

# the Session monthly

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## Third Special Session

On Jan. 12, the Legislature took on the business of running the regular 1982 legislative session, and adjourned the special session on Jan. 18. On Dec. 1, the governor had called legislators back to St. Paul for a third time to deal with a \$768 million budget deficit, and legislators passed two tax/budget bills—one on Dec. 21 and the other on Jan. 11.

The governor vetoed the first budget bill, and the second became law without his signature, because after three days, the governor had taken no action on the bill. Under Minnesota law, the governor has three days to act on a bill, after he receives it (while the Legislature is in session). If he hasn't signed or vetoed the bill after three days, it automatically becomes law.

The new tax/budget law includes a seven percent income tax surcharge for the next 18 months; budget cuts of \$402 million, including a \$160 million school aid cut; business tax breaks of \$47.5 million; changes that will increase taxes \$63 million for some state businesses; removal of the limit on short-term borrowing; and a \$150 million budget reserve.

Other bills coming out of the third special session guarantee payment of November and December aid to local governments; classify vans as passenger vehicles instead of trucks; and reduce or cut AFDC (Aid to Families with Dependent Children) benefits to certain people because of a federal mandate.

To conform to federal law Minnesota will make these AFDC changes:

- disqualify strikers' families from AFDC and food stamp benefits;
- limit eligibility to a family with gross incomes of up to 150 percent of the state's standard of need (150 percent of \$446 for a family of two children and one parent for a month);
- lower to \$1000 the limits on resources a family may have and still qualify, excluding equity in a home and household goods, and \$1500 equity in a car;
- include a stepparent's income in determining benefits;
- ignore the first \$30 of a recipient's income and one-third of the remainder, \$75 for work-related expenses, and \$160 a month per child for day care for up to four months;
- lower the age limit on eligible children to 18, or to 19, if the child will graduate before age 19.

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# in committees...



## Agriculture

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Preservation of farmland is one issue the Minnesota Agriculture Committee will work on this year, said committee chair Steve Wenzel (DFL-Little Falls) at a Jan. 26 meeting.

On Wednesday, Feb. 3 the committee will begin reviewing a bill to prohibit state agencies from removing more than 10 acres of land from farm production for non-agricultural use for example, in highway construction—without first seeking an alternative that would not affect agricultural land, such as selection of an alternate route.

The committee agendas this session will also include a bill that would require dairy farmers, who store milk in ten-gallon cans, to have a milkhouse or milk room for storage. And, the committee will review the Family Farm Security Program, which attempts to keep the family farm in the family, and which helps young farmers buy Minnesota farmland.

The Minnesota Citizens' Task Force on Farmland Preservation has some ideas for legislative action that could save Minnesota farmland, said Tom Triplett who worked as a staff person on the task force.

The main goal, according to the task force, is local control of farmland preservation, and action by the state to encourage and enhance local government efforts. What the state should do, Triplett said, is form a statewide agricultural land preservation policy, provide technical assistance to local governments, and educate farmers on conservation and farmland preservation.

The task force also suggests, when the state budget situation is better, the state provide tax and other financial incentives to farmers to encourage them to keep their land in agricultural production. Triplett made his remarks at the Jan. 26 meeting of the Agriculture Committee.



## Appropriations

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An expansion project at the University Hospital came under fire Jan. 21, during an Education Division of Appropriations meeting. The division heard from University officials who said that they'll have to scale down the project to stick to the \$190 million the Legislature approved last spring.

Some legislators said that \$190 million is too much and have introduced bills to cancel the bond sale that would provide the money.

University officials hired a consultant to review financing costs on the building, plans for which have changed from 10 to nine floors, losing capacity of 95 beds, and eliminating the obstetrics unit.

Hold off on selling the Rochester State Hospital, a study group told the Education Division of Appropriations Jan. 28 in St. Paul. Minnesota law says the

state must sell the 160 acre campus and its 64 buildings as soon as possible after the hospital closes July 1, 1982. But, the state could save money by saving the campus, according to the Task Force on Rochester State Hospital report.

It would be cheaper, the report says, to remodel the hospital's buildings than to build, repair, or expand facilities at the Rochester Community College, the area vo-tech, or the Women's Correctional Facility in Shakopee.

Other organizations such as the Department of Natural Resources, the Rochester school board, and mental health clinics have expressed interest in using part of the Rochester campus. Some groups already rent space on the hospital site, and may have to close if they can't find other facilities.

The Rochester Community College and the AVTI are within a half mile of the hospital and would like to use part of the hospital facilities. And, Winona State University's upper-division nursing program in Rochester needs space.

How well the different groups can combine programs to fit Rochester's needs, may determine whether Minnesota can afford to keep the state hospital site as a community and education center, said Rep. Lyndon Carlson (DFL-Brooklyn Center), chairman of the division.



## Criminal Justice

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**"This bill would stop courts from calling status offenders 'juvenile delinquents' and label them according to their actions,"** said Rep. Peggy Byrne (DFL-St. Paul) at a Jan. 25 Criminal Justice meeting, speaking in support of HF897 (Levi, IR-Dellwood).

Under HF897, courts would find an offender "habitually truant" for missing school without an excuse, "runaway" for leaving home without parental consent, "juvenile petty offender" for other acts which would not be unlawful if an adult committed them.

Offenders would be subject to counseling, court supervision, fines, community service work, and other treatment programs.

Currently courts find juveniles "delinquent" whether they're guilty of status offenses (such as skipping school, or running away from home), or criminal offenses (such as burglary or theft). Action on HF897: sent to full House.

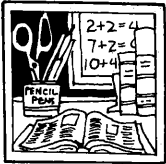
**Selling substances that look like illegal or prescription drugs would be a crime** under a bill in the Law Enforcement and Corrections subcommittee, even if the substances themselves aren't illegal.

On Jan 27, the subcommittee approved HF1573 (Swanson, DFL-Richfield), the "look-alike drug bill." According to the U.S. Department of Justice and the Minnesota Pharmacy Board, look-alike drugs can be dangerous if people take them in excess, and look-alikes foster the drug culture.

Effects can be fatal if someone takes a look-alike drugs thinking it's the real thing, and at some point gets the actual drug. Action on HF1573: sent to full Criminal Justice Committee.

**Victims of criminal sexual offenses would have more time to charge their attackers** under HF1283 (Wynia, DFL-St. Paul). The bill, which got approval from the Law Enforcement and Corrections subcommittee, would allow a victim to bring charges against someone within five years from the date of the incident, or within five years of the victim's 19th birthday, whichever is later, said Rep. Ann Wynia, author.

Currently, victims of several offenses have only three years to press charges, even if injured persons are minors. Wynia said the bill would extend the statute of limitations until victims reach adulthood, and are no longer under the control of a person who may have committed the offense. Action on HF1283: sent to full Criminal Justice Committee.



## Education

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**"Is there a legislative solution to student discipline problems?"** On Jan. 19, the subcommittee on Student Discipline continued its study of school discipline problems.

"A policy on student discipline should be in the hands of each local school district," said Sandy Johnson, a parent from Hopkins. According to Johnson, legislating discipline wouldn't work, because communities and their problems differ so much.

"The legislative focus seems to be on the student as the problem, with emphasis on punishment," said Van Mueller, past president of the Minnesota Parent, Teacher, Student Association. Mueller said discipline is the shared responsibility of parents, teachers, and students. He suggested lawmakers look at the symptoms or causes of discipline problems, and work toward better training for teachers. Student testimony varied: some students see discipline as a real problem and others do not.

**Education officials began explaining how the special session budget-cutting bill will affect school districts in Minnesota,** at a Jan. 20 hearing of the Education Committee. Districts will lose about \$90 of state aid per pupil; will face a further reduction of aid that they can recover with an optional 2 mill property tax levy increase; must change the way they use property tax payments to fund education; and face possible withholding of aids when the state has cash flow problems.

The School Aids Division plans to hold meetings to discuss ways to help school districts deal with the changes, and to talk over possible changes in state mandates (programs the state requires school districts to offer and fund).

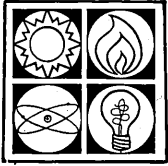
**Can state universities and colleges provide affordable, quality education in the face of increasing costs and lower state funding?** Clyde Ingle, Higher Education Coordinating Board, told the Education Committee on Jan. 27, that he sees difficult times ahead.

Enrollments are declining and state funding has been on the decrease. Tuition increases and less money for financial aid jeopardize the state's goal of equal educational opportunity, according to Ingle.

Citing the policy questions ahead for higher education, committee members passed a resolution asking the Speaker of the House to appoint a special division of the Education Committee to look at higher education issues.

**School districts can't afford to follow all the rules the state sets,** school superintendents told the School Aids Division on Jan. 27. If you cut funds, said Pius Lacher, superintendent in Mora, cut requirements. Superintendents were protesting reporting, budgeting, and licensing requirements they say cost money and don't benefit the schools.

Administrators and school bus operators also protested reduced transportation aid in the 1981 school aids bill, saying it doesn't make sense to cut service to 15 percent of the students to save three percent of the cost.



## Energy

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Private developers may be more eager to get public hydroelectric sites up and running under HF1208 (Clark, J., DFL-Mpls), a bill the Energy Committee recommended to pass on Jan. 26.

Ron Visness, Minnesota Energy Agency, said the bill would encourage developers by reducing the financial risks of site development. It would allow cities, as well as the state to lease public land to private developers, and would exempt hydropower equipment from the capital equipment tax.

Al Johnson, former director of MEA, said many publicly owned sites are in good enough condition to start producing power, but government can't get the capital to start the projects. HF1208 would allow private businesses to develop power production projects. Action on HF1208: approved and sent to the Taxes Committee.



## Environment & Natural Resources

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Minnesota must set up a low-level radioactive waste disposal site by 1986, unless the state joins an interstate compact, Rich Paton from the Governor's Task Force on Low-Level Radioactive Waste told the Environment and Natural Resources Committee on Jan. 21. An interstate compact is a group of states in one region of the country that join together and agree on a waste site in one of those states (host state) for disposal of low-level radioactive waste that the states in the compact produce.

The governor's task force is looking at two compacts Minnesota might join—the Central states compact and the Midwest compact. Minnesota would be on the outer edge of either of the regional groups, and because of transportation concerns, chances are slim that Minnesota would be a candidate for a low-level radioactive waste disposal site, Paton said.

The State Legislature and United States Congress must approve any compact agreement, because the compact would take precedence over Minnesota laws relating to the disposal of radioactive waste.

Minnesota snowmobile organizations support a bill to increase snowmobile registration fees and put that money back into snowmobile trails. The Recreation and Open Space subcommittee reviewed HF1477 (Lehto, DFL-Duluth) on Jan. 26.

HF1477 would raise the three-year snowmobile registration fee from \$12 to \$18. Fee revenues would go for maintaining and grooming trails, enforcement, safety programs, and administration of the registration program. Action on HF1477: sent to full Environment and Natural Resources Committee.



## Financial Institutions & Insurance

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A bill that would extend the joint underwriting act until 1988 received approval from the Financial Institutions and Insurance Committee on Jan. 20, and

passed the full House on Monday, Jan. 25. The bill, HF1552 (Carlson, L., DFL-Brooklyn Center), would provide for malpractice insurance for doctors whom private insurers will not cover.

**How much does your insurance company increase your rates if you have a car accident?** Rep. Ann Wynia (DFL-St. Paul) said most car owners don't know their insurance company's accident surcharge policy. Wynia is the author of HF776, a bill that would require insurance companies to disclose their surcharge policies when customers renew old policies or buy new ones.

Some legislators said they see some problems with a section of the bill that would limit surcharges to only certain accidents and traffic violations. The Financial Institutions and Insurance Committee heard testimony on the bill on Jan. 27, and laid it over until the next meeting.



## General Legislation & Veterans Affairs

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**Revenue for the state and a chance for some people in Minnesota to become millionaires** are the most compelling reasons Rep. Leo Reding (DFL-Austin) said he could find for his proposal to legalize a state lottery.

A special subcommittee on gambling recommended passage of Reding's bill, HF1582, on Jan. 14. The bill would put a Constitutional amendment on the ballot so Minnesotans can vote on whether to allow lotteries in the state.

Gus Harrison, former commissioner of the Michigan state lottery, predicted that a lottery in Minnesota could bring between \$60 and \$100 million a year into the state treasury.

Vern Ingvalson, Minnesota Farm Bureau, told legislators that the bureau is against any form of legalized gambling, because it "encourages citizens to put their faith in blind chance."

The full General Legislation and Veterans Affairs Committee approved the bill and sent it to the Rules and Legislative Administration Committee on Jan. 21.



## Health & Welfare

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**State and federal cutbacks have forced Minnesota's Health Department to cut programs and 120 staff people**, said Commissioner of Health, George Petterson at a Jan. 19 meeting of the Health and Welfare Committee.

Service cuts will come in the areas of disease control, laboratory testing, and environmental health such as formaldehyde sampling and occupational health investigations. Community service reductions include family planning, child health facility regulation, and health information.

Petterson said federal cuts will hit programs on maternal and child health, preventive and personal health services, venereal disease, immunization, and health facility certification.

**Minnesota is over-doctored, over-bedded, and over-out-of-home-cared-for** a researcher from the Humphrey Institute of Public Affairs told a Health and Welfare subcommittee which is studying health planning and funding in Minnesota.

At a Jan. 26 meeting, William Copeland, Humphrey Institute, outlined a health care plan for Minnesota's mentally retarded that the institute developed with national grant money.

Copeland said a federal court order requiring deinstitutionalization, moving patients from hospitals into home-like settings, could save \$176 million over the next six years. He suggested that Minnesota take advantage of federal medicaid funding changes to develop community-based care.



## Judiciary

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**"In the same 10-year period that the United States lost 54,000 young people in the Vietnam war, we lost 300,000 people on the highways due to the drinking driver,"** Dr. Thomas Briggs from the Minnesota Medical Association told the Law Reform subcommittee.

The subcommittee is looking at Minnesota's DWI laws (driving while intoxicated), and on Jan. 21, heard testimony from the Minnesota Highway Patrol, the Trial Lawyers Association, MADD (Mothers Against Drunk Drivers) and others. "With an apprehension rate of one out of 300 drunk drivers, there's a need for a change in the perception drunk drivers have so they think they will get caught," said Terry Slattery, President of the Minnesota Chapter of MADD. "And if they do get caught, punishment should be swift and reasonably severe."

**A bill that makes changes in an interstate agreement regarding juvenile offenders** passed the full Judiciary Committee on Jan. 14. Rep. Larry Pogemiller (DFL-Mpls) is author of HF1417, which provides for the return to the home state of any juvenile who commits a crime and leaves the state.

Under the present law, if a child commits a violent crime in Minnesota, and goes to Wisconsin, Minnesota can't require Wisconsin to return the child. According to Pogemiller, the bill would allow for the child's return even if parents refuse custody.

**Bills to toughen up Minnesota's laws on drinking and driving** are before the Judiciary and Criminal Justice Committees in the House.

On Jan. 28, the Law Reform subcommittee heard HF1484 (Vanasek, DFL-New Prague), a bill to grant a 10-day temporary, non-renewable license to someone with a DWI charge, rather than the present 30-day temporary license which violators can continue to renew until the courts decide on the violators' cases. HF1484 would revoke the license of anyone who refuses to take a chemical test, or anyone who drives with a blood alcohol concentration of over .10, upon notice rather than waiting for a court hearing. The proposal would also require the person charged with DWI to pay court filing fees.

Another bill, HF1744 (Rothenberg, IR-St. Louis Park), would allow police to stop and give a chemical test to drivers who commit a moving violation, such as running a stop light. Currently, an officer can test a driver for alcohol content only if the officer has reason to believe the driver has been drinking. HF1744 would revoke a person's drivers license for at least 90 days, rather than a maximum of 90 days, if the tested blood alcohol level is too high. Rothenberg said the bill would also increase fines, jail sentences, and length of license revocation for subsequent offenses. Action on HF1484 and HF1744: held over until Feb. 2.



## Local & Urban Affairs

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Minnesota doesn't have a group that represents the interests of all local governments, Rep. Gordon Voss (DFL-Blaine) said at a Jan. 21 meeting of the Local and Urban Affairs Committee. Voss is author of HF1566, which would create an advisory council on local government. The council would include legislators, governor appointees, and elected officials from counties, cities, and townships.

HF1566 says the council would look at: methods to improve communication, local revenue needs and resources, and the effects of state and federal budget changes and program mandates on counties, cities, and townships. Action on HF1566: approved and sent to Governmental Operations Committee.

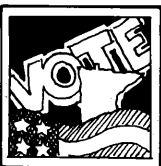
**Mosquitoes are not only irritating, but they can cause some serious health problems** such as malaria and encephalitis in humans, and heart worms in dogs, according to Rep. Wesley Skoglund (DFL-Mpls) who spoke to a Local and Urban Affairs subcommittee on Jan. 26.

Skoglund is author of HF1542, a bill which he says could almost eliminate the mosquito problem in the Twin Cities. Currently, mosquito control is under the authority of the Metropolitan Mosquito Control, which doesn't include Carver County.

HF1542 would form a seven-county Metro Mosquito Control District with a nine-member commission as an agency under the Metropolitan Council. The appointed commission would have authority to tax to cover expenses by an estimated \$1.50 per person.

It's important to include Carver County in the district to expand the tax base and to control mosquito breeding in that area, said Skoglund.

Opponents of the bill say people who use the services should pay for them, and they favor a proportionate tax. The subcommittee didn't vote on the bill, but hopes to take it up again in about two weeks.



## Reapportionment & Elections

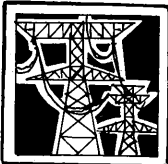
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The Reapportionment Committee recommended passage of a redistricting plan which draws new lines for Minnesota's eight Congressional districts. The plan "meets the Constitutional requirement of nearly equal population," according to its author, Rep. Paul McCarron (DFL-Spring Lake Park), "and does very little violence to the current configuration of districts."

Earlier this year, the committee had discussed a plan that split the seven-county metropolitan area into four districts, and the rest of the state into another four. The committee amended that plan to keep the current metro/non-metro split. One district is entirely non-metropolitan; one district contains only a few metropolitan townships; and the remaining six include at least part of the metropolitan area.

The central Twin Cities districts, four and five, would gain suburban areas under the committee's plan. The full House passed the bill on a 104-24 vote Jan. 21. Because the Senate has a different plan, the bill will probably go to conference committee so legislators can work out differences.





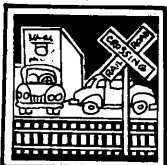
## Regulated Industries

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**Cable television was on the Jan. 25 agenda for the Regulated Industries Committee.** Members of the committee met to hear about new technology and legal issues that surround cable television.

Jane Bremer of Storer Communications, Inc. told legislators that cable TV has provided better reception of major network programs to rural Minnesotans since the 1940s. But now newer cable systems are entering the cities, using satellite technology and two-way communication systems, bringing education, entertainment, information, and community programming to subscribers, she said.

New technologies raise legal questions that the Legislature may have to consider when they make the laws for regulatory government bodies, such as the Minnesota Cable Communications Board. Legal issues include theft of cable services and how to prevent it, control of program content and obscenity, public access and anti-trust laws, and the possible rate regulation of cable TV.



## Transportation

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**Minnesota has 39 pioneer airplanes in the state, but that number could increase if HF1554 (Fjoslien, IR-Brandon) becomes law.**

Under HF1554, any aircraft at least 35 years old could qualify for a pioneer license, if the owner uses it only as a collector's plane for aircraft shows and occasional rides. Right now, only aircraft that the original manufacturers built before 1939 qualify for pioneer licensing. Action on HF1554: approved and sent to the full House.

## on the House floor...

**A resolution urging the United States and South Vietnam to locate and return prisoners of war and those missing in action in South East Asia passed the full House on Jan. 25.**

Rep. Gary Laidig (IR-Stillwater), author of the resolution, said the resolution asks for any information on the status of missing persons, and requests the return of any living prisoners, missing persons, and the remains of those that died.

**A resolution honoring Sigurd F. Olson, Minnesota author and naturalist who died Jan. 13 at the age of 82, passed the House on Jan. 18.**

Olson came to Ely, Minnesota in 1922 to teach. He wrote nine books during his literary career, which began in 1954, and worked through many organizations to preserve Minnesota wilderness areas. Rep. Bill Peterson (IR-Bloomington) author of the resolution, and Rep. Willard Munger (DFL-Duluth) credited Olson with preserving the Boundary Waters Canoe Area and establishing the Voyageurs National Park in Minnesota.