlier minimum wage increase bill. The measure gained Senate passage on a vote of 42-23.

K-12 funding bill re-passed
After many failed attempts to compromise with the governor’s positions and avoid a sure veto over tax deductions and credits, the Senate granted a re-passage to K-12 Education conference committee report, H.F. 1884, without the governor’s priority provision.

The bill’s chief author, Sen. Lawrence Pogemiller (DFL-Mpls.), outlined for members the report’s departures from the original Senate-12 bill. The main difference in terms of state provisions is the absence of Pogemiller’s high-profile reform initiative, “common schools of excellence,” said Pogemiller. Pressure from Legislators desiring to fund the base formula to keep pace with inflation eventually had an impact, and the conference committee shifted dollars from the experimental program into the formula, where it will be more effectively gained in a bill possibly facing a veto.

“Wearied by our governor on lab schools,” said Pogemiller. The report included House language on a provision that passed both bodies, a repealer on the slated sunset of the current compulsory school age which would have eventually mandated attendance until age eighteen. The House included a provision, however, that requires a student and family to meet with the school and sign an intent/permission agreement if a child between the ages of 16 and 18 plans to leave high school. The conference report contains site-based management provisions, although they are not exactly those initiated in the Senate by Sen. Charles Wiger (DFL-North St. Paul).

In terms of technology, the report preserves the integrity of similar Senate and House initiatives, adding $5 million for technical costs related to statewide testing. The report includes an experimental provision repealing for one year the mandated 15 contract negotiation deadline for labor agreements. A Senate “charge-back” measure is preserved in the bill as well as funding for magnet schools. A crime prevention on increased $1.50 per student, introduced by Sen. David Knudson (R-Burnsville), and a new program called Learn to Earn, introduced by Sen. Allan Spear (DFL-Mpls.), are also included in the bill.

Before the Senate adopted the conference committee report and granted the bill re-passage, Sen. Gen Olson (R-Minnetrista) spoke on the merits of education tax credits and deductions. “Tax credits do what we said we wanted today, put students first, not the system.” He went on to defend the ability of lower income families to make prudent decisions regarding their children’s education. “What makes anyone think that because these people are poor, they can’t make these decisions?” Sen. Jane Krentz (DFL-May Township), however, said that she was happy about the base formula increase and urged support of the bill.

Subscription renewal
This final issue of Briefly contains a subscription renewal form on page 16. Please fill out the form and return it to the Senate Publications Office by June 13, 1997 so as to continue receiving Briefly next year.
Committee Update

Economic Development
Budget Division

Hockey arena okayed

In a joint meeting with the Jobs, Energy and Community Development Committee and the Human Resources Finance Committee, the Economic Development Budget Division approved a bill Thurs., May 15, that provides funding for a new hockey arena in St. Paul. The division, chaired by Sen. Tracy Beckman (DFL-Brickley), also approved a bill to finance an expansion of the Minneapolis Convention Center.

Sen. Randy Kelly (DFL-St. Paul), presented S.F. 834. The bill provides $6.5 million from the general fund for a grant to the city of St. Paul for predevelopment costs associated with a new hockey arena. The bill also states the intent of the Senate to appropriate an additional $58.5 million through the issuance of bonds to St. Paul for the arena during the 1998 legislative session. Under the terms of the bill, the grant shall be made only after the National Hockey League has awarded a franchise for St. Paul and is contingent on the city and the potential owners of the team making a matching commitment of $65 million.

Kelly said, “This bill brings hockey back to the state of Minnesota after a long absence and will contribute to the redevelopment of the city of St. Paul, our capital city. I've estimated that the state bonding obligation would be paid off in 10 years. I am asking for a $65 million commitment for the state.”

The committee, chaired by Sen. John Hottinger (DFL-Mankato), approved the appointments of Anne Barry for the position of commissioner of health and David Doth for commissioner of human services. Members also confirmed the appointments of several persons for positions on the Emergency Medical Services Regulatory Board.

Health and Family Security
Appointment confirmations

At the final meeting of the Health and Family Security Committee for this session on Mon., May 12, members made the initial approval of several appointments. The committee, chaired by Sen. J ohn Hottinger (DFL-Mankato), approved the appointments of Anne Barry for the position of commissioner of health and David Doth for commissioner of human services. Members also confirmed the appointments of several persons for positions on the Emergency Medical Services Regulatory Board.

Human Resources Finance
Convention center approved

“The Minneapolis convention center proposal has been before us for two sessions now,” explained Sen. Allan Spear (DFL-Mpls.), as he presented S.F. 1369 to the Human Resources Finance Committee, chaired by Sen. Linda Berglin (DFL-Mpls.). Members of the committee met Fri., May 16, to hear two proposals, one for the convention center and one for the St. Paul civic center. Spear initiated the afternoon discussion with a brief description of the Minneapolis convention center proposal, S.F. 1369. “Last year, the convention center was line-item vetoed out of the bonding bill. Why not wait two years for the 1998 session bonding bill? Because of the urgency of this project,” Spear said. According to Spear, the current convention center was built ten years ago at only half the originally recommended size, and, therefore, the center can no longer accommodate the large national conventions.

“The center books the major events several years in advance. Thus, if we get no commitment this year for a convention center expansion, the center will lose many of the conventions,” he said. He went on to explain that the bill makes a $12 million appropriation from the general fund to begin immediate acquisition and site preparation during 1997. The overall project is expected to cost $185 million over 7 years and will be paid for through future bonding bills.

Sen. Randy Kelly (DFL-St. Paul) outlined the details of S.F. 834, a measure that appropriates money from the general fund to assist the construction of a new hockey arena/civic center in St. Paul. He explained that the bill appropriates $65 million from the general fund this year and recommends that the Legislature issue $58.5 million in bonds next session to match money already put forward by the potential owners of a new national hockey league franchise team and the city of St. Paul. Both bills were eventually approved, with S.F. 1369 being referred to the Rules Committee and S.F. 834 advancing to the Committee on Taxes.

Jobs, Energy and Community Development

Confirmation recommendations

The Jobs, Energy and Community Development Committee recommended for confirmation the appointment of Edward Garvey as commissioner to the Public Utilities Commission Fri., May 16. The committee, chaired by Sen. Steven Novak (DFL-New Brighton), also confirmed appointment to the Workers’ Compensation Court of Appeals and the Board of Invention.

Two judicial confirmations were recommended. Steven Wheeler was recommended for reappointment to the office of judge on the Workers’ Compensation Court of Appeals. Debra Wilson was also recommended for reappointment to the office of judge on the same court. The committee also recommended for confirmation the appointment of Janet Robb to the Board of Invention.
Judiciary

Panel rejects Georgacas

The Judiciary Committee, chaired by Sen. John Ramey (DFL-Mpls.), denied appointment of a Republican Party Chairman Christopher Georgacas' appointment to the Board of Judicial Standards, Thurs., May 15. The hearing was a continuation of a May 6 hearing.

Previous approval was postponed pending receipt of waivers of confidentiality allowing Georgacas to respond to statements made by the witness in regard to the litigation. The waivers were not received. However, Georgacas' attorney replied in a letter to the committee that the witness' testimony had placed his client, Georgacas, in an untenable position. The attorney said that because the confidentiality clause was not first waived, Georgacas was subject to damaging exparte allegations to which he could not respond. Because the witness' testimony possibly violated the terms of the confidentiality clause, Georgacas' attorney recommended that the committee disregard the witnesses' testimony.

The committee agreed to do so.

However, Sen. Richard Cohen (DFL-St. Paul) pointed out that additional published evidence placed in question Georgacas' ability to serve in a nonpartisan manner on the committee.

Georgacas responded that he believed in a nonpoliticalized board of judicial standards and that remarks made in the context of his position of party chairman did not reflect upon his ability to act on the board.

Sen. Allan Spear (DFL-Mpls.), pointed out that, except for a period of two months, Georgacas' employment history indicated a departure from partisan politics. Georgacas had done an excellent job as party chairman, Spear said, but he felt that his confirmation to the Board of Judicial Standards was inappropriate at this time in his career.

K-12 Education Budget Division

Appointments confirmed

Fri., May 19, several appointees were confirmed by the K-12 Education Budget Division chaired by Sen. Lawrence Pogemiller, and the Committee on Children, Families, and Learning, co-chaired by Sen. Pat Piper (DFL-Austin), Sen. Leroy Stumpf (DFL-Thief River Falls) and Pogemiller.

For the Board of the Minnesota Center for Arts Education, appointees include Sheila Livingston, along with member of Guthrie Theater. Sen. Jane Krentz (DFL-May Township) recalled that in 1971, Livingston had a volunteer group at the Guthrie and is a very motivated and active member of the arts community.

Another MCAE appointee, Lorraine Krause, says her work for the Rudy Perpich Center has been exciting and that the board is the most wonderful board on which she has worked. A third appointee, Sylvia Strobel, was also confirmed.

State Board of Education appointees confirmed include Carmen Robles, an employee of the Dept. of Labor and Industry. Robles is a school-to-work activist and has been active in promoting youth apprenticeship. Robles and George Jernberg were confirmed to the board.

In his request for confirmation as Commissioner of the Department of Children, Families, and Learning, Robert Wedl, who began his career in special education, reminded the division that special education children did not always have the right to an education. Regarding all the state's children, Wedl said, "We've had the right to attend a high school education," hesaid "We've had the same guarantee, a guarantee of a life of misery and poverty. Part of my vision is that children achieve at higher levels." Wedl emphasized state testing, asking, "Why would we want to work so hard, and not have any measure of it?"

The MnSCU Board of Trustees appointees confirmed include J. Dennis Dotson, Nancy Bratas, Robert Erickson and Michael Vekich. Kenneth Johnson and John Hoyt were confirmed as appointees to the Minnesota Higher Education Facilities Authority.

Committee on Taxes

Stadium proposals fail


The proposals are among the number of ideas offered in previous weeks by Senate and House members in an attempt to reach an agreement on a stadium package.

The first proposal offered by Sen. Dick Day (R-Owatonna) installed up to 1,500 slot machines and 50 blackjack tables at Canterbury Downs. Under the Day proposal, proceeds from the machines and tables will generate approximately $41 million each year in net income needed for the repayment of revenue bonds used to build a new Minneapolis stadium.

Under the measure, excess proceeds from the Minnesota Lottery operated casinos are used to enhance horse racing purses at Canterbury, for grants to Indian tribes not benefiting from casino gambling, and for payments to local and state governments.

Additional stadium revenues will come from ticket tax and Canterbury revenues. The proposal also calls for the team's owner, Carl Pohlad, to contribute $50 million, and for the Twins to pay $2 million annually for the facility's expenses. Day told the committee that he and most Minnesota lawmakers didn't think the Twins would get the Pohlad's team, but as a team, "We're all going to be sad if we lose the team pack up and leave," he said. The proposal failed on a vote of 12 to 11.

Douglas Johnson offered a proposal establishing a state-run casino and using its proceeds to pay debt service on revenue bonds issued for the construction of a retractable-roof baseball stadium in Minneapolis. In addition, the proposal also calls for $101 million in stadium construction funding to be provided by the team's owner and $30 million from the city of Minneapolis for land acquisition. Following payment of stadium-construction costs, the proposal allows casinos to proceed to be used for a St. Paul hockey arena, Metrodome refurbishment grants to the Indian Affairs council, and to increase purses at Canterbury Downs. Any remaining proceeds will be deposited in a reserve fund for K-12 education and property tax relief, J Johnson said. The proposal also calls for the Twins to sign a 30-year lease.

Johnson said that possibly Minnesota would have been a better place if it had no gambling, except for nonprofit charity gambling. However, he said, he could see a workable alternative to stadium financing. He said that if properly placed and operated, the state-run casino would not harm struggling Indian casinos.

Sen. William Belanger (R-Bloomington), offered an amendment disallowing casino construction in the city of Bloomington. The committee adopted the amendment, but the proposal failed on a vote of 15 to 7.

Sen. Jerry Janezich (DFL-Chisholm)
Floor update

The committee approved the S.F. 1944, as amended, and sent it to the Senate floor.

Icearenabill fails

Members of the Committee on Taxes, chaired by Sen. Douglas Johannsen (DFL-Tower), met Sat., May 19, to consider a proposal for an ice hockey arena in St. Paul. The proposal, contained in S.F. 834, originally called for a $6.5 million appropriation to fund the initial planning and design work. The bill also specified that the Legislature intends to appropriate $58.5 million from bond proceeds next session for construction of a new arena as part of the St. Paul Civic Center complex. The measure also specified that the initial appropriation is available only after the National Hockey League awards an expansion hockey franchise to one or more owners who have made a binding commitment to the new arena.

Chief author, Sen. Randy Kelly (DFL-St. Paul), offered an amendment to eliminate the requirement for bonding and, instead, make the $58.5 million appropriation available as an interest-free loan. The amendment also authorized the city to sell bonds to finance the new arena and to use revenue from a city sales tax to repay the loan. The amendment was adopted, however the bill failed to gain committee approval on a 11-8 roll call vote.

Friday, May 9

Brief session held

During a brief session held Fri., May 9, the Senate appointed several conference committees and repassed several bills.

The Senate did not accept the House’s request to concur with its amendments to the omnibus pension bill, S.F. 637, and requested a conference committee to be appointed. The House requested a conference committee on H.F. 1370, a bill relating to excavation, and the Senate acceded. The Senate also appointed a conference committee on the House’s amendment 1 to Senate amendment 6, H.F. 241, the motor carriers bill.

The Senate repassed the conference committee report on H.F. 282, authored by Sen. Charles Wiger (DFL-North St. Paul). The bill concerns the Metropolitan Transit Police and requires, among other things, that part-time officers maintain an active police officer license. Part-time officers (who are not to be considered state employees for purposes of the Public Employees’ Pension Plan) must be authorized to serve as police officers in Minneapolis and Hennepin County. The bill was adopted unanimously.

The Senate also repassed the omnibus transportation conference committee report and approved a number of other conference committee reports.

H.F. 423, presented by Sen. Carol Flynn (DFL-Mpls.), provides for elections to the Metropolitan Council. Flynn successfully moved to strike the Senate language from the bill and work from the House language. The bill also calls for a Metropolitan Council election campaign to be publicly financed. In recent statute, council members are appointed by the governor. Flynn said, “The voters in the seven-county Metropolitan Area will finally have a say in what they want their region to look like in the future and how it should be governed.”

Sen. Jane Ranum (DFL-Mpls.), spoke in opposition to the bill. Ranum said, “This was a good bill when I left the Senate committee, but the House version makes some changes which makes it a different bill. The House deleted the voter’s guide provision and reduced the salaries of council members sharply, from approximately $20,000 per year to $12,000. If you live...
in the Metro Area, you don’t want to support this bill as it calls for a mandate that doesn’t exist. The amendment was defeated. Flynn said, “It’s been said the governor may veto this bill, but that shouldn’t deter your actions. And members should know that in 1971, then-Representative Arne Carlson was co-author of a bill that called for an elected Metropolitan Council.” Sen. Ember J unge (DFL-New Hope), voiced her opposition to the bill and said, “An appointed Metropolitan Council provides a much-needed check and balance on the power of municipal governments. An elected Council could be easily made up of a number of special interests, a number of special neighborhood constituencies, which would hinder its real mission.” The bill was passed on a 36-30 vote and sent to the governor.

Some discussion was generated over the omnibus Dept. of Transportation bill as reported out of conference committee. Sen. Janet Johnson (DFL-North Branch), Chair of the Transportation Budget Division, presented the bill, S.F. 1881. Johnson said, “There were a few changes made in conference committee. We added $1 million to fund a commuter rail study by MnDOT. The committee also added $150,000 to be used for grants to encourage women and minorities to attend State Troopers’ school and to become troopers. Another $7.1 million was appropriated to the department to deal with emergency road and bridge repair in the wake of the floods this winter. And in language related to the highway congestion pricing demonstration, a provision calling for local approval of such demonstrations was removed from the bill.” Sen. Charles Berg (IND-Chokio), said, “Do we need to spend another $1 million on yet another rail study? Will it ever end?” Johnson said, “This particular study examines commuter rail, not light rail as other studies have already addressed. The rail is already in place for commuter rail, making it a cheaper option.” The bill was repassed 62-0.

On Special Orders, Sen. Ellen Anderson (DFL-St Paul) presented H.F. 1936, a bill that allows for binding arbitration between employers and exclusive representatives of employees in case of disputes arising during the first year of such representation. Under the terms of the bill, binding arbitration can be held for one of the parties should the parties fail to negotiate a collective bargaining agreement or should mediation fail to bring about an agreement. Anderson said, “Under the current system, failure to reach an agreement can be used as a tactic for union busting. This bill imposes a duty on both parties to negotiate in good faith.” Speaking against the bill, Sen. Linda Runbeck (R-Circle Pines), said, “I don’t see a need for this bill. It’s just a way to deal with hypotheticals, and would radically alter the landscape of employer/employee relations in the state.” The bill was passed 39-24. Also on Special Orders was S.F. 1820, authored by Sen. Steven Novak (DFL-New Brighton). The bill calls for a task force to study utility-related personal property tax issues, requires a study on the restructuring of the electric industry and requires reports on mercury emissions resulting from the generation of electricity. On a vote of 60-7, the bill was passed.

A number of conference committee reports were acted upon. Senate Minority Leader Dean Johnson (R-Willmar) presented the report on S.F. 4, a bill that provides medical school tuition reimbursement, up to 65 percent of tuition, for national guard members. The report was passed unanimously. S.F. 566, authored by Sen. Jim Vickerman (DFL-Tracy), is the omnibus gambling bill. The conference committee report was passed 55-9. Sen. Pat Pare (R-Farmington), presented the conference committee report on S.F. 526, a bill that provides for certification of food handlers. The bill was returned unanimously.

**Tuesday, May 13**

**Minimum wage bill passed**

The Senate voted to make Minnesota’s minimum wage law conformed with the federal minimum during a floor session Tuesday, May 13. Sen. Randy Kelly (DFL-St. Paul), sponsor of H.F. 862, said that under the bill, the minimum hourly wage will rise to $5.15 on September 1 of this year.

Kelly explained that the last increase occurred in 1991. He said that the bill changes the threshold definition of a “small employer” to comply with the federal definition. Kelly urged passage of the bill and said that the economy is robust and since the legislature increased the salaries of legislators and state agency heads, “I think this helps the lower rungs of the economy.” Kelly also cited statistics showing a 24 percent increase in the median chief executive compensation.

Kelly outlined the history of employment law beginning with the abolition of slavery and moving on to child labor laws, collective bargaining laws and finally the minimum wage. He concluded his presentation by saying that the “capitalistic system unregulated is simply unbridled greed.”

Most of the discussion centered around allowing the use of tips in calculating wages. As it came to the floor, the bill contained a provision allowing the consideration of tips in calculating wages as long as the employer provides health care benefits for the tipped employee. Sen. Steve Dille (R-Dassel) offered an amendment removing the provision and replacing it with a provision requiring employers to pay at least the minimum wage and, if tips are insufficient, the difference between tips received and the new minimum wage. Dille said that he supports the bill because it sets the minimum wage at the free market has already raised it for almost everybody. Dille said that the problem his amendment addresses is the neighboring states that do not tip as part of wages. He said that the bill will effectively raise the minimum wage for tipped employees from $4.25 to $5.15 per hour whereas surrounding states have minimum wages for tipped employees that range from $2.13 to $2.85 per hour.

Kelly opposed the amendment, stating that the 1990 Legislature acted to disallow the tip credit and the Dille amendment “steps backward in time.” He said that the money that restaurant patrons lay on the table should not be considered part of the compensation paid by the employer. Kelly added that the Dille amendment effectively freezes the minimum wage for tipped employees where it was set in 1991. “We have higher standards in Minnesota,” he concluded. The amendment was defeated on a 33-33 roll call vote. Kelly then moved to delete the tip credit provision in the bill, saying that it penalizes many agreements reached under collective bargaining. The motion was adopted on a voice vote, and the bill was passed on a 44-22 roll call vote.

Earlier, the Senate passed the conference committee report on the early childhood and family education bill. Sen. Pat Piper (DFL-Austin), sponsor of H.F. 2147, said the Senate conference had two objectives in conference, to support the development of children and support the welfare-to-work programs already enacted. He said that under the conference committee report, Head Start and Early
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Childhood Family Education programs are administered under one agency. The result, said Piper, is a more collaborative effort between the two programs. The bill was passed 63-0.

The Senate again took up a bill about employment background checks on firefighters. Sen. Ember J. unge (DFL-New Hope), sponsor of S.F. 1006, said that firefighters with a history of arson and child molesting have been hired by some fire departments. She added that firefighters come into people’s homes during a fire and they have access to children. Sen. David Knutson (R-Burnsville) urged support for the measure saying that the background checks raise the issue of professionals in the fire service and helping instill public trust. Sen. David Johnson (DFL-Bloomington) also urged support for the measure.

Some Senators, however, opposed the bill. Sen. Thomas Neuville (R-Northfield) said the bill opens up employment records of volunteer firefighters. “Where do we draw the line?” he asked. Sen. Don Betzold (DFL-Fridley) said that the bill went through committee following a similar bill for law enforcement officers. He said the firefighters didn’t make a compelling case justifying their bill other than saying that they want it, now that the bill for law enforcement has been approved. Betzold caucused members that other occupations will come to the legislature requesting background check legislation. Despite the arguments in opposition, supporters held sway, passing the bill 54-4.

The conference committee report on H.F. 753, the omnibus banking bill, was adopted on a motion of sponsor James Johnson (DFL-Bloomington) on a 54-4 vote. The report included language that the Senate had asked for in their bill. Sen. James Johnson (DFL-Bloomington) on a 54-4 vote. The report included language that the Senate had asked for in their bill.


tion bill. The measure was repassed 63-0.

The Senate took up the controversial emergency bonding bill, H.F. 632, during the floor session Weds., May 14. The bill’s chief author, Sen. Steven Morse (DFL-Dakota), detailed the various provisions contained in the legislation that deal with topics ranging from the petroleum fund, brownfield clean-up programs, wastewater treatment facilities, and capital improvement projects. After Morse briefly outlined the key provisions, the floor was opened up to amendments. Several conference committee reports, all of which were approved. First, Sen. Richard Cohen (DFL-St. Paul) offered an amendment that allows for continued consideration of the Department of Revenue building issue. He explained that the amendment incorporates the language put together by the Department of Administration as to the cost of constructing a new revenue building at the motor pool site in the capitol area. Construction at that site would cost $79 million, he said. Cohen added that by adopting the amendment, three options will be available for a new revenue building—a location at the motor pool site, a location at the proposed site in Inver Grove Heights, or the purchase of an existing building.
said. Kelly withdrew his motion.

Neuville also argued that the legislature has a good reason to revisit the Twins' stadium issue, so there is now a chance to get a new stadium for the Twins. "It's a good time to revisit this issue," Neuville said.

Sen. John Marty (DFL-Roseville), chief author of S.F. 78, explained the conference report on the absentee voting bill. He said the bill makes several modifications to absentee voting and ballot lot procedures, with the addition of House amendments that require that a person voting by absentee ballot at state, no matter the reason. Another House amendment allows persons hospitalized just before an election, or persons overseas, to vote via electronic facsimile. The bill was repassed 55-6.

The conference committee report for the Dept. of Labor and Industry's housekeeping bill, S.F. 575, was explained by Sen. Linda Runbeck (R-Circle Pines). She said the bill as amended by the conference committee emerges the Senate and House bill together, making several modifications to labor and employment provisions. Employees are required to make a written notice to explain positive drug test results, no fees may be charged for copies of their personnel records, and criminal assault penalties are expanded to cover occupational safety and health agency employees. The measure was repassed 59-0 on a roll call vote.

Sparking a heated discussion, Sen. Randy Kelly (DFL-St. Paul) made a motion to withdraw S.F. 834, the St. Paul hockey arena proposal, from the committee's consideration. He explained that the proposal is not a priority for the committee, and a restructuring of the Human Resources Finance Committee would increase the chances of the proposal being considered. The motion was defeated 37-27.

Thursday, May 15

Bonding bill passed

The Senate passed a $175 million bonding bill during the floor session, Thurs., May 15. H.F. 632, sponsored by Sen. Steven Morse (DFL-Dakota), originally appropriated money for bridge construction, capital area improvements, refurbishment of the governor's residence, environmental learning centers, and for community performing arts. The measure contained $12 million for emergency flood relief in Northwestern Minnesota, $12.5 million for rural wastewater systems, and $12 million for two magnet schools, one in Minneapolis and one in a suburb. The bill was tabled at the Weds., May 14 session when the bill gathered $15 million in additional bonding amendments.

Additional appropriations include funding for wastewater treatment facilities, Rochester University Center improvements, Hibbing Community College additions, University of Minnesota Mississippi River steam plant relocation, magnet school site purchases, and a new Department of Revenue Building.

Sen. Douglas Johnson (DFL-Tower) said the bill was an irresponsible way to spend funds. He said that the Tax Conference Committee struggled to put together property tax reform, and that because of his continuing interest in retaining some tax relief for Minnesotans, he would vote against the bill.

Sen. Don Betzold (DFL-Fridley) requested reconsideration of an amendment offered a day earlier by Sen. Lawrence Pogemiller (DFL-Mpls). The amendment appropriates $15 million in bond proceeds to the University of Minnesota Board of Regents to help pay a portion of the cost of relocating its Mississippi River steam plant to a site away from the river.

Rep. Steve Dille (R-Dassel) said he toured the steam plant and found it inoffensive. He said that if removed, the steam plant would probably be replaced with condominiums. He added that moving the plant may cost the University $46 million, and that the new site may be little better.

Pogemiller said that his amendment was important to the University's environment, and stressed the importance of the river's cleanup for future generations. He said that he loved the University of Minnesota, but that it's arrogance and opposition toward moving the plant was wrong.

Sen. Linda Higgins (DFL-Mpls.) supported Pogemiller. She said that her constituents deserved to restore that part of the Mississippi.

Sen. Allan Spear (DFL-Mpls.) pointed out that the University of Minnesota is a community, and that a vote for retaining Pogemiller's steam plant removal amendment is not a vote against the University.

Pogemiller's amendment prevailed on a vote of 37 to 27.

An amended appropriation for a new Department of Revenue building also caught Johnson's attention. He said that adding $30 million for a dollar increase, bringing the total to $10 million, furthered his resolve to vote against H.F. 632. He said that amount of money was unjustified when placed in the context of other, more pressing needs. He added that state agencies should be seeking ways to downsize instead of constructing costly buildings. However, the Senate passed the bill, as amended, on a vote of 46-17.

In other action, the Senate passed several conference committee reports. Among them was the omnibus higher education funding bill, S.F. 1888, carried by Sen. LeRoy Stumpf (DFL-Thief River Falls). The bill appropriates $2.37 billion for public higher education institutions, the Mayo Medical School and student financial aid for the FY 1998 and FY 1999 biennium. The appropriation represents an increase of almost $300 million over current biennial appropriations, and is $63.5 million more than the governor's recommendation. The bill contains $87 million for one-time expenditures for improved student services and technology, $1.076 billion for the University of Minnesota, $500,000 for on-line programs in nursing, math and computer science. The bill also establishes a National Services Scholarship program to award a scholarship to every student in every Minnesota high school, and the E.D.Vest program to encourage savings for higher education expenses. The Senate passed the bill, as amended by the conference committee, on a vote of 58 to 0.

The Senate also passed a conference committee report on S.F. 473, a bill clarifying licensing exemptions for persons required to obtain home health care provider licenses. Among those excluded from the licensing requirements are registered nurses, persons providing
services to only one individual, and providers licensed by the commissioner of human services to provide home and community-based services.

The last major item of business was the final passage of a pension bill, S.F. 1486, authored by Sen. Steven Morse (DFL-Dakoita). The measure makes changes in a variety of pension plans and retirement programs. Morse offered an amendment containing most of the provisions of another pension bill that had been vetoed earlier in the week. Morse said that the amendment contains all the provisions of S.F. 995 except those object to by the governor. According to Morse, the governor objected to extending individual retirement account plans to certain employee groups and allowing those groups to opt out of the Minnesota State Retirement System. He said the amendment would stabilize the funding of defined benefit plans through adverse selection. Morse said that the governor's action was "moving in the wrong direction," but that he omitted the provisions from the amendment. The amendment was adopted and the bill was granted final passage on Special Orders.

**Friday, May 16**

State agency funding okayed

What started as a routine description of the omnibus state government funding bill by Senate author Sen. Leonard Price (DFL-Woodbury) turned contentious when Sen. Don Betzold (DFL-Fridley) criticized the conference committee report, which nearly doubled the bill's size from the original Senate version. Price told members that the bill had come in well below the governor's recommended tails. Price added that the Senate had prevailed on public TV broadcasting and arts council funding as well as funding for the Office of Technology. The bill also includes the Persian Gulf veterans' bonus that has been discussed for years. The conference report contains most of the provisions of the governor's recommended bill, but it also includes cuts in funding for the arts council as well as funding for the Minnesota State Retirement System. Price said that the governor's action was "moving in the wrong direction," but that he omitted the provisions from the amendment. The amendment was adopted and the bill was granted final passage on Special Orders.

At the close of Price's presentation, Betzold informed members that the bill was 55 pages when it left the Senate, and is now 100 pages long. "I'm looking for a fair price." Marty defended pharmacies whose fees are high and who are squeezed by HMO's. "You're buying at sight unseen and the Voyager Center was line item vetoed last year." He continued, "Members, this bill doesn't make any sense. I can't go back to my district and say, 'We're gonna have a bald eagle center in Wabasha.'"

In defense of the report, Sen. Richard Cohen (DFL-St. Paul) pointed out that while the House's original offer was $5 million over the governor's recommendation, and the conference report came in at only $500,000 over the governor's suggested target.

Sen. Martha Robertson (R-Minnetonka) spoke against the report's inclusion of a controversial prescription drug purchasing plan, which had been sent out of committee without recommendation. The most contentious component of the original bill, a required pricing disclosure, is not included. Price said that the bill included in the state's original offer was a "watered-down" version of Marty's bill, which had been sent out of committee without recommendation. The most contentious component of the original bill, a required pricing disclosure, is not included. Price said that the governor may veto the section. Sen. Becky Lourey (DFL-Kerrick), whose alternative approach to the problem expands Minnesota's Caretoc discord prescription for the elderly, elaborated, "Everybody wants a discount, but I'm afraid of losing community independent pharmacists whose fees are high and who are squeezed by HMO's." Marty defended his plan, "I'm not looking for discounts, I'm looking for a fair price."

Sen. Sheila Kiscaden (R-Rochester) called for members to send the entire bill back to conference. "It's time," she said, "for us to say, hey House, get reasonable." On a roll call, the Senate narrowly voted "for us to say, hey House, get reasonable." On a roll call, the Senate narrowly voted against sending the conference report back to committee 35-30, and the bill was passed 41-24.

Sen. Donald Samuelson (DFL-Mpls.) recommended passage of S.F. 1908, the health and human services omnibus budget bill. He catalogued the provisions, including the Senate position setting COLA increases for employees who work with people with disabilities at five percent. The bill also provides the nursing home industry a treasurercient reimbursement for patients on Medical Assistance. Samuelson said Senate conferees accepted the House's SSI benefits provision. The bill also provides an increase in medical education funding.

A small provision added to the bill in conference committee, however, prompted resistance from several members. The provision, repeated introduced and defeated on the floor throughout the session constitutes Minnesota's version of the DOMA, banning state recognition of same-sex marriages. Sen. Linda Berglin (DFL-Mpls.) spoke against DOMA on technical grounds, "We should not allow the states to dictate what we can do in the federal jurisdiction."

Spear questioned the urgency of the measure, pointing out that Hawaii has apparently taken steps toward a compromise, while legislative action is pending in Minnesota. "Is there a sense that marriage is under attack? If gay and lesbian couples want to get married, they are not talking marriage, they are embracing it."

Addressing the issue of stereotyping, he continued, "It's often been stated that gay men live promiscuously, here is a measure which gay and lesbian couples are seeing stability. One would think social conservatives would support this measure which would allow financial benefits, inherit ance tax, access to hospital rooms, joint property when partners die intestate, but most importantly, having a sense that your relationship is respected."

Samuelson acknowledged, "We didn't have the opportunity to debate this issue on the floor weeks ago. When the house brought it up on their floor, it was ruled germane, and they had the debate. He urged members to vote for passage of the $5 billion omnibus bill.
Sen. Thomas Neuville (R-Northfield) recalled his own opposition to Minnesota's human rights act. "I think," he said, "it's possible to have respect for people but disagree with their conduct." Stating that he shares the views of 85 percent of Minnesota, Neuville continued, "I'm just trying to maintain the status quo."

Despite these arguments, the conference committee report was adopted on a voice vote and the omnibus health and human services budget bill was passed 54-12.

Other bills granted repassage included S.F. 542, authored by Sen. Dennis Fredrickson (R-New Ulm). The bill gives Minnesota's Lower Sioux Indian community the authority to police its own boundaries. The bill was passed as amended.

S.F. 780, authored by Sen. J. M. Johnson (DFL-Bloomington), modifies the requirements for mercury testing in incinerator omissions. Johnson explained that the House amended the bill to close a loophole allowing waiver of environmental restrictions whenever permits were modified. The bill as amended provides that restrictions are carried over whenever such a permit goes through unmodified modifications, unless the facility proves the reasons for the original citations have been rectified. The bill was granted repassage 56-4.

S.F. 900, also authored by Johnson, regulates toxins in packaging. Johnson explained that the only changes made by the House stemmed from its inclusion of a separate bill, but that all the other bill language had been removed by the House. The bill was passed 60-0.

Sen. Steven Novak (DFL-New Brighton) moved concurrence with the House's amendment to S.F. 1820, the omnibus energy bill. He explained that the House simply provided for the expansion of a task force to ensure compliance with various initiatives for community development and job training. The bill was passed 63-0.

S.F. 1023, authored by Sen. Steve Murphy (DFL-Red Wing), was granted repassage. The bill authorized a fee on motor vehicles rental to compensate for the cost of the registration of the vehicle. Sen. Kevin Scheevel (R-Preston) took issue with increasing fees, "What is the total stature rate?" asked Scheevel, "18 percent?" Scheevel said the objects to taxing car renters while allowing the business community to get its plates free. Murphy said, "This bill is simply truth in taxation. Right now we charge a license fee, and that's a tax. This just tells the people about it." Scheevel said a permit tax allows car rental businesses to modify prices to get a competitive edge. The bill was granted repassage 47-15.

The conference committee report on H.F. 1370, regulating the process by which bidding for excavation projects is conducted, was also approved. According to Bill Petzold, the conference committee resolves his concerns about data privacy. The bill was repassed 63-0. A conference committee report was adopted on H.F. 379, a commerce bill allowing the state to require investors in a particular offering to meet suitability standards relating to factors like annual gross income net worth. The bill was granted repassage 61-0.

H.F. 704, carried by Sen. Dave Johnson (DFL-Bloomington), exempts largeelectric power generating plants from certificates of need proceeding from bidding processes selection. Johnson said the Senate version was accepted in conference. The bill was repassed 60-0.

H.F. 257, carried by Lourey, concerns the reimbursement of the emergency medical services regulatory board. Lourey said the House wanted to get the board some authority rather than general. The bill also recodifies all relevant statutes into a new consolidated section. All repealers, she said, are simply in service to this consolidation. The bill was repassed 69-0. Also granted repassage was S.F. 555, a bill authored by Sen. Steve Kelley (DFL-Hopkins), authorizing the creation of telecommunications purchasing cooperatives. The bill was repassed 61-0.

S.F. 309, a bill authored by Stevens, authorizing the sale of tax-forfeited land and bordering on public water was repassed 60-0.

**Economic development okayed**

Members devoted the remaining portion of the Fri., May 16, session to discussion and repassage of the omnibus jobs and economic development conference committee report on the omnibus jobs and economic development budget bill. H.F. 2158, carried by Sen. Tracy Beckman (DFL-Brigalow), appropriates $413 million to various initiatives for community development and job training. Beckman said, "We tried to meet the concerns of the administration and still maintain the integrity of the House and Senate positions. Overall, the conference committee maintained community development as our main priority and I am proud to bring this bill back to you."

The measure appropriates $85.9 million from the general fund to the Dept. of Trade and Economic Development. Of that amount over $56 million is earmarked for business and community development with a number of one-time grants made to various communities for specific projects. The measure provides $4.8 million for the Minnesota Trade Office, $16.8 million for tourism, and $19.6 million for Minnesota Technology, Inc. Beckman said that job training is a key part of the budget package and to that end, more than $76 million is appropriated for the Dept. of Economic Security with $26 million for workforce reparation. Approximately $2.1 million is earmarked for youth intervention programs, and $3 million is designated for supplementing the activities of the Job Training Partnership Act. The Housing Finance Agency is appropriated $58 million, the Dept. of Commerce is appropriated $32.3 million, the Dept. of Labor and Industry is appropriated $50.3 million, the Dept. of Public Services is appropriated $181.1 million, and the Minnesota Historical Society is appropriated $46.8 million.

Members spent little time debating the measure and the omnibus jobs and economic development conference committee report was repassed on a vote of 55-11.

Sen. Thomas Neuville (R-Northfield) moved to suspend the rules of the Senate in order to consider a resolution he had introduced earlier in the day. The resolution, SR 57, commends the United States Congress for action on federal bill HR 1122. Neuville said he wanted to bring the resolution before the Senate for immediate consideration because of pending U.S. Congress action on a bill relating to a controversial abortion procedure. Neuville's motion to suspend the rules, however, was defeated on a 32-32 roll call vote.

Finally, members granted final passage to a bill on Special Orders. S.F. 1944, authored by Sen. LeRoy Stumpf (DFL-Thief River Falls), authorizes tax abatements for property that has lost value due to flood damage; provides for state reimbursement to local units of government; authorizes the delay of certain local government reports, elections, and meetings; and creates a priority for flooded areas in allocation of low-income housing credits. The bill was passed 51-0.

**Saturday, May 17**

**Appointments confirmed**

In an effort to process pending legislation before the end of the regular session, the Senate met for a floor session Sat.,
May 17, to grant final passage to several bills and confirm many gubernatorial appointments.

The Senate passed the conference committee report on H.F. 735, a bill on civil commitment. Sen. Don Betzold (DFL-Fridley), sponsor of the measure, said the compromise version of the bill now contains language state payments to counties for commitment costs, liens to recover medical assistance benefits and application of those liens to joint bank accounts. Sen. Paula Hanson (DFL-Ham Lake) asked about the commitment cost impact on counties. Betzold explained that under the old law, when a commitment order is in effect, the state pays 90 percent of the costs while the county picks up the other 10 percent. However, Betzold said, when the commitment order expires, the county is then liable for all of the commitment costs even though the patient never leaves the hospital. He said that under the bill, the state assumes all of the commitment costs upon commitment order expiration. The bill was granted repassage on a 56-0 roll call vote.

The Senate also passed the compromise agreement on S.F. 960, the Patient Protection Act. Sen. Linda Berglin (DFL-Anoka), author of the bill, described the differences between the bill as originally passed in the Senate and the way it came back from conference. She said that under the bill, the state assumes all of the commitment costs upon commitment order expiration. The bill was granted repassage on a 56-0 roll call vote.

Other bills given repassage by the Senate include S.F. 95, sponsored by Sen. Becky Lourey (DFL-Kerrick), modifying provisions on health maintenance organizations; S.F. 420, sponsored by Sen. Charles Wiger (DFL-North St. Paul), a Dept. of Administration bill on elevator inspections; S.F. 848, authored by Sen. Carol Flynn (DFL-Mpls.), creating civil liability in state courts for actions in federal court that prevent a person from engaging in public discourse; and S.F. 1114, carried by Sen. Randy kelly (DFL-St. Paul), raising the tort liability limit for state and local governments and requiring recordkeeping of litigation expenses incurred by governments.

Also passed were S.F. 877, sponsored by Sen. Leof drey (DFL-Anoka), clarifying the admissibility of evidence on seat belt use or defects in personal injury lawsuits; S.F. 627, sponsored by Sen. Jane Ranum (DFL-Mpls.), requiring expert review of civil actions against professionals; S.F. 1513, carried by Sen. J ohn Hottinger (DFL-Mankato), modifying provisions relating to civil actions; S.F. 294, sponsored by Sen. Ember) ungel (DFL-New Hope), authorizing back background checks on law enforcement officer applicants; and S.F. 739, authored by Sen. Steve Kelley (DFL-Hopkins), the telecommunications deregulation bill.

Later, the Senate took up a lengthy Confirmation Calendar and approved the governor's appointments to various boards. Most of the confirmations were granted with little discussion or debate. However, Sen. J ohn Marty (DFL-Roseville) raised questions about the appointment of Edward A. Garvey to the Public Utilities Commission (PUC). Marty said that Garvey lashed out at the Attorney General's Office for taking a position on a matter that is statutorily required. Marty asked if Garvey understands the Attorney General's role in the matter. Sen. Steven Novak (DFL-New Brighton), speaking for the abs, Energy and Community Development Committee on the appointment, said that during the confirmation hearing Garvey said he would do things differently if he had it to do all over again and that the criticism of the Attorney General was a result of inexperience. Marty then stated that on Garvey's first day on the job as a PUC member, Garvey acted to undo a previous commission action disqualifying two other commission members from deciding on a matter. Nevertheless, the Senate confirmed Garvey's appointment.

Other appointees receiving confirmation were: James L. Girard as commissioner of the Dept. of Revenue, Gothriel J. "Fred" LaFleur as commissioner of the Dept. of Corrections, Christopher J. Skaalen and Patrick Thiry to the Minnesota Rural Finance Authority and Mary M. Leondand) ames W. Rich to the Gambling Control Board.

Also confirmed were Dr. Joni Schef tel to the Board of Animal Health; Susan Kiley, Stephen J. O'Connor and Beverly Anderson Otternes to the Minnesota Veterans Homes Board of Directors; Thomas L. Owens, Teresa Parker, M. Judith Schmidt, Caroline M. Baillon Ellis F. Bullock and Robert E. Powlies to the Board of the Arts; Wayne A. Simoneau as commissioner of the Dept. of Finance and Mary Most Vanek as the Public Employee Retirement Association Executive Director.

Appointment confirmations were also granted to D. Duores Fridges as the commissioner of the Dept. of Human Rights; on O. Haaven and Peter H. Watson to the Board on Judicial Standards; Anne Barry as the commissioner of the Dept. of Health; David S. Doth as commissioner of the Dept. of Human Services; and Stevan Eikev, Debra E. Seid, David W. Huisenga, Dr. G. Patrick Li Ilia, Steven Nesset, Kevin Paap, J ohn Prondzinski, Dee Wayne Rognstad, Michael Stockstead, Dr. Al bert Tsai, Dr. Michael Wilcox and Gary Windgrove to the Emergency Medical Services Regulatory Board.

In addition, appointments were confirmed for Laraine E. Kruse, Sheila Livingston and Sylvia Strobel to the Board of the Eola and Rudy Perpich Minnesota Center for Arts Education; Nancy Brataas, J. Dennis Dotson, Robert Erickson and Michael Vekich to the Board of Trustees of the Minnesota State Colleges and Universities; Robert J. Welld as commissioner of the Dept. of Children, Families and Learning; and George Jernberg and Carmen Robles to the State Board of Education.

Also confirmed were J ohn Hoyt and Kenneth J ohnston to the Minnesota Higher Education Facilities Authority; Pedar A. Larson as commissioner of the Minnesota Pollution Control Agency; Steven D. Wheeler and Debra A. Wilson to the Workers' Compensation Court of Appeals; and Janet Robb to the Board of Invention.

The appointment of Chris Georgacost to the Board on Judicial Standards, however, sparked a brief partisan floor fight. Georgacost, currently chair of the Minnesota Republican Party, had failed, earlier in the week, to gain the approval of the Judicial Committee for his appointment to the non-partisan board. Sen. Don Betzold (DFL-Fridley), made a motion that the Senate not confirm the appointment of Georgacost to the board. Betzold said that Georgacost's work history had been in partisan politics and that
there were questions whether or not Georgacas could put aside partisan considerations in his new role with the Board.

Sen. David Knutson (R-Burnsville) and Sen. Thomas Neuville (R-Northfield) spoke for the appointment and against the motion. Neuville pointed to past confirmations of other party officials and said, "We have recognized in other cases, that individuals can put aside their partisanship and perform their duties in a non-partisan manner." However, Sen. Richard Cohen (DFL-St. Paul) and Sen. Allan Spear (DFL-Mpls.) spoke against the confirmation and for the motion. Spear said, "The difference between Mr. Georgacas and those other officials is that all of those other people have had careers that were not totally linked to partisan politics. The thing about Mr. Georgacas is that he lacks integrity or is dishonest, but that the position demands impartiality and equanimity of interest and there is nothing in his history to indicate that he is right for the job." The motion to confirm the appointment was approved on a 40-25 party-line vote.

Environmental budget bill passed

In another action Saturday afternoon, members adopted and repassed the conference committee report for the environment, natural resources and agriculture bill. H.F. 2150, carried by Sen. Steven Morse (DFL-Dakota), provides funding for the environmental and agricultural programs. Morse said, "This conference committee is truly a compromise. We did very well in defending Senate positions but we did increase spending. The House bill was $30 million higher than the Senate bill, but we ended up with $8.8 million higher than the Senate bill." Morse said that one of the important provisions in the Minnesota Growth Food program that the Senate had originally proposed increasing the fee for individuals to $16 but had compromised on the $15 figure. The measure also includes a mandate to laws governing snowmobiles. Under the measure, snowmobiles under the age of 25 must acquire a training certificate by the year 2002. The measure increases snowmobile registration fees from $30 to $45 ($15 to $30) in order to provide funding for snowmobile programs. In addition, the measure requires non-resident snowmobilers to pay $15 for a trail stamp if they travel on state trails.

The measure includes funding for a number of projects recommended by the Legislative Commission on Minnesota Resources. However, Morse said that several projects approved by the Senate were stripped from the compromise bill. "Overall it is a well balanced bill, it spends more than we wanted to but it was necessary to get the bill closed out," Morse said.

Sen. Bob Lessard (DFL-Int'l. Falls) urged members to endorse the package and said, "This is probably one of the most successful bills I have witnessed for our sportsmen and women in the state." The measure was adopted and repassed 56-4.

Finally, members also passed the third additional conference committee report. S.F. 501, sponsored by Sen. Sam Solon (DFL-Duluth), makes numerous changes to laws governing the Dept. of Commerce. The bill was repassed 60-0. S.F. 164, authored by Sen. Charles Wiger (DFL-North St. Paul), conforms certain food rules with federal regulations and eliminates a requirement concerning llamas. The report was adopted and repassed 59-0.

S.F. 184, authored by Sen. Dan Stevens (R-Mora), modifies requirements relating to toxicics in products. The measure was repassed 61-0.

Monday, May 19

Tobacco access bill passed

In its morning session Mon., May 19, the Senate passed a bill further limiting the access to tobacco for minors. The Senate acted on a number of conference committee reports before an afternoon recess.

Sen. Emberly unge (DFL-New Hope), presented the conference committee report on H.F. 117, the tobacco access bill. The bill establishes a 90-day suspension of a driver's license for minors under the age of 18 who purchase or attempt to purchase tobacco products. The bill also establishes penalties for the sale of tobacco products to minors. Under the terms of the bill, licensees will be charged a penalty of $75 for the first offense, $200 for the second, and $250 for the third with a 7 day suspension of the tobacco license, and individuals whose tobacco products are accessible to a person under the age of 18 will be fined $50. Each manufacturer of tobacco products, according the bill, must also provide the commission of health with an annual report identifying the detectable levels of ammonia, arsenic, cadmium, formaldehyde, and lead within the product. The bill also prohibits the display of single packs of cigarettes which are accessible to the public, and it prohibits cigarette vending machines in facilities that can be entered by persons under the age of 18. In addition, the bill also calls for one compliance check per year for each license to monitor the enforcement of the stricter legislation.

Jungenoit noted that the Senate version of the bill had been approved on a vote of 49 to 46 and said, "This bill is significantly weaker than the bill that left the Senate; it represents a definite compromise. It also gives local government the option to substitute community service in lieu of fines." Sen. Bob Lessard (DFL-International Falls), spoke against the bill and said, "The reporting provisions for hazardous substances will send us down a slippery slope. Other products have these substances in them, and soon every manufacturer, every farmer, will have to report on all kinds of things." Lessard moved to send the report back to the conference committee. Sen. John Marty (DFL-Roseville) spoke against the motion and said, "The measures in this report are much less stringent than the ones that came out of the Senate, and it's because it's been lobbyed down by the big tobacco companies out of Washington. There were 1100 hazardous substances we asked the manufacturers to identify in our bill, now we're down to five." Sen. Dave Johnson (DFL-Bloomington) said, "I support the Lessard motion but for different reasons. This bill does not hold juveniles accountable for their own behavior. There is no deterrence, no meaningful penalty in this bill." Sen. Pat Pariseau (R-Farmingdale) also spoke in favor of the Lessard motion and said, "This is another mandate that we don't need. These compliance checks and self-policing are already being done without mandates." By a vote of 28-39, the Lessard motion did not prevail. The
Floorupdate

An omnibus tax bill, H.F. 2163, "The major contained within the much anticipated Tower) explained the major provisions reports. Sen. Douglas Johnson (DFL-Mpls.), a standing ovation. The bill was repassed unanimously. The Senate gallery, with a standing ovation.

The major changes that had been made in conference were adopted by the conferees, most dealing with health provisions such as allowing medical boards to designate members' and licensees' home addresses private information. However, one alteration made in the conference committee attracted concern from several members. The amendment made in conference committee allows the Attorney General's Office to designate information on forthcoming legislative initiatives for private data. The public until the proposed legislation is introduced. According to Betzold, this is a data privacy protection currently enjoyed by the executive branch and the Legislature. For example, here in the Senate, every member has the right to prepare legislation and amendments without other people having access to your information," he said.

Sen. David Knutson (R-Burnsville), however, objected to the new data privacy afforded to the attorney general and said, "So often we talk about the process and about the opportunity to be heard. Data privacy is about the public's right to know and understand the state government they elect. This provision prohibits access to governmental data in the Attorney General's Office and it was put on the bill during the twelfth hour on the last evening of the conference committee. This is not good public policy."

Sen. Randy Kelly (DFL-St. Paul) explained the most significant changes that had been made in conference for S.F. 1880, the omnibus crime bill. Though, according to Kelly, there were no major new provisions that were added in conference, minor changes were made to several sections. He highlighted the alterations made to the Criminal Gang Strike Force and the language allowing prosecutors to have the final argument in criminal trials. As for the issue of privatization, Kelly said the House had been adamant throughout the conference committee and refused to allow any form of privatization of the criminal processing and incarceration system. However, Kelly said, "This bill significantly enhances public safety by initiating such programs as the gang strike force and increasing money for crime prevention to help communities stop crime in their neighborhoods." The bill was then granted final passage on a 64-0 roll call vote.

A second conference committee report was presented by Kelly, this one on H.F. 268, the Rush City prison bill. He outlined the major details of the bill that had been passed by the Senate two months ago. According to Kelly, in last year's bonding bill, the DFCs, Corrections and Administration were given the authority to construct and operate a new $89 million maximum security prison in Rush City. However, once it was realized that the departments would not be able to build the facility, they were allowed to privatize the prison in order to come within cost. The Senate version of the measure allowed for a request for proposals (RFP) to be issued to allow for bids from not only the state, but from private construction firms as well. Once the searches were conducted and the construction was completed, the Senate bill called for a second RFP, this time to staff and operate the maximum security prison, and again, bids would be taken from the state and
private companies. Kelly explained, however, that the House conferees refused to allow for the privatization of the prison system and that putting out bids for prison construction or operations is tantamount to privatizing. The compromise that was struck, Kelly said, allowed the departments to go forward with state construction of the prison. In return, the decision to issue an RFP to operate the completed prison will be held off for at least one year. The bill was granted final passage unanimously.

Explaining the conference process for S.F. 985, the DWI bill, Sen. Leo Foley (DFL-Anoka) said the conferees were able to hold most of the Senate positions. Overall, the bill targets repeat offenders and drunk drivers by increasing penalties significantly for subsequent DWI convictions after the first offense. The bill also heavily penalizes heavy drinkers who choose to drive, said Foley, since under the bill, those found driving with a blood alcohol level of .20 or higher, twice the legal limit, would be prosecuted as a repeat offender. However, Foley said, the bill maintains current law by leaving the legal limit at a .10 blood alcohol level.

The original Senate bill reduced the limit to .08 for second offenses, but the provision was removed in conference committee once it was realized the high costs required altering the alcohol testing equipment. “It’s a very effective bill and will have a profound effect on DWI operations in the state,” Foley said.

Several members, however, objected to one provision in the bill that sets high penalties for minors arrested with a blood alcohol level of .04 or higher. Under the bill, if arrested, the minors may lose their licenses, the plates on the car may be impounded, and stiff fines are imposed.

Sen. Jerry Janezich (DFL-Chisholm) said he was disappointed that the bill was so punitive against minors. “These are good kids who may make an error in judgment and we penalize the children and their families heavily. Democrats change things through education, not through penalties, and we’re trying to change society with penalties in this bill,” he said.

Sen. Douglas Johnson also said, “I’m increasingly disturbed with what we’re doing. I don’t understand this rush to put new laws and rules on our young.” Nevertheless, the conference committee report was adopted and the bill was repassed 56-8.

**Floor Action**

**Conference committee reports adopted and repassed Friday, May 9**

H.F. 282-Wiger: Provides for the appointment, discharge and discipline of Metropolitan Transit Police Officers. 60-0

S.F. 755-Flynn: Authorizes the use of interactive television for certain meetings. 59-0

S.F. 612-Wiger: Provides for the appointment of the recorder, auditor and treasurer of Washington County and provides for two year terms for St. Paul city council members. 58-3

**Bills granted final passage on Special Orders Friday, May 9**

S.F. 1181-Moe, R. D.: Provides for a study on the uses of industrial hemp. 60-0

S.F. 11081-Moe, R. D.: Provides for a study on the uses of industrial hemp. 60-0

S.F. 2146-Flynn: Provides for a study on the uses of industrial hemp. 60-0

S.F. 1881-Johnson, J. B.: Omnibus transportation budget bill. 66-0

**Conference committee reports adopted and repassed Monday, May 12**

S.F. 4-Johnson, D.E.: Changes the tuition and textbook reimbursement grant program for the military. 54-0

S.F. 566-Vickerman: Omnibus gambling provisions: authorizes certain groupings of paddleticket cards; increases the percentage of lawful gambling gross profits that may be spent for expenses; restricts the authority of the Gambling Control Board to impose sanctions against lawful gambling premises; permits for illegal gambling; authorizes certain social skill games; and increases maximum betting prices. 55-9

S.F. 526-Pariseau: Provides for food handler certification. 65-0

S.F. 1881-Johnson, J. B.: Omnibus transportation budget bill. 66-0

**Bills granted concurrence and repassage Tuesday, May 13**

S.F. 1351-Flynn: Makes technical changes and modifies definitions relating to public employment; modifies certain arbitration procedures and ratifies certain labor agreements. 48-0

S.F. 1006-Junge: Increases the minimum wage. 54-4

S.F. 892-Kelly, R.C.: Increases the minimum wage. 44-22

**Conference committee reports adopted and repassed Tuesday, May 13**

H.F. 2147-Piper: Omnibus early childhood and family education budget bill. 64-0

H.F. 753-Metzen: Omnibus banking bill. 62-0

H.F. 1409-Sams: Provides for legislative review of feedlot permit rules. 61-0

S.F. 97-Betzold: Provides for the isolation and detention of persons with active tuberculosis who present a danger to the public health. 63-0

S.F. 2146-Flynn: Provides for a study on the uses of industrial hemp. 60-0

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Sen. Douglas Johnson also said, “I’m increasingly disturbed with what we’re doing. I don’t understand this rush to put new laws and rules on our young.” Nevertheless, the conference committee report was adopted and the bill was repassed 56-8.
Conference committee reports adopted and repassed Wednesday, May 14

S.F. 735-Robling: Allows the Metropolitan Council to determine an allocation method for wastewater services. 58-0
S.F. 78-Marty: Makes changes in absentee ballot provisions. 55-6
S.F. 575-Runbeck: Dept. of Labor and Industry technical bill. 59-0
S.F. 378-Murphy: Recodifies liquor tax laws and sets penalties. 51-0

Bills granted final passage under suspension of rules Thursday, May 15

H.F. 632-Morse: Omnibus capital bonding provisions. 46-17

Bills granted concurrence and repassage Thursday, May 15

S.F. 323-Knutson: Relates to human rights and prohibits reprisals by any individuals. 53-1
S.F. 324-Knutson: Redefines certain human rights investigation data. 54-2
S.F. 296-Frederickson: Provides for four year terms for soil and water conservation district supervisors and conforms the timelines for appointing supervisor replacements to other election law. 56-0
S.F. 298-Ten Eyck: Enacts the Uniform Partnership Act of 1994 and provides for limited liability partnerships. 55-0
S.F. 715-OLiver: Makes changes in response to the federal Health Insurance Portability and Accountability Act. 52-0
S.F. 13328-Johnson, D.E.: Provides for action by the Public Utilities Commission on purchases of wind and biomass power. 53-1
S.F. 122-Robertson: Requires notification of placement of adoption or adoption of a child to the birth parent; requires a background check for adoption; requires affidavits for an emergency order requiring updates to adoption studies; permits court-ordered grandparent visitation with an adopted child and provides for recognition of adoption which occurred in a foreign country. 55-1
S.F. 173-Kelley, S.P.: Provides for the use, validity, and security of electronic signatures and messages transmitted in commerce and prescribes penalties. 56-0
S.F. 242-Kiscaden: Relates to human rights and suspends a deadline during mediation in certain cases. 57-0

Conference committee reports adopted and repassed Thursday, May 15

S.F. 457-Betzold: Modifies provisions relating to the Board of Social Work. 53-0
S.F. 1888-Stumpf: Omnibus higher education budget bill. 58-0
S.F. 302-Berglin: Allows certain community health clinic to offer services on a prepaid basis. 53-0
S.F. 473-Berglin: Clarifies the exemptions for persons required to obtain a home care provider license, eliminates the Medicaid certification requirement for home care providers and requires the commissioner of health to develop criteria for providers of personal care assistant services. 56-0
S.F. 1316-Walz: Modifies requirements for advisory councils, committees, and multimember agencies; changes certain publication dates and requirements; and changes expiration dates. 62-1

Bills granted final passage on Special Orders Thursday, May 15

S.F. 1486-Morse: Makes various changes in public pensions plans and retirement programs. 61-0

Bills granted concurrence and repassage Friday, May 16

S.F. 542-Frederickson: Authorizes the Lower Sioux Indian community to exercise law enforcement authority. 53-0
S.F. 780-Johnson, J.B.: Modifies requirements for mercury testing in incinerator emissions. 54-6
S.F. 546-Johnson, J.B.: Amends provisions regulating toxic substances in packaging. 60-0
S.F. 1820-Novak: Omnibus energy bill: provides for customer-specific terms in electric utility services contracts; modifies provisions relating to the Legislative Electric Energy Task Force; and exempts property that produces hydroelectric or hydromechanical power on federal land from property taxation. 62-0
S.F. 1023-Murphy: Authorizes a fee for motor vehicle registration to compensate for the cost of the registration of the vehicle. 47-15

Conference committee reports adopted and repassed Friday, May 16

H.F. 1370-Novak: Requires notice of underground facilities in drawings for bid specifications or plans. 63-0
H.F. 379-Oliver: Regulates securities and authorizes small corporate offering registrations. 61-0
H.F. 704-Johnson, J.B.: Exempts a large electric power generating plant from the 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. 60-0
H.F. 1374-Lourey: Establishes licensing requirements for provision of ambulance services and for relocating provisions related to emergency medical services. 65-0
S.F. 555-Kelley, S.P.: Authorizes the creation of telecommunications services purchasing cooperatives. 61-0
S.F. 309-Stevens: Authorizes the public sale of certain tax-forfeited lands that border public water in various counties. 60-0
S.F. 1905-Price: Omnibus state government budget bill. 45-17
S.F. 1908-Samuelson: Omnibus health and human services budget bill. 54-12
H.F. 2158-Beckman: Omnibus economic development budget bill. 55-11

Bills granted final passage on Special Orders Friday, May 16

S.F. 1944-Stumpf: Authorizes tax abatements for property that has lost value due to flood damage; provides for state reimbursement to local units of government; authorizes the delay of certain local government reports, elections, and meetings; and creates a priority for flooded areas in all allocation of low-income housing credits. 51-0

Bills granted concurrence and repassage Saturday, May 17

S.F. 95-Lourey: Modifies provisions related to health maintenance organizations; modifies lead inspection provisions; provides for the expiration of certain advisory and work groups; modifies vital statistics provisions and requires conformance with federal regulations. 52-0
S.F. 420-Wiger: Modifies Dept. of Administration authority for elevator regulation, the building code, leases and other administrative matters. 54-0
S.F. 848-Flynn: Creates a state court action for relief from damages caused by a federal court action that affects public participation by the plaintiff (slap suit extension). 54-0
S.F. 1114-Kelly, R.C.: Increases tort liability limits against governmental units. 60-0
S.F. 877-Foley: Clarifies the admissibility of evidence regarding seatbelts and child passenger restraint systems in certain actions. 59-0
S.F. 627-Hottinger: Requires certification of expert review in civil actions against certain professionals. 60-0
S.F. 1513-Hottinger: Modifies and expands provisions for sanctions in civil actions. 58-0
S.F. 294-Junge: Requires law enforcement agencies to do background investigations for peace officer applicants; provides immunity for employers who disclose information to law enforcement; and requires notice to the POST Board when a background investigation is initiated. 59-0

Conference committee reports adopted and repassed Saturday, May 17
H.F. 735-Betzold: Clarifies and reorganizes portions of the civil commitment act; provides for early intervention related to involuntary treatment of certain incompetent persons; provides standards for the administration of neuroleptic medication; modifies procedures; and modifies provisional discharge procedures. 56-0
S.F. 960-Berglin: Health care consumer protection bill. 61-0
S.F. 739-Kelly: Provides policies to carry out the state's role in telecommunications regulation; provides for a state policy encouraging high-speed telecommunication services and greater capacity for services; provides for a single statewide local access and transport area. 60-0
H.F. 2150-Morse: Omnibus environment, natural resources and agriculture budget bill. 56-4
S.F. 501-Solon: Omnibus commerce department bill. 54-0
S.F. 164-Wiger: Conforms certain food rules with federal regulations. 59-0
S.F. 184-Stevens: Modifies requirements relating to toxins in products. 61-0

Bills granted concurrence and repassage Monday, May 19
S.F. 203-Berglin: Creates a father's adoption registry and amends adoption notice and consent provisions relating to fathers. 60-1
S.F. 1754-Pogemiller: Modifies provisions relating to the issuance of debt and the use and investment of public funds. 63-0
S.F. 740-Kelley, S.P.: Extends the telephone assistance program to low-income families with children. 56-0
S.F. 1486-Morse: Clarifies provisions relating to police state aid provisions and modifies other retirement plan provisions. 61-0

Conference committee reports adopted and repassed Monday, May 19
S.F. 1255-Belanger: Clarifies provisions relating to local election law. 62-1
H.F. 1117-Junge: Regulates the retail sale of tobacco and tobacco products. 57-10
S.F. 637-Morse: Pensions uniformity bill. 61-0
S.F. 1419-Johnson, D.E.: Authorizes municipal and cooperative utilities to form joint ventures. 60-1
S.F. 1208-Berglin: Minnesota Care bill. 62-3
S.F. 254-Frederickson: Omnibus game and fish bill. 64-0
H.F. 556-Betzold: Modifies provisions for unique identifiers for health care providers. 49-0
H.F. 1460-Betzold: Omnibus data practices provisions. 37-26
H.F. 241-Sams: Allows the Dept. of Transportation and the Dept. of Public Safety to conduct joint audits of motor carrier records. 63-0
S.F. 830-Cohen: Omnibus child support enforcement provisions. 49-0
S.F. 234-Morse: Omnibus Human Services licensure bill. 62-0
S.F. 590-Johnson, J.B.: Adds a high voltage transmission line that crosses the state boundary to the definition of a large energy facility. 61-0
H.F. 2163-Johnson, D.J.: Omnibus tax bill. 66-0
S.F. 1880-Kelly, R.C.: Omnibus crime bill. 64-0
S.F. 985-Flynn: Omnibus DWI provisions. 56-8
S.F. 1834-Lourey: Repeals the Dairy Trade Fair Practices Act for three months during the summer of 1997 and provides for a study of the effects of the repeal. 50-9
H.F. 244-Price: Modifies requirements relating to individual sewage treatment systems. 53-0
H.F. 299-Morse: Omnibus state parks bill: adds and modifies state parks boundaries. 54-0
H.F. 268-Kelly, R.C.: Modifies minimum salary requirements of a new state prison; provides for the construction of the Rush City correctional facility; and specifies the prison may not begin to house inmates until authorized by law. 60-0
H.F. 1684-Pogemiller: Omnibus K-12 education budget bill. 56-10
S.F. 412-Terwilliger: Establishes and modifies certain salary levels for certain public employees and increases the minimum wage. 42-23
H.F. 632-Morse: Omnibus bonding bill. 56-9
S.F. 435-Flynn: Modifies certain provisions relating to motor vehicle registration. 56-8

Bill taken from the table and granted final passage Monday, May 19
H.F. 457-Johnson, J.B.: Relates to transportation: allows advance payment contracts with federal agencies; changes culvert requirements on existing highways; provides for a temporary one cent increase in the gasoline tax; provides for a one cent increase for flood relief related to transportation; provides for distribution of county state aid highway funds; provides $2 million for transit assistance in Greater Minnesota; provides for $16 million for metro transit; and provides for an addition 30 state troopers. 50-10
H.F. 454-Flynn: Authorizes a single license plate for collector vehicles. 57-0

Bill granted final passage on Special Orders Monday, May 19
H.F. 276-Morse: Requires public waters work permits for floating structures and boathouses. 66-0

Bill granted final passage under suspension of rules Monday, May 19
S.F. 1955-Knutson: Corrects miscellaneous non-controversial oversights, inconsistencies, ambiguities, unintended results and technical errors.
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