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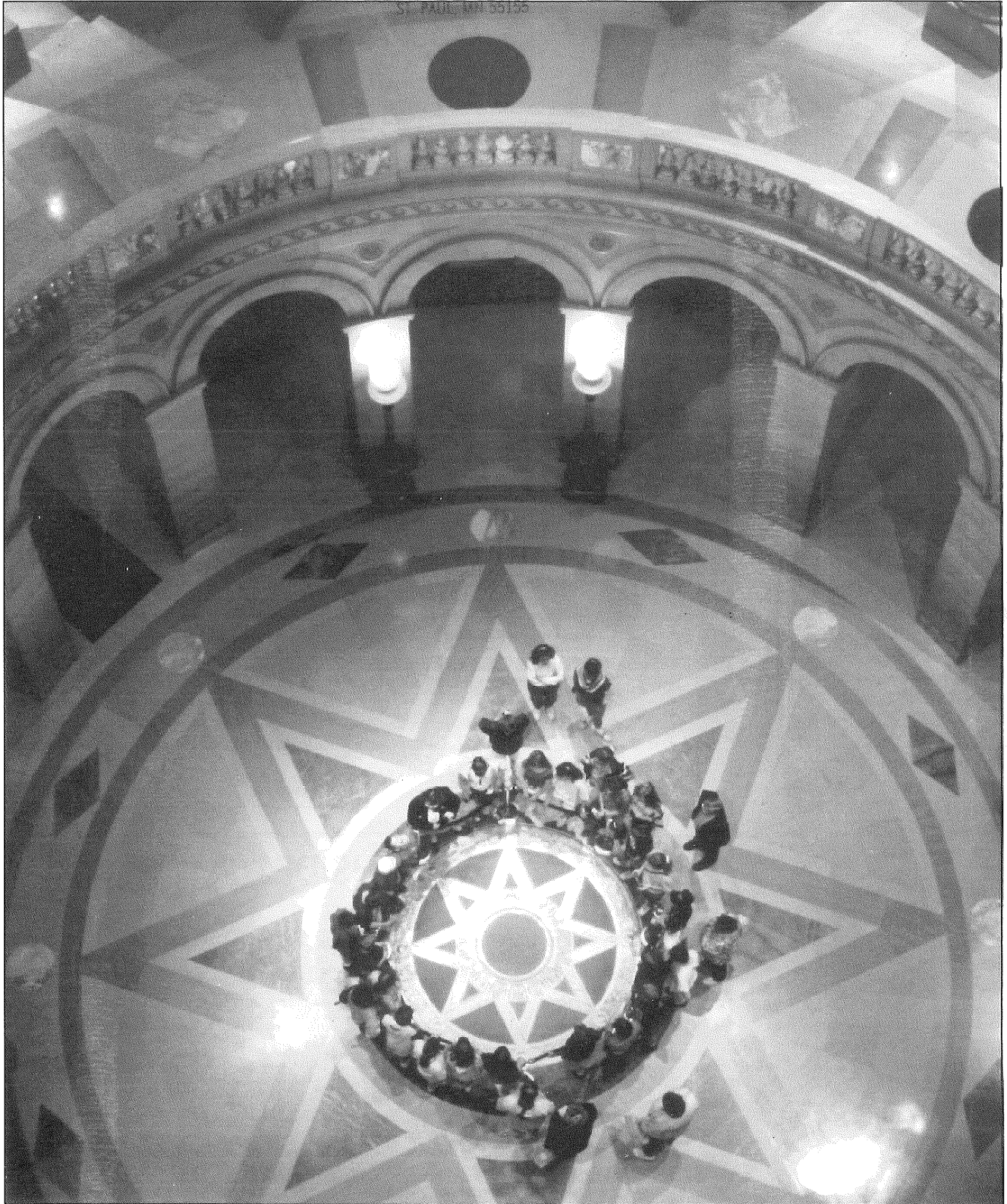
# SESSION WEEKLY

MAY 13, 1994

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# SESSION WEEKLY

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## Session wrap-up

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On the cover: Now that the lobbyists and their pocket phones have gone, the long hours of lawmaker debate have ended, and relative peace has fallen on the Capitol once again, visitors are among the few who walk the marble halls.

—photo by Laura Phillips



# Highlights



## AGRICULTURE

### Watered down flood relief

Gov. Arne Carlson May 10 signed into law a bill designed to help Minnesota's farmers recover from last spring's floods, but not before cutting its funding provisions in half.

The flood relief measure will now provide only \$9 million in aid — down from \$18 million — as a result of several line-item vetoes by the governor.

The largest of those was a \$5 million interest buy-down program that would have helped secure loans for farmers and small businesses hit hardest by the floods. Under the program, the state would have paid a portion of the interest on a loan for a qualifying farmer or small business.

The governor noted that many farmers and small businesses already have secured operating loans. He also noted that the federal government already has picked up much of the tab for damages caused by last spring's floods.

Carlson also vetoed another \$2 million that would have gone to the Department of Economic Security (formerly the Department of Jobs and Training) for emergency job training and creation programs; as well as a few other smaller appropriations.

The House and Senate passed their compromise flood relief bill May 6. The House passed it 118 to 12 and the Senate passed it 56 to 2.

The \$9 million new law bears little resemblance to the original \$54 million House bill that would have, among other provisions, offered farmers \$15 million in local property tax relief and \$30 million to buy down interest on loans for them.

Under the bill signed into law, \$2.9 million will be given to the state's counties that were hit hardest by the floods. Those funds are necessary to "match" \$49 million in federal emergency management assistance funds that have already been spent. The state must pay a total of \$3.9 million to match the federal contribution, or it may be forced to pay back the aid.

But because there was no federal time restriction on the match, the new law says the remaining \$1 million will be paid back next year.

Other relief measures in the new law,



A new law provides \$9 million in flood relief to help farmers recover from last year's devastating floods. (HF2249/SF2168\*/CH642)

sponsored in the House by Rep. Steve Wenzel (DFL-Little Falls) and in the Senate by Sen. Joe Bertram (DFL-Paynesville), include:

- \$1.5 million toward a revolving fund account that provides loans to encourage private developers to construct ethanol production plants. The account is managed by the state's Rural Finance Authority;
- \$1.5 million to pay for a provision that grants a sales tax exemption on used farm equipment;
- \$1 million to establish a loan program under the Rural Finance Authority that will loan farmers money to buy stock in a facility that processes raw agricultural crops. The provision is designed to help farmers invest in a proposed corn-syrup plant in Moorhead, Minn. Shareholders will be allowed to sell their corn to the facility;
- \$900,000 for a small business disaster

revolving loan program at the Department of Trade and Economic Development. The state's contribution would match about \$8.5 million in federal aid;

- \$477,000 toward University of Minnesota research on grain diseases;
- \$100,000 for advocacy programs for farmers; and
- \$55,000 to help the Minnesota Milk Producers Association with litigation against the U.S. Department of Agriculture. Upper Midwest dairy farmers contend that federal price supports unfairly favor dairy farmers in southern states such as Texas and Florida.

Last spring's floods caused an estimated \$1.6 billion in damages to Minnesota's farms and businesses. According to Wenzel, the state will have received about \$1 billion in federal disaster relief by the time all is said and done.

HF2249/SF2168\*/CH642

### Preserving the family farm

Large corporations may be threatening to overthrow the family farming industry, but Minnesota lawmakers have given farmers the tools they need to stay in the fields.

More farmers will be able to pool their resources to raise hogs, chickens, and other livestock — with the exception of dairy cattle — under a bill the governor signed into law May 10.

Through Thursday, May 12, the governor had taken action on all but four of the 274 chapters sent to him by the Legislature. He has vetoed 25 of those bills (17 outright vetoes and eight line-item vetoes).

The bills still pending (Chapters 643-646) include this year's bonding bill and the uniform election measure.

A complete accounting of bill status begins on page 48, and a listing of the vetoed bills, including a brief description of the governor's action, begins on page 39.

This edition of *Session Weekly* is a preliminary summary of some of the major issues addressed by the Legislature this year. A more comprehensive summary will follow.

We welcome any suggestions to clarify, or correct, any of the items contained in this issue. There is a lot to summarize in a few short days.

— The editors

Proposed in the House by Rep. Ted Winter (DFL-Fulda) and in the Senate by Sen. Charles Berg (DFL-Chokio), the measure expands current corporate farming laws to allow an unlimited number of investors to participate in certain cooperative farms, as long as Minnesota farmers control at least 75 percent of any one farm.

Under current law, such joint farms, called Authorized Farm Corporations, can have no more than five shareholders, and farmers must hold 51 percent of the stock. The remaining shares can be held by outside investors.

Earlier this session, farmers testifying before the House Agriculture Committee asked lawmakers to make changes to help them compete against large corporations they say are threatening the family farm industry.

The new law allows more Minnesota farmers to "team up" to take advantage of the latest technologies and farm practices, which many small farmers can't afford to do on their own.

Even though Minnesota has some of the toughest anti-corporate farm laws in the country, Rep. Katy Olson (DFL-Sherburn) said the state's remaining farmers will go under if they can't take advantage of the latest technologies. She said the law gives farmers "the tools necessary" to compete.

"We can all agree we want to keep the big [corporate farms] out," said Olson, who is a member of the House Agriculture Committee. "That's what this legislation does."

Olson had proposed a similar bill earlier this session. (See March 31, 1994, *Session Weekly*, page 4 and April 22, 1994, *Session Weekly*, page 4.)

In addition to requiring that 75 percent of shareholders are farmers, the law also mandates that 51 percent of those farmers must raise livestock on their own farm — aside from the joint venture. The remaining 49 percent can include farmers who raise corn or other crops, but no livestock.

The law also specifies that such authorized farm corporations can't have title to more than 1,500 acres of land.

HF2885/SF1948\*/CH622

## Brave new tomato

It will be easier to conduct farm field tests on plants that have been genetically engineered — and the vegetables from some of those plants could be sold to the public, under a bill signed into law by Gov. Arne Carlson April 18.

The law, effective April 19, 1994, allows agricultural companies to release certain genetically engineered plants and organisms

grown in laboratories to farmers to grow experimentally in their fields. Farmers, for instance, could soon buy newly developed insect-resistant corn and potato varieties to plant. The plants would resist pests that so far have been difficult for farmers to fight.

The law also contains provisions to allow some engineered products to be sold to the public in grocery stores and farmers' markets. The state would develop regulations first. For instance, tomatoes with a longer shelf life could be developed as well as squash that is virus-resistant.

The law allows laboratories — when there is adequate federal oversight — to conduct the farm field tests without going through a complicated state environmental assessment and permitting process.

"The changes we've made in the state's genetic engineering laws will help to eliminate duplication between state and federal regulations, while maintaining state oversight where needed," Carlson said.

Cheryl Fox, a biotechnologist in the Department of Agriculture, explained at a committee hearing that the law specifies six genetically engineered plants — corn, cotton, potato, soybean, tobacco and tomato — which will be eligible for farm field tests under the easier notification procedure.

A company will notify the Department of Agriculture 30 days before releasing the genetically engineered material. But before release, the plant must meet certain agriculture department standards and the company must agree to provide specific information required by the law.

If there is substantial evidence that the release won't have an adverse effect on hu-

mans or the environment, the field test will be allowed, she said.

Sen. Steve Dille (IR-Dassel) sponsored the bill in the Senate and Rep. Phyllis Kahn (DFL-Mpls) sponsored it in the House.

HF2212\*/SF2023/CH454

## Hormone-free milk

Milk producers who don't treat their cows with an artificial growth hormone can label their products that way, under a new law signed by Gov. Arne Carlson May 10.

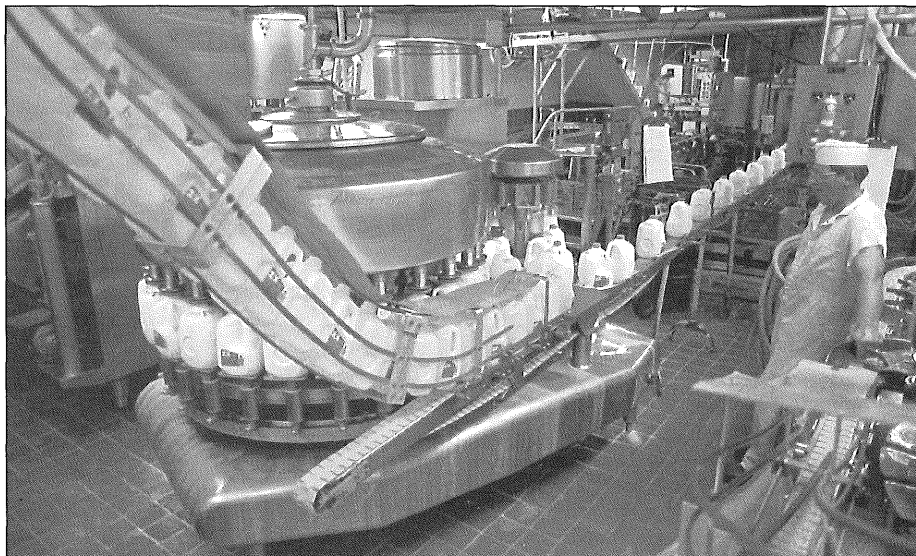
The law allows milk producers who don't treat their cows with recombinant Bovine Growth Hormone (rBGH) to label their dairy products with the phrase: "Milk in this product is from cows not treated with rBGH."

The growth hormone, also known as Bovine Somatotropin (BST), increases milk production in cows. It is a natural protein that is produced in the pituitary gland of all cattle.

The biotechnology industry has worked for several years to produce a synthetic version of the hormone to increase milk production in cows. In February, the genetically engineered version won approval from the U.S. Food and Drug Administration.

Proponents of the labeling said there isn't enough information on the long-term effects of the genetically engineered hormone to be sure it is safe. They said they want to choose milk products from cows not treated with the hormone.

Those who opposed the bill said the FDA has deemed the product safe, adding that the "rBGH-free" label will create a stigma for milk products from cows that are treated with the protein.



A new law allows milk producers that don't treat their cows with recombinant Bovine Growth Hormone (rBGH) to label their products as such. (HF3215/SF2913\*/CH632)



The law also appropriates \$75,000 from the state's general fund to the Department of Agriculture to manage the labeling program. The program will require a certification process to make sure producers who are labeling their products are indeed not using the hormone.

The labeling provision was originally proposed in a bill sponsored in the House by Rep. Steve Trimble (DFL-St. Paul), and incorporated into the environment and natural resources section of the 1994 state supplemental budget bill.

According to Trimble, Minnesota is only the second state in the nation to pass a law allowing labeling of rBGH-free products. (Art. 2, Secs. 5 and 14)

HF3215/SF2913\*/CH632

## Tough manure

A farmer who follows all governmental rules for two years can't be sued by neighbors who dislike the smell of manure, under a new law signed by Gov. Arne Carlson May 10.

The measure, sponsored in the House by Rep. Jerry Bauerly (DFL-Sauk Rapids), protects farms that have met all state, federal, and local standards for two years from lawsuits accusing them of creating a "public or private nuisance," effective Aug. 1, 1994.

Current law requires a farm to operate successfully for six years before it's eligible for the same protection.

Such conflicts, usually related to the dust and smell from farming, sometimes arise in newer housing developments that are built in the country near established farms.

Although some smells and other aspects of farming may bother new neighbors, Bauerly said a farm should be protected if it's meeting all the governmental guidelines. And even though farmers can usually win nuisance lawsuits, he said the legal costs can be devastating. If a farm violates zoning codes or other rules, the protection does not apply.

If a farm operation is expanded by more than 25 percent, such as going from 100 to 126 hogs, the two-year period will be reinstated from the start-up date of the bigger operation. The two years also will start over if a farm owner significantly alters the operation such as changing from crops to livestock, or from one kind of livestock to another.

Nearly 40 other states have similar laws, commonly called "right to farm" laws. (See March 18, 1994, *Session Weekly*, page 4, and April 8, 1994, *Session Weekly*, page 6.)

Sen. Dallas C. Sams (DFL-Staples) sponsored the Senate version of this bill.



The 1994 bonding bill, which Gov. Arne Carlson is still considering, contains a request for \$650,000 to repair and regild the Quadriga — the golden horses and carriage atop the Capitol. (HF218\*/SF182/CH643)



## BONDING

  
Pending governor's  
signature

### Building and borrowing

Minnesota would build more college classrooms and add more prison beds under a \$621 million bonding bill approved by the House and Senate May 6. It now awaits consideration from Gov. Arne Carlson.

The state would sell bonds to pay for the projects.

If signed into law, the 1994 bonding bill would be the largest in state history, surpassing the \$470 million worth of projects financed by bonds in 1987.

The House originally passed a \$469 million bonding bill; the Senate proposed \$592 million. The \$621 million compromise came after select House and Senate members met to iron out an agreement.

The compromise bill spends slightly more than the governor's \$614 million recommendation for bonding projects.

Below are some of the highlights of the 1994 bonding bill (HF218\*/SF182/CH643):

#### Crime and prisons

The Department of Corrections would receive \$73 million to expand existing prisons and build new facilities for both juveniles and adults. This appropriation would lead to the ultimate creation of 1,645 new adult prison beds. Included in this section is \$2 million for the beginning stages of an 800-bed prison in or near the Twin Cities.

About \$16 million would pay counties to construct secure juvenile detention and treatment facilities. Deputy Commissioner Jim Bruton could not say exactly how many beds would be available under this program.

Bruton said that \$2.7 million would build a new 30-bed secure facility in Red Wing for violent juvenile offenders until they can return to an open campus environment. Another \$3.4 million would go to the Northwestern Juvenile Training Center in Beltrami County to build another juvenile detention and treatment center.

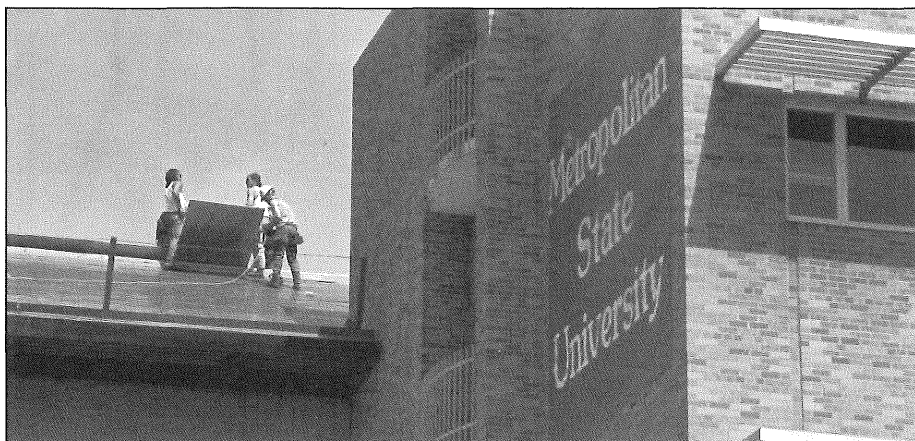
Other corrections projects in the bonding bill include:

- \$19 million to complete the conversion of the Moose Lake Regional Treatment Center into a 620-bed medium security prison;
- \$10.4 million to add 485 adult prison beds by remodeling one building and constructing two new ones at Lino Lakes prison;
- \$10 million to add 300 medium-security beds and improve security at the Faribault state prison; and
- \$6.2 million to create an education complex and library, and to renovate warehouse, farm and foundry buildings at Stillwater prison.

#### Higher education

The lion's share of the bonding bill — \$208 million — would go to technical and community colleges, state universities, and the University of Minnesota.

Technical colleges would receive \$45.5 million, which includes \$20 million for a new Brainerd technical college, and \$8.8 million to fix up older technical college campus buildings around the state where repairs



More college classrooms and prison beds would be added under the 1944 bonding bill awaiting the governor's consideration. (HF218\*/SF182/CH643)

have been put off.

A new Duluth technical college would be integrated into the existing community college with \$10.8 million. And, the technical college campuses at Hibbing, Hutchinson, St. Cloud, Northeast Metro, Rochester and Dakota County would receive a total of \$4.6 million for renovations.

Community colleges would receive \$37 million. Major community college projects include:

- \$10.5 million for classroom and office expansion at Normandale community college;
- \$8 million for classrooms, laboratories, a learning resource center and TV studio at Cambridge Community College;
- \$6 million for classrooms, labs, and a learning resource center at North Hennepin Community College;
- \$3 million for a regional cultural center at Northland Community College; and
- \$2.4 million for improvements at Vermilion, Rainy River, Mesabi, Minneapolis, Anoka Ramsey, Inver Hills and Lakewood community colleges.

State universities would receive \$57 million, which includes a new \$20 million library and air conditioning plant at Winona State University.

Other state university projects include:

- \$8.3 million for Bemidji State to remodel and expand its library and begin planning other renovations;
- \$12.3 million for Metropolitan State to remodel two buildings and rehabilitate a power plant; and
- \$6.5 million for St. Cloud State to acquire a new boiler, construct an air conditioning system; buy additional land, and prepare drawings for a new library.

The University of Minnesota would receive \$69 million, which includes \$15 million for general building maintenance projects.

University of Minnesota projects include:

- \$25 million for a new Carlson School of Management, contingent upon the university raising at least \$20 million from private donations;
- \$13 million for reconstruction of the Institute of Technology building, contingent upon raising \$6.7 million from private donations;
- \$9 million to repair Johnston Hall, Williamson Hall, and the Civil and Mineral Engineering Building;
- \$2.7 million for a Twin Cities campus archival research facility to house university manuscripts, special collections, and Immigration History Research Center documents; and
- \$4 million to the Duluth medical school for building additional laboratories and offices.

#### K-12 education

Schools would receive over \$40 million for a variety of construction projects.

The biggest item is \$20 million to build two magnet schools in the Twin Cities area. The schools hope to promote desegregation and attract students from across the seven-county metropolitan area with specialized programs, such as an advanced math and science curriculum or an arts curriculum. Two or more school districts would jointly apply for each \$10 million grant.

A combined Atwater, Cosmos and Grove City high school would receive \$6 million in state bonding money. This grant would encourage the schools to consolidate and provide up to 75 percent of construction costs. Local bonds would pay for the balance.

The Nett Lake School District would receive \$3 million to complete construction of an elementary school started with a \$5 million grant from the Legislature in 1993. Nett Lake would be obliged to pay back a portion

of the funds, according to the terms of this "maximum effort school loan."

An additional \$4 million in education bonding money would be used to remove physical barriers for students who are disabled; \$1 million would go to remodeling public libraries to make them handicapped-accessible.

#### State government

The 1994 bonding bill sets aside money for a number of projects that were part of the governor's long-range plan to consolidate state offices around the Capitol.

Included in this category is \$13.4 million to continue remodeling the Transportation Building and another \$1 million to relocate some Department of Transportation offices. Bonds would not have to be sold for these two projects because money from a state highway fund would pay for them.

Bonds would be sold, however, to repair the Capitol roof and exterior, and restore and regild the Quadriga — the golden horses atop the Capitol. This project should cost about \$5 million. Another \$1 million would pay for new electrical wiring in the Capitol complex, security lighting, and surveillance equipment.

Pre-design work on a new building and parking ramp for the Department of Health would receive \$400,000; and for planning a new Department of Military Affairs, \$100,000.

The maintenance account for repairing state buildings, eliminating health hazards like asbestos insulation, and for unanticipated emergencies would receive \$10 million. Removing barriers for persons with disabilities would receive \$11.5 million in bonds.

#### Human services

The Department of Human Services would receive \$48 million for a variety of construction projects. The bulk of this appropriation, \$37 million, goes to the Anoka Metro Regional Treatment Center, which would restructure its campus and create 150 new psychiatric hospital beds and offices.

A major renovation of five buildings at the Minneapolis Veterans Home would receive \$10.6 million.

And \$8.8 million would build 43 four-bed homes and improve existing homes for developmentally disabled adults. Bonds for this project would be repaid by client service fees.

The Minnesota Housing Finance Agency would receive \$2.5 million, which includes \$1.5 million to create transitional housing for homeless youths. Five shelters for battered women would be built with \$1 million.

Head Start early education programs for

disadvantaged pre-school children would be expanded with a \$2 million grant to the Department of Economic Security (formerly the Department of Jobs and Training).

### **Rail, roads, bridges**

The Department of Transportation would receive \$45 million for roads, bridges, and other construction bonding projects.

A \$10 million appropriation for a light rail transit (LRT) system in the Twin Cities would match a federal grant for preliminary engineering work and completion of a final design.

Other transportation bonding projects include:

- \$12.4 million for local bridge replacement;
- \$7.6 million to complete construction of the Bloomington Ferry Bridge;
- \$10 million to the Metropolitan Transit Commission (MTC) to acquire land and improve its buildings and other facilities;

### **Zoo, museums, historic sites**

The Minnesota Zoo would receive \$20 million for a new marine education center, which would include new dolphin and shark exhibit areas. Bonds for this project would be repaid from zoo receipts.

A freshwater aquarium and research center in Duluth would receive \$4 million, contingent upon the Lake Superior Center Authority raising \$8 million from federal and private sources.

The Minnesota Historical Society would receive \$7 million for a number of historic preservation projects, including the creation of a museum for American Indian history, fences for ancient American Indian burial mounds, a Northwest Company Fur Post interpretive center in Deer River, Minn., and repairs of the historic Sibley house in Mendota, the James J. Hill house in St. Paul, and other historical site markers.

The Minnesota Children's Museum and the Science Museum of Minnesota, both located in St. Paul, would receive \$1.25 million and \$1 million, respectively, to build new facilities in different locations.

The science museum wants to construct a new facility on the south bank of the Mississippi River between the Wabasha Street and Robert Street bridges. The children's museum would also like to move to downtown St. Paul. It currently sits near the state fairgrounds.

### **Environment**

Wildlife areas and state parks would be enhanced by \$59 million in projects administered by the Department of Natural Resources (DNR). Some \$5 million would pay for maintenance projects, removal of underground fuel storage tanks, and the repair and new construction of state park buildings.

Other DNR projects include:

- \$11.5 million to expand nine environmental learning centers statewide. These centers typically offer three- and five-day live-in programs to expose school children to ecological issues. Most of these grants are contingent upon matching funds from non-state sources;
- \$6.1 million to acquire land, upgrade and repair hiking and biking trails around the state;
- \$10 million to improve metropolitan regional parks;
- \$4.1 million for emergency repair, reconstruction or removal of publicly owned dams around the state;
- \$2.2 million to build a public boat landing at Silver Bay, or, at another site, on Lake Superior. This appropriation requires federal matching funds;
- \$2.6 million for grants to local governments to prevent or alleviate flood damage;
- \$6 million to acquire new land and make improvements in Reinvest in Minnesota (RIM) wildlife management areas, scientific research areas, and prairie protection projects;
- \$2 million for acquire land for state parks from willing sellers; and
- \$750,000 to expand the facility for live wolf viewing and other construction needed at the International Wolf Center in Ely.

### **Pollution control**

The Minnesota Pollution Control Agency (MPCA) would receive \$23 million, with \$20 million of this total going to finish the separation of storm and sanitary sewers in Minneapolis, St. Paul, and South St. Paul. Another \$3 million would go to grants for cities, counties and solid waste management districts to construct waste processing and recycling plants.

The Board of Water and Soil Resources would receive \$9 million to acquire access to marginal lands to protect soil and water quality, and support fish and wildlife habitat. Other land would be acquired for planting in order to prevent soil erosion.

HF218\*/SF182/CH643



## **BUDGET**

### **Supplemental budget bill**

Gov. Arne Carlson, while signing into law much of a supplemental state budget bill, line-time vetoed about \$5 million worth of projects, leaving total spending at about \$30.7 million.

The bill incorporates three legislative supplemental budget measures in the areas of state government finance, environment and natural resources, and economic development, infrastructure, and transportation.

The House and Senate passed a \$35.7 million compromise supplemental budget bill May 5. The House voted 117 to 16 and the Senate voted 49 to 14.

The law as signed by Carlson, May 10, spends about \$40 million less than the original House-approved proposal.

The bill was sponsored by Sen. Gene Merriam (DFL-Coon Rapids) in the Senate and Rep. Loren Solberg (DFL-Bovey) in the House.

(Because the bill is 168 pages long and spans such diverse topic areas, brief stories about the various programs that are funded are listed under their respective topic headings in this issue of the *Session Weekly*.)

HF3215/SF2913\*/CH632



## **BUSINESS**

### **Limited liability partnerships**

Any partnership, including groups of professionals such as doctors and lawyers, can create a limited liability partnership beginning July 1, 1994, under a new law Gov. Arne Carlson signed April 29.

Under the new law, partners will not be personally liable for debts incurred by other partners or employees if the partnership has registered with the Office of the Secretary of State as a "limited liability partnership."

But those involved in partnerships that do not meet the criteria for limited liability partnerships still can be held personally liable for any debts the partnership incurs.

The new law, sponsored by Rep. Ann Rest (DFL-New Hope) and Sen. Ember Reichgott Junge (DFL-New Hope), follows 1992 legislation that allows businesses to form limited liability companies. That standing affords businesses the tax advantages of partnerships and the limitation on liability for the owners.

"Partnerships are friendlier and easier to use," said Rest earlier in explaining the bill. "This allows Minnesota businesses to choose



the form of business entity they want to form."

Officials expect about 150 limited liability partnerships among doctors, lawyers and other professionals to register each year under the new law, according to the Office of the Secretary of State.

Although any group can form such a partnership, it is expected that doctors, lawyers, and other professionals will use the new classification the most.

HF1985\*/SF1786/CH539



## CONSUMERS

### 1-900 law

Telephone customers won't have to pay for calls to often costly 1-900 services if the calls were made by minors without permission, under legislation signed April 15 by Gov. Arne Carlson.

Since the 1980s, 1-900 phone services and other pay-by-the-minute lines for sports information, weather information, horoscopes, and sex talk have cropped up across the country. Some 1-800 numbers also cost money, and the new law applies to those as well. (See March 31, 1994, *Session Weekly*, page 5 and April 8, 1994, *Session Weekly*, page 6.)

The law also specifies that phone customers are not liable for calls made to phone services by "vulnerable adults." The definition of "vulnerable adults" in Minnesota statutes includes adults who are mentally ill or mentally retarded.

But telephone companies will be provided with some protection. Under the law, a telephone company could block a customer's access to these phone services without permission if the customer fails to pay these bills two months in a row or runs up a \$500 or more tab in a single month.

When the law takes effect Aug. 1, 1994, phone bills must also contain a notice that customers "are not legally responsible for information service charges incurred by others without your consent except for calls made by your spouse."

The bill was sponsored in the House by Rep. Brad Stanius (IR-White Bear Lake) and in the Senate by Sen. Janet Johnson (DFL-North Branch).

HF564/SF819\*/CH449

## Potty parity

Women tired of standing in long lines to use the bathroom while their male friends breeze in and out can take heart from a new law.

Now, stadiums, concert halls, theaters, and all other arenas that can hold more than 200 people must provide three female bathroom stalls for every two stalls or urinals in a men's bathroom.

The law applies only to newly built arenas or to those remodeling and adding more than 50 percent of the current space.

The bill was first introduced in the House by Rep. Geri Evans (DFL-New Brighton) as HF2973. It was eventually folded into that committee's portion of the 1994 supplemental budget bill. The provision comes with no state appropriation. (HF3215/SF2913\*/CH632, Art. 3, Sec. 33)

Sen. Dallas Sams (DFL-Staples) sponsored the measure in the Senate.

The new law also gives the commissioner of the Department of Administration the authority to decide whether to raise the ratio of men to women's bathrooms higher than two to three for some arenas.

The law is effective July 1, 1995.

HF3215/SF2913\*/CH632



## CRIME

### Crime and prevention

More judges will be hired, prisons will be expanded, and many offenders will face stiffer sentences under the 1994 criminal justice and crime prevention bill signed into law by Gov. Arne Carlson.

The \$34 million proposal increases penalties for a host of existing crimes, and devotes several million dollars to crime prevention efforts as well. As passed by the Legislature, the proposal appropriated \$36.7 million, but \$2.7 million was line-item vetoed by the governor May 10. (See Vetoed section.)

Over 40 percent of the money, or \$14.5 million, will fund the expansion of beds at the Lino Lakes and Faribault correctional facilities. At Lino Lakes, 230 beds will be added for chemically dependent residents.

(An additional \$73 million in state-authorized bonds contained in HF218, the state bonding bill, would also expand the state's prisons. The governor has yet to sign that bill.)

An additional \$2.5 million will fund 116 more jobs at the Oak Park Heights, St. Cloud, and Stillwater prisons.

Eight new district judges will also be added,

with Hennepin County receiving three to combat overflowing caseloads. A \$3.5 million appropriation will fund four of those judgeships, and pay for more court reporters as well.

Another \$1.5 million will help ease the caseloads of probation officers statewide.

The proposal was sponsored by Rep. Wes Skoglund (DFL-Mpls).

Other provisions in the new law (HF2351\*/SFnone/CH636) include:

### Juvenile data

The new law will make it easier for school officials to obtain the juvenile court records of students. Probation officers would provide the school principal with a copy of the juvenile's record. Currently, the Minnesota Data Practices Act prohibits most data sharing with school officials. (Art. 4, Sec. 10)

Law enforcement agencies, if they have probable cause, can notify a school principal if one of their students is believed to have committed a crime. They don't have to if the notification would jeopardize an ongoing investigation. Any written data must be destroyed when the student graduates. (Art. 4, Sec. 12)

Under the bill, schools — both public and private — that obtain the records of a juvenile may use and share the data within the school district, or with another school to which the student is transferring, as "necessary to protect persons and property or to address the educational and other needs of students." (HF2351\*/SFnone/CH636, Art. 4, Sec. 1)

### Helping abducted kids, fast

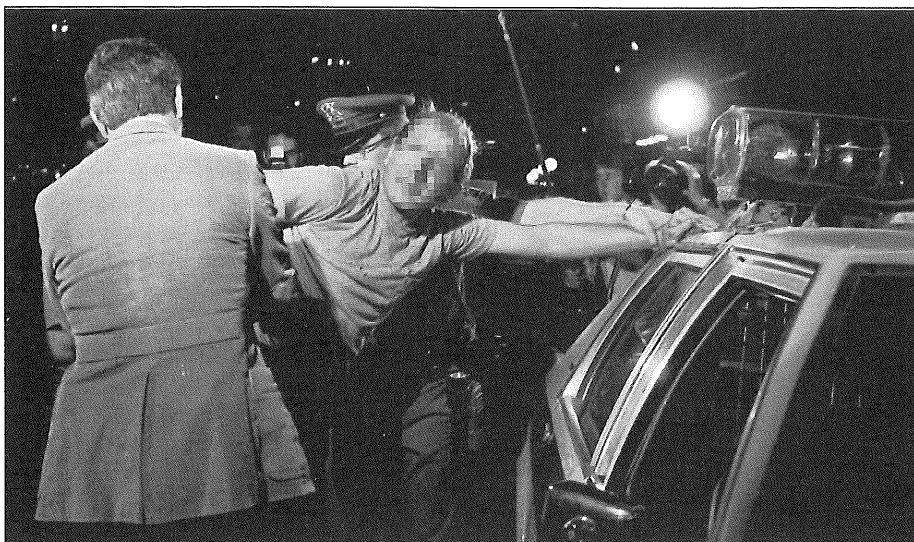
Several provisions in the new law aim to concentrate law enforcement efforts on the first two hours following a child abduction, and the Bureau of Criminal Apprehension (BCA) will become a key player in those efforts.

All law enforcement agencies, after identifying a child as either missing or endangered, must contact the BCA, "in recognition of the fact that the first two hours are critical." The BCA may then assist in any way necessary, and can now use state helicopters in their efforts. (Art. 4, Secs. 24-27)

By July 1, 1994, the BCA will distribute a training and procedures manual on child abduction investigations to every law enforcement agency in the state. (Art. 4, Sec. 32)

By Aug. 1, 1995, each agency must have a written policy governing missing children investigations, with specific actions to be taken during the first two hours of the investigation. (Art. 4, Sec. 32)

The Department of Public Safety will also receive \$275,000 to develop a computer criminal alert network, designed, in part, to quickly disseminate information on missing



The new criminal justice and crime prevention law calls for stiffer penalties, bigger prisons and more judges. (HF2351\*/SFnone/CH636)

children. State officials will consider fax transmissions, the INTERNET international computer network, and existing state computer networks as possible vehicles for the network. A report on the plan is due to the Legislature by Jan. 1, 1995. (HF2351\*/SFnone/CH636, Art. 4, Sec. 37).

### Victims' rights

Should someone convicted of first-degree murder become eligible for parole, the victim's next of kin will be notified in advance of the parole hearing. The family of the victim may also give an oral or written statement at the parole hearing, detailing their suffering and recommending whether the offender should be paroled. The commissioner of the Department of Corrections "must consider the victim's statement when making the parole decision." (Art. 6, Sec. 8)

Other offenders who are sentenced to life, but become eligible for a supervised release program, could also face their victim's family at such a hearing.

The Department of Corrections will also compile a community investigation report to gauge the sentiment of the community where the offender is scheduled to be released. The report also will include the opinions of the sentencing judge, the prosecutor, and any other law enforcement officials involved in the prisoner's case. (HF2351\*/SFnone/CH636, Art. 6, Sec. 13)

### HIV testing

Current law allows for victims to request that a convicted sex offender submit to an HIV test. That law is expanded to require those convicted of a violent crime — a legal definition which includes nearly three dozen offenses ranging from assault to murder — to

submit to the test.

Juveniles adjudicated for criminal sexual conduct also will be required to submit to testing.

The tests may only be conducted if the victim was exposed to or had contact with the offender's semen or blood during the crime "in a manner which has been demonstrated epidemiologically to transmit the HIV virus." (HF2351\*/SFnone/CH636, Art. 7, Sec. 6)

### No guns for some

Someone found incompetent to stand trial will be prohibited from possessing a pistol or assault weapon. The same ban will apply to someone found not guilty due to mental illness. (Art. 3, Sec. 27)

Anyone convicted of assaulting a family household member and uses a firearm in any way during the assault could be prohibited from possessing any type of firearm for life. The ban could range from three years to life, at the discretion of the sentencing judge. Violation of the provision will be a gross misdemeanor. (Art. 3, Sec. 10)

Previously, if the family member did not re-offend for three years after the assault, the gun would be returned. (HF2351\*/SFnone/CH636)

### Guns and ammo

Law enforcement agencies will be prohibited from reselling guns and ammunition that they collect while making arrests. Currently, such contraband, collected under the state's forfeiture laws, can be sold at a forfeiture sale.

The law requires cops to either destroy the weapons and ammunition or use them in their law enforcement duties. An exception allows them to save a weapon if the "agency determines that there is good reason not to

destroy a particular item." (HF2351\*/SFnone/CH636, Art. 3, Secs. 12-14)

### Countywide curfews

Each county board in Minnesota will have the authority to establish a countywide curfew for juveniles under age 17. (HF2351\*/SFnone/CH636, Art. 9, Sec. 10)

### Cars and kids

Law enforcement agencies must make a reasonable effort to use vehicles confiscated during drug busts in the Drug Abuse Resistance Education (DARE) program. Sponsors of this provision said that it would impress school children if the police officers in the DARE program were to be seen driving the flashy cars formerly driven by drug dealers. (HF2351\*/SFnone/CH636, Art. 4, Sec. 29)

### Kids and tobacco

The law makes it a petty misdemeanor for a minor to possess tobacco. Previously, only minors who smoke or chew tobacco, or who purchase or attempt to purchase tobacco, are guilty of a petty misdemeanor. The maximum fine for a petty misdemeanor is \$200. (HF2351\*/SFnone/CH636, Art. 2, Sec. 44)

### Plea bargaining

Each county attorney in the state will have until the beginning of next year to adopt formal guidelines governing how the county's attorneys arrange plea bargains. The guidelines, which will be available to the public, will have to include the extent to which the wishes of victims and law enforcement officers will be considered when negotiating a plea bargain. (HF2351\*/SFnone/CH636, Art. 2, Sec. 9)

### Court interpreters

The state court administrator will receive \$100,000 to establish a statewide judicial interpreter certification and training program.

Interpreters, translators, non-English speaking people, and those for whom English is a second language must have an opportunity to assist in developing the certification criteria.

There is a growing concern over the accuracy of court interpreters. Bill sponsor Rep. Wes Skoglund (DFL-Mpls) related a story on the House floor where an interpreter was found to not be relaying the exact words of a witness, and was in fact omitting phrases and paraphrasing others. The interpreter was tripped up by a Spanish-speaking judge. (HF2351\*/SFnone/CH636, Art. 1, Sec. 14)

## Other crime bill provisions

The following other criminal provisions are included in the omnibus crime bill that has been signed into the law by the governor. The measure (**HF2351\*/SFnone/CH636**):

- establishes a misdemeanor penalty for violating DNR rules concerning the spread of harmful exotic species, including Eurasian water milfoil (Art. 2, Sec. 1);
- increases the maximum fine for petty misdemeanor traffic violations from \$100 to \$200 (Art. 2, Sec. 3);
- imposes life, without possibility of parole, for intentionally killing a local correctional officer (Art. 2, Sec. 19);
- creates a five-year felony penalty for assaulting a child under age 4 that results in multiple bruises, or harm to the child's head, eyes, or neck (Art. 2, Sec. 20);
- increases, to a gross misdemeanor from a misdemeanor, the penalty for assaulting hospital emergency room personnel (Art. 2, Sec. 21);
- creates a five-year felony for mutilating the genitals of a female. The mutilation of woman's genitals is a local custom in some African countries. With African immigrants coming to Minnesota, doctors are reporting some cases of genital mutilation (Art. 2, Sec. 22);
- creates the crime of second-degree aggravated robbery, punishable by up to 15 years imprisonment and a \$30,000 fine (Art. 2, Sec. 23);
- imposes a maximum of 40 years imprisonment for kidnapping someone under the age of 16 (Art. 2, Sec. 24);
- makes it a felony for an adult to refuse to return a minor to his or her parents, contribute to a child's truancy, or contribute to a minor's being a runaway, if the adult is at least two years older than the minor (Art. 2, Sec. 25);
- makes it a felony for an adult to live with a minor under the age of 16 without the consent of the minor's parents (Art. 2, Sec. 25);
- creates a gross misdemeanor penalty for obstructing access to or an exit from a church or other place of worship (Art. 2, Sec. 27);
- makes sexual contact with a child under the age of 13 a first-degree criminal sexual conduct crime. Under current law, it is a second-degree offense, which is less severe (Art. 2, Sec. 34);
- increases, to a gross misdemeanor from a misdemeanor, the penalty for escaping from custody following a misdemeanor charge or conviction (Art. 2, Sec. 39);
- makes it a gross misdemeanor to intentionally give the name and birthdate of another during a court proceeding (Art. 2, Sec. 40);
- makes it a felony to steal property from a vacant or abandoned building (Art. 2, Sec. 41);
- makes it a petty misdemeanor for a minor to possess tobacco (Art. 2, Sec. 44);
- expands the "peeping tom" law to prohibit surreptitious videotaping, which will be a misdemeanor. Repeat offenders will be charged with a gross misdemeanor. (Art. 2, Sec. 47)
- imposes up to five years imprisonment for shooting at an occupied city bus, and up to three years for firing upon an empty bus (Art. 2, Sec. 49);
- doubles the prison term for furnishing a minor with a gun, to 10 years, up from five years imprisonment (Art. 3, Sec. 18);
- imposes up to five years imprisonment for possessing a gun or other dangerous weapon in a courthouse or in the State Capitol (Art. 3, Sec. 21);
- imposes up to five years imprisonment for altering or removing the serial number on a gun, or for possessing such a gun. (Art. 3, Sec. 22);
- makes it a felony to brandish a BB gun in a threatening way (Art. 3, Sec. 23); and
- makes it a gross misdemeanor to carry a BB gun in a public place (Art. 3, Sec. 42).

**HF2351\*/SFnone/CH636**

## Juvenile crime crackdown

Sixteen- and 17-year-old juveniles who are charged with first-degree murder would automatically stand trial in adult court, under a new state law.

The provision is contained in the omnibus juvenile justice proposal that will spend an additional \$9.9 million during fiscal year 1995.

As passed by the Legislature, the proposal allocated \$13.9 million, but Gov. Arne Carlson line-item vetoed \$4 million in spending. Deleted were funds for additional judges, public defenders, and probation officers. (See Vetoed Bills section.)

The law incorporates many of the recommendations of the Minnesota Supreme Court Advisory Task Force on the Juvenile Justice System.

The measure also includes stiff penalties for juvenile offenders, including mandatory minimum sentences for juveniles convicted of a drive-by shooting, and felony penalties for those brandishing a BB gun or gun replica on school property.

The law was sponsored in the House by Rep. Wes Skoglund (DFL-Mpls) and in the Senate by Sen. Jane Ranum (DFL-Mpls).

Among the bill's (**HF2074\*/SF1845/CH576**) other highlights:

### Secure juvenile facilities

The Department of Corrections is instructed to license several regional secure juvenile facilities throughout the state. Currently, Minnesota has no secure facilities and is spending an increasing amount of state dollars on out-of-state placement of serious juvenile offenders. An additional 100 secure beds will be licensed.

Intensive educational programs will be designed for use at each secure facility, and will be tailored based on an offender's criminal history, age, and cultural and ethnic heritage. Other program components will include mental health screening and chemical dependency treatment.

While the bill includes no funding for the juvenile jails, the bonding bill (**HF218**) does include \$19 million to pay for secure juvenile facilities. (**HF2074\*/SF1845/CH576**, Sec. 4)

### Certifying kids as adults

There will be a presumption to try 16- and 17-year-olds as adults if the juvenile court decides a prison sentence is likely or if the juvenile used a firearm while committing a felony. In other words, juveniles will face an adult trial unless they prove they warrant a juvenile hearing. (**HF2074\*/SF1845/CH576**, Sec. 13)



### Extended jurisdiction juveniles

Serious and repeat juvenile offenders will face a new juvenile court proceeding designed as a "last chance" before entering the adult district court — and prison — systems.

Under an extended jurisdiction juvenile (EJJ) proceeding, certain 14- to 17-year-olds will be entitled to legal counsel and a jury trial. (Currently, 11 states allow for jury trials for juvenile court proceedings.)

Those teens found guilty will receive a juvenile court penalty and a stayed adult criminal penalty. If the juvenile violates the conditions of the juvenile penalty, and/or commits another crime, the adult sentence would kick in. A hearing process will be allowed to those who contest the imposition of the adult penalty in such cases.

A juvenile court proceeding will become an "EJJ" hearing if:

- the minor was 14- to 17-years old at the time of the alleged offense, a certification hearing was held, and the court ruled for the EJJ process instead of certifying the child as an adult;
- the offender was 16- or 17-years old and is alleged to have committed a felony and used a firearm, or the crime would result in a prison sentence, and the prosecutor chose an EJJ; or
- the offender is 14- to 17-years old and the EJJ is requested by the prosecutor, and the court, after a hearing, agrees to an EJJ prosecution. (Sec. 14)

The Department of Corrections will receive \$100,000 to develop and implement a plan for EJJ proceedings. (HF2074\*/SF1845/CH576, Sec. 67, Subd. 2)

### Parents in court

Unless excused by the court, parents or guardians will have to accompany their children at an EJJ or delinquency proceeding. Those who are no-shows could face charges of contempt. (HF2074\*/SF1845/CH576, Sec. 21)

### Keeping court records

Juvenile court conviction records will be held on file until the offender reaches the age of 28. Under current law, the records are held until the offender turns 23. (Sec. 22)

EJJ records, which are classified differently, will be forwarded to the Bureau of Criminal Apprehension and held for 15 years after disposition of the case. The data will be considered private. However, if the EJJ offender's adult sentence is imposed, the data becomes public. (Sec. 23)

Under a separate provision, a database on EJJ juveniles will be created, and the criminal and juvenile information policy group will

study further whether the records should be public or private and how long they should be retained. (HF2074\*/SF1845/CH576, Sec. 41)

### Juvenile jurisdiction

In most cases, juvenile courts will maintain jurisdiction until an individual's 21st birthday, unless the court terminates its jurisdiction before that date. Under current law, juvenile court jurisdiction ends at age 19. (HF2074\*/SF1845/CH576, Sec. 25)

### Juvenile drunk drivers

Minors at least 16 years of age will face district court — not juvenile court — if charged with a DWI offense, or with any non-felony traffic penalties in connection with the same DWI charge. (Sec. 30)

Juveniles will be held before trial in a secure juvenile detention facility, and, if found guilty, will be placed in a residential treatment facility or a juvenile correctional facility. (HF2074\*/SF1845/CH576, Sec. 33)

### Firearm restrictions

Any juvenile certified to adult court and convicted of a "crime of violence," which includes nearly three dozen offenses ranging from arson to murder, will be ineligible to possess a firearm for 10 years following their release from prison. Additional convictions for a crime of violence would start the time clock over again. (Sec. 3)

The provision also applies to juveniles or those convicted in an EJJ proceeding who committed a crime of violence. (Sec. 34)

A separate provision prohibits possession of a pistol or assault weapon for 10 years for the same offenders. (HF2074\*/SF1845/CH576, Sec. 55)

### Education grants

A total of \$4.9 million will fund grants administered by the Department of Education designed to stem violence or stop it before it happens. A majority of the funds will go to three specific programs:

- \$1 million will fund violence prevention grants to school districts. Grant funds will be used to develop and implement violence prevention programs to be integrated into existing K-12 curriculum (Sec. 67, Subd. 4);
- \$1.5 million will be for learning readiness programs, which help to prepare pre-kindergarten children for school. Such programs integrate social services, health and nutrition components to ensure the success of the child. The programs are designed to serve at-risk and developmentally disadvantaged children (Sec. 67, Subd.

4); and

- \$2.2 million for high risk youth violence prevention grants. (HF2074\*/SF1845/CH576, Sec. 67, Subd. 4)

### Community crime reduction grants

An additional \$2.2 million will be used to expand the community crime reduction grant program administered by the Department of Public Safety. Under current law, the funds must be spent on programs designed to discourage involvement with drugs or gangs or on "innovative" programs that draw significant participation from the community served by the program. The 1993 Legislature allocated \$1.4 million for such programs.

The law is expanded to fund programs to prevent truancy, increase high school graduation rates, and intervene with juveniles who are considered likely to participate in criminal activity. (HF2074\*/SF1845/CH576, Sec. 38)

### Mental health screening

A total of \$500,000 in additional funding will continue to fund mental health screenings and non-residential treatment of juvenile offenders. Established by the 1992 Legislature, the programs are designed to reduce the number of repeat offenders by treating underlying mental health problems that contribute to delinquent behavior. (Sec. 67, Subd. 9)

The program, established by the 1992 Legislature, is expanded to include children alleged or found to be delinquent, or found to be in need of protection or services. Currently, only juveniles in shelter care or in a detention facility are eligible for the mental health assessments and treatment program. (HF2074\*/SF1845/CH576, Sec. 18)

### Hot line for school crimes

A 24-hour toll-free hot line will be run by the Department of Public Safety (DPS) to take tips on crimes committed on school property. Calls leading to an arrest could get the tipster a reward of up to \$100. A \$20,000 appropriation will establish the hot line. (Sec. 40)

The 1992 Legislature directed DPS to establish a similar line to refer crime victims to appropriate agencies. (HF2074\*/SF1845/CH576)

### Pretrial diversion programs

By July 1, 1995, all county attorneys must establish pretrial diversion programs for juvenile offenders.

The program goals will emphasize court alternatives that focus on promoting restitution to victims, reduce costs to the juvenile

court system, and minimize the number of repeat offenders.

The original House proposal called for \$1.1 million in funding for the program, but the funds were eliminated from the final proposal. (HF2074\*/SF1845/CH576, Sec. 42)

### Youth grants to cities

A total of \$1.15 million in grants will be available to cities for curfew enforcement, truancy prevention, and after-school and summer recreation programs for youth.

The grants will be administered by the Department of Economic Security, which is the new name of the former Department of Jobs and Training. (HF2074\*/SF1845/CH576, Sec. 67, Subd. 10)

### Reducing truancy

The Department of Education will receive \$100,000 to help fight truancy in schools. Grants will be awarded to community organizations that provide intervention, prevention, and educational services. Such services could include individual or family counseling, tutoring, or an assessment to determine the underlying issues contributing to the truancy problem. Priority for grant funding will be given to programs that involve local law enforcement agencies and address elementary and middle school students.

Those organizations receiving grants will be required to submit annual progress reports to the Legislature. (HF2074\*/SF1845/CH576, Sec. 1)

### Graffiti patrol

A total of \$60,000 in state funds will pay for community service work crews to remove graffiti from both public and private property. (HF2074\*/SF1845/CH576, Sec. 67, Subd. 2)

## Stiffer DWI penalties

Repeat DWI offenders will spend more time behind bars under a bill Gov. Arne Carlson signed into law May 10.

And those who drink and drive in different types of vehicles — including cars, snowmobiles, boats, and all-terrain vehicles — will also find past offenses more likely to stack up against them.

The 1994 omnibus DWI bill, sponsored in the House by Rep. Charlie Weaver (IR-Anoka) and in the Senate by Sen. Gene Merriam (DFL-Coon Rapids), increases penalties for people who make a habit out of drinking and driving. Lawmakers say these offenders are "slipping through the cracks" of the present system.

Under the bill, which is effective Aug. 1, judges will be required to order those convicted of DWI and related crimes to serve their sentences back-to-back (consecutively) instead of merging all sentences into one (concurrently).

Currently, a person may be convicted of two or more drunk driving offenses, but usually serves the sentences concurrently. For instance, someone who is charged with a second DWI, while they're still waiting to go to court for a first DWI, would probably serve only one sentence for both violations.

Under the new law, sentences for these types of DWI crimes must run consecutively. And those serving sentences for multiple gross misdemeanor offenses could spend up to four years in jail — up from the current three-year limit.

Likewise, when a consecutive sentence is ordered for a gross misdemeanor and one or more misdemeanor DWI offenses, the jail time limit will be extended to two years.

(Although the maximum jail time for a gross misdemeanor is one year, the law allows for more jail time to be served when the sentences are served back-to-back.)

The proposal also adds two more categories to the "habitual DWI offender" definition. Right now, people convicted of a DWI for a third time in five years or a fourth time in 10 years must spend a minimum of 30 days in jail. Under the bill, someone convicted of a sixth DWI within 10 years or an eighth within 15 years must be sentenced to at least one year in jail, or intensive probation with electronic alcohol monitoring.

In addition, if an alcohol-related offense and a non-alcohol related offense are committed during the same incident, such as someone driving while intoxicated and without insurance, the new law gives a judge the option of ordering consecutive sentences. Currently, a judge can order just the most severe punishment to be served.

Besides increasing jail time for multiple DWI offenders, the law also states that prior drinking and driving offenses — no matter what type of vehicle was involved — will enhance penalties for future offenses.

Under current law, a snowmobile or boating drunk driving conviction goes on an offender's driving record. If a person has had a BWI (boating while intoxicated) and is later convicted of a DWI, the DWI would be treated as if it were the second such offense. However, a previous DWI would not count against someone later convicted of a boating or snowmobiling offense. Under the new law, that no longer will be the case — boating and snowmobile violations also will stack up

against each other.

The new measures will not change current law with regard to a driver's license revocation. Drivers will lose only their license for the type of vehicle they were driving at the time of the arrest.

HF2985/SF1961\*/CH615



## DEVELOPMENT

### World Trade Center

The World Trade Center Corp. will receive \$189,000 during fiscal years 1994 and 1995 to reduce its debt under a section of the state supplemental budget bill signed into law May 10 by Gov. Arne Carlson.

The corporation, however, will not receive \$111,000 of the total appropriation slated for fiscal year 1995 unless St. Paul businesses contribute half that amount. (Art. 4, Sec. 9)

The corporation oversees the World Trade Center in downtown St. Paul, a quasi-public agency that tries to attract foreign companies to do business in Minnesota.

In 1993, lawmakers gave the corporation \$200,000 to help pay its debts and operating costs. The 1992 Legislature granted the corporation \$580,000 in an effort to make it more attractive to any potential private buyers.

Last year's appropriation also contained a clause stating that "this section is intended to make it clear that the state of Minnesota is not and never has been nor will be responsible for the obligations of the corporation."

Language in the new law also directs the corporation to cooperate more with the Minnesota Trade Office and the Department of Trade and Economic Development.

Rep. Loren Solberg (DFL-Bovey) sponsored the bill in the House and Sen. Gene Merriam (DFL-Coon Rapids) carried the legislation in the Senate.

HF3215/SF2913\*/CH632

### 'Phalen Corridor'

The city of St. Paul will receive a \$450,000 grant to develop a 100-acre railroad corridor in the northeast section of the city into an industrial park, under a provision in the state supplemental budget bill signed into law May 10 by Gov. Arne Carlson.

The \$450,000 grant to turn the "Phalen Corridor" site near Lake Phalen into a light industrial park will not be available, however, unless the city also pitches in an equal amount for the project. (Art. 4, Sec. 3)

The site is located in an area of St. Paul with a relatively high level of unemployment, according to city officials who pitched the

proposal at a House committee hearing earlier this session. Thus, workers who could fill the jobs created in the corridor would be close at hand, they said.

Plus, the area is near Interstate Highway 35E, which should make the area attractive to businesses, the officials said.

Rep. Loren Solberg (DFL-Bovey) sponsored the state supplemental budget bill in the House and Sen. Gene Merriam (DFL-Coon Rapids) carried the legislation in the Senate.

HF3215/SF2913\*/CH632



## DRUGS

### No 'Crazy Horse' malt liquor

Crazy Horse brand malt liquor will be banned in Minnesota under legislation signed into law May 9 by Gov. Arne Carlson.

But drinkers can imbibe later on Christmas Eve under another provision in the omnibus liquor bill, which makes many technical changes in state law regarding the sale and consumption of alcoholic beverages.

The "Crazy Horse" provision in the new law instructs the state Liquor Control Division to revoke the registration of any brand that "states or implies in a false or misleading manner a connection with an actual living or dead American Indian leader." The change in this provision is effective Aug. 1, 1994.

A New York City-based brewer introduced the Crazy Horse brand in Minnesota last year. It evoked an outcry from American Indians and others who said the label was offensive to the memory of the Oglala Lakota chief, who opposed the use of alcohol.

The new law also strikes language in current law that prohibits bars and restaurants from serving alcohol after 8 p.m. on Christmas Eve. The change means that Christmas Eve closing time will be at 1 a.m. the next day, the same as on most nights of the year. The change in law will be in effect by Christmas Eve 1994.

Another provision in the bill, effective May 10, authorizes charitable, religious, or other non-profit organizations to raise money by holding wine-tasting events, but only if the events do not last more than four hours.

Rep. Joel Jacobs (DFL-Coon Rapids) sponsored the House bill and Sen. Sam Solon (DFL-Duluth) carried the legislation in the Senate.

HF2617\*/SF2161/CH611



## EDUCATION

### K-12 funding

School districts will get an extra \$15 million to keep teachers up to speed on the latest instruction methods, and the state will spend \$3 million to make its school buses safer, under the 1994 K-12 supplemental budget bill Gov. Arne Carlson signed into law May 10.

The state also will pay for several different educational grant programs, and spend \$2 million to take metropolitan area schools a few steps closer to achieving racial balance.

In total, Minnesota will spend an additional \$49 million on K-12 education programs in fiscal years 1994-1995. However, only \$22.4 million of those funds will be an additional draw from the state's general fund. The remainder will come from a reallocation of existing state education dollars.

Additionally, the State Technical College System will receive \$24 million in state aid payments that have been intentionally delayed.

The K-12 education bill was one of the last to win legislative approval this session. A conference committee haggled over House and Senate proposals for nearly three weeks before reaching a compromise May 6 — just hours before the Legislature was set to adjourn.

And despite Gov. Arne Carlson's recent streak of line-item vetoes, he signed the K-12 bill without cutting any programs or spending.

The bill was sponsored in the House by Rep. Kathleen Vellenga (DFL-St. Paul) and in the Senate by Sen. Larry Pogemiller (DFL-Mpls). Many sections of the omnibus bill, however, were taken from other bills introduced during the session. Sponsors of those measures are noted wherever possible.

HF2189\*/SF2206/CH647

#### Technical college shift

A total of \$24 million will be paid back to the state's technical colleges. This provision, which originally was included in the higher education funding bill, was shifted to the K-12 bill during conference committee negotiations.

Currently, the state's technical colleges are part of Minnesota's K-12 education system and, like elementary and secondary schools, receive some of their state aid payments late. The state intentionally pays schools some of their money late and the accounting shifts have left districts short of cash.

The state's technical colleges, however, will soon be merged with Minnesota's com-

munity college and state university systems. According to the state Office of the Attorney General, the late payments can't legally continue after the merger, which is scheduled to be completed by July 1995. The money to "settle up" with the technical colleges will come from the state's general fund. (HF2189\*/SF2206/CH647, Art. 15, Sec. 1)

#### Per pupil unit funding increase

The state will give school districts an extra \$15.7 million in fiscal year 1995 to help pay for a mandate it imposed last year.

The state currently pays \$3,150 per pupil unit. The additional funds will increase that amount by \$17.10.

The increase is a one-time appropriation. It is expected to offset the costs of a 1993 law requiring districts to spend more money on staff development — training to keep teachers up-to-date with new advances in their fields of expertise. (HF2189\*/SF2206/CH647, Art. 1, Sec. 38)

#### Bus safety

Minnesota school districts will get a 1 percent boost in their transportation safety aid each year — an extra \$3 million statewide — to make their buses safer, and school bus drivers will get more training to help them handle their sometimes unruly passengers.

With the funds, districts will be able to pay for adult monitors, video cameras, public address systems, crossing control arms, or other measures aimed at improving school bus safety. Although each district will be able to choose its own means for making buses safer, choices must be pre-approved by the Department of Public Safety.

The law also designates the first week of school as school bus safety week. During the week, each district is required to provide K-12 students with bus safety training. Training should include the theme that riding the bus is a privilege, not a right.

Another provision gives school boards the option of designating one day during school bus safety week as "School Bus Driver Day." Earlier this session, the House passed a bill declaring the second Monday in January "School Bus Driver Day" in the state, but the bill did not gain Senate approval.

The law also tightens training standards for school bus drivers. It will require them to have eight hours of training each year in areas such as safety, first aid, emergency situations, and understanding student behavior, including behavior relating to students with disabilities. This training is in addition to regular standards the drivers are currently expected to meet.

The \$3 million allocation includes \$15,000



to fund a newly created school bus safety advisory committee that will keep abreast of school bus safety issues in the state and make recommendations to the Legislature for further improvements.

Originally, the House bus safety proposal mandated that districts use the extra money to buy "safety crossing control arms" for all their buses. The retractable arms can extend eight feet in front of a bus, forcing children to walk around them in full view of the bus driver. However, lawmakers adopted the Senate proposal in conference committee, giving districts the option of buying the arms or spending the money on some other safety measure.

The bus safety measures were sponsored in the House by Rep. Betty McCollum (DFL-North St. Paul), and contained many recommendations from a 17-member school bus safety task force the Legislature created last year. (HF2189\*/SF2206/CH647, Art. 12)

### Burnsville fire funds

The state will give the Burnsville School District \$500,000 to help it recover from a fire that blazed through Burnsville Senior High School April 25.

The law also gives the district permission to have a shorter school day and offer fewer than the 170 instructional days that are required by law to complete the school year. The exception will allow Burnsville students to graduate on time.

Although damages from the fire are estimated between \$5 million and \$7 million, most of the school's expenses will be covered by insurance. The proposal was originally sponsored in the House by Rep. Connie Morrison (R-Burnsville) and in the Senate by Sen. David Knutson (R-Burnsville). (HF2189\*/SF2206/CH647, Art. 14, Sec. 3-4)

### Desegregating schools

The state will spend \$2 million to help achieve racial balance in Twin Cities area schools.

The bulk of the money, \$1.5 million, is set aside for grants to districts to plan and develop magnet schools, which traditionally offer specialized programs in addition to regular classes to attract students.

Lawmakers say magnet schools help the state achieve "voluntary" desegregation by offering programs to attract students to other districts. For example, a specialized inner city school that attracts many suburban students would help a school achieve better racial balance.

Another \$150,000 will be used to establish a state office to coordinate and support activities relating to desegregation. The office,



The state will give schools more money to decrease their kindergarten class sizes, under a provision in the omnibus K-12 law approved this year. (HF2189\*/SF2206/CH647)

within the Department of Education, will, among other things, distribute information, assist with interdistrict transfers, and help districts develop new magnet schools and programs.

The office will also monitor the progress of desegregation in metro area schools, and periodically consult with the Metropolitan Council to coordinate desegregation and integration efforts with housing, social, economic and other needs of the Twin Cities area.

The remaining desegregation dollars will fund three different grant programs: \$200,000 to an existing program to attract teachers of color; \$100,000 for mentorship grants to assist beginning minority teachers; and \$50,000 for grants to encourage minorities specializing in business, science and other careers to seek alternative teaching licenses and share their expertise with students. (HF2189\*/SF2206/CH647, Art. 8, Sec. 1-2) Graduation rule changes

The State Board of Education will proceed on schedule with plans to implement statewide graduation standards in Minnesota's high schools.

Last year, the Legislature gave the Department of Education \$10 million to develop standards that students across the state would be required to achieve in order to graduate from high school. The law also said the standards could be put in place for students entering high school in 1996; this year's law clarifies that to mean students entering ninth grade in the 1996-97 school year.

In addition, the new law requires the state Board of Education to consult with the Special Education Advisory Council in developing the standards to ensure that students with disabilities can fully participate under the

graduation rule.

The original House proposal, sponsored by Rep. Alice Johnson (DFL-Spring Lake Park), would have required the board to gain approval from the Legislature next year in order to implement the standards statewide. But the compromise bill maintains current law, and states that the board must give the Legislature a yearly update on its progress with implementing different phases of the graduation standards. (HF2189\*/SF2206/CH647, Art. 7, Sec. 1)

### Voter referendums

A section of the bill will smooth the transition for districts that must change the way they collect extra property taxes from local taxpayers for education.

Currently, about two-thirds of the districts in the state have successfully asked their local taxpayers to pass an excess levy referendum, meaning their residents have voted to pay more of a district's day-to-day operating expenses. Most levies are collected using a "net tax capacity" formula, where a larger tax burden is placed on commercial property—giving most homeowners a reduced share of the tax burden.

Under current law, all such levies will expire in 1997 and any new levies must be based on a "market value tax system." Under the new law, districts will have until the year 2000 to make the conversion.

A market value system taxes both commercial and residential property based solely on market value. This would reduce the tax burden on commercial property and shift some of the load to homeowners.

In addition, a new levy can last 10 years. Current law limited them to five years.

(HF2189\*/SF2206/CH647, Art. 1, Sec. 17-20)

### Remembering kindergarten

The state will pay an additional \$8.7 million to help districts cut class sizes. The measure actually fixes a glitch in the 1993 law that ordered districts to begin reducing their class sizes and gave them more than \$100 million to do so.

Although the 1993 law required districts to reduce their student-teacher ratios for grades K-6, the state only funded reductions for the first through sixth grades. Lawmakers inadvertently omitted kindergartners from the formula for class size reduction aid.

The new law adds kindergarten students to the formula, and makes the funding consistent with the mandate. (HF2189\*/SF2206/CH647, Art. 1, Sec. 6)

### Cooperative revenue

The state will spend an extra \$4.6 million to help districts cooperate with each other to improve their services.

Currently, all districts receive \$50 per pupil for cooperation aid — money to help them pay for programs or services they purchase in cooperation with another district, such as foreign language classes, secondary education programs, and some special education services.

Under the new law, districts will receive \$67 per pupil for cooperation aid.

Cooperation aid is split between property tax levies and state aid, depending upon a district's property tax base. For some districts, the \$67 will come entirely from their property taxes. For others, especially districts that have a low property tax base, the state will pay a portion of the aid and the district will add the rest to the property tax levy. (HF2189\*/SF2206/CH647, Art. 6, Sec. 24)

### Special education

The state will carry out a federal program for disabled infants and toddlers and their families.

A provision of the law would bring Minnesota into the final phase of "Part H," a federally funded program requiring states to provide, at no cost, certain special education services for disabled children up to 3 years old and their families.

The program is designed to coordinate the various special education programs and county social service programs that are already in place; it enables families of disabled children to receive all their information in one place, instead of having to track down all

the different services available to them.

The Part H provision originally came from a bill sponsored in the House by Rep. Alice Seagren (IR-Bloomington).

Measures to improve special education services for older children in the classroom are also included in the bill.

School districts will get \$1.5 million extra to help them buy equipment to make it easier for special education students to be mainstreamed. The funds will come in the form of an extra \$3 per pupil for their capital expenditure accounts.

Districts will be required to use the extra money for telecommunications equipment, computers, and other related management equipment that would help integrate special education students into the mainstream classroom.

Acting on recommendations from a state-appointed task force on children with disabilities, the law directs the Department of Education to assist schools in providing staff training that combines special and general education teaching methods. This provision is meant to encourage school districts to integrate special education and regular education teaching practices whenever possible.

The law also allocates \$25,000 to continue the task force on children with disabilities for one more year. (HF2189\*/SF2206/CH647, Art. 3)

### Male responsibility

Young men will learn about the responsibilities of fatherhood, under a provision that calls for \$500,000 to promote "male responsibility."

The new law makes grants available for youth or parenting programs that collaborate with school districts to educate young people, particularly 10- to 21-year-old males, on the responsibilities of parenthood.

Each dollar must be matched with 50 cents of non-state money or in-kind contributions.

The measure is designed to prevent teen pregnancies and, in the long run, crimes committed by young people who grew up without fathers.

The provision was originally sponsored in the House by Rep. David Tomassoni (DFL-Chisholm). (HF2189\*/SF2206/CH647, Art. 8, Sec. 24)

### School breakfasts

The state will spend an additional \$200,000 to help schools provide free or reduced-priced breakfasts to students who qualify, under the new law.

The provision requires more districts to offer the reduced price breakfast program;

the \$200,000 is meant to help pay for the new districts. This measure was sponsored in the House by Rep. Kathleen Vellenga (DFL-St. Paul).

Another provision allocates \$167,000 for a pilot program to explore the effects of giving nutritious breakfasts to all children in four selected elementary schools, without regard to eligibility for free or reduced-price meals.

Under the pilot project, two of the schools must have a high concentration of low-income students, or more than 40 percent qualifying for free or reduced price lunches. The other two schools could have an average population, from 15 to 40 percent, of students who would qualify for discounted meals.

At the end of the year, the Department of Education will evaluate the four grant sites to determine the impact of the breakfast program on discipline, test scores, attendance rates, and other criteria. The breakfast pilot program was sponsored in the House by Rep. Alice Johnson (DFL-Spring Lake Park). (HF2189\*/SF2206/CH647, Art. 8, Sec. 30, 35)

### Helping gifted students

The state will spend an additional \$450,000 on programs for gifted students.

Normally, students are charged for test taking and other fees associated with the state Advanced Placement and International Baccalaureate programs for the gifted. Currently, the state allocates \$300,000 to help low-income students participate.

The extra money is expected to pay for all students to take one test, and up to half for a second test. The state is not obligated to pay for portions of a second test if the money runs out.

The provision does not change the current procedure, under which the state pays all fees for eligible low-income students. Rep. Alice Johnson (DFL-Spring Lake Park) sponsored this proposal in the House. (HF2189\*/SF2206/CH647, Art. 7, Sec. 12)

### Aid for 'far out' districts

The state's most "far out" districts will get an extra \$1.8 million a year, under the new law.

The law increases a portion of the "sparsity revenue" that the state gives to Minnesota's most geographically isolated school districts. This provision was taken from a bill introduced in the House earlier this session by Rep. Irv Anderson (DFL-Int'l Falls).

Currently, the state spends \$5.8 million a year to assist 60 of its most isolated school districts. Administrators from those districts say they have a unique situation in that their

distance from other schools prohibits them from sharing resources, as many urban and suburban school districts do to save money.

The provision also adds three more districts to the list of districts that are eligible for the aid. (HF2189\*/SF2206/CH647, Art. 1, Sec. 22-23)

### Keeping kids up-to-date

The state will spend \$1.6 million to help districts take advantage of the latest technology to improve education and make it more efficient.

Under the provision, districts can apply for "instructional technology" grants to help them buy or gain access to the latest classroom technology.

To be eligible for a grant, a school district or group of school districts must demonstrate collaboration with a business or higher education institution. Community organizations or local units of government could also be involved.

The cooperatives will be expected to use computers and other technological equipment to do things such as develop personalized learning plans, create a broader curriculum, and gain access to electronic libraries. (HF2189\*/SF2206/CH647, Art. 7, Sec. 17)

### Adjusting with disabilities

The state will spend \$250,000 next year to help students with disabilities move from high school into the "real world."

The money will provide grants to enable districts to pay for education and training to help disabled youth make the transition from high school to post-secondary education, work, or community living.

The district will be able to use the money to contract with a center for independent living or other similar organization to provide the services. The Department of Economic Security — formerly the Department of Jobs and Training — will oversee the program. (HF2189\*/SF2206/CH647, Art. 3, Sec. 31)

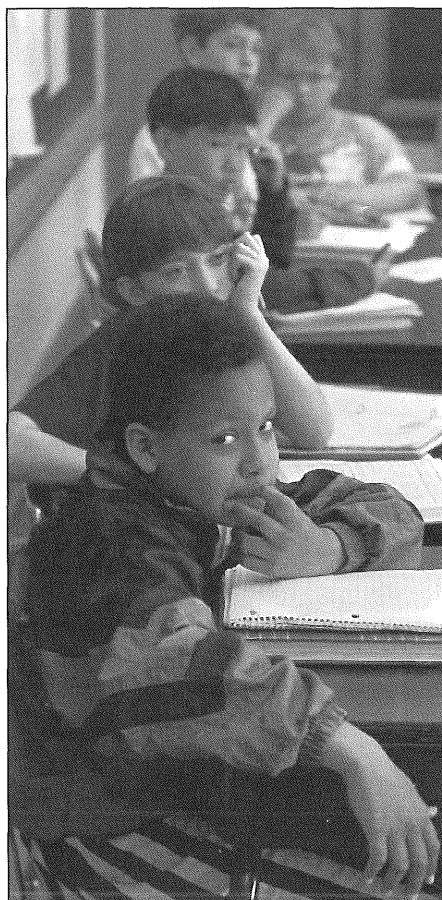
### Library improvements

Two parts of the K-12 education measure will benefit the state's library systems.

The first calls for \$55,000 to recruit students of color to become librarians. The money will help pay tuition for professional development programs in the field of library science or information management.

The provision comes from a bill originally proposed in the House by Rep. Lyndon Carlson (DFL-Crystal).

A second provision would establish a \$50,000 grant program to help improve pub-



The state's K-12 education funding bill, signed into law by the governor, contains \$2 million to help achieve racial balance in Twin Cities-area schools. Of that money, \$1.5 million goes to districts to develop magnet schools, which offer specialized programs, such as advanced science and math, to attract students. (HF2189\*/SF2206/CH647)

lic libraries' service to children, youth and families.

The grants, taken from a bill originally proposed in the House by Rep. Alice Hausman (DFL-St. Paul), require collaboration between a public library and at least one child or family organization such as a day care center or school district. (HF2189\*/SF2206/CH647, Art. 10, Sec. 1, 3)

### Interpreters

Anyone who provides American sign language, English interpreting or sign transliterating services for a Minnesota school district must be certified after the year 2000.

Interpreters can be certified by the Registry of Interpreters for the Deaf, the National Association for the Deaf, or the state Board of Education. They must also complete an accredited interpreter/transliterator training program.

Currently, school interpreters are not required to be certified, although most have completed an accredited training program.

The certification was proposed in the House by Rep. Alice Johnson (DFL-Spring Lake Park). (HF2189\*/SF2206/CH647, Art. 3, Sec. 17)

### Cultural exchange

The law sets aside \$142,000 for a cultural exchange grant program.

The program would create opportunities for children and staff of different ethnic, racial, and other cultural backgrounds to share educational experiences. It would call for student and staff exchanges between districts with approved desegregation plans and districts without desegregation plans.

Under the program, participating districts would develop summer programs reflective of particular ethnic, racial, and other cultural aspects of various demographic groups in the state. (HF2189\*/SF2206/CH647, Art. 8, Sec. 23)

### Sexuality and family life study

The state will spend \$25,000 to evaluate sexuality and family life education programs in Minnesota schools.

Under the new law, the Department of Education will conduct a survey, compiling information on the sexuality and family life related curriculum offered in each school, the age at which certain topics are taught, research and staff training available to teach the subject matter, and the role of parents in the sexuality/family life curriculum. (HF2189\*/SF2206/CH647, Art. 8, Sec. 44)

### Richfield airport impact aid

The state will provide \$500,000 to help compensate the Richfield school district for the loss of students who live in about 400 homes affected by noise from nearby Twin Cities International Airport.

The Metropolitan Airports Commission is in the process of buying out the homes whose residents have complained about airport noise for years.

Since schools receive a part of their state aid based on the number of students enrolled, the declining pupils due to the buyout is expected to have a significant impact on the district's state aid payment. The \$500,000 is meant to offset the decrease in funding and help the district through the transition. (HF2189\*/SF2206/CH647, Art. 1, Sec. 41, Subd. 2)



## Starting school early

Recognizing an important Jewish holiday and the unique importance of the first day of school, Minnesota school districts will have the option of starting classes a few days earlier this fall.

Gov. Arne Carlson signed a bill into law April 6 that would allow districts to start the 1994-95 school year on Sept. 1, the Thursday before Labor Day.

Minnesota law currently prohibits school districts from starting classes before Labor Day — schools usually start the day after Labor Day. This year, however, the beginning of Rosh Hashanah, the Jewish New Year, falls on what would normally be the first day of school.

Jewish children do not go to school on Rosh Hashanah; the two days are traditionally set aside for confession and introspection.

Under the bill, sponsored in the House by Rep. Jim Rhodes (IR-St. Louis Park) and in the Senate by Sen. Ted Mondale (DFL-St. Louis Park), districts can decide to start early, allowing Jewish students to attend the first day of classes.

HF1845\*/SF1693/CH392



## ELECTIONS

  
Pending governor's  
signature

### Uniform elections

A bill to hold all Minnesota elections — except special elections and most township elections — in November was approved by both legislative bodies before they adjourned. It now awaits action from Gov. Arne Carlson.

Currently, city and school elections can be held on different days during the year.

The bill would require city, school district, and special district elections that are held any other time to move to the Tuesday following the first Monday in November. In even-numbered years, those elections would then coincide with state and federal elections. Primary elections must be held in September.

Elections could be held in either even-numbered years or in odd-numbered years, at the discretion of the local governing bodies.

Also under the bill, terms for school board members elected after January 1995 would be increased from three to four years.

The House passed a House-Senate compromise bill May 6 by a 111-21 vote. The Senate passed the bill the same day, 60-3.



Almost all elections would be held in November under a uniform elections bill that awaits Gov. Arne Carlson's consideration. (HF323/SF1512\*/CH646)

Exceptions to the uniform election day under the bill would be most township elections and school bond and levy referendums.

Township elections could still be held in March. The bill's House sponsor, Rep. Tom Osthoff (DFL-St. Paul), said townships were left out because they hold annual "town hall meetings" where residents discuss the issues for the year, and he didn't want to disrupt that process.

Residents of metropolitan area towns, however, could choose to move their elections to November as well.

Under the bill, cities, counties, and school districts could begin holding November elections whenever they choose, but they must begin by 1998.

The bill also would set a mandatory minimum voting time from 5 p.m. to 8 p.m. for city and school elections outside the metropolitan area. Currently, cities can set their own voting time as long as it lasts at least three hours. In the metropolitan area, polls must be open for a municipal election from at least 10 a.m. to 8 p.m.

The bill was sponsored in the Senate by Sen. William Luther (DFL-Brooklyn Park).

HF323/SF1512\*/CH646

### Small town polling results

Rural cities and towns that get together to hold their elections at a common polling site each will be required to bring along their own ballot boxes, under a bill signed into law by Gov. Arne Carlson May 6.

Under current law, up to four non-metropolitan cities or towns can combine into one

precinct to vote in the same place. This often helps small towns save money on election judges and other expenses related to holding elections.

The new law, effective Aug. 1, 1994, and sponsored in the House by Rep. Peter Rodosovich (DFL-Faribault), will continue to allow for a common polling site, but each city or town will be required to use a separate ballot box for each precinct.

According to Rodosovich, the Office of the Secretary of State, which oversees elections, has been unable to attribute specific results to towns and cities that combine for elections. The new law will allow them to deliver tailored results to each city by precinct.

Sen. Lawrence Pogemiller (DFL-Mpls) sponsored the bill in the Senate.

HF2672/SF2297\*/CH607



## EMPLOYMENT

### St. Paul residency requirement

Newly hired St. Paul employees will be required to live within the city limits — provided its city council agrees to the idea — under a bill signed into law by Gov. Arne Carlson May 5.

City leaders, who requested the legislation, have testified that if their employees live in the city, more of their paychecks would be spent in the city. They also believe that the city would be safer if its police officers and firefighters were required to live within St. Paul's borders.

Current St. Paul city employees would not be affected by the new law.

It will be up to the St. Paul City Council to

decide how to carry out the residency requirement. Council members may decide, for example, to give new hires one year to move into St. Paul.

Last year, the Legislature authorized Minneapolis to adopt a residency requirement. The Minneapolis City Council gives new employees one year after they're hired to move into the city.

About 52 percent of the 3,500 St. Paul city employees live outside St. Paul, said House bill sponsor Rep. Steve Trimble (DFL-St. Paul). The legislation was sponsored by Sen. Randy Kelly (DFL-St. Paul) in the Senate.

HF881/SF309\*/CH570

## Dept. of Economic Security

The Minnesota Department of Jobs and Training has a new moniker with a distinctly older flavor. On April 22 its name was legally changed to the Department of Economic Security — the same name the department had from 1977 to 1985, under a bill signed into law by Gov. Arne Carlson April 21.

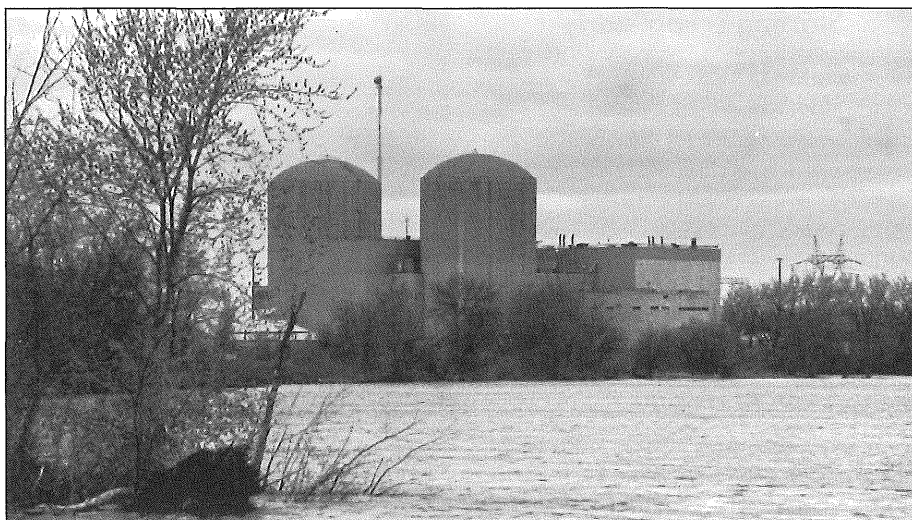
The name change reflects the "role, mission, and responsibility" of the department, said its commissioner, R. Jane Brown, who pushed for the legislation this session. A similar bill failed last year.

The department does much more than find jobs for people and train them, said Brown, explaining the department's decision to seek a name change.

The department administers programs such as Head Start, a government education program for disadvantaged pre-schoolers, and provides help with energy bills and services to the blind.

Rep. Barb Vickerman (IR-Redwood Falls) sponsored the bill in the House. Sen. Dennis Frederickson (IR-New Ulm) sponsored the Senate companion.

HF936\*/SF961/CH483



Whether to allow NSP to store 17 casks of spent nuclear fuel outside its Prairie Island plant was one of the most controversial issues the Legislature faced during the 1994 session. In the end, lawmakers approved the proposal and the governor signed the bill into law. (HF2140/SF1706\*/CH641)

debate May 6, the House voted 86 to 46 to allow the casks. Earlier that day, the Senate passed identical legislation, 43 to 22.

The issue pitted NSP and other energy interests against environmental groups and the power plant's neighboring Dakota (Sioux) community, which contends that above-ground storage is unsafe for humans and the environment.

The legislation sent to the governor was a House-Senate conference committee report that emerged between widely different legislative visions on how to chart the state's energy future.

Under the House version of the legislation, NSP would have been prohibited from storing radioactive waste in above-ground casks. The Senate version permitted the power company to have 17 casks.

Under conditions outlined in the final compromise, NSP will be able to eventually acquire and fill 17 casks, provided the company invests in alternative energy and searches for a storage site away from its Prairie Island plant.

In the debate preceding the final vote, some House members said the compromise report contained too little of the House's wishes.

"This bill is not a compromise bill," said Rep. Alice Hausman (DFL-St. Paul). "NSP asked for 17 casks and it is getting 17 casks."

Specifically, NSP sought the Legislature's permission to transfer radioactive waste from its indoor, underwater temporary storage pool to above-ground, 17-foot-tall steel casks weighing 122 tons when fully loaded with radioactive waste.

NSP officials have stated that without dry cask storage they would have to shut down one of the two reactors at Prairie Island

within a year. With 17 of the storage casks, the utility says it can continue its Prairie Island operations until about 2001.

"This is the safest thing to do," said Rep. Loren Jennings (DFL-Harris), sponsor of the House legislation. Jennings said that he was confident that NSP would eventually be able to move the radioactive casks away from the power plant and the neighboring Prairie Island Mdewakanton Dakota Indians.

"We are going to move the casks," he said, either to another site in surrounding Goodhue County or to a proposed federal depository under Yucca Mountain in Nevada.

Rep. Willard Munger (DFL-Duluth) and other foes of NSP's plan have argued that federal efforts to develop a permanent nuclear waste repository have stalled, so there would be no assurance that any nuclear waste casks would ever leave Prairie Island.

To his colleagues who planned to vote for the legislation, Munger asked: How will you respond when your grandchildren ask why you voted for a permanent nuclear waste dump in the state?

Under the new law, the state's largest power company has permission to use five storage casks immediately, and can use 12 more if it meets certain conditions.

Four of the 12 additional casks will be available when NSP has either constructed, purchased, or has under contract an additional 100 megawatts of wind power. NSP could only get the four additional casks if it also becomes actively engaged in searching for a site away from its Prairie Island power plant; but still within surrounding Goodhue County.

In addition, the company can use eight more casks unless the Legislature enacts a law by June 1, 1999, specifically revoking per-



## ENVIRONMENT

### Prairie Island nuclear storage

Northern States Power Co. (NSP) would eventually be permitted to store radioactive waste in 17 storage casks alongside its Prairie Island power plant in Red Wing — provided it meets several conditions, under a bill signed into law by Gov. Arne Carlson May 10.

The Minnesota Legislature, on the final day of the 1994 legislative session, approved the bill granting NSP the authority to store radioactive waste.

After nearly three hours of emotional floor

mission. The Legislature could only revoke permission for the casks if, by that time NSP has not begun constructing an alternative site or if the company has not met goals outlined in the legislation regarding wind power and biomass.

The legislation signed by the governor also includes provisions requiring NSP to:

- construct and operate or purchase or contract for 225 megawatts of wind energy by Dec. 31, 1998, and an additional 200 megawatts by the end of 2002;
- construct and operate or purchase or contract for 50 megawatts of biomass energy by the end of 1998. Biomass energy is electricity generated by burning animal waste and farm-grown crops such as corn; and
- reduce by 50 percent the cost of the first 300 kilowatt hours per month purchased by low-income customers.

The waste storage issue came before the Legislature because last June the Minnesota Court of Appeals ruled that NSP's request for above-ground storage needed legislative approval.

Although NSP received approval for its plan from the Public Utilities Commission (PUC) in August 1992, the issue landed in court three months later when the Prairie Island Mdewakanton Dakota Tribal Council appealed the PUC decision.

Sen. Steve Novak (DFL-New Brighton) sponsored the Senate bill.

**HF2140/SF1706\*/CH641**

## Harbors and feedlots

Boaters on Lake Superior will see a new harbor at Silver Bay, and farmers will receive help cleaning up their poultry and cattle feedlots, with money provided in a new state supplemental budget bill signed into law by Gov. Arne Carlson May 10.

But Carlson did line-item veto half of the projects outlined in the House-Senate compromise bill. The new law now spends \$3 million on environmental projects across the state in fiscal years 1994 and 1995. (See Vetoed Bills section.)

Projects in the new law include:

- \$1 million to complete construction of a small craft harbor at Silver Bay. Last year the project received \$1 million to acquire 25 acres of land and begin development of the harbor project;
- \$650,000 to improve state parks;
- \$850,000 to acquire land for a boat access at Lake Minnetonka;
- \$600,000 from the Department of Natural Resources game and fish fund to maintain

Timeline for NSP nuclear waste storage		
Number of casks	Conditions*	When
5	none	May 11, 1994
4 more	(1) NSP must file a license application with the Nuclear Regulatory Commission for a storage site away from Prairie Island; and (2) NSP operates or contracts for 100 more megawatts of windpower	Dec. 31, 1996
8 more	Legislature can revoke approval for these 8 casks if NSP (1) isn't operating or doesn't have under contract 50 megawatts of biomass energy and 125 more megawatts of windpower, or (2) NSP hasn't begun construction of a waste site away from Prairie Island)	June 1, 1999 (last date the Legislature can revoke authorization for 8 casks)
Any casks in addition to the above 17	Public Utilities Commission grants permission (casks must be in exchange for a Prairie Island plant shut down)	Upon PUC approval
* Beginning Jan. 1, 1999, NSP must pay \$500,000 each year for each full cask still remaining outside its Prairie Island nuclear power plant. The money will be used to develop renewable energy sources.		

and construct snowmobile trails in fiscal year 1995;

- \$1.8 million in fiscal year 1995 to help clean up poultry and cattle feedlots. Animal waste can pollute streams. Of this amount, \$900,000 is earmarked for counties that have established feedlot programs. Counties receiving grants must match the money with a mix of their own money and in-kind contributions;
  - \$1 million to the Board of Water and Soil Resources that will allow soil and water districts to hire staff to help landowners improve conservation practices;
  - a requirement that Northern States Power Co. relocate its power lines and poles away from the Indian Mounds Park in St. Paul. The electrical utility will assume the costs involved in this project;
  - \$300,000 for the Minnesota Pollution Control Agency to support statewide partnerships to improve septic tank systems and storm sewers;
  - \$73,000 to the MPCA to continue a citizen lake water quality monitoring program;
  - \$750,000 to assist farmers with feedlots to implement best management practices for using animal waste as crop fertilizer instead of having the waste pollute nearby water sources;
  - \$175,000 to the Department of Agriculture for a rural loan program to improve water quality;
  - \$100,000 to the Department of Agriculture for demonstration projects on pest management; and
- The new law voids budget cuts made

earlier this year by the Department of Natural Resources (DNR) to balance the books of the agency's troubled game and fish fund. (See March 31, 1994, *Session Weekly*, page 6.);

The DNR's game and fish fund has also been relieved from making treaty payments to the White Earth and Leech Lake Ojibwe bands, as well as reimbursements to counties for lost tax revenues on land taken for wildlife management areas. This was done in a separate bill signed by the governor May 4. (HF3032\*/SF2445/CH561).

The supplemental budget bill was sponsored in the House by Rep. Loren Solberg (DFL-Bovey) and in the Senate by Sen. Gene Merriam (DFL-Coon Rapids).

**HF3215/SF2913\*/CH632**

## Waste Management Act amended

Gov. Arne Carlson May 6 signed into law changes to the state's existing Waste Management Act and as a result banned the sale of some basketball shoes in Minnesota.

Effective May 7, the new law bans the sale of some basketball shoes with lights triggered by a mercury-activated electric switch hidden in the sole of the shoe.

The half gram of mercury in the switch can get loose and enter the atmosphere when the shoes are dumped or incinerated. Methyl mercury, the organic form of the liquid metal, can damage the nervous system.

Other sections of the new Waste Management Act, sponsored in the House by Rep. Jean Wagenius (DFL-Mpls) and in the Senate

by Sen. Janet Johnson (DFL-North Branch) will:

- allow the Minnesota Pollution Control Agency (MPCA) to provide grants to build and improve regional solid waste facilities that compost, incinerate, or use garbage as fuel;
- ban landfills from accepting separated recyclable materials;
- exempt the U.S. government from certain regulations that apply to private couriers, so it can transport infectious waste. That way, outstate dentists, doctors, and veterinarians could use the U.S. postal system to mail small quantities of needles to facilities that dispose of biologically hazardous waste;
- improve the Office of Waste Management's methods for analyzing the amount of packaging material that goes into the garbage. By the end of 1995, the state hopes to reduce by 25 percent the amount of packaging that is disposed of in landfills;
- require people who recycle CFCs (chlorofluorocarbons) from air conditioners and other appliances to be trained and certified. State certification could be met by receiving federal certification as a CFC recycler;
- assess a civil penalty of \$500 against a person for knowingly releasing CFCs into the atmosphere. The release of CFCs is believed to be a contributing factor to the destruction of the earth's ozone layer;
- award grants to help build regional waste transfer facilities but only if the facility contracts for 10 years to transfer non-recyclable garbage to an incinerator or composting facility;
- regulate the levels of toxic metals in ink and paints. After Sept. 1, 1994, inks and paints must have reduced levels of lead, cadmium, mercury and chromium. Current law sets no standard; and
- allow for automobile oil filters and anti-freeze to be recycled at a municipal recycling facility that burns waste.

Various sections of the new law become effective on a variety of different dates.

**HF1995/SF1788\*/CH585**

## Septic tank standards

By 1996, all Minnesota counties and cities will need to adopt strict anti-pollution rules for septic tanks, under a bill signed into law by Gov. Arne Carlson May 10.

Septic tanks, which gather, decompose, and drain human wastes into the soil, are needed by households not connected to municipal sewer systems.

More than 340,000 failed or malfunctioning septic tanks exist statewide, according to Patty Burke of the Minnesota Pollution Control Agency (MPCA). (See March 11, 1994, *Session Weekly*, page 9.)

The MPCA has guidelines regulating septic tanks and some counties already have adopted them. Effective May 11, 1994, the new law requires counties or cities to adopt the MPCA rules or set tougher rules that meet the agency's approval. The rules regulate such things as how deeply a septic tank should be buried, how and where it should drain, and how far away it should lie from surface water.

The new law, which sets aside \$120,000 for the MPCA, also requires that an existing septic sewage system be inspected whenever someone wants to build an additional bedroom or bathroom onto a house.

Such home improvements, said House bill sponsor Rep. Dave Bishop (IR-Rochester), are a likely indication that septic tanks may soon be subject to greater use.

If the inspection shows that a septic system doesn't meet the anti-pollution rules, a building permit will be denied until the tanks are improved or replaced.

Under the legislation, anyone inspecting, installing, designing, or maintaining septic systems also must obtain a license from the state at a cost of \$100 per year.

Also, the new law states that people selling a home with a septic system after Aug. 31, 1994, must disclose in writing to a buyer the location and status of the system.

Sen. Leonard Price (DFL-Woodbury) sponsored the Senate version of the legislation.

**HF2158\*/SF1909/CH617**

## Cleaning up landfills

Minnesota businesses and municipalities will pay more to dispose of their garbage, but they won't face the threat of a much greater financial strain — paying to clean up a contaminated landfill.

Under a new law signed by Gov. Arne Carlson May 10, the state will pick up the tab for cleaning up many of its contaminated municipal landfills. Currently, that burden is usually shouldered by a handful of businesses and local governments the state has identified as contaminating the landfill.

By establishing a state-sponsored landfill cleanup program, lawmakers hope to end the numerous court fights between Minnesota businesses and municipalities over who should pay to clean up landfills.

Under the new law, the state will generate money to pay for the program by raising the fee businesses and local governments pay on



The state will step in and take charge of cleaning up many of Minnesota's contaminated landfills. A new law establishing a landfill cleanup program will mean businesses and municipalities pay more to dispose of their garbage, but they won't have to worry about being held liable for the cleanup of a contaminated landfill. (HF3086\*/SF2313/CH639)

the garbage they generate whether it goes to a landfill, incinerator or composting plant. It's called the solid waste generator fee.

The new law expands another passed by the Legislature in 1993. That year households began seeing a \$2 annual charge on their garbage bills and businesses and municipalities began paying 12 cents for every cubic yard of garbage they generated.

Last year, about half of the \$7 million raised went to help assess what kind of landfill cleanup was needed in the state. The other half began to pay for some of the cleanup. Although the state began paying for some cleanup in 1993, it did not let individual businesses and governments off the hook that were already identified by the Minnesota Pollution Control Agency (MPCA) as contributing to a particular landfill's contamination.

Under the new law, they will be off the hook — but all Minnesota businesses and municipalities will have to pay more to dispose of their garbage. The solid waste generator fee will rise from 12 cents to 60 cents



beginning in 1995. The increase is expected to generate another \$16.4 million a year to clean up landfills.

In addition, the fee will be applied to other types of garbage that weren't assessed until now; such as industrial and medical waste and construction debris.

The \$2 yearly household fee will not be affected.

Besides the increased fees, the new law allocates \$90 million from the sale of state bonds toward the landfill cleanup program over the next 10 years.

Under current law, the MPCA or the U.S. Environmental Protection Agency, depending on whether the state or federal government will oversee cleanup, uses landfill records to determine who dumped contaminants, hazardous material or other pollutants into a landfill. The agency then names "responsible parties" to be held liable for paying cleanup costs.

Although the "responsible parties" are legally obligated to pay, many of them try to bring in others — or third parties — to help share the cost. According to the House bill sponsor, Rep. Jean Wagenius (DFL-Mpls), many cities or small businesses will pay, even if they know they aren't responsible, because they're afraid it will cost more to try and fight the request.

Under the new law, the state will take responsibility for cleaning up qualifying landfills. The state, however, will not assume liability for groundwater contamination or any other damages from a polluted landfill. The landfill owner and/or the businesses identified as contributing to the contamination must pay to clean up the groundwater, which is current practice.

In addition, some businesses and municipalities that already have paid for landfill cleanups, or are currently paying under a cleanup order, will be eligible for reimbursement under the program.

The legislation was sponsored in the Senate by Sen. Steve Morse (DFL-Dakota).

**HF3086\*/SF2313/CH639**

## **Selling the DNR**

Your fishing regulations booklet from the Department of Natural Resources (DNR) could soon have a new look. The DNR now has permission to sell advertising space in their publications, under a bill signed into law by Gov. Arne Carlson April 25.

After Aug. 1, 1994, advertising revenue can be used to defray the costs of DNR publications, videos, and informational materials. The agency, however, cannot accept

ads from elected officials or candidates for elective office.

The law also clarifies that the DNR can give away souvenirs — with a value of less than \$10 — that promote natural resource conservation or wildlife management programs. The total value of items given away in this program can't exceed \$25,000 per year.

Volunteers in various DNR programs could receive a coffee mug or a poster to acknowledge their efforts, under a provision of the new law, explained Marcy Dowse, director of information and education for the DNR.

Another provision clarifies in law what has been a long-standing DNR practice: the recognition of corporate and individual gifts or in-kind services on "plaques, signs, publications, audio-visual materials, and media advertisements."

The law comes from bills that were passed by both the House and Senate in 1993. A House and Senate conference committee couldn't resolve differences in 1993, so it was tabled until the 1994 legislative session. The conferees met again this year and came up with a compromise.

Rep. Ken Wolf (IR-Burnsville) sponsored the House bill and Sen. Leonard Price (DFL-Woodbury) sponsored the Senate companion.

**HF859/SF760\*/CH509**

## **Park permits for disabled**

Many campers with disabilities don't own or operate a vehicle, making it difficult for them to use Minnesota's state parks. People who use the parks must purchase and display a park permit on their vehicle's windshield.

But a new law signed by Gov. Arne Carlson April 18 would allow people who are disabled and do not own or operate a vehicle to purchase an annual permit they can carry. The law takes effect Aug. 1, 1994.

Those who qualify must apply in writing to the Department of Natural Resources and provide a letter from a licensed physician or chiropractor attesting to their disability.

The annual park permit for people who are disabled continues at the discounted rate of \$12 — instead of \$18. Currently, the same discount applies to senior citizens who are older than 65.

Rep. Kathleen Vellenga (DFL-St. Paul) was the House sponsor of the bill; Sen. Ellen Anderson (DFL-St. Paul) sponsored the Senate companion.

**HF2657\*/SF2584/CH458**

## **Happy trails**

New biking and hiking trails in southeastern Minnesota will be established under a law signed by Gov. Arne Carlson April 6.

The law, effective Aug. 1, 1994, will extend the Blufflands trail system in Fillmore and Houston counties to the Mississippi River. Additional trails will extend the system to Fountain, Wykoff, Spring Valley, Mabel, Canton, and Ostrander in Fillmore County, and to Winona in Winona County.

In addition, a Shooting Star trail will be created in Mower County. The trail will start in Leroy, extend northwest through Lake Louise State Park, and connect the cities of Taopi, Adams, Rose Creek, and Lyle, and conclude in Austin.

Additional trails will be constructed to connect the Shooting Star trail with the Blufflands trail system, and the trail from Riceville, Iowa.

Also, the law calls for the creation of a Prairie Wildflower trail in Mower, Dodge, Steele, and Rice counties. The trail will follow an abandoned railroad line from Austin northwest through Blooming Prairie and Owatonna to the city of Faribault.

The trails will be developed for biking and hiking.

Funding for all the above trail networks would have to be secured in future legislative sessions.

Rep. Leo Reding (DFL-Austin) sponsored the House bill and Sen. Pat Piper (DFL-Austin) sponsored the Senate companion bill.

**HF1906\*/SF1841/CH391**

## **Rochester land sale**

A bill allowing the sale of land belonging to the Gordy Yaeger Wildlife Management Area in Olmsted County was signed by Gov. Arne Carlson April 28.

The law, effective April 29, 1994, specifies that the land will sell for \$950 per acre. The Rochester School District will be allowed to buy 20 acres; the city of Rochester, 30 acres; and the public can bid for 50 acres. The acreage sold to the school district and the city must be used for public purposes.

The school district and the city of Rochester are expected to cooperate in developing their land parcels — which lie within the Rochester city limits — into a combined city park and elementary school, according to Jack Heather, acting regional wildlife area manager for the Department of Natural Resources (DNR).

Heather said the sale of land to the public

will generate funds to buy more desirable replacement land for the wildlife area.

Most of the wildlife area land formerly belonged to the Department of Public Welfare (now the Department of Human Services) and was part of the Rochester State Hospital, now being used as a federal prison. In 1967, 155 acres was permanently transferred to the Department of Conservation (now the Department of Natural Resources). In 1971, another 550 acres was temporarily transferred to the DNR. The wildlife area covered 758 acres prior to the new land sales.

The land sales are based on recommendations from the wildlife area's advisory committee.

The wildlife area is named after Gordy Yaeger, a longtime columnist for the *Rochester Post-Bulletin*, who was an active proponent of wildlife conservation efforts. Yaeger died in 1976.

Rep. Dave Bishop (IR-Rochester) sponsored the House bill and Sen. Duane Benson (IR-Lanesboro) sponsored the Senate companion.

HF2054\*/SF1858/CH531

## One big walleye

Minnesota anglers can keep only one walleye longer than 24 inches per day, under a bill signed into law by Gov. Arne Carlson April 28.

The existing six-walleye daily and possession limit, which includes the single "trophy" fish, will not change.

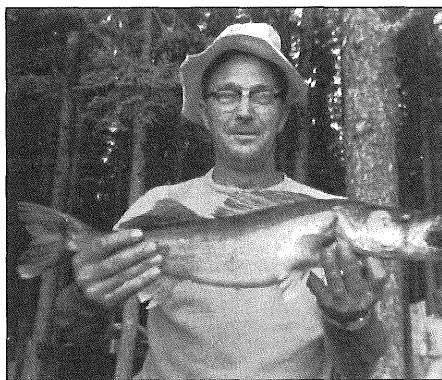
Last year, the Legislature set the daily limit at one walleye over 20 inches long, and also limited anglers to one northern pike longer than 30 inches.

The new restrictions, effective April 29, apply to most Minnesota lakes, but do not apply to boundary waters.

An exception in the law is made for Lake of the Woods. There, anglers can take only one walleye longer than 19.5 inches per day. This conforms to Ontario regulations. Also, anglers can now take only one northern pike over 36 inches per day from Lake of the Woods.

The Department of Natural Resources (DNR) also has the authority, by rule, to establish different length limits on different bodies of water, and designate them as "experimental waters." These rules carry the same weight as state law.

For the past 10 years, for example, anglers on Lake Mille Lacs have been limited to one walleye longer than 20 inches daily, according to Jack Wingate, resource manager for fisheries at the DNR. He said that particular



A new law increases fish size limits for anglers hooking walleye and northern pike. (HF2731/SF2467\*/CH523)

DNR rule was adopted as part of an experiment to encourage more anglers to catch and release game fish. He estimated that some 2,000 large walleye are caught and released each year due to the one per day limit at Mille Lacs.

The new law will not supersede any existing rules currently in effect on experimental waters so designated by the DNR.

Rep. Doug Peterson (DFL-Madison) sponsored the bill in the House and Sen. Charles Berg (DFL-Chokio), sponsored it in the Senate.

HF2731/SF2467\*/CH523



## FAMILY

### Direct adoption regulation

A bill to regulate direct adoptions — where a child is placed directly by a birth parent without use of an adoption agency — was signed into law by Gov. Arne Carlson May 10.

Current law doesn't regulate a birth mother's choice to hand her baby over to adoptive parents in a private transaction, but it is a common practice. (See April 8, 1994, *Session Weekly*, page 8.)

The new law, effective Aug. 1, 1994, will require adoptive parents to get an adoption order from the district court in the county where they live before they take custody of a baby through a direct adoption. A personal appearance in court will not be required.

The adoption order will be granted based on information provided to the court in a newly mandated adoption study. The prospective adoptive parents will pay for the study, to be conducted by a licensed adoption agency. The agency will examine the history of prospective adoptive parents for any criminal or child abuse, assess parenting skills, determine if finances are adequate to support a child, and, if appropriate, evaluate

their awareness of inter-racial, cross-cultural, and special needs adoptions.

Because no such order is now required, in some cases, direct adoptions have taken place and neither the Department of Human Services nor a court were notified for two years. As a consequence, some birth mothers have effectively sought to regain custody of their children after a substantial period of time.

The measure will require the birth mother to sign an affidavit to permit the child to be placed with adoptive parents. Not sooner than 72 hours after the birth of a child and not later than 60 days after the child is placed, the birth parent must sign a consent form to "finalize" the adoption. Under the bill, a birth parent will have 10 working days to withdraw his or her consent to the direct adoption. The same 10-day requirement now exists in law for agency adoptions.

The birth mother is required to notify the birth father for consent purposes unless he cannot be found or if to search for him will result in "severe emotional distress" to her or the child.

The bill also will require a follow-up agency investigation to ensure that adoptive parents have adapted well to the child and that the child is healthy.

Other provisions in the bill will:

- make it a gross misdemeanor to intentionally falsify information on a birth certificate;
- require any group applying for a license to place children in adoptive homes to incorporate as a non-profit corporation;
- require an adoption agency to purchase a bond to cover costs for the transfer and storage of adoption records, in case the agency goes out of business; and
- create an adoption advisory board — comprised of birth parents, adoptive parents, adopted adults, private adoption agency employees, and human services officials — to further study adoption issues and report back to the Legislature by Feb. 1, 1995.

The bill was sponsored in the House by Rep. Ann Rest (DFL-New Hope) and in the Senate by Sen. Pat Piper (DFL-Austin).

HF2337/SF2129\*/CH631



## GAMBLING

### County fair simulcasting

Charitable gambling organizations will be able to sell pulltabs via vending machines, county fairgoers can watch and bet on live horse racing from other county fairs, and 18-year-olds can still gamble under the omnibus gambling bill which the governor signed into law May 10.

House members passed the omnibus gambling bill 89 to 44 and the Senate passed it 58 to 0.

The final compromise bill does not include an amendment Rep. Doug Swenson had successfully attached to the House bill. It would have slashed the Minnesota State Lottery's advertising budget from \$7.5 million to \$4.5 million annually.

The new law includes provisions for:

- Simulcasted horse races at five county fairs. That means live horse harness racing at one county fair can be broadcast live to up to four other county fairs. People can bet on those races if the fairs have the proper licensing and authorization. The five county fairs will become part of the harness racing circuit and no other county fairs can be authorized to simulcast horse racing. A fair can only broadcast live harness races to the other four fairs in its circuit and only when the fair is taking place.
- Up to three pulltab dispensing machines in bars. The machines will dispense the pulltabs instead of bar employees who typically keep the pulltabs in jars. The vending machines can be used after June 1995.

- Keeping the legal gambling age at 18. But minors can't play bingo. Current law doesn't set a minimum age for bingo. An amendment successfully attached to the original House bill would have raised the current legal gambling age from 18 to 21. Other changes in the bill will keep anyone under 18 from receiving a lottery ticket as a gift. Currently, minors can't buy lottery tickets, but can receive them as a gift from someone of legal gambling age.
- Keeping three state gambling boards: the Minnesota Racing Commission, the Gambling Control Board, and the Lottery Board. The House bill had called for their elimination or merger with other boards and the creation of a special council to advise the governor on gambling policy. Those three divisions remain in place under the compromise bill, but the advisory council will still be created.
- Allowing charitable gambling organizations to use up to 5 percent, or \$5,000, of their profits to advertise their games. The House bill didn't contain the provision. The original Senate bill did.
- Increasing the maximum pulltab prizes from \$250 to \$500.
- The Metropolitan Airports Commission, which oversees the Minneapolis-St. Paul Airport, can sell lottery tickets at the airport. The commission will authorize a non-profit organization to sell the tickets from an independently operated kiosk.

HF321/SF103\*/CH633



Minnesota voters will get a chance this November to decide whether off-track horse betting should be allowed in the state. The 1994 election ballot will include a question asking voters if the state constitution should be amended to allow off-track betting on horses. If voters say yes, it's up to the Legislature next year to decide how off-tracking betting will be carried out. (HF3227/SF180\*/CH626)

### Off-track betting

Minnesota voters will get a chance this November to decide whether off-track horse betting should be allowed in the state, under a bill signed into law by Gov. Arne Carlson May 10.

This year's November election ballot will include a question asking voters if the state constitution should be amended to allow off-track betting on horses. If the majority answer yes, the Legislature could authorize such betting in 1995.

Two Hector, Minn., horse breeders announced in late March they had purchased Canterbury Downs with hopes of bringing back live horse racing there. They need off-track betting parlors — where people bet on and watch races held across the country on big-screen televisions — to make a go of it, they said.

Although the 1991 Legislature approved up to four off-track telereading sites in Minnesota, the law was later declared unconstitutional by the Minnesota Supreme Court.

The new law only authorizes that a proposed constitutional amendment be put to voters. If the proposed amendment passes, it will be up to the Legislature to determine how many off-track betting parlors would be authorized in Minnesota and how they will be regulated.

The proposed constitutional amendment will read:

"Shall the Minnesota Constitution be amended to permit the legislature to authorize off-track pari-mutuel betting on horse racing in a manner prescribed by law?"

The new law also requires that the director of pari-mutuel betting conduct a study and report back to the Legislature by Feb. 1, 1995, with draft legislation on how off-track betting should be conducted.

Among other things, the draft legislation must:

- provide for a limited number of off-track betting sites to be spread throughout the state;
- provide that pari-mutuel betting be conducted primarily to support live horse racing — not to supplant it; and
- provide that "off-track betting locations be limited to teletheaters with large-screen television displays of live horse racing, theater-seating and full dining and beverage service."

Bill sponsor Rep. Wayne Simoneau (DFL-Fridley) said live horse racing could be a huge financial industry in the state. He said he expected 400 Minnesota horse farms to spring up, should live racing return. Sen. Carl Kroening (DFL-Mpls) sponsored the bill in the Senate.

HF3227/SF180\*/CH626



## GAME & FISH

### Omnibus fish and game law

The Department of Natural Resources (DNR) can prescribe an alternative color of garb for Amish deer hunters who have a religious objection to wearing blaze orange clothing.

And hunters can continue to take more than one deer — one with a firearm and one with a bow and arrow — in certain northwestern Minnesota counties.

These are two of the provisions in the omnibus game and fish bill signed into law by Gov. Arne Carlson May 10.

Effective May 11, 1994, the DNR commissioner can allow red instead of blaze orange hunting jackets and hats for Amish people who hold a religious objection to the bright orange color. The exception is based upon the federal Religious Freedom Restoration Act of 1993.

Another provision in the law, also effective May 11, will allow hunters in four northwestern Minnesota counties to continue to take two deer in one season — provided one is by firearms and the other by archery.

Current law permits the taking of two deer in four northwestern Minnesota counties — Kittson, Lake of the Woods, Marshall, and Roseau — during the 1993 and 1994 hunting seasons. The new law makes that practice permanent.

The law also repairs language in a recently enacted law that would have banned all Minnesotans from bringing walleye into the state from Ontario — except for one “trophy” fish. (See April 29, 1994, *Session Weekly*, page 13.) Minnesota fish wholesalers and restaurants complained that the import ban in the 1994 law would have been disastrous for business. (HF1835\*/SF1755/CH479)

The revision now specifies that a Minnesota angler cannot bring back any walleye caught anywhere in Ontario, except for one “trophy” fish. Border waters east of Rainy Lake are not included in the ban. The zero limit also applies to sauger, lake trout, sturgeon, and muskie, although one “trophy” fish for mounting of each species can be brought back. The law doesn’t apply to anglers from outside Minnesota.

The law is part of a Minnesota effort to retaliate against Ontario for prohibiting Minnesota anglers or those using cabins on the Minnesota side of Rainy Lake from bringing back walleye from the Canadian side of the lake. Ontario imposed the restriction to encourage anglers to stay at Canadian resorts.

A number of civil law provisions also are in

the new omnibus game and fish law. For instance, landowners who permit snowmobile trails to run through their property will, effective Aug. 1, 1994, be shielded from liability should a snowmobiler be injured. Landowners will not be responsible for maintaining the trails or for warning riders of potential dangers.

Fear of lawsuits has limited the number of property owners willing to open their land to snowmobile trails. Landowners, however, who “willfully” take action to injure someone still can be held liable.

Similar liability provisions in the law will shield individuals running charitable food banks, livestock shows, and bars with breath-alcohol testing devices from lawsuits. Also covered are physicians, trainers, and coaches volunteering with amateur athletic events.

The law will prohibit the DNR from adding more rules on how archery bows can be transported or possessed. This provision eliminates a DNR rule that archers must have their bows unstrung or in a case while in the field before and after the hours allowed for hunting.

Other sections of the new game and fish omnibus law will allow:

- road maintenance workers to remove a beaver dam blocking a waterway when it threatens to damage a public road. Beaver lodges within 300 feet of a road can be removed, if the DNR commissioner gives his approval;
- non-residents to hunt deer with antlers anywhere in Minnesota by buying a \$220 license;
- disabled war veterans to get free small game hunting licenses;
- bow hunters to use a high-tech arrowhead with mechanically retractable blades, as long as they comply with other requirements for arrowheads used in big game hunting;
- an expanded season for hunting raccoon and red fox. By Jan. 15, 1996, the DNR commissioner must report back to the Legislature on the effect this change has on these animals and their prey; and
- individuals lawfully entitled to trap fur bearing animals to sell raw furs to a licensed fur buyer, without buying a license.

The game and fish bill was sponsored in the House by Rep. Bob Milbert (DFL-South St. Paul) and in the Senate by Sen. Bob Lessard (DFL-Int’l Falls).

HF2825/SF2429\*/CH623



## GOVERNMENT

### Statewide computer link

Money for a new \$14.8 million statewide computer system to link state agencies and consolidate state accounting functions was signed into law May 10 by Gov. Arne Carlson.

The money is part of a \$30.7 million supplemental state budget bill and represents the bulk of a \$17.7 million appropriation for the departments of finance, administration, employee relations and a few smaller agencies. (See Vetoed Bills section.)

In 1991, the Legislature spent \$1.8 million to begin the computer link. It authorized \$15 million for the project in 1993. The last payment for the computer system is expected to come in the 1996-97 state budgeting period. (Art. 3, Sec. 8)

Other money set aside in the new law for the departments of finance, administration, employee relations and other smaller agencies includes:

- \$300,000 to the Minnesota Amateur Sports Commission to grant to the Minnesota Chippewa tribe. The tribe will host the 1995 Indigenous Games near Bemidji, Minn. The sponsor of this provision, Rep. Bob Johnson (DFL-Bemidji), compared the Indigenous Games to a smaller-scale Olympics. The grant must be matched by nonpublic funds (Art. 3, Sec. 10);
- \$200,000 to the Legislative Audit Commission to conduct a best practices review of Minnesota local governments to determine the best “method of service delivery” used by various city councils, county boards, and other units of local government. The commission will then recommend that other local governments, which may not be doing as well, adopt the “best practices” (Art. 3 Sec. 2);
- \$100,000 to the Office of Strategic and Long-Range Planning to maintain a computerized database of the results of ground water quality monitoring. The monitoring is legally required in Minnesota (Art. 3, Sec. 6); and
- a \$1 million cut in the amount paid from the state’s general fund to the police and firefighter’s pension fund. The payment isn’t necessary because the fund is doing well (Art. 3, Sec. 14).

The new law also authorizes the commissioner of employee relations to study the way the Minnesota State High School League pays its employees. No money is set aside for this provision. The report should take into account pensions, health insurance, and all other forms



of compensation paid to employees.

The Department of Employee Relations must provide the report to the House and Senate education committees and governmental operations committees by February 1995. (Art. 3, Sec. 9)

The bill was sponsored by Sen. Gene Merriam (DFL-Coon Rapids) in the Senate and Rep. Loren Solberg (DFL-Bovey) in the House.

**HF3215/SF2913\*/CH632**

## Expanded Met Council

Members of the Metropolitan Council will remain appointed by the governor, but the regional governing board will absorb the Metropolitan Transit Commission (MTC), the Regional Transit Board (RTB), and the Metropolitan Waste Control Commission (MWCC), under a bill the governor signed into law May 10.

Under the new law, the MTC, RTB, and MWCC will no longer exist and their duties will be transferred to the Metropolitan Council. But employees of the three agencies cannot be laid off before January 1995, when the reorganization becomes effective. Combined, the agencies employ about 3,635 people.

Rep. Myron Orfield (DFL-Mpls), the bill's sponsor, originally had pushed for an elected Metropolitan Council but that version of his bill failed by one vote on April 28. House members resurrected the bill May 2 and passed it, minus the elected council provision.

The Metropolitan Council plans and coordinates the development of airports, parks, roads and transit, sewage, and other regional issues for the seven-county Twin Cities metropolitan area. Its authority encompasses 100 cities, and the council has a full-time staff of about 200 employees.

The new measure puts the metropolitan area's sewer systems, solid waste management, and transit services under the jurisdiction of the Metropolitan Council.

The council's top staff position, which is now the executive director, will now be the regional administrator.

Also under the bill, the 17 Metropolitan Council members will draw a \$20,000 annual salary, rather than the \$50 per day payments they now receive. The per diem payments amount to about \$9,000 per year.

**HF2276/SF2015\*/CH628**

## Protecting free speech

Lawsuits against citizens who exercise their constitutional right to speak out — typically against condominium projects, landfills, or other developments — will be more difficult to win, under a bill signed into law May 5 by Gov. Arne Carlson.

The new law, sponsored by Rep. Tom Pugh (DFL-South St. Paul) and Sen. Jane Krentz (DFL-May Township), will better protect citizens and civic organizations from lawsuits called SLAPP suits. These Strategic Lawsuits Against Public Participation often are designed to stop people from testifying against a project before a city council or other governing board, or from writing a letter to their local newspaper in opposition to a project.

The law, which took effect May 6, 1994, requires developers or others filing the legal action to prove that they have been harmed by the person or people whose words or actions are at issue.

If not, the measure specifies that such a lawsuit be dismissed. The law protects people's "lawful conduct or speech" by making them immune from liability if their actions are "genuinely aimed in whole or in part at procuring favorable government action . . . unless the conduct or speech constitutes a tort or a violation of a person's constitutional rights."

Until this law, the citizen or citizens against whom such a suit was brought must have, in essence, proved their innocence.

In addition, the law requires the losers of such cases to pay the attorney fees of the winner. And it also allows the winner to seek damages against the initiator of such a SLAPP suit if he or she can prove it was brought to harass, inhibit public participation or otherwise harm the winner.

Lawmakers were concerned that the threat of a SLAPP suit will intimidate citizens and make them afraid to speak out.

**HF1155/SF584\*/CH566**

## Revoking state licenses

A new law giving more authority to the Department of Commerce to deny, suspend, or revoke a state-issued license was signed March 31 by Gov. Arne Carlson.

Under current law, the department may deny, suspend, or revoke a state-issued license for several reasons.

The new law, effective April 1, expands that power so the department can deny, suspend, or revoke the state-issued license of a person who provides false, misleading, or

incomplete information to the Department of Commerce, or has refused to allow a reasonable inspection of records or premises.

The law also clarifies that the commissioner's authority includes the power to enforce its responsibilities under the petroleum tank release cleanup fund law.

Under the state's petroleum tank release cleanup fund law, or Petrofund program, owners of storage tanks may recover up to 90 percent of a site's cleanup cost. Those seeking reimbursement for such costs are required by law to provide the Petroleum Tank Release Compensation Board with detailed financial records upon request.

The new law will allow the Department of Commerce to exercise administrative authority should someone seeking Petrofund reimbursement fail to meet the disclosure requirements.

The proposal was sponsored in the House by Rep. Geri Evans (DFL-New Brighton) and in the Senate by Sen. Cal Larson (IR-Fergus Falls).

**HF2201/SF1750\*/CH385**

## Fireworks study

Gov. Arne Carlson signed a bill into law April 11 requiring the state fire marshal to study fireworks safety and how fireworks display operators would best be regulated by the state.

The study will make recommendations to increase the safety level of public fireworks displays, create requirements for fireworks operators, and establish a program to certify public display operators.

Recommendations must be submitted to the Legislature by Dec. 31, 1994.

The bill was sponsored in the House by Rep. Jerry Bauerly (DFL-Sauk Rapids) and in the Senate by Sen. Dan Stevens (IR-Mora).

**HF2836/SF2425\*/CH405**



## HEALTH

### Health care reform

A new law promises universal health coverage for all uninsured Minnesotans by July 1, 1997.

The proposal builds on legislation passed during the last two legislative sessions and continues attempts to stem the growth in health care and insurance costs while increasing access to doctors and other health care professionals for uninsured Minnesotans.

The law, signed by Gov. Arne Carlson May

10, says the state will complete its restructuring of Minnesota's health care delivery system by July 1, 1997.

Once the system reform is completed, Minnesotans won't simply have health coverage available — they'll have to be covered. The bill mandates that each Minnesota resident "shall obtain and maintain qualifying [health care] coverage."

By Jan. 1, 1998, each Minnesotan also will have a health care identification card detailing their coverage.

The new health care system will be divided into two categories: independent service networks (ISN) and regulated all-payer option (RAPO) for those not belonging to an ISN.

The 1993 Legislature encouraged the formation of ISNs, which would provide a full array of health care services, from routine primary and preventive care through acute inpatient hospital care, for a fixed price.

By law, ISNs are to be non-profit corporations that must participate in the Medical Assistance, General Assistance Medical Care, and MinnesotaCare programs.

Joining an ISN is voluntary for all health care providers. Those choosing not to join will become part of the "regulated all-payer system," or fee-for-service system. Both systems would be strictly regulated by the state.

As an intermediary step toward the two-tier system goal, community integrated service networks, or CISNs, will be formed. These "mini-ISNs" will begin providing health care services to smaller communities throughout the state beginning Jan. 1, 1995.

Each CISN will serve up to 50,000 people and will be regulated in much the same way health maintenance organizations (HMOs) are now regulated. The benefits provided by CISNs must meet the minimum benefits outlined in law for HMOs.

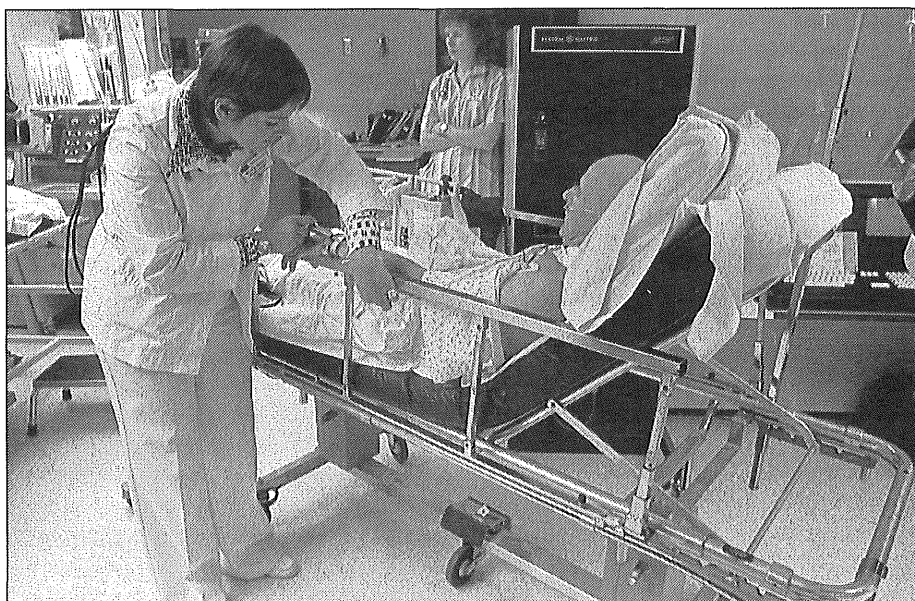
Deductibles of up to \$1,000 per person per year could be charged, provided that out-of-pocket expenses don't exceed \$3,000 per person or \$5,000 per family per year. The deductible would not apply to preventive health care services.

The new law delays the start-up of ISNs, which have no limit on the number of people who can be enrolled, until Jan. 1, 1996. They were to begin forming on July 1, 1994.

While the governor did exercise his line-item veto authority on two provisions of the new MinnesotaCare law, they do not affect the policy changes outlined here.

The bill was sponsored in the House by Rep. Lee Greenfield (DFL-Mpls) and in the Senate by Sen. Linda Berglin (DFL-Mpls).

Other provisions in the bill (HF2525/SF2192\*/CH625) include:



A new law promises universal health coverage for all uninsured Minnesotans by July 1, 1997. The law, signed by Gov. Arne Carlson May 10, says the state will complete its restructuring of Minnesota's health care delivery system by 1997. (HF2525/SF2192\*/CH625)

#### Expanded coverage

Beginning Oct. 1, 1994, single adults and people in households with no children with incomes less than 125 percent of federal poverty guidelines will be eligible for MinnesotaCare. For an individual, that's \$9,204 per year; for a couple, \$12,300 annually.

At present, there are 62,305 MinnesotaCare enrollees. Estimates place enrollment after single adults and childless couples are added at 89,798 for fiscal year 1995.

The current 2 percent tax on gross revenues from all health care providers, hospitals, pharmacies, and wholesale drug distributors, expected to generate \$138.6 million in fiscal year 1995, will cover all 89,798 expected enrollees.

On Oct. 1, 1995, single adults and childless couples with incomes up to 275 percent of federal poverty guidelines will be eligible for MinnesotaCare. (Art. 13, Sec. 2)

Lawmakers will address how to fund the universal coverage goal next session. (HF2525/SF2192\*/CH625)

#### Expanded HMO coverage

The law requires HMOs to offer coverage for "allied independent health providers," effective Jan. 1, 1995. Such providers include chiropractors, marriage and family therapists, social workers, and dietitians.

Those allied providers must meet the HMO's credential standards, contract terms, and managed care rules. Included in those rules would be a mandatory referral from the HMO before a patient could see an allied provider.

As long as allied providers meet those requirements, HMOs could not refuse them entrance to their provider network.

The HMOs will be allowed to offer the allied health coverage as a separate insurance plan — at an additional cost — as long as the increase can be justified and is approved by the Department of Health.

The Medicare, Medical Assistance, General Assistance Medical Care, and MinnesotaCare programs are exempted from the expanded allied health coverage mandate. (HF2525/SF2192\*/CH625, Art. 1, Sec. 6)

#### Office of Consumer Information

To help individuals make an informed choice about their health insurance coverage, a state office of consumer information will be formed within the Department of Health. The office will serve as an information clearinghouse and help consumers to obtain coverage. Quality report cards would be available upon request from the office, based on data provided by each health organization. (HF2525/SF2192\*/CH625, Art. 2, Sec. 1)

#### Reform effectiveness

How many Minnesotans are now without health care coverage and how effective are the reforms of the past few years? The Minnesota Health Care Commission is asked in the new law to authorize a study to find out. The Department of Human Services will analyze the current MinnesotaCare population to determine the effects of existing health care reforms. Results are to be reported to the Legislature by Jan. 15, 1995. (Art. 6, Sec. 5)

The commission is also asked to present the Legislature with a specific percentage of income that overall health care costs to a family or individual should not exceed. (HF2525/SF2192\*/CH625, Art. 6, Sec. 6)

### Uniform billing forms

To streamline administrative efforts, the law mandates uniform billing forms. Phase-in of the forms, for all areas of the health care industry, is to be completed by July 1, 1996. Providers could avoid the uniform forms only if they use an equivalent electronic billing format. (Art. 9, Secs. 1-5)

Additionally, the Minnesota Center for Health Care Electronic Data Interchange will be created, to make the exchange of information more efficient. (HF2525/SF2192\*/CH625, Art. 9, Sec. 8)

### Single payer study

A \$65,000 study to determine whether the state could save money with a single-payer health care system will be conducted by the Office of the Legislative Auditor.

A separate bill (SF1867) proposing the same study was vetoed by the governor May 2.

Under a single-payer system, the state government would take over the payment of all health care services or authorize one outside insurance company, acting somewhat like a public utility, to handle all the claims.

Currently, many different private insurance companies and health care groups pay claims filed by patients, clinics, doctors, and others.

A report to the Legislature is due by Jan. 15, 1995. (HF2525/SF2192\*/CH625, Art. 5, Sec. 9)

### Helping doctors and nurses

Gov. Arne Carlson signed a bill into law May 4 that encourages health professionals to voluntarily report an illness or drug and alcohol problem.

Effective May 5, the law is designed to allow certain doctors, nurses, dentists, and some other health professionals to continue their practices provided they submit to a monitoring program. Some health care workers may be asked to stop practicing for a while as a condition of acceptance into the program.

It is hoped that more health professionals will step forward and admit their problems if the fear of losing their livelihoods and reputations is at least partially removed. Names remain confidential.

Previously, a health care professional accused of being impaired for health reasons was subject to a disciplinary hearing, the

results of which are public. Critics argue that practice prevented doctors and others from receiving help for their problems.

Under the new law, health professionals can continue to practice unless they become a danger to patients, fail a drug test, or otherwise violate their monitoring contract.

Sponsored by Rep. Steve Kelley (DFL-Hopkins) in the House and in the Senate by Sen. Pat Piper (DFL-Austin), \$198,000 is set aside for the program. It is modeled after an existing program that encourages health professionals with HIV, the virus that causes AIDS, and those with Hepatitis B Virus, to self-report. They can volunteer the information and subject themselves to monitoring.

Five of the state's 12 health professional regulating licensing boards have tentatively agreed to participate in the program. They include the Board of Medical Practice, the Board of Nursing, the Board of Dentistry, the Board of Podiatry, and the Board of Chiropractic Examiners. Other regulating boards could join later.

The new law sets up a Health Professional Services Program that consists of two or more regulating boards working together. A committee made up of a member from each regulating board will appoint a manager to help work out the specifics of the program such as who should be enrolled, how they should be monitored, and how often.

HF2120\*/SF1849/CH556

### Dispensing drugs

Effective Aug. 1, 1994, certain health professionals will be granted the authority to dispense drugs.

Under current law, nurse practitioners and physician assistants have the authority to prescribe and administer drugs, but they cannot dispense them. That means members of the two professions can give patients a pill or an injection in an office setting, but cannot give the same patient any medicine to take home.

The new law also states that nurse practitioners and physician assistants can dispense drug samples, codifying what has been common practice, according to Sue Stout of the Minnesota Nurses Association. (See March 31, 1994 *Session Weekly*, page 6.)

The bill, sponsored in the House by Rep. Roger Cooper (DFL-Bird Island) and in the Senate by Sen. Pat Piper (DFL-Austin), was signed April 6 by Gov. Arne Carlson.

HF2318/SF2086\*/CH389

### Advance practice nurses

Certified psychiatric and mental health nurses can now prescribe and administer certain drugs, under a new law signed April 20 by Gov. Arne Carlson.

The new law, effective April 21, 1994, allows such nurses who have earned a master's degree to prescribe and administer drugs used to treat psychiatric and behavioral disorders. Forty-six other states have similar laws.

Eligible nurses also must complete at least 30 hours of formal study relating to the drugs they would prescribe, and would be under the supervision of a psychiatrist.

Under current law, each time a psychiatric medication is prescribed or adjusted, a psychiatrist's signature is needed. Eliminating that requirement will decrease waiting lists for mental health services, particularly in rural areas, where the acute shortage of psychiatrists has been strongly felt, according to Deborah Brown of the Minnesota Nurses Association.

The measure expands a 1992 law that authorized nurse practitioners to prescribe and administer drugs.

The new law was sponsored in the House by Rep. Pam Neary (DFL-Afton) and in the Senate by Sen. Harold Finn (DFL-Cass Lake).

HF2072/SF1806\*/CH470

A related measure, authorizing nurse practitioners and physician assistants to dispense drugs, also has been signed by the governor. As of April 7, 1994, certified psychiatric and mental health nurses have the authority to dispense drugs as well. Dispensing authority allows a nurse to give a patient medication to bring home, rather than administering a single dose in an office setting. (For more details on both laws, see March 31, 1994, *Session Weekly*, page 8, and April 15, 1994, *Session Weekly*, page 13.)

HF2318/SF2086\*/CH389

### Foreign doctors

Some foreign medical school graduates who want to be licensed in Minnesota are now exempt from going through two more years of graduate medical school, under a new law signed by Gov. Arne Carlson April 13.

The new exemption applies if the foreign graduate is licensed in another state, has practiced for five years without disciplinary action, has completed one year of required graduate training, and has passed a special exam within three attempts in the two years before the licensing.

Effective April 14, 1994, the new law expands existing exemptions for foreign medical school graduates.

Under a 1993 law, the two-year training requirement was set aside if the person went through one year of training and, either was admitted as a permanent immigrant with exceptional science ability, or was given a permanent visa as an outstanding professor or researcher after Oct. 1, 1991.

Rep. Katy Olson (DFL-Sherburn) and Sen. Jim Vickerman (DFL-Tracy) sponsored the new law.

**HF2391/SF2345\*/CH433**

## Mental health pilot study

A three-county pilot study will evaluate delivery of adult mental health services throughout the state, under a new law Gov. Arne Carlson signed April 25.

The law — effective Aug. 1, 1994 — will create three, nine-member advisory committees to study the availability and quality of emergency mental health services for adults.

The three counties chosen for the study will represent urban, suburban, and rural areas. The Department of Human Services will appoint the committee members but will consult first with advocates for people with mental illnesses and local advisory councils.

The law was sponsored in the House by Rep. Kay Brown (DFL-Northfield) and in the Senate by Sen. Don Betzold (DFL-Fridley).

The human services commissioner will report the study's findings and recommendations to the Legislature by Jan. 15, 1996.

**HF2148\*/SF1760/CH515**

## No smoking in hallways

It will be more difficult for apartment dwellers to find a place to light up a cigarette, under a bill signed into law by Gov. Arne Carlson April 28.

Effective Aug. 1, 1994, smoking in common areas of apartment buildings such as laundry rooms, mail rooms, and hallways is prohibited.

Sponsored in the House by Rep. Edwina Garcia (DFL-Richfield) and in the Senate by Sen. Gene Merriam (DFL-Coon Rapids), the measure expands Minnesota's Clean Indoor Air Act, which restricts smoking in many public places.

**HF423\*/SF372/CH520**



## HIGHER EDUCATION

### New higher ed funding formula

Gov. Arne Carlson May 5 vetoed all the money in the supplemental budget bill for the state's public colleges and universities, but he left alone other provisions, such as one that would change how state aid to colleges and universities is distributed. (See Vetoed Bills section.)

The idea is to make the way the state distributes funding to public colleges and universities more equitable. The new law uses a "base plus" funding formula instead of the average cost formula in place since 1983.

Under the average cost formula, schools calculate the average cost of programs and divide that by the number of full-time students to come up with a total. The state then pays 67 percent of that total and expects tuition to pick up the rest.

The "base plus" formula will give schools a set dollar amount based on building costs, utilities, equipment expenses, and other costs. The formula will not be based on enrollment.

Schools will also receive a variable dollar amount for teachers salaries and classroom equipment, which will change with enrollment shifts. Also, schools can receive an extra 1 percent bonus if they meet specific performance standards the new law outlines for them.

The state will use the new method of appropriating money beginning with the 1995 school year.

Also under the new law, college students with children can receive no more than \$1,500 annually for each child in child care. That amount currently is not capped.

The measure also delays by one year — until July 1995 — the implementation of a cap on how much financial aid private college students can receive. The cap was to go into effect this year.

In addition, the bill includes language that will allow the merger of three of the state's higher education systems — the technical college, community college, and state university systems — to go forward. Beginning in July 1995, the administrative arms of the three systems will be consolidated under the newly created Higher Education Board.

The new law also requires the Higher Education Coordinating Board (HECB) — which now distributes financial aid to students among many other duties — to recommend to the Legislature what its role should be after the merger.

The original House version of the bill would have abolished the HECB.

The community college centers in Duluth and Cambridge could become full colleges under the law, but only if approved by the Higher Education Board. The board cannot grant the approval until it's officially formed in July 1995.

The House-Senate compromise bill would have appropriated \$450,000 to the Fond du Lac Center in Cloquet to become a full community college. The governor, however, vetoed that appropriation.

The final bill, however, establishes the center's mission as meeting the educational needs of American Indians. Tribal officials can oversee the community college board.

The House passed the bill on a 112-22 vote; the Senate passed it 65-0. It was sponsored by Rep. Gene Pelowski (DFL-Winona) in the House and Sen. LeRoy Stumpf (DFL-Thief River Falls) in the Senate.

**HF3178/SF2900\*/CH532**



## HOUSING

### Mobile home communities

A new law signed by Gov. Arne Carlson April 20 prevents local governments from changing certain zoning requirements for mobile home parks constructed before January 1995 if the park met zoning ordinances when originally constructed.

The law is effective Aug. 1, 1994.

The law keeps local governments from changing zoning rules on older mobile home parks that regulate how close mobile homes can be to one another, the size of mobile home lots, and how far from streets and sidewalks the homes must be.

Changes in zoning rules could throw older parks out of compliance and result in their closure, argued supporters of the bill.

Rep. Chuck Brown (DFL-Appleton) sponsored the bill in the House; Sen. John Hottinger (DFL-Mankato) was the Senate sponsor.

**HF2666\*/SF2421/CH473**

### Written leases or else

Landlords who rent out apartments in buildings with 12 or more units will face a fine of up to \$200 if they don't use written leases, under legislation signed into law April 22 by Gov. Arne Carlson.

Lawmakers last year passed legislation requiring owners of buildings with 12 or more units to provide their tenants with written leases. This year's legislation makes disobeying the law a petty misdemeanor, which is subject to a fine of up to \$200.



Rep. Darlene Luther (DFL-Brooklyn Park) carried the House bill and Sen. Ellen Anderson (DFL-St. Paul) sponsored the legislation in the Senate. The law becomes effective Aug. 1, 1994, for new or renewed leases beginning on or after that date.

HF1859\*/SF1822/CH496



## INSURANCE

### Farm liability insurance

How well damage caused by pollution is covered by farm liability insurance policies will be studied, under a bill Gov. Arne Carlson signed into law April 20.

The law is in response to the more rigorous enforcement of state feedlot pollution regulations that are designed to prevent animal waste from polluting rivers. Feedlots are confined areas where grass doesn't grow and groups of animals are kept.

Although the feedlot regulations have been on the books for some time, they haven't been enforced as rigorously until recently. Consequently, farmers have become more concerned about whether damage caused by pollution is covered by their insurance.

The new law requires the Department of Commerce to select an advisory committee composed of representatives from both the farming and insurance industry to conduct the study.

The committee will:

- identify existing farm liability policies in Minnesota and the extent of pollution liability coverage;
- determine the range of farm pollution liability insurance beyond the basic farm liability policy as well as the limits and costs of the coverage;
- analyze current insurance industry practices, including how companies compute pollution liability risk;
- assess whether pollution coverage should be mandated in farm liability insurance;
- consider whether to publish a farm liability coverage market guide; and
- make recommendations for new legislation or rules regarding pollution liability insurance to "strengthen both the farming community and the insurance industry."

The commerce commissioner is to report the study's findings and recommendations to the Legislature by Jan. 1, 1995.

The law was sponsored by Rep. Alice Johnson (DFL-Spring Lake Park) and Sen. William Luther (DFL-Brooklyn Park).

HF2954/SF2255\*/CH476



A county board may seek civil penalties and damages from people who are caught littering, under a law the governor signed April 11. (HF1186\*/SF1489/CH412)

### Closing insurance loopholes

Insurance companies will not be able to claim a woman had a pre-existing condition if she has non-cancerous lumps in her breasts and then later develops cancer, under a bill signed into law by the governor April 15.

The bill, which was unanimously approved by both the House and Senate, would prohibit health carriers from terminating, canceling, or refusing to renew a health plan solely because of what is called a fibrocystic condition.

According to House bill sponsor Rep. Carol Molnau (IR-Chaska), between 50 and 70 percent of all women are affected by a hereditary fibrocystic condition, which can cause nodules or cysts to form in women's breasts.

The American Cancer Society and other medical groups have stated there is no evidence between the condition and cancer, Molnau said.

Although insurance companies cannot terminate a policy because a woman develops breast cancer, some companies still claim the fibrocystic lumps were a pre-existing condition the woman hid from them. The companies consider that grounds for terminating the policy.

The new law will insure that a woman's health insurance is not changed solely because she has a fibrocystic condition. The measure, which was sponsored in the Senate by Sen. Terry Johnston (IR-Prior Lake), is effective Aug. 1, 1994, and applies to a plan issued or renewed to provide coverage to a Minnesota resident on and after that date.

HF2530/SF1951\*/CH442

### HIV test results

Insurance companies cannot obtain the HIV test results of accident victims, or the emergency medical personnel and good Samaritans who help them, under a new law signed by Gov. Arne Carlson April 20.

The law, which is effective Aug. 1, 1994, expands a current statute that keeps insurers from obtaining the results of HIV tests performed on sex offenders or on victims who had contact with a criminal's bodily fluids.

HIV is the virus that causes acquired immune deficiency syndrome (AIDS) and can be spread through contact with bodily fluids. Insurance companies use HIV test results to deny health coverage or cancel a policy, said Rep. David Bishop (IR-Rochester) who sponsored the measure in the House. Sen. Ember Reichgott Junge (DFL-New Hope) sponsored the Senate version. (See April 15, 1994, *Session Weekly*, page 17).

The law defines emergency medical providers as firefighters, paramedics, nurses, and other trained professionals, as well as "other persons who administer emergency care" such as good Samaritans.

HF2379/SF1794\*/CH475



## LABOR

### Labor Interpretive Center

The proposed Labor Interpretive Center will get \$185,000 during fiscal years 1994 and 1995 under a provision in the state supplemental budget bill signed into law May 10 by Gov. Arne Carlson.

The center, which has been planned since 1985, is slated to be built in downtown St. Paul across from the Civic Center on a site between Kellogg Boulevard and Fifth Street.

The goal of the proposed center is to "celebrate the contribution of working people to the past, present, and future of Minnesota," according to the center's mission statement.

Rep. Loren Solberg (DFL-Bovey) sponsored the supplemental budget bill in the House and Sen. Gene Merriam (DFL-Coon Rapids) carried the legislation in the Senate.

HF3215/SF2913\*/CH632



## LAW

### Border incident

A law enforcement officer from an adjoining state will be able to cross the border and make an arrest in Minnesota, under a bill signed into law by Gov. Arne Carlson April 15.

After Aug. 1, 1994, law enforcement officers from North Dakota, South Dakota, Iowa, or Wisconsin can enter this state, in direct response to a request from a Minnesota peace officer, and act with the full authority granted to law enforcement personnel in this state. The officer must obey the direction of the Minnesota law enforcement officer while in this state, however.

The out-of-state police officer, sheriff's deputy, or conservation officer will be required to follow the rules of his or her own agency while in Minnesota. After making the arrest, the officer must promptly surrender custody of the arrested individual to a Minnesota peace officer.

The law stems from a Nov. 14, 1992, incident which began when a concerned citizen from Revillo, S. D., called the Lac qui Parle County sheriff's department in Minnesota about a group driving pickups through fields and "shining" deer — using a spotlight to freeze deer and then shoot them.

The sheriff dispatched some deputies and a town officer. A South Dakota state trooper and a South Dakota deputy, along with conservation officers from Minnesota and South



Nearly all lobbyist gifts to lawmakers are banned under the new ethics law that was one of the first bills to be signed into law this year. (HF1863\*/SF1737/CH377)

Dakota, responded to the call.

A Minnesota conservation officer, who was following the three pickups, radioed ahead to a South Dakota trooper who was in a better position. The trooper then apprehended the suspects one mile into Minnesota.

Although a Lac qui Parle County sheriff's deputy arrived at the scene within two minutes of the initial stop, a Minnesota judge later ruled that the South Dakota trooper did not have authority to make a legal stop and dismissed the case against the six defendants.

Rep. Doug Peterson (DFL-Madison) was the House sponsor of the bill, and Sen. Randy Kelly (DFL-St. Paul) sponsored the Senate companion.

HF1966\*/SF1855/CH441

### Ethics in government

Gov. Arne Carlson signed a major ethics bill into law March 22 that bans nearly all lobbyist gifts to lawmakers.

Under the bill, a lobbyist, business, or special interest group can not give a gift to a legislator. A legislator, in turn, cannot accept a gift from anyone or any group attempting to influence legislation.

Such gifts include money, property, a service, a loan, or a promise of future employ-

ment. Although not specifically listed, food and beverages are also considered gifts, and, therefore, are banned.

There are a few exceptions to the ban on gifts; a lawmaker may accept a plaque or similar memento recognizing service or a meal after he or she has appeared at a meeting to give a speech or answer questions on an issue.

The new law takes effect Aug. 1, 1994. It was sponsored by Rep. Edgar Olson (DFL-Fosston) in the House and in the Senate by Sen. John Marty (DFL-Roseville).

HF1863\*/SF1737/CH377

### Flag burning ban

A legislative resolution that calls on Congress to pass a proposed constitutional amendment that would allow Congress and the states to pass laws against the "physical desecration of the flag of the United States" was signed into law by the governor April 15.

The resolution has no force of law, but functions as a "show of support and show of strength" for Congressional action, according to Lyle Foltz, assistant adjutant of the Minnesota American Legion.

Foltz said that Congress must still pass a proposed constitutional amendment, which requires a two-thirds majority in both the U.S. House and the U.S. Senate. If that occurs, the proposed amendment would then have to be ratified by at least 38 states.

Foltz said Minnesota is the 43rd state to pass a resolution stating support for the ban on flag burning, but it is unclear whether there is enough support in the U.S. House and Senate for the proposal to be considered by the states.

Recent U.S. Supreme Court rulings have held that burning the flag is protected under the First Amendment. (See March 4, 1994, *Session Weekly*, page 11 and March 25, 1994, *Session Weekly*, page 15.)

The Minnesota Secretary of State's Office is instructed to send copies of the resolution to the "President and Secretary of the United States Senate, the Speaker and Clerk of the United States House of Representatives, and Minnesota's Senators and Representatives in Congress."

The resolution was sponsored in the House by Rep. Brian Bergson (DFL-Osseo) and in the Senate by Sen. Jim Vickerman (DFL-Tracy).

HF1880\*/SF1700/R5

## Data privacy, open meetings

A news organization couldn't broadcast your emergency call to 911 without your permission, and a merchant couldn't disclose what videos you rented, under the terms of a data privacy bill signed into law by Gov. Arne Carlson May 10.

The changes are included in the new data privacy law, sponsored in the House by Rep. Mary Jo McGuire (DFL-Falcon Heights) and in the Senate by Sen. Harold "Skip" Finn (DFL-Cass Lake).

Other changes in the new law will:

- make available to the public the blood-alcohol level of persons involved in traffic accidents;
- make available to the Department of Health the medical data on stillborn infants, mothers who died during pregnancy or while giving birth, and infants who died before reaching age 2. The department, with some restrictions, can access these records without permission of family members or guardians as long as the data are used in legitimate medical studies relating to pregnancy and childbirth;
- allow law enforcement agencies, without first obtaining a juvenile court order, to provide information on young delinquents to school officials if the information would promote school safety;
- require an individual's permission before his or her 911 call can be broadcast on radio or TV. News organizations can still obtain and make public a transcription of a call to 911, but only if the transcript doesn't reveal the caller's identity. The audio recordings are still available for law enforcement or fire department investigations and 911 dispatcher training purposes; and
- require video stores to obtain a customer's written permission before disclosing any personal information about the customer. Video rental outlets cannot disclose what video titles a person rented. Such information will only be available to law enforcement authorities presenting a court-issued warrant, or to grand juries or courts upon presentation of a subpoena.
- put some teeth in to the state's open meeting law by raising the fine to \$300 — up from \$100 — on an individual who violates the law. A person who pursues an intentional violator of the law also could recoup attorney's fees up to \$13,000.

HF2028\*/SF2079/CH618

## Suing pimps and madams

People coerced into prostitution would be able to sue their pimp or madam, under a bill signed into law by Gov. Arne Carlson May 10.

House sponsor Rep. Carlos Mariani (DFL-St. Paul) said that the new law "will put a major hurt on those who would sexually exploit vulnerable young people."

A person who coerces a man, woman, boy, or girl into prostitution now can be sued effective Aug. 1, 1994, for a variety of damages, such as loss of future earning capacity, mental and emotional harm, and pain and suffering.

The person sued also will have fewer defenses at his or her disposal under the new law. For instance, someone sued cannot use a defense such as the plaintiff did not try to flee or the plaintiff worked in a place that had signs posted prohibiting prostitution. Any civil action, however, must be brought within six years of the alleged coercion.

The new law lists 23 examples of "coercion," ranging from physical torture to "exploiting needs for food, shelter . . . or intimate or marital relationships."

A provision in the new law, adopted from the Senate's bill, will make it easier to hold an adult liable when a minor is involved. This section does not require the victim to show he or she was "coerced" into prostitution; simply hiring a minor to engage in prostitution could make a person liable for damages.

Sen. Ember Reichgott Junge (DFL-New Hope) sponsored the bill in the Senate.

HF2519\*/SF2112/CH624



## PETS

### Abandoned animals

If you're notified by a veterinarian or animal boarding facility to pick up your pet and you don't do so within 10 days, you have no "further rights or claim to the animal," under a bill signed into law April 11 by the governor.

The law specifies that individuals must be notified — by certified mail or through a court summons — that their pet should be claimed. An alternative to this procedure is to publish a notice in the animal owner's local newspaper.

If there's no response to a letter or notice within 10 days after its receipt or publication, the veterinary or animal boarding facility can dispose of the animal without any legal liability.

The bill was sponsored in the House by

Rep. Tom Osthoff (DFL-St. Paul) and in the Senate by Sen. William Belanger (IR-Bloomington). The law is effective Aug. 1, 1994.

HF2435\*/SF2607/CH401

## Dangerous dog tags

Beginning Aug. 1, 1994, dangerous dogs must wear tags with the designated state dangerous dog symbol, under legislation signed into law May 4 by Gov. Arne Carlson.

The new law directs the Department of Public Safety to determine the exact design and material for the tag.

Previous law only required the owner of a dangerous dog to place a sign in his or her yard warning passersby of the animal (See April 29, 1994, *Session Weekly*, page 13). The signs are bright yellow and depict an attacking dog with a human hand held out to protect against the animal.

A dangerous dog is defined as one that does any of the following: inflicts substantial bodily harm on a human without provocation; kills a domestic animal without provocation while off the owner's property; or is otherwise found to have been potentially dangerous.

Rep. Lyndon Carlson (DFL-Crystal) sponsored the bill in the House and Sen. Ember Reichgott Junge (DFL-New Hope) carried the legislation in the Senate.

HF2362\*/SF2189/CH550



## SPORTS

### Target Center buyout

With barely a vote to spare and minus a controversial "Mighty Ducks" amendment that would have paid for more youth ice rinks, the Legislature May 7 voted for a state buyout of the Target Center.

And Gov. Arne Carlson signed the bill into law May 10.

The House passed a compromise House-Senate bill 69 to 61 minutes before the closing of the 1994 session. The Senate passed the compromise bill minutes later 35 to 26. Both bodies approved the buyout with only one vote to spare. It needed 68 votes in the House; 34 in the Senate.

The new law now authorizes the Metropolitan Sports Facilities Commission to issue \$42 million in revenue bonds to purchase the downtown Minneapolis sports arena, home of the Timberwolves basketball team.

A 10 percent ticket tax and a \$1 ticket surcharge on Target Center events will help pay off the bonds.

Also, the state will contribute \$750,000 annually over 15 years to help pay them off. The money will be drawn from the accounts of the state's Amateur Sports Commission. In return, the commission can use the Target Center on 50 event days each year. When the bonds are retired, the law releases the Amateur Sports Commission from its agreement and allows it to pay a per-event fee each time it uses the Target Center.

Originally, the House bill—before it headed to House/Senate conference committee—called for the annual \$750,000 payment to come from investment returns from the Minneapolis police and firefighters pension fund. The money would otherwise go to the state's general fund.

In addition, the new law calls for a Minneapolis tax on downtown restaurants, bars, and hotels to kick in if the ticket surcharge and state's annual \$750,000 payments aren't enough to pay off the bonds.

Should that tax kick in, 0.25 percent would be added to the base tax. That money would be used to fund Minneapolis youth recreation programs.

An amendment sponsored by Rep. Bob Milbert (DFL-South St. Paul) that would have built 12 new indoor ice arenas for youth sports across the state never made it into the compromise bill. Milbert proposed raising Target Center ticket prices by \$1.50 rather than \$1 and using the extra 50 cents to build the rinks.

The Target Center buyout became a legislative issue after the arena's two owners, Harvey Ratner and Marv Wolfenson, said they could no longer pay the debt on the sports arena, which they built for \$104 million. Rep. Richard Jefferson (DFL-Mpls) said a state buyout would ensure the national basketball team, the Timberwolves, stay in town.

The new law specifies the arena will be purchased if future Timberwolves owners agree to keep the team in Minnesota at least 30 years. Also, the law mandates that the sports commission must try to move a professional hockey team to the Twin Cities.

Negotiators from other cities are attempting to lure the Timberwolves to their towns, but Ratner and Wolfenson have said they're committed to keeping the team in Minnesota.

If the new law hadn't passed, the Timberwolves probably would have been sold to a company wanting to move the team to New Orleans, Jefferson has said.

HF3041\*/SF2725/CH648



The Timberwolves have more reason to stay in town now that the governor has signed into law a Target Center buyout bill. But negotiations with the sports arena's owners will move forward only if the Timberwolves agree to stay in town at least 30 years. The Target Center basketball court is shown during the 1994 NBA All Star Game. (HF3041\*/SF2725/CH648)

## Ice time for girls

Boys hockey teams should share the ice equally with their female counterparts by the 1996 season, under a provision of a bill signed into law May 10 by Gov. Arne Carlson.

The provision, proposed by Rep. Phyllis Kahn (DFL-Mpls), is intended to make sure males share ice time equally with females. The language signed into law, however, appears to be less than a mandate.

The new 1994-1995 supplemental budget law says all public indoor ice arenas must give female teams "up to 15 percent" of the prime ice time during the upcoming winter season, "up to 30 percent" during the 1995 season and "up to 50 percent" by the 1996 season.

The provision, effective July 1, 1994, is part of the state government finance portion of the supplemental budget law.

The new law also says if a public arena provides more ice time to one gender than the other, it can't turn down a request for prime ice time from the underrepresented group.

Prime time is defined in the bill as 4 p.m. to 10 p.m. Monday through Friday, and 9 a.m. to 8 p.m. during the weekend.

Sen. Gene Merriam (DFL-Coon Rapids) sponsored the supplemental budget bill in the Senate. Rep. Loren Solberg (DFL-Bovey) sponsored it in the House. (Art. 3, Sec. 23)

HF3215/SF2913\*/CH632



## TAXES

### Property tax relief, child care credit

Minnesota homeowners will get some property tax relief and some parents of infants will receive a tax break, under a compromise tax bill signed into law by Gov. Arne Carlson May 5.

But some upper-income senior citizens will see a tax increase. And writing off those golf course memberships and some other quasi-business expenses will be eliminated entirely or sharply curtailed.

In all, the new law allocates about \$110 million for property tax relief.

Millions are set aside for Minnesota cities to hold down the cost of local property taxes. The Local Government Trust Fund, which collects some sales tax revenue and transfers it to cities, is short about \$30 million. The legislation makes up the difference in fiscal year 1995 and expects to make up another roughly \$30 million shortfall in fiscal year 1997.

Another \$20 million pays a portion of the property taxes Minnesota school districts' would otherwise collect from taxpayers in 1995.

And another \$21 million helps pump up property tax relief programs such as renters' credit, the targeting refund, and circuit breaker program in the 1996-1997 two-year budgeting period. Those programs offer tax refunds to property owners and renters based on their income and tax burden.

Additional money for the targeting refund program — \$6.2 million — was signed into



law by the governor under a separate bill. Because so many people have seen a property tax increase, this separate new law pumps up the amount of money available for refunds so more people can collect this year.

The omnibus compromise tax law also sets aside an additional \$3 million for the targeting refund program for fiscal year 1996.

Below are some of the highlights of the new law (HF3209\*/SFNone/CH587):

### **Child care tax credit**

Low to moderate income parents of a child under age 1, who do not use professional child care services, could receive a tax break.

Currently, Minnesota offers parents who each work a tax credit to help with professional child care costs. The omnibus tax bill takes into account the value of a mother or father staying home to care for their infant, working split shifts so one can always be home with the child, or using a relative or other non-professional care. The law offers a tax credit of up to \$720 a year to married couples raising a child up to 1 year old who do not claim the credit for professional child care costs.

Only couples earning a household income of less than \$29,560 would be eligible. A couple with an income of \$15,560 would get the full \$720 credit.

The measure is expected to cost about \$3.7 million a year.

Proponents say the current tax structure and cost of consumer goods has forced families to seek two incomes instead of staying home to raise their children.

This provision was originally introduced as HF1837 and was sponsored by Rep. Darlene Luther (DFL-Brooklyn Park). (See Feb. 25, 1994, *Session Weekly*, page 6.) (HF3209\*/SFNone/CH587, Art. 1, Sec. 13)

### **Upper-income seniors pay more**

A provision of the compromise tax law changes Minnesota's tax code to conform with that of the federal government. But the change means upper-income seniors pay higher income taxes on their Social Security benefits.

Next year, singles with income of about \$65,000 and married seniors with income of about \$80,000 will pay more in taxes. In 1997, married seniors with income of about \$44,000 annually, and single seniors with income of about \$34,000, will be affected by the new law. They represent about 60,000 households, or the top 12 percent of Minnesota seniors.

Eighty-five percent of their Social Security benefits would be subject to Minnesota's income tax, just as is the case now for filing



**A new law gives low- to moderate-income parents a tax break for children under age 1 if the family doesn't use professional child care. (HF3209\*/SFNone/CH587)**

federal income tax returns. (Art. 1, Sec. 6)

Although some senior citizens will pay more taxes under the new tax changes, some will pay less.

The law also expands the "income tax subtraction" for some seniors and disabled people. It will result in lower income taxes for low- to middle-income seniors and disabled people than existed in previous law.

The purpose of the law is to equalize income taxes regardless of the source of income for seniors and disabled people. Seniors who retire on income other than Social Security or exempt interest currently benefit under this law. (HF3209\*/SFNone/CH587, Art. 1, Sec. 16)

### **Meals, golf, business trips**

As part of conforming to the federal tax code, the new tax law will either reduce or eliminate state tax deductions for business meals, country club membership fees, lobbying expenses, and expenses incurred while taking a spouse on a business trip.

Last year, as Congress worked to reduce the deficit, many federal income tax deductions were reduced or eliminated. Lawmakers hope that conforming to the federal income tax standards will simplify the filing of Minnesota tax returns. (HF3209\*/SFNone/CH587, Art. 1, Sec. 6)

### **Limiting millionaire deductions**

Currently there are no limits on how much a public company can deduct for employee salaries and some benefits. The new law limits the tax deduction publicly held companies can take for each executive who earns more than \$1 million a year in salary (and certain benefits such as stock options), and allows the company to deduct only the portion up to \$1

million. If an executive earns \$2 million, the company can deduct only \$1 million. (HF3209\*/SFNone/CH587, Art. 1, Sec. 6)

### **Government trust fund eliminated**

The Local Government Trust Fund, established in 1991 with an extra half-cent added to the state's 6-percent sales tax, will be abolished July 1, 1996. The fund pays out state aid to Minnesota cities and towns.

Municipalities will still receive their state aid based on current formulas in law, but money will no longer be set aside especially for local governments. Cities and towns would receive a 2 percent increase in their state aid for 1995. During subsequent years, aid increases would be tied to inflation. (HF3209\*/SFNone/CH587, Art. 3, Sec. 20)

### **Help for St. Paul landlords**

Property taxes for some St. Paul single-family and duplex rental units will be reduced in hopes of encouraging landlords to reinvest more money in their properties, under a provision in the new tax law.

Originally sponsored by Rep. Andy Dawkins (DFL-St. Paul), the provision establishes a one-year pilot project in St. Paul for property taxes payable in 1995. Qualifying single-family and duplex rental housing will receive a local property tax credit. (The measure was originally introduced as HF2308.)

To participate, a landlord must pay a fee to hire a housing evaluator to inspect the rental unit or units, repair the property based on the evaluator's findings, have the property re-inspected after repairs, and gain approval from city officials. Any life and safety hazards identified in the inspection must be repaired even if the landlord withdraws from the program.

The new provision taps the general fund for \$1 million in fiscal year 1996 to offer the tax breaks. Landlords and the city of St. Paul will have to come back to the Legislature if they want state help in continuing the project.

Dawkins has said helping landlords reinvest in their properties would help provide "safe, affordable housing for renters" and improve St. Paul neighborhoods.

The St. Paul City Council will also have to agree to the idea before the program can take effect. (See March 31, 1994, *Session Weekly*, page 12.) (HF3209\*/SFNone/CH587, Art. 5, Sec. 27)

### Tax break to replace equipment

The compromise tax bill will save manufacturers \$68.3 million in fiscal years 1996 and 1997 by reducing the state's 6.5 percent sales tax on replacements for aging equipment. The tax will be phased down to 2 percent by fiscal year 1999.

Under this provision, businesses should see savings quickly. The provision will begin July 1, 1994, and save manufacturers an estimated \$14.6 million.

The provision is designed to keep Minnesota manufacturers competitive in the U.S. and around the world. It is hoped they will take the sales tax savings and reinvest in jobs and new products and services. (HF3209\*/SFNone/CH587, Art. 2, Sec. 4, Subd. 5)

### Other sales tax exemptions

Protective equipment and clothing for firefighters will be exempt from Minnesota's 6.5 percent sales tax, under the new tax law. That's estimated to save fire departments about \$400,000 a year. (Art. 2, Sec. 11)

Many horse purchases (except race horses)

also will be exempt from the sales tax, saving horse buyers an estimated \$200,000 a year. (Art. 2, Sec. 12)

Personal computers sold by public and private schools, colleges, and business and trade schools to students enrolled in their classes also will be exempt from sales tax. (Art. 2, Sec. 13)

Another provision of the law extends the sales tax exemption on ticket sales from charitable golf tournaments that last more than four days — provided the proceeds go to a charitable organization. The intent of the provision is to exempt ticket sales to the annual Burnet Senior Golf Tournament, scheduled this year at Bunker Hills golf course in Coon Rapids.

The event is owned by Abbott Northwestern Hospital and the United Hospital Foundation. Last year a law was enacted to provide a one-time sales tax exemption for the 1993 tournament. The provision is expected to save the tournament about \$100,000 a year. (HF3209\*/SFNone/CH587, Art. 2, Sec. 14, Subd. 1)

### This old house

A law enacted last year to encourage homeowners to fix up their older homes is tightened under the new tax law.

The 1993 Legislature approved a law that allows homeowners to partially exclude the value of improvements made to their homes from their property tax assessments for 10 years.

In addition to a house having to be at least 35 years old to qualify, it now will have to have either:

- a market value equal to or less than \$150,000;

- or, if the market value is more than \$150,000 but less than \$300,000, the property would qualify if it is located in a city or town in which 50 percent or more of the homes were built before 1960 based on the 1990 census, and the city or town's median income is less than the statewide median income based on the 1990 census; in other words, Minneapolis, St. Paul, and other older cities and towns.

Any house valued at more than \$300,000 is not eligible for the program. (HF3209\*/SFNone/CH587, Art. 5, Sec. 4)

### Enterprise zones

Businesses in some low-income areas that employ and train local residents will be eligible for tax breaks, under another provision in the new tax law.

The measure spends \$900,000 in 1997 to help bring businesses and jobs to neighborhoods in Minneapolis, St. Paul, and other Minnesota cities with low income areas.

It establishes an "enterprise zone" program in which businesses that hire and train local people for jobs may receive state tax credits of up to \$5,000 for each employee.

To qualify, a business must be located in a designated enterprise zone, and must pay the worker at least \$7.22 an hour (which is 170 percent of the federal minimum wage) by the end of the first year of employment. The employee must be a resident of the designated zone.

According to Rep. Carlos Mariani (DFL-St. Paul), who sponsored the original proposal as HF2811, money from the state will help cities attempt to secure grants from the federal government. The federal government gives enterprise zones that qualify federal tax credits and block grants, he said. (Art. 12, Sec. 12-19)

The new law also establishes a "rural job creation credit" that provides a tax credit to employers creating at least 10 new jobs outside the Twin Cities. The employee must earn at least \$7.22 an hour. (Art. 12, Sec. 20)

The legislation gives Minneapolis, St. Paul, and other qualifying cities permission to set up the zones, but each city council will need to approve the program. (HF3209\*/SFNone/CH587)

### Property tax refund law

A bill that would make more Minnesotans eligible for a property tax refund in 1994 was signed into law March 31 by Gov. Arne Carlson.

The law specifically deals with the state's "targeting" refund program, which is sepa-



A provision of the state's tax bill, now law, will mean upper-income senior citizens would pay higher income taxes on their Social Security benefits. Although some seniors will pay more taxes under the tax bill, some will pay less. (HF3209\*/SFNone/CH587)

rate from the renter's credit and circuit breaker tax refund programs.

To qualify for a refund under previous law, a property owner's taxes must have gone up more than 12 percent and increased by at least \$100 over the previous year. But because so many people will see a property tax increase this year, the Department of Revenue, using its discretion as allowed under law, increased that \$100 threshold to \$300.

That increase would have limited the number of people eligible for a "targeting" refund and was designed to make sure the department didn't exceed the state's \$5.5 million budget cap for such refunds.

The new law, sponsored by Taxes Committee Chair Rep. Ann Rest (DFL-New Hope) in the House and Sen. Phil Riveness (DFL-Bloomington) in the Senate, removes the \$5.5 million cap and restores the \$100 limit.

The law appropriates an additional \$6.2 million from the state's general fund in fiscal year 1995 to pump the refund program up to \$11.7 million. The law is a one-shot deal and eliminates the cap only for taxes payable in 1994.

Because the refund forms already have gone out with the \$300 threshold printed on them, the law contains provisions for the state to inform the public immediately of the change. **HF1858/SF1709\*/CH383**

## Fingerhut bill signed

Gov. Arne Carlson March 22 signed into law a bill that is intended to help Fingerhut Companies create another 400 jobs in St. Cloud.

The law gives Fingerhut special tax breaks to build a \$19.2 million expansion in St. Cloud. Specifically, it exempts Fingerhut and St. Cloud from some Minnesota laws regarding government tax breaks.

The new law became effective upon local approval.

The company had told St. Cloud city officials it would take its new jobs, paying \$8 to \$12 an hour, to Kansas City, Mo., if the city and state did not meet its requests.

City officials already had agreed to give Fingerhut \$4.8 million in tax breaks if both the House and Senate approved. The tax breaks, spread out over up to 25 years, could eventually cost the city \$13 million in property taxes.

Under Minnesota law, cities can offer tax breaks to companies to help create jobs in their community. Normally the agreement, called a Tax Increment Financing District, involves a company expanding and creating new jobs in exchange for the city forgiving

property taxes for a set number of years.

State law allows the job-creating districts to last 11 years. In the new law, the Legislature extended the St. Cloud and Fingerhut district to up to 25 years.

The law also forgives the penalty normally assessed against cities that set up these districts. Cities lose a portion of their state aid when they offer a business tax breaks. In St. Cloud's case, the city could have lost about \$4.5 million.

The national mail order retailer, headquartered in Minnetonka, employs about 4,000 people year round in St. Cloud and several thousand others throughout Minnesota. Rep. Joe Opatz (DFL-St. Cloud) sponsored the proposal in the House, and Sen. Joe Bertram (DFL-Paynesville) sponsored the Senate companion. **HF2213\*/SF2030/CH376**



## TOURISM

### Canadian 'trophy fish'

Minnesotans who fish in Ontario this summer can return home with only trophy fish that they intend to mount — and only one of each species.

The new law, signed by Gov. Arne Carlson April 21, is the result of a long-running border dispute between the Ontario government and resort owners along Minnesota's northern border.

The law aims to bring Ontario officials to the bargaining table, where state officials hope to convince them to ease up on some of the regulations they've placed on Minnesota-based anglers in recent years.

The latest and most severe Canadian regulation was a 1993 law that encourages people who fish the Canadian side of Minnesota-Ontario border lakes to stay in Ontario resorts.

The Ontario measure puts stricter limits on anglers who stay in Minnesota than on those who stay in Ontario resorts, sometimes banning Minnesota-based anglers from keeping any walleyes they've caught on the Ontario side of Lake of the Woods and Rainy Lake.

Minnesota's new law, which took effect April 22, 1994, is meant to discourage Minnesotans from crossing the border. It limits all Minnesotans who fish in Ontario — regardless of where they lodge — to the most restrictive Ontario limit placed on Minnesota-based anglers.

Although that limit should be zero, lawmakers are making an exception. Minnesotans will be allowed to bring home just one "trophy fish"

of each species, and only if they bring it back whole and intend to have it mounted. The Department of Natural Resources will establish the definition of a trophy fish.

The Minnesota law will not apply to border lakes where the limits are the same for everyone. Currently, this would mean those lakes east of Rainy Lake.

The governor said he would waive the fish limits by July 1, 1994, if the Ontario government agrees to create a task force to resolve the issue by setting equal limits for everyone fishing in the designated waters.

The proposal was sponsored in the House by Rep. Jim Tunheim (DFL-Kennedy) and in the Senate by Sen. LeRoy Stumpf (DFL-Thief River Falls).

**HF1835\*/SF1755/CH479**



## TRANSPORTATION

### Transportation funding

A new state law will give an additional \$15 million to the Department of Transportation to help it build and maintain the state's roadways.

However, a provision in the bill to increase the state tax on gasoline by 4.4 cents per gallon and tie further annual increases to the consumer price index did not survive a House-Senate conference committee.

The gas tax increase would have taken place only if Minnesota voters had approved a proposed constitutional amendment this November that would alter how the state's motor vehicle excise tax is spent.

The House passed the compromise legislation May 6 by a vote of 129-1 and the Senate unanimously passed it the same day. Gov. Arne Carlson signed the bill into law May 10.

The governor also vetoed two appropriations in the bill, writing in his veto message that "neither . . . require funding in this non-budget year." (See Vetoed Bills section.)

Rep. Bernie Lieder (DFL-Crookston) sponsored the House bill and Sen. Keith Langseth (DFL-Glyndon) sponsored the legislation in the Senate.

**HF3230\*/SF2097/CH640**

### Work-zone speeding

Beginning July 1, 1994, motorists convicted of speeding in a highway work zone could pay up to \$200, double the current maximum fine.

Under the legislation signed into law May 10 by the governor, any speeding fine will be doubled if the violation takes place in a

highway work zone. The new law also stipulates that this extra fine must be at least \$25.

Currently, Minnesota has a scale of fines depending on which county the violation occurs in and how fast a driver is moving through a work zone. Fines can be as high as \$100 and are considered petty misdemeanors.

Current law also allows the Department of Transportation to set speed limits between 20 and 40 miles per hour on roads when repair or maintenance crews are present.

Highway work zones are one of the most hazardous work sites for MnDOT road crews, according to Rep. Wayne Simoneau (DFL-Fridley), who sponsored the original work-zone legislation as HF1458. This bill was later incorporated into HF3230.

Rep. Bernie Lieder (DFL-Crookston) sponsored the House bill and Sen. Keith Langseth (DFL-Glyndon) sponsored the legislation in the Senate.

**HF3230\*/SF2097/CH640**

## Two hours to Chicago?

The state will help pay for the second phase of a study to evaluate a high-speed train link between the Twin Cities and Chicago under legislation signed into law May 10 by the governor.

The new law instructs the Department of Transportation (MnDOT) to continue its study of a high-speed train route connecting the Twin Cities, Rochester, La Crosse, Madison, Milwaukee, and Chicago.

At its highest speed, 300 mph, such a train could travel from the Twin Cities to Chicago in about 2 hours and 15 minutes, according to Rep. Don Frerichs (R-Rochester). These trains would, therefore, be very competitive with air travel for trips of up to 500 miles, Frerichs said.

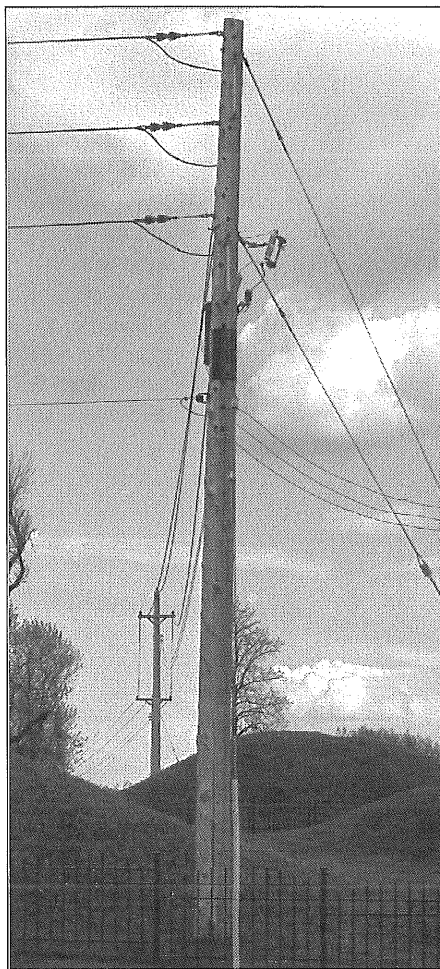
"High-speed rail is truly the missing link" in Minnesota's transportation picture, said Frerichs.

Frerichs sponsored the original high-speed train study proposal as **HF1052**, which was later incorporated into **HF3230**.

The law also appropriates \$630,000 to MnDOT to continue the study, but the money would only be available if Wisconsin contributes \$500,000 and the federal government matches the Minnesota and Wisconsin monies.

Rep. Bernie Lieder (DFL-Crookston) sponsored HF3230 in the House and Sen. Keith Langseth (DFL-Glyndon) sponsored the legislation in the Senate.

**HF3230\*/SF2097/CH640**



NSP must move its electric poles and power lines from Indian Mounds Park in St. Paul, under the state supplemental budget bill signed into law by Gov. Arne Carlson. (HF3215/SF2913\*/CH632)

## Seniors' car insurance rates

Beginning Jan. 1, 1995, Minnesota senior citizens can qualify for lower car insurance rates in less time — and with less effort — under legislation signed into law May 2 by Gov. Arne Carlson.

Since 1985, people 55 and older, by law, receive a 10 percent break on their car insurance rates if they complete an annual eight-hour accident prevention course.

Under the new law, seniors who have already taken the eight-hour course could renew their eligibility by taking a "refresher" course that would last no more than four hours.

In addition, seniors would remain eligible for the discount if they take either the eight-hour course or the shorter "refresher" course just once every three years. (See April 29, 1994, *Session Weekly*, page 14.)

The bill directs the Department of Public Safety to establish the criteria for a "refresher" course and to approve organizations that

wish to conduct the course. The department currently conducts eight-hour courses, as do a number of private organizations such as the American Association of Retired Persons.

Rep. Don Ostrom (DFL-St. Peter) sponsored the legislation in the House and Sen. Sandy Pappas (DFL-St. Paul) carried the legislation in the Senate.

**HF2115/SF2303\*/CH547**

## Free car seats

Fines collected from drivers who don't strap their kids into child safety seats will help buy car seats for people who can't afford them, under a new law signed May 10 by Gov. Arne Carlson.

The change is among the many items included in an omnibus transportation bill making mostly technical changes in state laws regulating transportation. All of the changes in the law became effective May 11, 1994.

Drivers who don't use a car safety seat when traveling with a child under the age of 4 are subject to a fine of up to \$50.

Under the new law, all fine money will be used to fund a new program at the Department of Public Safety to educate the public on the need to put young children in safety seats. The program also would give, or loan at no cost, car safety seats to families who can't afford to buy them.

Another section of the bill requires that any traffic signals installed by the Department of Transportation (MnDOT) after Jan. 1, 1995, be pre-wired with connections for a system that changes the signal to green when an emergency vehicle such as a fire truck approaches.

The law doesn't require new traffic signals to be equipped with the sensing devices that detect oncoming emergency vehicles. But making them ready to accept the equipment can save thousands of dollars on each signal that may later be so equipped, according to MnDOT officials.

Carlson also line-item vetoed four metropolitan-area construction projects contained in the bill that he said would cost the state more than \$1 million. (See Vetoed Bills section.)

Rep. Tom Osthoff (DFL-St. Paul) sponsored the House bill and Sen. Keith Langseth (DFL-Glyndon) carried the Senate legislation.

**(HF3011\*/SF2680/CH635)**



## Metro Mobility funding

Problem-plagued Metro Mobility will receive \$2.5 million more to spend beginning July 1, 1994, under a provision of the state supplemental budget bill signed into law May 10 by Gov. Arne Carlson.

The extra cash is part of an overall \$8.4 million appropriation to the Regional Transit Board, which oversees Metro Mobility as well as the Metropolitan Transit Commission and other rural and suburban public transit operations. (Art. 6, Section 3)

The money to Metro Mobility will erase a budget shortfall the agency would have experienced on July 1, 1994, the end of its 1994 fiscal year. The 1993 Legislature appropriated \$13.8 million to Metro Mobility for fiscal year 1994.

The transit service, which gives rides to approximately 20,000 people who are disabled around the Twin Cities, effectively collapsed in early October 1993 when a new management service began to restructure the organization.

In less than a week after the restructuring began, the governor activated the state's National Guard and had guard members drive Metro Mobility's vans and buses.

Rep. Loren Solberg (DFL-Bovey) sponsored the state supplemental budget bill in the House and Sen. Gene Merriam (DFL-Coon Rapids) carried the legislation in the Senate.

HF3215/SF2913\*/CH632

## Patrolling handicapped parking

Legislation to permit all Minnesota cities to establish citizen parking patrols to tag vehicles illegally parked in handicapped-only spaces was signed into law by the governor April 21.

Lawmakers two years ago granted such authority to the state's three largest cities: Minneapolis, St. Paul, and Duluth. Last year, the Legislature expanded that authority to "second class" cities, those with populations between 20,000 and 100,000.

The new law will soon authorize all incorporated cities in Minnesota, regardless of population, to train volunteers to issue citations to drivers who illegally park in handicapped-only zones. (See March 18, 1994, *Session Weekly*, page 13, April 8, 1994, *Session Weekly*, page 15, April 22, 1994, *Session Weekly*, page 14.)

The current fine for illegally parking in a handicapped-only space is between \$100 and \$200.

Such "parking posses" are needed in both

small and large cities because police don't have the time to enforce the law, said Rep. Tony Kinkel (DFL-Park Rapids), chief author of the House legislation.

The Senate bill was carried by Sen. Harold Finn (DFL-Cass Lake). The law is effective Aug. 1, 1994.

HF2426\*/SF2035/CH495

## Special license plates

Volunteer ambulance attendants can buy special license plates under legislation signed into law April 15 by Gov. Arne Carlson.

The exact design of the plates, which will cost an extra \$10, will be determined by the Department of Transportation.

Rep. Jim Tunheim (DFL-Kennedy) sponsored the House bill and Sen. LeRoy Stumpf (DFL-Thief River Falls) carried the legislation in the Senate. The law is effective Aug. 1, 1994.

HF1928\*/SF1807/CH443

## Rural mail carriers

Rural mail carriers will be able to equip their vehicles with strobe lights and studded metal tires under separate bills signed into law April 20 and 21 by Gov. Arne Carlson.

The House sponsors of both bills said they carried the legislation in an attempt to make rural mail carriers safer while on the job.

Many rural mail carriers use their own vehicles to deliver the mail. The new strobe light law specifies that a carrier can mount a revolving, amber-colored strobe light on his or her car but can operate the lamp only during daylight while actually delivering mail.

The tire legislation, signed April 21, specifies that a rural mail carrier can use studded tires only on routes having less than 25 percent of its roads paved. Also, studded tires will be allowed only between Nov. 1 and April 15 and can be used only while delivering mail or driving to the mail route.

Rep. Dennis Ozment (IR-Rosemount) sponsored the strobe legislation in the House and Sen. Paula Hanson (DFL-Ham Lake) carried the Senate bill. The law became effective April 21, 1994.

HF2254/SF1774\*/CH478

Rep. Andy Steensma (DFL-Luverne) carried the studded tire legislation in the House and Sen. Jim Vickerman (DFL-Tracy) sponsored the Senate bill. The law is effective Aug. 1, 1994.

HF524\*/SF430/CH486

## Plum Creek highway

The section of U.S. Highway 14 between Mankato, Minn., and the South Dakota border will be named the "Laura Ingalls Wilder Historic Highway" under a new law signed by the governor April 7.

The stretch of highway passes through Walnut Grove, Minn., which is the setting for Wilder's novel, *On the Banks of Plum Creek*.

The proposal was sponsored in the House by Rep. Ted Winter (DFL-Fulda) and in the Senate by Sen. Jim Vickerman (DFL-Tracy).

The law is effective Aug. 1, 1994.

HF1976/SF1752\*/CH395

## Reporting accidents

After Aug. 1, 1994, anyone in a motor vehicle accident that results in more than \$1,000 in damages must report that accident to the Department of Public Safety (DPS).

The change, which doubles the current \$500 minimum damage threshold, is outlined in legislation signed into law by Gov. Arne Carlson April 7.

Traffic engineers at the DPS use the information to find accident "hot spots" and to decide whether new traffic signs or lights might make these sites safer.

Even a minor fender bender can easily exceed the \$500 threshold, bill sponsor Rep. Lyndon Carlson (DFL-Crystal) explained. Sen. Paula Hanson (DFL-Ham Lake) sponsored the Senate companion.

HF2630/SF2415\*/CH399



## VETERANS

### State veterans' cemetery

Land adjacent to Camp Ripley in central Minnesota will soon become the site of a state-run cemetery for Minnesota veterans.

A total of \$250,000 was appropriated in the supplemental budget bill to establish a special trust account, the interest from which is to be used by the Department of Veterans Affairs for upkeep of the proposed cemetery. (Art. 3, Secs. 3 and 53)

The measure specifies that 36 acres of land in Morrison County is to be donated by Aug. 1, 1994, for use as a state veterans cemetery. It also requires that the department receive approval from the Morrison County Board of Commissioners before accepting the land. (Art. 3, Sec. 53)

The Minnesota State Veterans' Cemetery Association has donated the land to supplement the existing U.S. military cemetery at

Fort Snelling near the Twin Cities airport.

Laverne Hanson of Hillman, president of the association, earlier told legislators that the land can accommodate 28,000 individual plots.

The law specifies that anyone who is eligible for burial in a national veterans cemetery would also be eligible for burial in the state cemetery. It also calls on the department to establish burial fees and other regulations.

"If practicable, the commissioner shall require that upright granite markers be used to mark all gravesites," states the law.

In addition, the measure creates a permanent advisory council that would help raise private funds to pay for the cemetery's upkeep.

The bill was originally sponsored in the House by Rep. Steve Wenzel (DFL-Little Falls) as HF2029. It was later incorporated into the supplemental budget bill.

Wenzel pointed out that Minnesota is one of 12 states without a state veterans cemetery. He said that people in rural Minnesota would benefit from easy access to the cemetery's outstate location.

**HF3215/SF2913\*/CH632**

## Foreign soldiers recognized

Effective Aug. 1, 1994, foreign combatants who served alongside their American allies in foreign wars will be eligible for special license plates under a new law signed by the governor April 7.

For the first time, allied soldiers from countries other than the United States will be eligible to receive special veteran plates for motor vehicles registered in Minnesota.

Under current law, only veterans of American armed forces are eligible for these special plates, which include designations as veterans of the two world wars and the wars in the Persian Gulf, Korea, and Vietnam.

In addition, a new license plate commemorating those who served in Laos during the Vietnam war, reading "LAOS WAR VET," will be created. The plates will cost an extra \$10 for those who purchase them.

The new law was sponsored by Rep. Steve Trimble (DFL-St. Paul) in the House and Sen. Sandy Pappas (DFL-St. Paul) in the Senate.

**HF2105/SF1968\*/CH396**



The legal age to play bingo is now 18 under a new omnibus gambling law signed by the governor. Previously, there had been no minimum age to play bingo. (HF321/SF103/CH633)

## Veterans highway

The Minnesota portion of U.S. highway 212 will be called the "Minnesota Veterans Memorial Highway" under legislation the governor signed into law April 18.

The new name for the highway, which runs east-west between the South Dakota border near Dawson and the southwest metropolitan area, is effective Aug. 1, 1994.

Rep. Carol Molnau (IR-Chaska) sponsored the legislation in the House and Sen. Terry Johnston (IR-Prior Lake) carried the Senate bill.

**HF1844\*/SF1679/CH457**

In the Hopper . . . May 6 - 12, 1994

## Bill Introductions

HF3244

### Friday, May 6

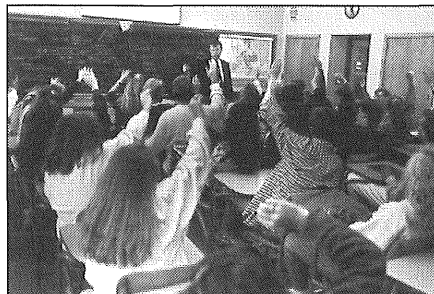
**HF3244—Commers (IR)  
Taxes**

Voter approval required for local government property tax levies at a rate greater than the growth in personal income.

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# Vetoed Bills 1994

Chapter	Bill title	Veto date	Comments
<b>Full vetoes (17)</b>			
381	Union representatives given time off by public employers	3/28	Similar language was inserted in HF2228 following the governor's veto and then was incorporated into HF2189.
481	Civil commitment—procedures modified	4/21	
492	Whistleblower law expanded	4/22	
540	Health care administrative costs studied by legislative auditor	5/2	
543	Seniors allowed small pets in mobile homes	5/2	
544	Environmental assistance office established	4/29	HF2920—House attempted to override the veto on 5/2/94 but failed on a 89-45 vote
555	Cook County lakeshore property required to be re-offered for sale	5/5	
569	Minneapolis Teachers Retirement Fund allowed service credit	5/5	
593	Business consolidated licensing established	5/9	
594	Metropolitan Council—new housing rules	5/9	
597	Health care access reserve account created	5/9	
599	Manufactured home sales fees clarified	5/9	
601	Sprinkler systems required in offices, apartment buildings	5/9	
606	Omnibus health and human services appropriations bill	5/9	
608	Minors provided simulated elections	5/9	
609	Appointments given for some county offices	5/6	
621	Minimum wage increased	5/10	
<b>Line-item vetoes (8)</b>			
532	Omnibus higher education appropriations bill	5/5	Line-item vetoes include: Pg. 3, line 10, lines 13-18, lines 29-31; lines 32-39; lines 40-45, lines 46-51; Pg. 4, lines 9-16, line 19; Pg. 5, lines 1-12.
576	Omnibus juvenile crime bill	5/5	Line-item vetoes include: Pg. 63, lines 6-21, lines 22-29, lines 30-61; Pg. 65, lines 38-50. The House tried to override parts of the veto on 5/6/94 but failed with a 87-45 and 85-47 vote.
625	MinnesotaCare	5/10	Line-item vetoes include: Pg. 245, lines 52-60, line 61; Pg. 246, lines 1-7
632	Omnibus appropriations bill	5/10	Line-item vetoes include: Pg. 6, lines 33-41; Pg. 8, lines 1-36, lines 58-59; Pg. 10, lines 1-7, lines 47-54, lines 55-56; Pg. 11, lines 8-11, lines 17-22, lines 23-31; lines 39-49; Pg. 12, lines 51-54; Pg. 13, lines 1-3, lines 4-9, lines 10-13; Pg. 24, lines 9-12; Pg. 44, lines 16-36; Pg. 45, lines 1-16; Pg. 51, lines 34-36, lines 37-41; Pg. 52, lines 23-29, lines 30-40; Pg. 55, lines 8-12, lines 13-15; Pg. 100, lines 25-27; Pg. 101, lines 37-41, lines 55-57; Pg. 102, lines 1-9, lines 36-55; Pg. 103, lines 33-37, lines 38-42, lines 43-48, lines 49-57; Pg. 104, lines 1-5, lines 18-24.
635	Municipal state-aid street mileage limitation changed	5/10	Line-item vetoes include: Pg. 20, lines 19-24; Pg. 21, lines 3-7, lines 8-14, lines 15-20
636	Omnibus crime bill	5/10	Line-item vetoes include: Pg. 5, lines 31-33, lines 47-48; Pg. 8, lines 16-24, lines 25-35; Pg. 9, lines 38-41; Pg. 10, lines 4-19, lines 20-29, lines 30-34, lines 35-40, lines 41-48, lines 49-54; Pg. 11, lines 37-48, lines 52-53, lines 54-56, lines 57-58; Pg. 12, lines 30-37; Pg. 13, lines 22-38.
640	Vehicle and fuel excise tax revenue dedicated to public transit	5/10	Line-item vetoes include: Pg. 7, lines 18-28, lines 34-36; Pg. 8, lines 1-2.
642	Farm disaster relief	5/10	Line-item vetoes include: Pg. 16, lines 24-36; Pg. 17, lines 1-25, lines 32-36; Pg. 18, lines 1-10, lines 24-29, lines 35-36; Pg. 19, lines 1-7, lines 25-36; Pg. 20, lines 1-7, lines 20-25; Pg. 22, lines 19-23.

Arne Carlson . . .

# Governor continues veto pace, 25 and holding

## Omnibus appropriations bill

While signing into law much of a supplemental state budget bill, Gov. Arne Carlson line-item vetoed about \$5 million worth of projects, leaving total spending at about \$30.7 million.

The bill incorporates three legislative supplemental budget measures in the areas of environment and natural resources, state government finance, and economic development, infrastructure, and transportation.

The House and Senate passed a \$35.7 million compromise supplemental budget bill May 5. The House voted 117 to 16 and the Senate voted 49 to 14.

The governor signed the bill May 10.

The following is a listing of the line-item vetoes by general section of the 168-page bill (HF3215/SF2913\*/CH632).

### Environment and natural resources

A total of \$3 million slotted for environment and natural resource projects was line-item vetoed from the bill.

The biggest environmental funding casualty was \$1.5 million the state would have given local governments to make up for the property tax money they can't collect from land owned by the Department of Natural Resources.

Other environmental projects Carlson vetoed include:

- \$270,000 for the operation of state parks. The veto, some say, will result in a reduced level of services at parks;
- \$200,000 for a study of the costs of generating electricity in the state;
- \$130,000 to find ways to protect the quality of the state's groundwater;
- \$90,000 for field resource ecologists needed for a county biological survey;
- \$87,000 for increased activity in forest and prairie ecology studies;
- \$75,000 for a grant to be used to plan and begin restoration of oak forest areas in St. Paul's Mounds and Battle Creek parks;
- \$50,000 for a farm safety program to educate farmers regarding equipment and other farm activity safety practices;
- \$50,000 for a grant to the Southwest Regional Development Commission to pay for the planning of the Lewis and Clark Water system in southwest Minnesota;
- \$75,000 for completion of the fishing pier on the Mississippi River in South St. Paul;
- A \$150,000 transfer from the DNR to the



State agency heads and commissioners pored over stacks of bills in Gov. Arne Carlson's reception room, which he turned into the "Veto Command Center," May 5. The governor has either completely vetoed or line-item vetoed 25 bills so far this session. He has only four bills left to consider.

Environmental Quality Board for activities related to sustainable development;

- \$250,000 for a grant to the Northern Counties Land Use Planning Board to help some northern counties undergo a joint development effort;
- \$70,000 to the Office of Waste Management to conduct its annual solid waste composition study; and
- \$50,000 to the Environmental Quality Board for groundwater protection coordination activities.

The governor also vetoed a provision that would have doubled the limit on what the state is allowed to pay ethanol producers. Currently, the state pays ethanol producers 20 cents a gallon to help stimulate and encourage ethanol production; the program can spend up to \$10 million a year from the general fund. The vetoed provision would have allowed the state to pay out \$20 million a year. Although the program cost only \$4.5 million last year, two new ethanol plants are being built, and the state Department of Agriculture is expecting several more in the next few years.

### State government

A study for a possible police officer stress program, a voter information hot line and special money for expert witnesses were all line-item vetoed from the state government section of the supplemental budget bill.

The programs were to be part of the money spent on the departments of finance, administration, employee relations and a few smaller

state agencies. Carlson used his line-item veto authority to make \$471,000 in cuts, leaving the departments with \$17.7 million in additional funding for fiscal years 1994 and 1995.

The House-Senate compromise bill authorized \$18.2 million for the select state agencies before the governor's cuts. The line-item vetoes include:

- \$20,000 to set up a public employees insurance task force to study whether public employees could form a health cooperative to purchase hospital, dental, and medical insurance;
- \$50,000 to study the feasibility of setting up a Minnesota police officers stress program. A program would have provided treatment for police officers suffering from post-traumatic stress syndrome. It also would have referred officers to professionals who could help them with stress-related problems.
- \$150,000 to the state Environmental Quality Board to find a way to include the University of Minnesota heating system in a thermal network with other area heating systems. The university is considering building its own heating facility. The bill wanted to study whether the university could save money and provide the same quality heat by hooking up with an existing facility;
- \$10,000 to the Environmental Quality Board to study the issue of environmental justice. Environmental justice means ensuring minority groups and their neighborhoods



aren't unfairly discriminated against in the placement of potential environmental hazards, such as landfills and power plants. The study would have looked into ways the EQB can address the problem in the future;

- \$80,000 to the Office of the Secretary of State for a voter information telephone line to give Minnesotans information on voter registration. The toll-free telephone line would have allowed Minnesotans from outside the metropolitan area to call free for voter registration numbers; and
- \$161,000 to the Office of the Attorney General to train state employees who review software and other "intellectual property" developed by state agencies to make sure it doesn't violate copyright laws and is properly licensed. It also would have helped the agencies properly license and copy-right their intellectual software.

### Community development funds

More than \$2.3 million will be spent on community development projects as outlined in a new state supplemental budget bill.

The bill sent to the governor had called for \$2.8 million in projects, but the governor line-item vetoed nearly \$500,000 worth, labeling them as non-emergencies.

Carlson wrote in his veto message that he did so "because of the need for a balanced budget."

Community development projects vetoed include:

- two grants totaling \$215,000 to the Department of Economic Security (formerly the Department of Jobs and Training). The first, for \$165,000, would have gone to the department's displaced homemaker program, which works with private organizations to assist displaced homemakers with counseling, job training, and help in connecting with social service agencies. The second, for \$50,000, would have gone to a department program that helps some businesses pay for their employees' mental health services;
- \$130,000 for various Minnesota Historical Society projects, including \$60,000 for the development of the St. Anthony Falls area in Minneapolis, and \$35,000 to acquire and restore an American Indian chert (flint) quarry in Mower County near Austin;
- \$115,000 to the city of Minneapolis to improve the Hennepin Center for the Arts;
- \$25,000 for a study to assess the status of women-owned businesses in the state, including their financial health and their ability to get business loans; and
- \$8,000 to the Department of Commerce to

study the state's pawnbroker industry.

Sen. Gene Merriam (DFL-Coon Rapids) sponsored the bill in the Senate. Rep. Loren Solberg (DFL-Bovey) sponsored it in the House.

HF3215/SF2913\*/CH632

## Flood relief

Gov. Arne Carlson May 10 signed into law a flood relief bill designed to help Minnesota's farmers recover from last spring's floods but not before cutting its funding provisions in half.

The measure now will provide only \$9 million in aid — down from \$18 million — as a result of the governor's several line-item vetoes.

The largest of those was a \$5 million interest buy-down program that would have helped secure loans for farmers and small businesses hit hardest by the floods. Under the program, the state would have paid a portion of the interest on a loan for a qualifying farmer or small business.

The governor noted that many farmers and small businesses already have secured operating loans. He also noted that the federal government already has picked up much of the tab for damages caused by last spring's floods.

He also vetoed another \$2 million that would have gone to the Department of Economic Security (formerly the Department of Jobs and Training) for emergency job training and creation programs, as well as a few other smaller appropriations.

Rep. Steve Wenzel (DFL-Little Falls) sponsored the flood relief legislation in the House and Sen. Joe Bertram (DFL-Paynesville) did so in the Senate. (See related story in the Agriculture section.)

HF2249/SF2168\*/CH642

## Omnibus crime bill

The governor signed a \$34 million crime prevention bill May 10, but exercised his line-item veto authority to strip \$2.7 million in funds allocated for 17 different programs.

"This bill is \$6 million over our crime spending targets for fiscal year 1995. . . . The Legislature saw fit . . . to get into an irresponsible bidding war on the crime issue, forcing me to exercise the item veto to trim spending," Carlson wrote in his veto message.

While noting the bill "does contain worthwhile provisions," Carlson said he was disappointed with the work of the Legislature.

"Five months after laying out this

administration's crime proposal I have received a bill which is too expensive and is soft on repeat offenders."

Here's a rundown on the vetoed provisions:

- \$1 million for a "productive day program" in Hennepin, Ramsey and St. Louis counties designed to motivate inmates in local jails to develop life and work skills. The goal is to provide training and education to create opportunities for inmates upon their release;
- \$400,000 for two "work and learn" centers designed to help 14- to 19-year-olds without a high school diploma. To be eligible, the juveniles must be delinquent, or referred from a county social services agency. One site was to be in a school setting, the other at a wilderness site;
- \$200,000 in grants to local law enforcement agencies to develop three truancy service centers;
- \$200,000 for the creation of a witness and victim protection fund;
- \$170,000 to reimburse local law enforcement agencies for costs incurred conducting background checks;
- \$100,000 for the remote electronic alcohol monitoring pilot program.
- \$100,000 in mini-grants for programs that work with juvenile female offenders;
- \$100,000 in start-up money for the crime information reward fund;
- \$100,000 for intervention projects to work with students at risk of failing in school because of chronic neglect at home;
- \$56,000 for a grant to the Region Nine Development Commission for grants to community-based intervention and prevention projects;
- \$50,000 for the activities of a statewide youth safety initiative coordinated by the Minnesota student safety program;
- \$50,000 for community-based truancy action projects;
- \$50,000 for male responsibility and fathering program grants;
- \$50,000 for the Bureau of Criminal Apprehension to establish and maintain a distinctive physical mark, or tattoo computer library identification system;
- \$40,000 for the gang resistance education training pilot program;
- \$25,000 for a grant to the Nett Lake community crime and drug prevention program; and
- \$10,000 for a violence prevention study conducted by the chemical abuse and violence prevention council.

HF2351\*/SFnone/CH636

## Juvenile crime bill

The House failed two attempts May 6 to keep alive portions of the 1994 juvenile crime bill that were line-item vetoed by Gov. Arne Carlson the previous day.

Before signing the \$13.9 million measure into law May 5, Carlson used his line-item veto powers to eliminate nearly \$4 million from the bill.

The governor cut three major appropriations that lawmakers say would have helped the juvenile justice system handle the increase workload resulting from new provisions in the bill: \$372,000 for four additional judgeships, \$1 million to hire more probation officers, and \$2.6 million set aside for more public defenders.

Although Carlson said the bill was good policy, he said the state also has to live within its means.

The legislation represents "one of the most significant achievements of the 1994 session and should go far in addressing our troubling juvenile crime rates," said Carlson in his veto message. But "due to the Legislature's lack of financial planning and the need for a healthy and balanced budget, I was forced to item veto three provisions of spending in this measure."

Rep. Wes Skoglund (DFL-Mpls), who sponsored the juvenile crime bill in the House, attempted first to reinstate the \$1 million appropriation that would have paid for more probation officers in the juvenile justice system.

"It's absolutely essential, for those kids we can turn around, that we [hire more] probation officers," Skoglund said.

The motion to override failed by a vote of 87-45. To override a gubernatorial veto takes two-thirds vote in both bodies: 90 in the House; 45 in the Senate.

After the first failed override attempt, Skoglund said he wanted to try "one more time," and proposed the House reinstate appropriations for added public defense spending.

The second motion failed 85-47.

HF2074\*/1845/CH576

## Election practice

A bill that would have allowed minors to cast a mock ballot in the upcoming November election in selected cities and counties was vetoed by Gov. Arne Carlson May 9.

The measure was designed to educate children about the election process and increase adult voter turnout, according to Rep. Mike Jaros (DFL-Duluth), House sponsor of the bill. The idea was that children would bring

their parents and other adults to polling places, Jaros said.

Minors would have cast ballots in a simulated election when their parents and other adults went to the polls to cast real ballots on election day. Jaros said similar projects are now under way in 20 other states; Arizona's program has been operating since 1988. (See March 31, 1994, *Session Weekly*, page 6.)

In his veto message, Carlson said the goal of teaching students about elections is "laudable." However, he objected to granting the Secretary of State "sole authority to develop this program without . . . guidelines, or any guarantee of political neutrality."

Carlson charged that the simulated elections could become a "partisan tool rather than an educational aide." He also said that the lack of "clearly-defined guidelines" for the program could cause "considerable chaos at polling places which, in many cases, are already confused and overcrowded."

Secretary of State Joan Grove said she could see "no reason that this bill should have been vetoed."

She said the program would have encouraged young people to participate in citizenship. "This is a particularly good program because students participate with their parents."

Sen. Sam Solon (DFL-Duluth) sponsored the bill in the Senate

HF3004/SF2011\*/CH608

## Whistle-blower bill

Rep. Mike Delmont (DFL-Lexington) doesn't mind a bit that Gov. Arne Carlson April 22 vetoed his bill aimed at clarifying the current whistle-blower law. He said the veto message was actually more helpful than the law change.

The whistle-blower law is designed to protect employees who refuse to violate state law from being harassed by their employers.

Delmont said he sponsored the bill to make sure certain employees are indeed covered by Minnesota's whistle-blower law. An attorney for a public agency had asserted that the whistle-blower law did not apply to "at will employees," defined as those who serve at the pleasure of their appointing authority. Some state government employees fit into this category.

In his message to House and Senate leaders, Carlson said he vetoed the bill because at will employees are already covered under existing law.

Delmont explained that means that both past and future at will employees are covered by the state's whistle-blower law. Had his bill

been signed by the governor, it would have clarified the question for future at will employees only.

"The measure is unnecessary," Carlson wrote. "The Department of Employee Relations already interprets the whistle-blower statutes in this fashion. Minnesota case law already extends these protections to at will employees."

HF2007\*/SF2285/CH492

## Minimum wage

People flipping burgers and others who work for minimum wage won't see a state-mandated pay raise in the near future.

Gov. Arne Carlson May 10 vetoed a bill that would have required a 40-cent per hour increase in the minimum wage beginning Jan. 1, 1995, for large businesses. And beginning Jan. 1, 1996, those wages would have risen by another 35 cents to \$5 an hour. The current minimum wage is \$4.25 an hour.

For small businesses, the bill would have increased wages to \$4.40 in 1995 and \$4.75 in 1996.

In his veto message, Carlson said a higher minimum wage would have meant fewer minimum-wage jobs in the state.

"We believe it would cause the loss of approximately 5,500 to 6,000 jobs in the state," wrote the governor. "If we were to sign that bill, that would place us in the third-highest position in the United States and would again reduce our capacity to effectively compete in the area of jobs and job growth."

If the bill had become law, Minnesota's minimum wage would have been higher than the federal rate of \$4.25 per hour. Currently, eight states and the District of Columbia pay more. Iowa pays its workers at least \$4.65 an hour.

The House approved the bill by a 74-58 vote; the Senate, 37 - 29.

The vetoed bill also called for \$117,000 to be appropriated from the general fund to the Department of Human Services to pay for increased Medical Assistance (MA) grants for nursing home, home health workers, and others who work in the human services field. The fund's money would have hiked MA reimbursement rates to bring wages up to the proposed new minimum wage levels.

The bill was sponsored by Rep. Tom Rukavina (DFL-Virginia) and Sen. Randy Kelly (DFL-St. Paul).

HF2243/SF1944\*/CH621

## Status quo on environment

Despite an attempted override vote, a governor veto of a new state agency to help Minnesota businesses and local governments comply with environmental laws stands.

The House effort May 2 to reverse Gov. Arne Carlson's veto failed on a vote of 89 to 45. To override a gubernatorial veto, a measure must be approved by a two-thirds majority in each body; 90 votes in the House and 45 in the Senate.

The bill (HF2920), sponsored in the House by Rep. Dee Long (DFL-Mpls), would have re-established the Office of Waste Management (OWM) as the Office of Environmental Assistance (OEA). The new office would have provided information about pollution prevention and resource conservation, as well as technical and financial assistance to businesses and local governments about waste management programs.

In creating the OEA as a separate advisory agency, the bill would have left the Minnesota Pollution Control Agency (MPCA) in charge of environmental regulation and enforcement of laws.

Carlson said he vetoed the bill because it separated an agency—the MPCA—that had been streamlined to eliminate duplication of services.

In addition, Carlson said the bill would have prohibited the executive branch from using its reorganization powers on the newly created agency.

"This clearly is an infringement on executive branch powers by the legislative branch of government and is not acceptable," said Carlson.

The original bill passed the House 100 to 32 and the Senate 58 to 7. The Senate did not attempt to override the veto.

(HF2920\*/SF2523/CH544)

## Lake Caribou lot sale

A bill calling on the Department of Natural Resources (DNR) to void the sale of a lakeshore lot in Cook County was vetoed by Gov. Arne Carlson May 5.

The Caribou Lake lot was offered for sale on Aug. 16, 1993, and sold at auction to a Minnesota couple who had built a cabin on the lot they had been leasing from the DNR.

Under a 1986 law, the DNR is allowed to sell any of its 1,800 leased lakeshore lots, if the person leasing a lot requests that a sale be conducted. Because the lots are part of state school trust fund lands, the Minnesota Constitution requires that these sales be advertised and open to bidders.

In the Caribou Lake lot sale, another bidder entered the auction and substantially bid up the price. The Minnesota couple finally won the bidding war, but ended up paying \$40,000 over the appraised value of the land.

The couple complained that their competitor in the land auction was from Texas, and, therefore, an illegitimate participant in the process, and brought their case to the Legislature. The bill would have voided their purchase and required the DNR to "re-offer the property at public sale under the same procedures that applied to the original sale."

The veto message from the governor said that it would be a violation of the DNR's "fiduciary responsibility to the school trust to cancel the valid sale and relinquish its claim against the high bidders."

Carlson said the bill would "establish a dangerous precedent" affecting future state sales of mineral, timber, and land. He quoted a provision in the state constitution that prohibits granting "to any private corporation, association, or individual any special or exclusive privilege, immunity or franchise."

The vetoed bill was sponsored by Rep. David Battaglia (DFL-Two Harbors) and Sen. Doug Johnson (DFL-Cook).

HF2925\*/SF2608/CH555

## One-stop shopping

A bill to help provide one-stop shopping for prospective business owners will not become law this year.

Although the measure to consolidate the business licensing process passed the House by a vote of 121-12 and was unanimously approved in the Senate, Gov. Arne Carlson vetoed the bill May 9, saying it was too soon to put the proposal into law.

The bill would have required the state's Bureau of Business Licenses—an arm of the Department of Trade and Economic Development (DTED)—to process all applications and accept fees for the different types of business licenses.

Currently, the bureau only provides prospective business owners with information about licenses and how to secure them.

Although the bill, sponsored in the House by Rep. Geri Evans (DFL-New Brighton), did not allocate any money toward the licensing system, it called on DTED to study the feasibility of an interlinking computer system to coordinate all the different agencies that grant various types of business licenses.

In his veto message, the governor said a 1993 executive order required DTED to conduct a feasibility study of improvements in business licensing.

"The study is due in January 1995 and I believe it would be premature to sign legislation in this area without the benefit of those recommendations," Carlson said.

Carlson also noted that the bill would cost a "significant" amount of money to implement in future years, and was best dealt with during a regular budget year.

Sen. Ember Reichgott Junge (DFL-New Hope) sponsored the Senate companion to the bill.

HF1918\*/SF2496/CH593

## County auditors, treasurers

Gov. Arne Carlson May 6 vetoed a law that would have allowed county boards to appoint county auditors, treasurers, coroners, and recorders.

Currently, employees can be appointed to those positions, but only if voters approve the move in a referendum.

The bill would have allowed the county board to appoint someone to one of those positions without a referendum vote, but only if the vacancy came up before March 1 in the year before an election for the office would be held.

And the county board would have had to publish three times its intention to appoint someone to the position in the local newspaper.

In his veto message, Carlson said the bill would have "transferred authority from the voters to elected county board members."

The Senate approved the bill April 14 by a 35-to-31 vote. The House approved it May 4, 69 to 65. Rep. Mary Jo McGuire (DFL-Falcon Heights, sponsored the bill in the House. Sen. Sandra Pappas (DFL-St. Paul) sponsored the bill in the Senate.

HF2645/SF2232\*/CH609

## Health and human services

Gov. Arne Carlson May 9 vetoed a \$22 million health and human services supplemental appropriations bill that would have reinstated state aid to hospitals that was cut last year.

The 1993 Legislature directed that nearly \$14 million in state Medical Assistance and General Assistance Medical Care funds be cut as of July 1994. That meant hospitals would receive less state help for caring for poor patients. The vetoed bill would have reinstated 80 percent of that cut, or about \$11 million.

The bill, which won overwhelming support in both the House and Senate, also included \$8 million for subsidized day care

and \$400,000 to pay for lead clean-up programs.

In his veto message, Carlson said the bill would cost too much money and could result in a tax increase.

"This bill does contain a number of good proposals, some of which were proposed by myself and others. . . . Unfortunately, the bill also contains an unacceptable level of over-spending," Carlson wrote.

The House passed the bill 105 to 28; the Senate passed it 50 to 14. The bill was sponsored by Rep. Lee Greenfield (DFL-Mpls) in the House.

HF3210\*/SFNone/CH606

### MinnesotaCare reserve account

Gov. Arne Carlson May 9 vetoed a \$75 million reserve account for MinnesotaCare, the state health care plan for uninsured Minnesotans.

The bill would have taken the money from the state's general fund this year, so more people could become insured while lawmakers devise a better payment plan. Specifically, the money would have been used to enroll adults without children in the insurance plan.

It would have used the \$75 million to continue the work toward the goal of universal access to health care by July 1, 1997. The bill, sponsored by Rep. Tom Rukavina (DFL-Virginia), was intended as a stopgap measure until the 1995 Legislature could adopt a new, permanent way to pay for the MinnesotaCare program. Sen. Doug Johnson (DFL-Cook) sponsored the bill in the Senate. (See April 22, 1994, *Session Weekly*, pages 8-9.)

"While this is a laudable goal, we simply do not have the money available to create such a fund, nor do we have a revenue source identified to maintain this fund," wrote Carlson in his veto message.

A 2 percent tax on the gross revenues from all the state's health care providers, hospitals, pharmacies, and wholesale drug distributors now pays for MinnesotaCare. The tax is controversial and not well liked in health care circles. Some lawmakers also acknowledge the tax is difficult to collect from the state's numerous health care providers and clinics.

The bill would have given the departments of health and human services an extra year to develop a plan to make sure MinnesotaCare expenses do not exceed revenues from the 2 percent health care providers tax. The departments would have had until February 1995, and the balanced budget plan would have included ways to adjust or limit who receives health care benefits and what kind of benefits are offered under MinnesotaCare.

The bill also would have allowed the health care program to go ahead with enrolling single adults and those without children even if expenses exceed revenues through fiscal year 1997. The added provision would have allowed the departments of health and human services more time to develop a MinnesotaCare balanced budget plan.

HF2951\*/SF2494/CH597

### MinnesotaCare access fund transfer

Gov. Arne Carlson signed into law a bill promising universal health coverage for all uninsured Minnesotans by July 1, 1997, with the exception of two appropriations.

The first provision vetoed would have transferred \$15 million from the health care access fund to the general fund.

The transfer is done to supplement funding for the Medical Assistance (MA) and General Assistance Medical Care (GAMC) programs. When Minnesotans apply for MinnesotaCare, it is often discovered that they qualify for MA or GAMC.

The MinnesotaCare law also calls for a reassessment of funding for the MinnesotaCare program, leading Carlson to write: "I feel it is prudent to hold off on changes to the previously mentioned funds until the entire package of expenditures and funds is reassessed during the 1995 legislative session."

In his second MinnesotaCare veto, Carlson wrote that a \$200,000 appropriation to the Office of the Attorney General was "unnecessary."

The funds were to be used by the attorney

general to work with the Department of Health to increase Minnesota's Medicare reimbursement rate.

Carlson wrote that the commissioners of the departments of health and human services already are working toward the same goal, and they "do not feel the assistance of the attorney general is needed." (See related story in the Health section.)

HF2525/SF2192\*/CH625

### Government health care

Gov. Arne Carlson May 2 vetoed a bill that would have spent \$65,000 to study whether the state could save money with a single-payer health care system.

Under a single-payer system, the state government takes over the payment of all health care services or authorizes one outside insurance company, acting somewhat like a public utility, to handle all the claims.

Currently, many different private insurance companies and health care groups pay claims filed by patients, clinics, doctors, and others.

The bill would have asked the Office of the Legislative Auditor to study whether the state could save money with a single-payer system and how access and the quality of health care would be affected. Administrative costs would have been analyzed, including revenues received versus claims paid, and billing costs for Minnesota health care providers.

Carlson, dubbing the legislation unnecessary, said: "The Minnesota Health Care Commission is currently working on a study on financing universal access to health care, and



Spouses who each hold more than \$1.2 million in assets will be able to create a postnuptial contract defining property matters, under a new law signed by the governor May 2. (HF1788\*/SF1997/CH545)



the United States General Accounting Office has already completed a study on this subject."

However, a provision in **SF2192**, the 1994 Minnesota Care law, provides \$65,000 to fund the same study.

The bill was sponsored in the House by Rep. Tom Rukavina (DFL-Virginia) and in the Senate by Sen. Linda Berglin (DFL-Mpls). (See April 29, 1994, *Session Weekly*, pages 10-11).

**HF2048/SF1867\*/CH540**

## Medication bill

Gov. Arne Carlson vetoed a bill April 21 that would have allowed the guardians of people who are mentally ill to give doctors permission to use certain kinds of medication when treating them.

In rejecting the bill, which was unanimously approved in both the House and Senate, Carlson said he had been prepared to support the measure — until a certain provision was attached to the bill on the House floor. It requires a court hearing before a guardian could give permission.

Carlson said the court hearings would "create enormous legal costs for the state and for counties," as well as for guardians. He said there are at least 11,000 people on Medical Assistance living in nursing homes or intermediate care facilities for whom "neuroleptic" medication is typically prescribed.

The term "neuroleptic" describes several powerful tranquilizers commonly used to treat psychosis. They also are called "antipsychotic" medications.

"The intent of the bill was to grant the guardians and conservators the authority to consent to the administration of neuroleptic medications to mentally ill persons," wrote the governor. "The last-minute amendment imposes the requirement of a court hearing for this consent to be valid."

Carlson said if lawmakers had removed the last-minute language requiring the court hearing, which was offered by House bill sponsor Rep. Andy Dawkins (DFL-St. Paul), he would "certainly sign the bill into law."

**HF2088/SF1694\*/CH481**

## Higher education

Gov. Arne Carlson May 5 line-item vetoed every appropriation in the higher education supplemental budget bill that contributed to the call for an additional \$11.3 million in spending for the state's public colleges and universities during the remainder of fiscal year 1994 and in fiscal year 1995.

The House passed the bill 112-22 and the Senate passed it 65-0.

In his veto message, Carlson said this wasn't the year for granting state aid to higher education institutions. In fact, he had requested \$10 million in cuts, House Minority Leader Steve Sviggum (IR-Kenyon) told fellow lawmakers during House debate on the bill.

"It is the year for choosing whether we can preserve the fiscal stability of the state," Carlson wrote in his message.

The governor's veto eliminates the following appropriations:

- \$9.1 million to the University of Minnesota. Part of that money would have been used to begin a program to allow students to register for classes by phone. The money — which the university requested as part of its "U2000" plan — would have been used to improve libraries and laboratory equipment, and to better maintain classrooms;
- \$3 million to the Department of Finance to develop an accounting system for the 1995 merged higher education system. The state's community college, technical college, and state university systems are to be merged under the newly created Higher Education Board in July 1995. Carlson did approve language in the bill allowing the merger to go forward;
- \$758,000 to Metropolitan State University to strengthen academic course offerings and to develop a more comprehensive four-year program at the school, which is located on several small Twin Cities' campuses;
- \$242,000 to better prepare teachers to work in inner-city schools; and
- \$800,000 for added campus security at state universities. (See related story in the Higher Education section.)

**HF3178/SF2900\*/CH532**

## Affordable housing in 'burbs'

Gov. Arne Carlson vetoed a bill May 9 that would have urged cities and towns in the seven-county metropolitan area to make room for low-income housing.

In his veto message, Carlson said the bill was largely similar to a bill he vetoed last year. Both bills were sponsored by Rep. Myron Orfield (DFL-Mpls).

But Orfield has said he specifically designed his bill this year to appease the governor's objections from last year.

The House approved the House-Senate compromise May 3 by a 79-54 vote. The Senate approved it May 2 with a 34-32 vote.

Orfield said he wanted to see low-income

housing evenly distributed throughout the seven-county metropolitan area rather than concentrated in Minneapolis and St. Paul.

The bill called for the Metropolitan Council to allocate affordable housing in the metropolitan area based on a formula that determines each city's current proportion of such housing. The council also would have looked at the number of jobs available in a community and other factors when setting low-income housing goals.

Although the compromise bill would not have penalized cities that didn't comply with Metropolitan Council suggestions, earlier versions would have penalized those that did not change their zoning laws to allow more low- and moderate-income housing. Some of the penalties considered included losing some state aid or being denied permission to increase municipal sewer services.

Although the penalties were dropped from the bill sent to the governor, Carlson suggested the passage of the bill would open the door for Orfield or other lawmakers to try to institute penalties in future years.

The bill, Carlson maintained, eventually could have penalized communities that didn't meet the council's quota for low-income housing. "Penalties are inappropriate, as are unnecessary legislative mandates such as this," he wrote.

In his veto message, Carlson also said the Metropolitan Council is "already in the process of conducting an affordable housing survey."

Furthermore, Carlson said the bill would have required the Metropolitan Council to ask for low-income housing in communities without a great deal of such housing, rather than in communities where the jobs are.

Orfield has said he specifically designed his bill this year with a requirement that the Metropolitan Council look at the number of jobs in a city when calculating how much affordable housing should go there.

Sen. Steven Novak (DFL-New Brighton) sponsored the Senate companion bill.

**HF2171\*/SF1991/CH594**

## Sprinklers for high-rises

A bill that would have required high-rise buildings to be equipped with sprinkler systems was vetoed by Gov. Arne Carlson May 9.

In his veto message, Carlson said requiring sprinkler systems would "impose a huge cost on cities and would make publicly assisted housing even more difficult to provide."

The bill, sponsored in the House by Rep. Bob Johnson (DFL-Bemidji) and in the Senate by Sen. Carl Kroening (DFL-Mpls), would have required most buildings over 74 feet high and not equipped with sprinkler systems to have the systems installed within the next 15 years.

The bill passed the House 98 to 33 and the Senate 53 to 11.

"I am uncomfortable when the state Legislature involves itself in matters which are best handled on a local level," said Carlson. "I remain committed to safety in all buildings but we must not mandate costs without considering how they will be paid."

The measure would have only affected older commercial and apartment buildings. Since 1974, state law has required newly constructed high-rise buildings to be equipped with sprinkler systems. In addition, a section of the bill exempted buildings that are 70 percent owner-occupied, which would have excused most condominiums from the mandate.

HF392\*/SF374/CH601

## Mobile home evacuation plans

Studying the emergency evacuation plans of the state's mobile home parks would put too much strain on the budgets of the agencies asked to do the study, according to a May 9 veto message from Gov. Arne Carlson.

The vetoed bill proposed that the departments of health, public safety, and administration gather information on all licensed mobile home parks in the state with more than 50 homes.

Had the bill become law, the agencies would have had to report to the Legislature by Jan. 10, 1995, on the status of emergency shelters in these parks and any evacuation plans they had developed.

The bill contained no money for the agencies to pay for the study. In his veto message, Carlson wrote that "budgets are strained and legislative demands on these agencies continue to grow."

The bill, sponsored in the House by Rep. Geri Evans (DFL-New Brighton), also would have prohibited mobile home park owners from charging an application fee to a current

park resident who is moving to another site within the park.

It passed the House 98-33 and the Senate 61-0.

Sen. Jane Krentz (DFL-May Township) sponsored the Senate legislation.

HF1919\*/SF1984/CH599

## No mobile home pets

A House bill that would require mobile home park owners to allow senior citizens to keep pets would "unreasonably infringe" on the rights of park owners, according to Gov. Arne Carlson, who vetoed the bill May 2.

Carlson wrote in his veto message that although he supports the rights of senior citizens to own and enjoy pets, the state must also "be respectful of those seniors and other . . . residents who have chosen to live in pet-free environments."

The vetoed bill would have permitted anyone 62 years old or older and living in a mobile home park to own a dog, cat, or bird. The bill also would have allowed park owners to set "reasonable rules" regarding the care and maintenance of the pet.

Senior citizens, especially those who have lost their spouses, should not be denied the companionship these pets can offer, said Rep. Richard Jefferson (DFL-Mpls), sponsor of the House bill. (See March 25, 1994, *Session Weekly*, page 13, and April 8, 1994, *Session Weekly*, page 11.)

Sen. Paula Hanson (DFL-Ham Lake) sponsored the legislation in the Senate.

HF2135\*/SF1698/CH543

## Unpaid leaves for union members

Gov. Arne Carlson issued his first veto of the 1994 Legislative Session March 28 when he rejected a bill that would have allowed unpaid leaves of absence to some union members employed by public bodies.

Under current law, designated union members are allowed to take an unpaid leave from work when conducting business for the union that represents workers in the office from which the leave is taken.

The measure, sponsored by Rep. Phil Carruthers (DFL-Brooklyn Center), would have allowed other designated union members to take unpaid time off — regardless of whether they would be conducting business for the office from which the leave would be taken.

Although this bill was vetoed, similar language was incorporated into the omnibus K-12 education finance bill (HF2189\*/SF2206/CH 647 Art. 8, Sec. 27), which the governor signed May 10.

Carruthers said he sponsored the bill after learning of a constituent who taught in a school district represented in bargaining by the Minnesota Education Association (MEA), one of two state teachers' unions. The constituent belonged to a different teachers' union and wanted to take an unpaid leave to work on his union business.

But because the constituent did not belong to the same union that represented his district, he was denied a leave of absence. An MEA member, however, can take an unpaid leave of absence to work on union business in that district.

In his veto message, Carlson said the bill was an "unwarranted widening" of existing practice and would impose "an undue burden on public employers of all types and levels in Minnesota."

He said if there is a general problem with the law, it is not widely known.

"If, on the other hand, this bill seeks redress of the frustration of a limited number of persons, perhaps even a single individual, that is an example of legislative micro-management that disappoints the general public," Carlson wrote.

HF2228/SF0844\*/CH381

## Pension buy-back

Gov. Arne Carlson vetoed a bill May 5 that would have allowed some teachers to boost their pension funds by giving them credit for time they spent teaching outside Minnesota.

Under current public pension law, teachers and others are, under specific circumstances, authorized to "buy back" credit toward their pension accounts. The buy back is a lump sum employee payment — with interest — to cover pension contributions for a period of time when the employee did not make pension contributions. In such cases, the employer then makes a lump-sum contribution to the employee's pension fund as well.

Under the bill, teachers within the Minneapolis School District contributing to the Minneapolis Teachers Retirement Fund Association would have been allowed to buy back pension service credits for prior teaching experience outside the state of Minnesota.

"This legislation has the potential to buy back pension credits on the backs of the taxpayer by an already financially strapped school district," wrote Carlson in his veto message. "The legislation sets the stage for the district to later request a subsidy from the state."

Carlson added that the legislation would

create an exception for only one of many pension funds within the public system, "which is neither good public policy, nor good precedent."

The House approved the bill 124 to 5 and the Senate approved it 55 to 2.

HF662/SF609\*/CH569

## Metro transportation projects

Gov. Arne Carlson May 10 line-item vetoed four metropolitan-area construction projects contained in an omnibus transportation bill making mostly technical changes in state laws regulating transportation. (See related story in the Transportation section.)

The governor deleted two separate projects to erect sound barriers along portions of

Interstate Highways 394 and 694, and another sound barrier project along State Highway 252 in Brooklyn Park. He also deleted a project to put traffic signals at an intersection near a middle school in North Oaks.

Carlson said the projects would have cost the state more than \$1 million.

Each of these projects, wrote Carlson in his veto letter, "represents a significant cost to the state trunk highway fund, and none of which require funding in this non-budget year."

Rep. Tom Osthoff (DFL-St. Paul) sponsored the House bill and Sen. Keith Langseth (DFL-Glyndon) carried the Senate legislation.

HF3011\*/SF2680/CH635

## MnDOT funding

A new state law that will give the Minnesota Department of Transportation an additional \$15 million in fiscal years 1994 and 1995, but the governor line-item vetoed two appropriations contained in the bill.

The governor excised a \$250,000 grant to the Minnesota Job Skills Partnership Board and also cut a separate section of the bill that would have provided another \$5.5 million in funding to MnDOT.

"Neither . . . require funding in this non-budget year," wrote the governor.

HF3230\*/SF2097/CH640



# Three more House members step down



Rep. Jerry Knickerbocker

(IR-Minnetonka) will leave one office to become a candidate for another.

Recently, he announced that he will not seek a 12th legislative term and instead will vie for a spot on the Hennepin County Board of Commissioners.

Knickerbocker, who has served in the Legislature for 22 years, said he believes his extensive experience will be an asset on the county board.

"The opportunity to apply my experience and skills to a different level of government, one that provides greater hands-on involvement and the opportunity to work hard to improve the quality of Hennepin County's government is an exciting challenge," said Knickerbocker.

His accomplishments at the Legislature include working on major election law changes, sponsoring several pieces of insurance reform legislation, and sponsoring a bill to better protect and maintain streams.



Rep. Katy Olson

After eight years at the Legislature, Assistant Majority Leader Katy Olson (DFL-Sherburn) has decided to step down.

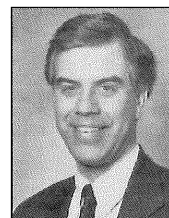
Olson said she waited to announce her retirement until the session had ended because she didn't want to endanger two local projects that were still pending.

"I wanted to make sure they got through before I said anything to anyone," she said.

Throughout her tenure at the Legislature, Olson has been known as a champion of farmers. This session, she co-sponsored the \$18 million flood relief bill, which Gov. Arne Carlson signed after reducing it to \$9 million.

But Olson's work on flood relief began well before this session. Last summer, Olson and several others from the House rural caucus went to Washington, D.C., to lobby 26 officials for flood relief on the federal level.

Among her legislative achievements, Olson lists the Heron Learning Center Ecology Bus and the expansion of Highway 60 from Windom to Worthington.



Rep. Rick Krueger

Rep. Rick Krueger (DFL-Staples) has decided to move from the public sector to the private sector.

After 12 years at the Legislature, Krueger recently announced that he will not seek a seventh term.

Instead, he is starting a new job as the president of Minnesota High Technology Council and looks forward to spending more time with his wife, Diane, and three children, ages 6, 9, and 13.

Krueger has chaired the State Government Finance Division of the Governmental Operations and Gambling Committee for the past two years. The committee funds several state agencies and programs.

In that capacity, much of his energy has been focused on technology issues. He also chaired the Rules and Legislative Administration Committee's Telecommunications and Technology Subcommittee, which was in the process of making recommendations to House leadership on computer issues.

# Final Action\*

## Now it's up to the governor

Exactly 2,702 bills were introduced this legislative session by the House and the Senate. Of those, 274 bills (and one resolution) were passed by both bodies during the 1994 Session and sent to the governor.

So what happened to the other 2,428? Some were duplicates, some were folded into other bills, but most are dead, gone from the legislative process unless they are re-introduced next year. The biennium has ended, and bills do not carry over from one biennium to the next.

And the 274 (and one resolution) sent to the governor?

Once a bill has passed both the House and the Senate in identical form, it's ready to be sent to the governor for consideration. The governor has several options when considering a bill. The governor can:

- sign the bill and it will become law;
- veto the bill;
- line-item veto individual items within an appropriations bill; or
- do nothing, which at the end of the biennium results in a pocket veto.

The timing of these actions is as important as the actions themselves.

If a bill was passed by the Legislature and presented to the governor before the final three days of the session, the bill will become law unless the governor vetoes it by returning it to the Legislature within three days. The governor normally signs the bills and files them with the Secretary of State, but his signature is not required.

But if a bill is passed during the last three days of the session, the governor has a longer time to act on it. He/she must sign and deposit it with the secretary of state within 14 days of adjournment or the bill will not become law. Inaction by the governor results in a "pocket veto," and the governor is not required to provide a reason for the veto.

Only on appropriations bills can the governor exercise the line-item veto authority. This option allows the governor to eliminate the appropriation items to which he/she objects. As with all vetoes, the governor must include a statement listing the reasons for the veto with the returned bill. Here, too, the timetable is either 14 days after adjournment for bills passed during the final three days of the session, or within three days after the governor receives the bill at any other time.

A two-thirds vote of the members in each house is needed to override a veto. But because only the governor can call a special session of the Legislature, anything vetoed after the Legislature is adjourns is history — at least until next year.

After each session, a comprehensive summary of all bills that were signed into law or vetoed is published. You can get a copy by calling or writing the House Public Information Office, 175 State Office Building, St. Paul, MN 55155-1298; (612) 296-2146, 1-800-657-3550.

Editor's note: The following chart includes the 274 bills (and one resolution) that passed both the House and the Senate and have been or will be sent on to the governor for consideration. Final action is as yet incomplete on four of the bills.

Here are definitions of some of the terms used in the chart.

### Governor's Options:

- enactment

The date the governor signed the bill into law.

- line-item veto (liv)

The power or action of the governor to reject individual items within an appropriations bill while approving the rest of the bill.

- Veto (v)

The governor did not approve the bill.

- \*

An asterisk marks the version of the bill the House and Senate approved and sent on to the governor.

### Effective Date:

Each act takes effect at 12:01 a.m. on the day it becomes effective, unless the act specifies a different time. Examples:

- Aug. 1, 1994

Each act the governor signs into law, except those that make appropriations, take effect on Aug. 1 following its final enactment, unless the act specifies a different date.

- upon local approval (ula)

A special law requiring approval from the local government unit it affects becomes effective the day after the local government unit's governing body files a certificate with the secretary of state, unless the act specifies a later date.

- July 1, 1994

An appropriations act, or an act having appropriations items, takes effect at the beginning of the first day of July following its final enactment, unless the act specifies a different date.

- various dates (vd)

Different parts of the act have different effective dates.

- with exceptions (we)

Act includes other effective dates.

- with qualifications (wq)

Act adds conditions to the effective date.

- retroactive (r)

Act goes into effect as of a specified date in the past.

- currently unavailable (cu)

The act is not yet in its final form; therefore, an effective date cannot be cited at this time.



**1994 MINNESOTA LEGISLATURE  
FINAL ACTION (as of May 12, 1994)**

HF—House File	v—vetoed	vd—various dates
SF—Senate File	liv—line item veto	we—with exceptions
R—Resolution	p—pending governor's signature	wq—with qualifications
†—footnote	f—filed with secretary of state	ula—upon local approval
g—governor signed bill	r—retroactive	cu—currently unavailable
	dae—day after enactment	

HF	Author	SF	Author	Bill Title	Chapter number	Governor's action	Date of action	Effective dates
<b>AGRICULTURE</b>								
2080	Dehler	1975	Sams	Food laws given uniformity	571	g	5/5	5/6
2132	Trimble	2072	Mondale	Salvaged food labeling, licensing, other requirements	563	g	5/4	7/1
2248	Gutknecht	1999	Benson, D.D.	Pesticide posting requirements changed	482	g	4/21	4/22
2249	Wenzel	2168	Bertram	Farm disaster relief	642	liv	5/10	5/11 (Secs. 1, 2, 4-9, 11-42); 7/1/93 retro. (Secs. 3, 10)
2373	Olson, E.	2038	Stumpf	Wheat and barley regulations modified	452	g	4/18	4/19
2400	Mosel	1903	Bertram	Rural Finance Authority authorized participation in restructuring loans	514	g	4/25	4/26
2493	Bauerly	2247	Sams	Farm operation nuisance liability provisions modified	619	g	5/10	5/11 (Sec. 4); 8/1
2646	Olson, E.	2283	Moe	Potato seed growing area expanded	422	g	4/13	4/14
2885	Winter	1948	Berg	Farm limited liability companies provided	622	g	5/10	5/11 (Sec. 6); 8/1
2892	Hugoson	2709	Berg	Dairy pricing provisions modified	558	g	5/4	8/1
<b>CAPITAL INVESTMENT</b>								
218	Stanis	182	Johnson, D.E.	Bonding bill for capital improvements and land acquisition	643	p		
<b>COMMERCE &amp; ECONOMIC DEVELOPMENT</b>								
1449	Lasley	862	Price	Motor vehicle dealers— licensed	500	g	4/22	8/1
1835	Tunheim	1755	Stumpf	Ontario-Minnesota boundary water fishing restrictions	479	g	4/21	4/22
1918	Evans	2496	Reichgott Junge	Business consolidated licensing established	593	v	5/9	
1923	Perlt	1911	Finn	Filing requirements modified for corporations	438	g	4/15	8/1
1985	Rest	1786	Reichgott Junge	Limited liability partnerships registered	539	g	4/29	7/1
2016	Asch	1847	Solon	Mortgage payment services regulated	638	g	5/10	5/11
2035	McCollum	2215	Oliver	Building contractor requirements clarified	404	g	4/11	vd
2139	Knickerbocker	1848	Solon	Trust regulation; real estate license definition	461	g	4/18	4/19
2201	Evans	1750	Larson	Commerce department authority expanded	385	g	3/31	4/1
2210	Asch	1791	Knutson	Commerce department data given classification	400	g	4/11	4/12 (Sec. 2); 8/1 (Sec. 1)
2415	Rhodes	1983	Anderson	Minnesota companies clarified	397	g	4/7	8/1
2784	Milbert	2267	Samuelson	Title insurance companies— mortgages	447	g	4/15	8/1
2836	Bauerly	2425	Stevens	Fireworks operators— certification requirements	405	g	4/11	8/1
2954	Johnson, A.	2255	Luther	Farm liability insurance policies studied for pollution coverage	476	g	4/20	4/21
3146	Asch	2579	Chandler	Business reputation injury provided civil remedy	477	g	4/20	8/1
<b>EDUCATION</b>								
664	Greiling	614	Krentz	Teacher retirement programs— job sharing incentives	521	g	4/28	7/1 wq
1845	Rhodes	1693	Mondale	School year starting date modified	392	g	4/6	8/1
2189	Vellenga	2206	Pogemiller	Omnibus K-12 education finance bill	647	g	5/10	vd-
3178	Pelowski	2900	Stumpf	Omnibus higher education appropriations bill	532	liv	5/5	8/1; 7/1/95 (Secs. 1-3, 7, 8, 10, 11)
<b>ENVIRONMENT &amp; NATURAL RESOURCES</b>								
859	Wolf	760	Price	Natural resources gifts, acknowledgements, advertising	509	g	4/25	8/1
1186	Sekhon	1489	Wiener	Littering penalties clarified	412	g	4/11	8/1
1906	Reding	1841	Piper	Trails established, expanded	391	g	4/6	8/1
1936	Battaglia	1915	Johnson, D.J.	Lake Superior hooked fish returned to water	460	g	4/18	8/1
1995	Wagenius	1788	Johnson, J.B.	Waste Management Act amended	585	g	5/6	vd
2010	Ozment	2050	Johnson, J.B.	Landfill operators must pay into trust fund	548	g	5/4	2/1/95 wq; 5/5 (Sec. 1, Subd. 4)
2046	Wagenius	1922	Rarum	Dogs—killing, wounding restricted in metro area	575	g	5/5	8/1
2054	Bishop	1858	Benson, D.	Gordy Yaeger Wildlife Management Area sale allowed	531	g	4/28	4/29
2158	Bishop	1909	Price	Sewage treatment ordinances required, professionals licensed	617	g	5/10	5/11 (Secs. 1, 2); 7/1 (Sec. 3)
2175	Hausman	2114	Kelly	St. Paul authorized a lead pipe replacement program	504	g	4/25	ula
2178	Cooper	2017	Johnson, D.E.	Meeker County authorized to sell tax forfeited land	403	g	4/11	4/12
2187	Koppendrayner	2062	Stevens	Mille Lacs County tax forfeited land sale authorized	418	g	4/13	8/1
2212	Kahn	2023	Dille	Genetically engineered organism—release exemption	454	g	4/18	4/19
2244	Tunheim	1959	Stumpf	Roseau County authorized to sell tax forfeited land	437	g	4/13	4/14
2321	Dauner	2152	Dauner	Clay County authorized to sell tax forfeited lands	464	g	4/18	8/1
2410	Rukavina	2236	Lessard	Tree planting stock and seed sales given to nurseries	551	g	5/4	8/1
2485	Munger	2220	Price	Legislative Water Commission duties provided	557	g	5/4	5/5 (Secs. 17, 18); 8/1 (Secs. 1-16, 19-27)
2517	Weaver	1741	Merriam	Rough fish harpooning allowed by non-residents	467	g	4/20	4/21
2520	Weaver	2289	Merriam	Air emission facility—given permit cost reimbursement	637	g	5/10	8/1
2572	Waltman	2246	Murphy	Wabasha and Fillmore counties authorized land exchange	537	g	4/29	4/30
2622	Anderson, I.	2561	Lessard	Itasca and St. Louis counties state land sale authorized	407	g	4/11	4/12

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2623	Anderson, I.	2562	Lessard	Itasca County authorized to sell tax forfeited land	579	g	5/6	5/7
2638	Sekhon	2277	Merriam	Waste Control Commission— watershed agreements	562	g	5/4	8/1
2657	Vellenga	2584	Anderson	State park permits for handicapped persons	458	g	4/18	8/1
2665	McGuire	2451	Johnson, J.B.	State park land added	448	g	4/15	8/1
2675	Lourey	2305	Lessard	Aitkin County authorized to sell tax forfeited land	530	g	4/28	4/29
2692	Wenzel	2436	Samuelson	Crow Wing County state land sale authorized	415	g	4/11	8/1
2728	Bertram	2491	Bertram	Stearns County authorized nonpublic sale of tax-forfeited land	468	g	4/20	4/21
2731	Peterson	2467	Berg	Walleye size limits modified	523	g	4/28	4/29
2825	Milbert	2429	Lessard	Wildlife management bill	623	g	5/10	vd
2856	Reding	2749	Piper	Mower County authorized to sell tax forfeited land	462	g	4/18	8/1
2894	Ozment	2520	Price	Salvage facilities given waste management evaluations	582	g	5/6	7/1
2920	Long	2523	Merriam	Environmental assistance office established	544	v	4/29	
2925	Battaglia	2608	Johnson, D.J.	Cook County lakeshore property required to be re-offered for sale	555	v	5/5	
3032	Pugh	2445	Merriam	Game and fish revenues clarified	561	g	5/4	vd
3079	Rukavina	2757	Price	Conservation subgrants authorized	578	g	5/6	5/7
3086	Wagenius	2313	Mondale	Passive bioremediation allowed and hazardous substance release expanded	639	g	5/10	vd
3179	Munger	2724	Stumpf	Wetlands bill	627	g	5/10	5/11 (Sec. 9); 7/1 wq (Sec. 10); 8/1
<b>ENVIRONMENT &amp; NATURAL RESOURCES FINANCE</b>								
2234	Kahn	2054	Morse	Environment and natural resources trust fund	580	g	5/6	5/7
<b>ETHICS</b>								
1863	Olson, E.	1737	Marty	Ethics in government	377	g	3/22	8/1
<b>FINANCIAL INSTITUTIONS &amp; INSURANCE</b>								
1094	Stanisus	1134	Luther	Reporting requirements for certain businesses	485	g	4/22	vd
1885	Jennings	1846	Solon	Financial administrative hearings regulated	382	g	3/28	3/29
1886	Reding	1751	Larson	Insurers, investments, other transactions regulated	425	g	4/13	8/1
1914	Jennings	1729	Metzen	Interstate banking— geographical limits removed	484	g	4/21	4/22
1964	Reding	1749	Larson	Insurance company regulations	426	g	4/13	8/1
1999	Pugh	1784	Riveness	Insurance fraud information disclosure required	574	g	5/5	8/1 (Secs. 1-3); 1/1/95 (Secs. 4-5)
2060	Pugh	1898	Wiener	Diabetic equipment/supplies by insurance	538	g	4/29	8/1 wq
2061	Cooper	1912	Vickerman	Short term health, accident insurance plans allowed	506	g	4/25	4/26
2379	Bishop	1794	Reichgott Junge	HIV test results—prohibited in some underwriting decisions	475	g	4/20	8/1
2530	Molnau	1951	Johnston	Insurance termination for fibrocystic condition prohibited	442	g	4/15	8/1 wq
2990	Bertram	2690	Chmielewski	Township fire insurance combination policies authorized	564	g	5/4	5/5
<b>GENERAL LEGISLATION, VETERANS AFFAIRS &amp; ELECTIONS</b>								
323	Osthoff	1512	Luther	Uniform election procedures provided	646	p		
1880	Bergson	1700	Vickerman	Flag desecration banned—resolution	R5	g	4/15	—
2362	Carlson	2189	Reichgott	Dogs—potentially dangerous definition changed	550	g	5/4	8/1
2435	Osthoff	2607	Belanger	Veterinarians—abandoned animal procedure changed	401	g	4/11	8/1
2602	Radosovich	2197	Pogemiller	Legislative 1992 district boundaries recodified	612	g	5/9	9/13 and thereafter
2671	Radosovich	2199	Pogemiller	Congressional district reappointment plan codified	406	g	4/11	9/13 and thereafter
2672	Radosovich	2297	Pogemiller	Precinct and election changes	607	g	5/6	8/1
2677	Brown, C.	2422	Finn	Burial grounds—civil actions for damage expanded	469	g	4/20	8/1
2680	Jefferson	2231	Pappas	Charitable organizations— regulations changed	535	g	4/28	4/29
3004	Jaros	2011	Solon	Minors provided simulated elections	608	v	5/9	
<b>GOVERNMENTAL OPERATIONS &amp; GAMBLING</b>								
321	Kahn	103	Berg	Omnibus gambling bill	633	g	5/10	vd
392	Johnson, R.	374	Kroening	Sprinkler systems required in offices, apartment buildings	601	v	5/9	
662	Orfield	609	Kroening	Minneapolis Teachers Retirement Fund allowed service credit	569	v	5/5	
936	Vickerman	961	Frederickson	Jobs and training department renamed	483	g	4/21	4/22
984	Krueger	1307	Riveness	Administrative department provisions modified	634	g	5/10	vd
985	Weaver	793	McGowan	Police and fire fund disability benefit modified	463	g	4/18	4/19
1416	Reding	1280	Piper	Austin Fire Department Relief Association—health insurance	490	g	4/22	ula
1881	Dempsey	1680	Murphy	Red Wing police—to elect retirement coverage	410	g	4/11	ula
1899	Greiling	1969	Hottinger	Administrative rules—adoption and review revised	629	g	5/10	8/1; 7/1/95 (Sec. 5)
1909	Reding	1723	Piper	Police/firefighter relief associations—spouse benefit	491	g	4/21	4/22 wq
1913	Farrell	2394	Kelly	St. Paul police account authorized to pay refunds	409	g	4/11	ula

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1915	Weaver	1734	Reichgott Junge	Disaster volunteer leave program established	583	g	5/6	8/1
1921	Johnson, R.	1801	Morse	Teacher retirement fund—increased worker contribution	524	g	4/28	vd
1927	Tunheim	1818	Stumpf	Medicare coverage referendum required	459	g	4/18	ula
2013	Johnson, R.	1908	Morse	Early retirement benefits corrected	518	g	4/28	4/29 (Secs. 1-2); 5/17/93 retro. (Sec. 2)
2124	Kahn	1860	Riveness	Retirement account plan for higher education clarified	508	g	4/25	7/1; 7/1/95 (Art. 1, Secs. 3, 5-8, 11)
2226	Krueger	2593	Anderson	Project Innovation employees given some state benefits	554	g	5/4	8/1
2269	Tunheim	2028	Stumpf	Elwin Leverington given hearing	440	g	4/15	4/16
2299	Huntley	2060	Solon	Duluth Firefighters Association pension benefit clarified	474	g	4/20	ula
2314	Seagren	2845	Terwilliger	Legislator report/material distribution codified	411	g	4/11	8/1
2338	Orenstein	2095	Cohen	Vacation donation program fund use	516	g	4/28	4/29
2402	Johnson, R.	2171	Moe	American Indian tribal govt. eligible for fire, police aid	498	g	4/22	4/23 wq
2405	Reding	2288	Stumpf	Public employee retirement system modified	528	g	4/28	vd
2409	Mahon	2081	Wiener	Agency open appointment act	480	g	4/21	4/22 (Secs. 6-9); 1/1/95 (Secs. 1-5)
2411	Solberg	2213	Lessard	Itasca medical center employees considered public employees	588	g	5/6	5/7
2420	Rice	2180	Kroening	Minneapolis Fire Department Association given surviving spouse benefit	591	g	5/6	ula
2478	Reding	2251	Solon	Teacher salary defined, parental leaves provided	542	g	4/29	4/30
2512	Sarna	2240	Pogemiller	Minneapolis Police Association benefits changed	590	g	5/6	ula
2536	Greiling	2040	Berglin	Retirement pension plan obligations clarified	386	g	4/7	4/8
2551	Pugh	2250	Metzen	St. Paul retired employee allowed to receive normal annuity	526	g	4/28	4/29
2553	Reding	2262	Sams	Conservation employees allowed service credit purchase	456	g	4/18	4/19
2567	Pauly	2447	Terwilliger	Vacation leave donations—Pollution Control employees	581	g	5/6	5/7 (Sec. 2); 3/1 retro. (Sec. 1)
2587	Seagren	2462	Terwilliger	Management training programs started, fax use authorized	429	g	4/13	8/1
2624	Reding	2358	Flynn	Metropolitan Waste Control chair provisions changed	560	g	5/4	5/5 (Secs. 7, 22); 8/1 (Secs. 1-6, 8-21, 23)
2626	Wenzel	2432	Samuelson	Teacher association member given prior service credit purchase	494	g	4/21	4/22
2651	Reding	2316	Metzen	Investment Board fund management changed	604	g	5/6	7/1; 6/30 (Art. 1, Sec. 6)
2658	Kahn	2357	Morse	State University System benefits modified	602	g	5/9	8/1
2670	Kahn	2276	Pogemiller	Hennepin County paramedics, EMTs included in police and fire fund	499	g	4/22	ula
2698	Reding	2498	Stumpf	Higher Education Board employee retirement options	572	g	5/5	7/1 (Secs. 3, 7); 7/1/95 (Secs. 1, 2, 4-6, 8-11)
2710	Kahn	2624	Riveness	Electronic access to state agencies for licenses	559	g	5/4	8/1
2737	Kahn	2464	Pogemiller	Minneapolis employee authorized prior service credit purchase	430	g	4/13	ula
2772	Orenstein	2258	Metzen	Civil service pilot project established	453	g	4/18	7/1
2839	Pugh	2519	Metzen	South St. Paul Police Association—probation employment clarified	541	g	4/29	4/30 (Sec. 1); ula (Secs. 2-3)
2843	Olson, M.	2009	Terwilliger	Emergency response commission expanded	584	g	5/6	8/1
3022	Trimble	2500	Kelly	St. Paul TRA—proportional representation required	565	g	5/4	5/5
3120	Kinkel	2292	Merriam	National Guard members in active duty given expedited pay	525	g	4/28	4/29
3136	Kahn	2291	Merriam	Attorney fees for public bond counsel restricted	533	g	4/28	8/1
<b>HEALTH &amp; HUMAN SERVICES</b>								
423	Garcia	372	Merriam	Smoking prohibition in public places	520	g	4/28	8/1
1316	Lourey	1339	Johnson, J.B.	Nutrition and dietetics board established	613	g	5/9	vd
1496	Greenfield	1318	Betzold	Health review organizations—confidentiality guidelines	497	g	4/21	4/22
2048	Rukavina	1867	Berglin	Health care administrative costs studied by legislative auditor	540	v	5/2	
2072	Neary	1806	Finn	Authority for specialists prescribed	470	g	4/20	4/21
2120	Kelley	1849	Piper	Health boards—protect from impaired regulated persons	556	g	5/4	5/5
2148	Brown, K.	1760	Betzold	Emergency health services—evaluated on pilot basis	515	g	4/25	8/1
2260	Garcia	2135	Sams	Social service plan modified for counties	432	g	4/13	5/13
2296	McGuire	2210	Kelly	Ramsey Health Care, Inc.—private incorporation	549	g	5/4	ula (Secs. 1, 2); 8/1 (Sec. 3)
2318	Cooper	2086	Piper	Medicine dispense authority extended	389	g	4/6	4/7
2391	Olson, K.	2345	Vickerman	Physician license data classified as private	433	g	4/13	4/14
2438	Greenfield	1930	Betzold	Human services provisions modified	529	g	4/28	7/1 (Secs. 1-6, 8-19); 10/1/93 retro. (Sec. 7)
2525	Greenfield	2192	Berglin	MinnesotaCare	625	liv	5/10	vd
2776	Van Engen	2572	Krentz	Human services licensing clarified	434	g	4/13	4/14 (Secs. 1-7, 11); 8/1 (Secs. 8-10)
2806	Huntley	2551	Solon	Miller-Dwan hospital established in Duluth	471	g	4/20	ula
2866	Sviggum	2672	Day	Coroner education requirement exemption	445	g	4/15	4/16
2916	Clark	2710	Solon	Lead abatement provisions modified	567	g	5/5	5/6

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<b>HOUSING</b>								
1829	Brown, K.	2778	Novak	Manufactured home residents—evacuation plans	592	g	5/6	8/1
1859	Luther	1822	Anderson	Landlord penalties set for not providing written lease	496	g	4/22	8/1
1861	Brown, K.	1825	Finn	Manufactured home repossession—venue restricted	444	g	4/15	8/1
1919	Evans	1984	Krentz	Manufactured home sales fees clarified	599	v	5/9	
2064	Brown, K.	1982	Novak	Loan provisions changed, tribal Indian housing loans authorized	586	g	5/6	5/7
2135	Jefferson	1698	Hanson	Seniors allowed small pets in mobile homes	543	v	5/2	
2171	Orfield	1991	Novak	Metropolitan Council—new housing rules	594	v	5/9	
<b>JUDICIARY</b>								
1155	Pugh	584	Krentz	SLAPP lawsuits—remedies provided to defendants	566	g	5/5	5/6 wq
1659	Macklin	1558	Finn	Probate uniform code—article 2 recodified	472	g	4/20	1/1/96 wq
1788	Bishop	1997	Cohen	Postnuptial contracts, settlements	545	g	5/2	8/1
1792	Wejzman	1662	Piper	Family support interstate uniform act adopted	630	g	5/10	vd
1891	Pugh	1691	Betzold	Property statutory provisions clarified	388	g	4/7	vd
1910	Wejzman	1732	Finn	Rental matters—heard in conciliation court	502	g	4/25	8/1
1934	Pugh	1767	Finn	Business corporations—organization, operation modified	417	g	4/13	8/1
1966	Peterson	1855	Kelly	Peace officer authority expanded	441	g	4/15	8/1
2028	McGuire	2079	Finn	Omnibus data practices bill	618	g	5/10	vd
2074	Skoglund	1845	Ranum	Omnibus juvenile crime bill	576	liv	5/5	vd
2088	Dawkins	1694	Betzold	Civil commitment—procedures modified	481	v	4/21	
2176	Wejzman	1735	Betzold	Foster care, adoption provisions modified	598	g	5/6	8/1
2337	Rest	2129	Piper	Adoption agencies, policies regulated	631	g	5/10	8/1
2351	Skoglund	None		Omnibus crime bill	636	liv	5/10	vd
2380	Wejzman	2104	Runbeck	Child abuse service providers grant program	552	g	5/4	8/1
2519	Mariani	2112	Reichgott Junge	Prostitution—civil action created for those coerced	624	g	5/10	8/1 wq
2957	Carlson	2582	Reichgott Junge	Fire insurance policy coverage extended	435	g	4/13	1/1/95 wq
2979	Bishop	1766	Reichgott Junge	Attorney—unauthorized practice of law penalties	568	g	5/5	8/1
2985	Wejzman	1961	Merriam	Omnibus DWI bill	615	g	5/10	8/1 wq
3091	Milbert	2731	Betzold	Revisor's bill—corrects statutes	465	g	4/21	8/1
<b>LABOR-MANAGEMENT RELATIONS</b>								
2007	Delmont	2285	Krentz	Whistleblower law expanded	492	v	4/22	
2159	Rest	1971	Reichgott Junge	Limited liability companies—worker laws	512	g	4/25	8/1; 1/1/95 (Sec. 3)
2228	Carruthers	844	Luther	Union representatives given time off by public employers	381	v	3/28	
2243	Rukavina	1944	Kelly	Minimum wage increased	621	v	5/10	7/1
2535	Wolf	1996	Belanger	Personnel record review provisions extended	595	g	5/9	8/1; ula (Sec. 3)
2562	Bettermann	2322	Chandler	Boiler inspection chief requirements modified	421	g	4/13	4/14
2679	Dauner	2557	Langseth	Boiler and engine inspections modified	402	g	4/11	8/1
2893	Rukavina	2699	Janezich	Unemployment benefits—given to mining employees	503	g	4/25	4/26 (Secs. 1-2); 7/1 (Sec. 5); 8/1 (Secs. 3, 4, 6, 7)
3053	Perlt	2800	Runbeck	Reemployment insurance provided, regulated	488	g	4/22	8/1
<b>LOCAL GOVERNMENT &amp; METROPOLITAN AFFAIRS</b>								
228	Brown, C.	138	Vickerman	Annexation elections provided—annexation by ordinance modified	511	g	4/25	8/1 wq; 8/1/95 (Sec. 4)
881	Trimble	309	Kelly	St. Paul authorized to require residency for employment	570	g	5/5	ula
1840	Morrison	1740	Knutson	Metropolitan council to study housing	577	g	5/5	5/6 wq
1882	Macklin	1692	Betzold	Public contractor—payment bond, performance act	419	g	4/13	8/1 wq
1890	Tunheim	1756	Stumpf	Lake of the Woods County allowed to forgive a debt	423	g	4/13	8/1
1901	Ness	1779	Dille	Hutchinson allowed to incur debt for share of facility costs	522	g	4/28	Without local approval unless requested by 6/1
1955	Onnen	1780	Dille	Wright County's transfer of facility without bids allowed	379	g	3/28	7/1
1956	Weaver	1926	Merriam	Anoka city and county's merge of libraries allowed	378	g	3/28	ula
1957	Bishop	1819	Benson, D.D.	Olmsted County—housing and redevelopment authority granted	493	g	4/22	ula
1965	Bishop	1820	Kiscaden	Olmsted title examiner—compensation allowed	380	g	3/28	8/1
2066	Cooper	1712	Johnson, D.E.	Town financial audit requirements modified	546	g	5/2	8/1
2067	Sekhon	2066	Hanson	Anoka County authorized to sell tax-forfeited land	466	g	4/20	5/20
2086	Girard	2124	Lesewski	Redwood, Lyon counties—judicial No. 37 abandoned	414	g	4/11	ula
2090	Lieder	1856	Lessard	Tree removal exemption provided	390	g	4/6	7/1
2096	Olson, K.	1744	Vickerman	Lakefield allowed to expand utilities commission to five	507	g	4/25	8/1



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2130	Tomassoni	2052	Janezich	Meadowlands—former town of Payne assigned commissioner district	384	g	3/31	ula
2276	Orfield	2015	Flynn	Metropolitan Reorganization Act of 1994	628	g	5/10	vd
2330	Simoneau	1929	Betzold	Tax-forfeited land sales authorized by sealed bid	413	g	4/11	ula
2354	Lourey	2118	Chmielewski	Moose Lake fire protection district provisions modified	517	g	4/28	7/1
2381	Leppik	2070	Robertson	Charter cities allowed to apply city statutes	446	g	4/15	8/1
2429	Anderson, I.	2383	Lessard	Koochiching County—recorder office appointed	387	g	4/6	ula
2433	Huntley	2205	Johnson, D.J.	Duluth general obligation bonds authorized	489	g	4/22	ula
2487	Davids	2056	Benson, D.D.	Olmsted County authorized to adopt state building code	427	g	4/13	8/1
2529	Haukoos	2274	Piper	Freeborn County—appoint officers, reorganize	393	g	4/6	ula
2533	Koppendrayner	2262	Sams	Town board notice requirement removed for inspections	455	g	4/18	8/1
2634	Lourey	2119	Chmielewski	Road damage appeals—notice requirements	451	g	4/18	8/1
2645	McGuire	2232	Pappas	Appointments given for some county offices	609	v	5/6	
2666	Brown, C.	2421	Hottinger	Zoning ordinances limited for manufactured home parks	473	g	4/20	8/1
2705	Nelson	2522	Sams	Wadena County auditor, treasurer may merge	394	g	4/7	ula
2770	Wejzman	2858	Flynn	Hennepin County personnel system name changed	596	g	5/6	8/1
2896	Solberg	2671	Lessard	Itasca County allowed nonbinding referendum	428	g	4/13	ula
2953	Kahn	2598	Pogemiller	Minneapolis Park and Recreation Board land conveyance	431	g	4/13	ula
2967	Wejzman	2647	Kroening	Trade and craft contract negotiations authority	450	g	4/15	8/1
3041	Jefferson	2725	Pogemiller	Target Center—ownership, finances and use	648	g	5/10	5/11 wq; 7/1 (Art. 2); 12/31 (Art. 1, Sec. 1)
<b>REGULATED INDUSTRIES &amp; ENERGY</b>								
564	Stanisus	819	Johnson, J.B.	1-900 call charges regulated	449	g	4/15	8/1
834	Frerichs	788	Johnson, J.B.	Energy conservation duties eliminated	610	g	5/9	5/10
1996	Kelley	1826	Mondale	Two-way radios—Metro Council reporting dates extended	424	g	4/13	1/31 (retro.)
2140	Jennings	1706	Novak	Prairie Island nuclear storage	641	g	5/10	vd
2143	Jacobs	2024	Chandler	Telephone competitive services regulated	534	g	4/28	vd
2227	Krueger	1609	Sams	Ground voltage studies mandated	573	g	5/5	5/6
2440	Beard	2329	Price	Cogeneration property tax exemption	513	g	4/25	4/26 wq
2590	Jacobs	2540	Lesewski	Municipal energy conservation investment loan program	616	g	5/10	7/1
2591	Jacobs	2539	Lesewski	Energy forecast info—duplicate reporting eliminated	644	p		
2617	Jacobs	2161	Solon	Omnibus liquor bill	611	g	5/9	vd
<b>RULES &amp; LEGISLATIVE ADMINISTRATION</b>								
3227	Simoneau	180	Kroening	Constitutional amendment proposed to allow off-track betting	626	g	5/10	8/1
3230	Lieder	2097	Langseth	Vehicle and fuel excise tax revenue dedicated to public transit	640	liv	5/10	7/1 (Secs. 1 and 9); 8/1
<b>TAXES</b>								
1858	Rest	1709	Riveness	Property tax refund uncapped for 1994 targeting	383	g	3/31	vd
2213	Opatz	2030	Bertram	St. Cloud—tax increment financing district exemptions	376	g	3/22	ula
2255	Lasley	2073	Pappas	Omnibus tax correction bill	416	g	4/13	vd
2275	Rest	2420	Flynn	Department of Revenue policy bill	510	g	4/25	vd
2306	Rest	2106	Flynn	Minneapolis Teachers Retirement Fund—special taxing district levy	420	g	4/13	taxes payable in 1995
2311	Winter	2391	Belanger	Levy limitations abolished for local government	505	g	4/25	Property taxes payable in 1995, and thereafter
2951	Rukavina	2494	Johnson, D.J.	Health care access reserve account created	597	v	5/9	
3122	Rest	2836	Pogemiller	Bonding authority allocation procedures changed	527	g	4/28	4/29 (Secs. 2, 3, 6, and 9); 8/1 (Secs. 1, 4, 5, 6, 7, 10-12)
3193	Rest	2884	Pogemiller	Public finance provisions modified	614	g	5/10	vd
<b>TRANSPORTATION &amp; TRANSIT</b>								
524	Steensma	430	Vickerman	Mail rural vehicles authorized tires with metal studs	486	g	4/21	8/1
942	Bishop	759	Chmielewski	Reckless driving offense expanded	645	p		
1844	Molnau	1679	Johnston	Veterans memorial highway designated	457	g	4/18	8/1
1917	Kelso	1736	Belanger	Transit board—public operators given assistance	605	g	5/6	5/7
1928	Tunheim	1807	Stumpf	Ambulance volunteer special license plate created	443	g	4/15	8/1
1976	Winter	1752	Vickerman	Laura Ingalls Wilder highway designated	395	g	4/7	8/1
2034	Lieder	1802	Murphy	Town road levies distribution modified	553	g	5/4	1995 (aid distribution year) wq; 8/1 (Sec. 2)
2105	Trimble	1968	Pappas	Veterans' special license plate created	396	g	4/7	8/1
2115	Ostrom	2303	Pappas	Accident prevention refresher course	547	g	5/2	1/1/95

**1994 MINNESOTA LEGISLATURE  
FINAL ACTION (as of May 12, 1994)**

HF—House File	v—vetoed	vd—various dates
SF—Senate File	liv—line item veto	we—with exceptions
R—Resolution	p—pending governor's signature	wq—with qualifications
†—footnote	f—filed with secretary of state	ula—upon local approval
g—governor signed bill	r—retroactive	cu—currently unavailable
.	dae—day after enactment	

[illegible]

## Order Form

A publication summarizing the new laws of 1994 will provide brief summaries of the bills that were passed by both the House and the Senate and signed by the governor during the current legislative session. The publication will be ready soon after the session ends. Copies will be mailed to those who order them.

Do you want to receive a copy of the 1994 new laws publication? ☐ Yes ☐ No

Do you want to receive *Session Weekly* in 1995? ☐ Yes ☐ No Phone number: ( ) \_\_\_\_\_

Please place this form (with the mailing label on the back) in an envelope. Mail it by June 3, 1994, to: *Session Weekly*, House Public Information Office, 175 State Office Building, 100 Constitution Ave., St. Paul, MN 55155-1298.

### 1994 *Session Weekly* Readership Survey

We would appreciate your taking a moment to tell us what you think about the *Session Weekly*. Your opinions will help us plan for next year.

How often do you read the *Session Weekly*? (Please check one)

☐ Never ☐ Once a month ☐ Twice a month ☐ Three times a month ☐ Every week

On which day of the week does the *Session Weekly* usually reach your mailbox? (Please check one.)

☐ Saturday ☐ Monday ☐ Tuesday ☐ Wednesday ☐ Thursday ☐ Friday

Which parts of the *Session Weekly* do you most often read? (Please check all that apply)

<input type="checkbox"/> Highlights	<input type="checkbox"/> Informational material (lists, etc.)	<input type="checkbox"/> Do You Know?
<input type="checkbox"/> Bill Introductions	<input type="checkbox"/> Minnesota Index	<input type="checkbox"/> Features
<input type="checkbox"/> Committee Schedule	<input type="checkbox"/> It's a Fact!	<input type="checkbox"/> Member profiles
<input type="checkbox"/> Bill Tracking		
Which section do you prefer?	<input type="checkbox"/> Weekly action (grid)	<input type="checkbox"/> Cumulative action

Should the bill tracking sections be continued next year? ☐ Yes ☐ No

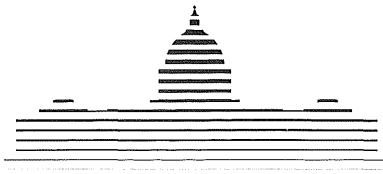
On the following scale from 1 to 5, please rate the following aspects of the *Session Weekly*? (Circle one number in each set)

<b>Writing</b>	Difficult to understand	1	2	3	4	Easy to understand
						5
<b>Story Length</b>	Too short	1	2	Too long	3	4
						Just right
						5
<b>Readability (type size)</b>	Too small	1	2	Too large	3	4
						Just right
						5
<b>Photographs</b>	Poor	1	2	Average	3	4
						Excellent
						5
<b>Layout</b>	Poor	1	2	Average	3	4
						Excellent
						5

What do you like about the *Session Weekly*? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Do you have any suggestions for improving the *Session Weekly*? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

We plan to include a Q & A column next year when space allows. If you have a question about the Minnesota House of Representatives or the legislative process, please write it here. \_\_\_\_\_  
\_\_\_\_\_



MINNESOTA HOUSE OF REPRESENTATIVES  
PUBLIC INFORMATION OFFICE  
175 STATE OFFICE BUILDING  
ST. PAUL, MN 55155-1298

Speaker of the House: Irv Anderson  
Majority Leader: Phil Carruthers  
Minority Leader: Steven A. Sviggum

## MINNESOTA INDEX

### 1994 Legislative Session

Number of legislative days used .....	45
Constitutionally allotted legislative days left over .....	14
Maximum number of days Legislature can meet in regular session every two years .....	120
Number of House Files introduced .....	1,443
in 1992 .....	1,329
Number of Senate Files introduced .....	1,259
in 1992 .....	1,208
Number of bills that reached the governor's desk .....	274
Number of those that were House Files .....	162
Number of those that were Senate Files .....	112
Resolutions adopted .....	1
Bills sent to conference committee .....	69
Number of those that didn't later get passed by both bodies .....	3
Number of conference committees in 1992 .....	46
House Files amended by the Senate that the House concurred with and repassed .....	67
Senate Files amended by the House that the Senate concurred with and repassed .....	27
Bills not yet signed by the governor, as of May 12, 1994 .....	4
Veto override attempts since 1939 .....	22
Successful veto override attempts since 1939 .....	4
Number of House attempts, 1994 .....	3
Successful House attempts, 1994 .....	0
Full bills passed by the 1994 Legislature and vetoed by the governor, as of May 12 .....	17
Additional bills with line-items vetoed, as of May 12 .....	8
Total Gov. Arne Carlson vetoes, 1991-May 12, 1994 .....	98
Vetoes by Gov. Al Quie, second-most prolific vetoing governor .....	31
Number of vetoes, all governors, 1939-1990 .....	206
Number of pages in the K-12 education bill .....	258
Number of pages in the vetoed Health and Human Services appropriations bill .....	268
House bills incorporated into the 1994 tax bill, as passed by the House .....	60
Date the Legislature will reconvene in 1995 .....	Jan. 3

Sources: House Index Department; Legislative Reference Library; House of Representatives  
Public Information Office.



### For more information . . .

For general information, call:  
**House Information Office**  
(612) 296-2146 or  
1-800-657-3550

To obtain a copy of a bill, call:  
**Chief Clerk's Office**  
(612) 296-2314

To find out about bill introductions or  
the status of a specific bill, call:  
**House Index Office**  
(612) 296-6646

For up-to-date recorded message  
giving committee meeting times and  
agendas, call:  
**House Calls (612) 296-9283**



Telecommunications  
Device for the Deaf (TDD)

Telecommunications device for the deaf.  
To ask questions or leave messages, call:  
**TDD Line (612) 296-9896 or**  
**1-800-657-3550**