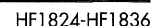


A Non-Partisan Publication of the Minnesota House of Representatives ♦ April 13, 1995 ♦ Volume 12, Number 15



**Session Weekly** is a non-partisan publication of the Minnesota House of Representatives Public Information Office. During the 1995-96 Legislative Session, each issue reports daily House action between Thursdays of each week, lists bill introductions and upcoming committee meeting schedules, and provides other information. The publication is a service of the Minnesota House. No fee.

To subscribe, contact:  
Minnesota House of Representatives  
Public Information Office  
175 State Office Building  
St. Paul, MN 55155-1298  
(612) 296-2146 or  
1-800-657-3550  
TDD (612) 296-9896

**Director**  
Grant Moos

**Editor**  
Peg Hamerston

**Assistant Editors**  
John T. Tschida  
K. Darcy Hanzlik

**Writers**  
Nick Healy, Mordecai Specktor,  
Jean Thilmany

**Art & Production Coordinator**  
Paul Battaglia

**Photographers**  
Tom Olmscheid, Laura Phillips,  
Andrew VonBank

**Staff Assistants**  
Toinette Lisa Battle, Carl Hamre,  
Matthew A. Niewohner



**Session Weekly** (ISSN 1049-8176) is published weekly during the legislative session by the Minnesota House of Representatives Public Information Office, 100 Constitution Ave., St. Paul, MN 55155-1298. Second Class postage paid at St. Paul, MN, and at additional mailing offices. POSTMASTER: Send address changes to **Session Weekly**, Public Information Office, Minnesota House of Representatives, 175 State Office Building, 100 Constitution Ave., St. Paul, MN 55155-1298.

Printed on recycled paper which is 100% recycled, 20% post-consumer content.

# SESSION WEEKLY

Minnesota House of Representatives • April 13, 1995 • Volume 12, Number 15

## Week at a glance

**Equal access to videos** — Open- or closed-captioning would be required of all educational videotapes distributed for sale or rent in Minnesota, under a bill the House passed. .... **Page 5**

**Protecting vulnerable adults** — A bill that would increase criminal penalties for those who neglect or abuse vulnerable adults won approval from a House panel. The bill amends the 15-year-old law that protects adults who are vulnerable to abuse because they suffer from a physical or mental disability or because they depend on caregivers or institutionalized services. .... **Page 5**

**Deer hunting for kids** — Young people could buy an inexpensive license to hunt deer with firearms, under a bill approved by the House Ways and Means Committee. The "youth deer bill" would allow those under age 16 to buy a deer hunting license for \$5, instead of paying \$22 for a regular firearms license. .... **Page 8**

**Trapping great horned owls** — Does the Legislature give a hoot about the plight of Minnesota turkey farmers? A bill that would allow turkey farmers to trap great horned owls that threaten their flocks was approved by the House Environment and Natural Resources Committee. .... **Page 8**

**Legislative interpreters** — A bill to require the Minnesota Legislature to hire one or more interpreters to make the legislative process more accessible to those who are deaf or hearing impaired was considered by a House panel. It is expected to be incorporated in the state government finance omnibus bill. .... **Page 9**

**Bonding for higher ed** — A bill to authorize the sale of \$3.37 million in state bonds to finance various higher education projects was heard April 11 by the House Capital Investment Committee. .... **Page 11**

**Abandoned waste** — A building owner would have a greater chance of successfully suing a renter who moves out and leaves behind containers of hazardous waste, under a bill given final approval by the House April 10. The vote was 130-0. .... **Page 13**

**A quick start** — Rep. Eldon Warkentin, the newest member of the House, says his April 10 swearing-in ceremony was one of the most exciting days of his life. But he also knows the thrill won't last. Warkentin, who dives into a session two-thirds finished, faces a tougher lot than some. In order to make informed votes on the floor, he has to pick up on issues in midstream and follow bills that have already received full hearings. .... **Page 16**

## INSIDE

Highlights .....	3
Feature: Special license plates .....	14
New member: Warkentin .....	16
Bill Introductions (HF1824 - HF1836) .....	20
Committee Schedule (April 17 - 21) .....	21

On the cover: A State Capitol reflection in the black granite of the Minnesota Vietnam Veterans Memorial accents the names of the 1,120 Minnesotans killed or declared missing during the Vietnam War. It was 20 years ago, in April 1975, that Saigon fell to North Vietnamese forces, and United States troops completed their withdrawal from Vietnam to end the war.

— photo by Tom Olmscheid



# Highlights

K-12 education . . .

## House plan calls for more education aid, school safety

A \$5.9 billion K-12 education funding bill approved by a House panel this week would increase per pupil unit spending for school districts and would retain funding for programs that were the subject of proposed cuts.

The omnibus education bill, approved by the Education Committee's K-12 Education Finance Division April 11, would spend \$241 million more than proposed in Gov. Arne Carlson's budget.

The additional funds would ease the burden on local school districts by decreasing reliance on local property tax levies.

General education funding to districts would be set at \$3,240 per pupil unit in 1996 but would dip slightly to \$3,220 in 1997. The amounts in both years reflect an increase above the current \$3,150.

The general education funds to schools account for about \$4.2 billion of the total amount spent by the bill.

The bill also includes local levy authority for transportation funding that the governor proposed be eliminated.

The levies would provide funding for late activity buses, for busing students who would have to cross a hazard such as a highway or railroad tracks on their way to school, and for secondary students who live one to two miles from their school.

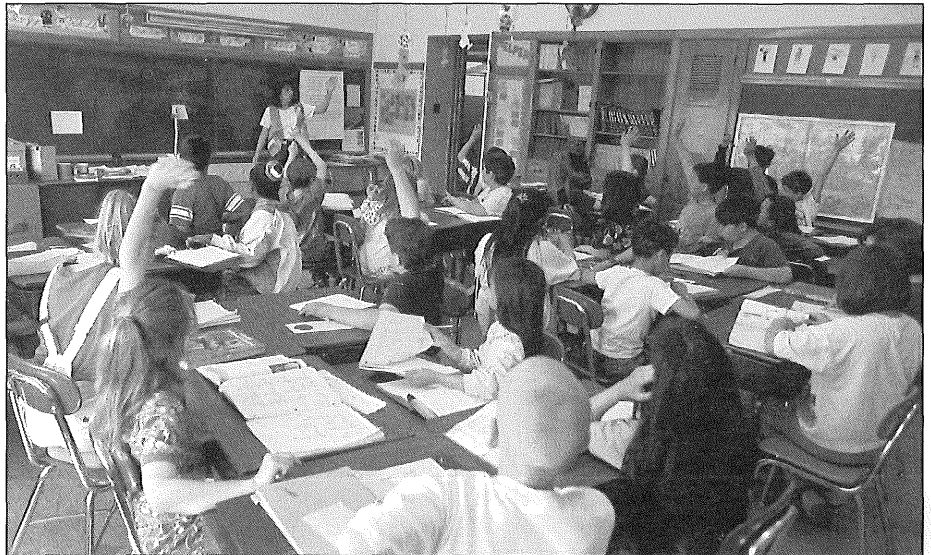
The proposal also would continue to fund programs such as a \$192,000 pilot study to examine the effects of giving a nutritious breakfast to all students in select elementary schools and a \$100,000 grant-funded effort to teach parental responsibility to young males. The governor's budget did not include funding for these programs.

Other provisions of the bill (HF1000) include:

### Special education

About \$590 million in state funds would be spent on special education programs during the biennium. An additional \$170 million in local dollars would also fund such programs.

The spending would be \$30 million more



The K-12 education finance bill was approved by a division of the House Education Committee April 11.

than the governor recommended for such programs.

The proposal also includes a process to eliminate local levies used to fund special education programs by the 1998-99 school year.

Homestead and Agricultural Credit Aid, a portion of which is used to reduce school districts' reliance on property taxes, would replace revenue now generated from special education levies.

Local school districts, however, would have to absorb resulting decreases in property tax relief.

### Graduation rule

An additional \$4 million would be spent to continue development of graduation standards for Minnesota high school students over the next two years. The governor sought \$15 million for work on the graduation rule.

In the past two years, the Department of Education has spent about \$12 million on developing and testing the new graduation standards.

Requirements for reading and math proficiency are slated to take effect statewide for ninth graders in the 1996-97 school year.

The funding in the K-12 bill would allow continued study at 23 pilot sites throughout the state and work toward implementation of the reading and math requirements.

But the state Board of Education could not implement the reading and math standards until 30 days after the 1996 session convenes. The board first would be required to report to the Legislature during the 1996 session.

The bill also stipulates that no other standards could be implemented until the reading and math requirements are in place and their impact can be evaluated.

Under current law, ninth graders who begin high school in the 1997-98 school year will be required to achieve writing and science requirements — in addition to the requirements for reading and math that took effect the previous year.

### Internet connections

The bill would establish a grant program to help schools and regional public library systems connect to the information superhighway.

Some \$4.5 million in grant funding would be available to help schools and libraries to

link to the Internet and to expand access to the communications resource for those already online.

The grant program, based on a proposal (HF977) by Rep. Steve Kelley (DFL-Hopkins), aims to expand learning opportunities for both students and adults by giving them access to a broad scope of information via the high-tech Internet computer network.

### ITV and technology

The bill would broaden the availability of interactive television (ITV) and technology revenue for schools throughout the state in 1997.

Currently, only schools outside the seven-county metropolitan area are eligible for ITV aid. The bill would spend \$3.3 million to continue the program in 1996.

In 1997, districts statewide would be eligible for a total of \$9.8 million in state technology aid that could be used for ITV or for other purposes, including computer hardware and software or connections to the Internet.

Through a combination of local levy and state funding, districts would receive \$9 per pupil unit or a minimum of \$35,000 annually in technology revenue.

### Airport taxes

The bill would raise new revenue for metropolitan area schools by additional taxing of businesses at Twin Cities International Airport.

Currently, businesses in the airport terminal, such as a McDonald's restaurant, pay property taxes to the county but do not pay to a city or school district.

A Rep. Jean Wagenius (DFL-Mpls) proposal (HF1169) included in the bill would raise an estimated \$12 million annually in tax revenue from the businesses.

The money would be earmarked to help finance all-day kindergarten programs at metropolitan area schools. The funds would be distributed by placing a priority on schools with the highest count of students receiving free or reduced lunches in the previous year.

### Settling early

Districts reaching collective bargaining agreements with teachers earlier than required by current law could benefit financially, under a provision of the bill.

Under current law, districts that fail to reach an agreement with teachers before Jan. 15 in a negotiating year are penalized — and

lose \$25 per pupil unit in state aid for that year.

The K-12 bill would redistribute the funds withheld from those districts and give them to those districts that reach a contract agreement by the previous September.

The money would be divided on a per pupil basis among districts that sign collective bargaining agreements before Sept. 1.

### School safety

The bill also would give districts new methods to protect students from their most dangerous peers.

Districts would be allowed to refuse admission to transfer students expelled from another school for "dangerous or assaultive behavior" or if the student has been convicted of a felony.

Schools also would be able to keep students who are released from the criminal corrections system out of the general school population for a limited time.

Students released from incarceration could be placed in an alternative instruction program for up to a year.

Also, schools would be required to attempt to contact the parents of a student who has been suspended before the individual is released from the school.

The school safety measures also were included in a bill (HF453) sponsored by Rep. Charlie Weaver (R-Anoka), which was approved by the House Education Committee and awaits action on the floor.

### Desegregation

The bill would spend \$42.8 million during the biennium to continue desegregation programs in the state and another \$22.6 million on busing required for desegregation. The program funding exceeds the governor's recommendations by \$5.5 million.

### Staff development

The bill would lift a requirement in current law that districts use 2.5 percent of their 1996 general education revenue for staff development and parental involvement programs.

Instead, districts would be "encouraged" to use an unspecified amount of general education revenue for those purposes.

## Department funding

The bill would reduce funding for the Department of Education by \$300,000 a year under the governor's proposal. The department would receive about \$14.4 million in each year of the biennium.

— Nick Healy



## AGRICULTURE

### Harnessing the wind

Minnesota farmers have long banded together to form co-ops in order to get the best prices for their corn and milk. So why not form the same associations to harness another plentiful resource in rural Minnesota?

The wind.

A bill recently approved by the House Agriculture Committee would help farmers do just that.

The bill, sponsored by Rep. Ted Winter (DFL-Fulda), would allow farmers to receive low-interest loans of up to \$50,000 to erect wind energy turbines that could generate up to one megawatt of electricity (enough to provide power for about 600 homes).

The measure also would provide affordable loans to farmers so they could buy stock in cooperatives that are formed to harness wind power in rural Minnesota.

Both provisions would expand existing programs operated by the state Department



© Lisa Milne Daniels 1994

A bill recently approved by the Agriculture Committee is intended to spur the development of small wind co-ops. The wind turbines pictured above are near Lake Benton in southwestern Minnesota.

of Agriculture's Rural Finance Authority (RFA) which lends money to farmers through seven different programs.

Supporters of the wind-energy plan say that encouraging the development of small cooperatives will make it more likely for farmers to share in the wealth of the growing wind energy movement.

Minnesota, with nearly 30 megawatts of wind-generated electricity produced in the state, is already second to California in the amount of wind-energy that is online, according to Michael Noble of Minnesotans for an Energy-Efficient Economy.

And a law approved last year requires Northern States Power Co. to provide a total of 425 megawatts of wind power by the year 2002, which has intensified the interest in wind energy.

Although much of the attention has focused on creating large clusters of 200 or more wind turbines on "Buffalo Ridge" in southwestern Minnesota, Noble said the entire western and southern borders of the state also have good wind power potential.

Rather than exclusively focusing on large wind farms like those in California, Noble said **HF1669** is designed to follow the European model, where wind turbines are clustered in groups of two or three.

Not only would that permit farmers to share in some of the wealth, but it also would allow electric power to be created closer to where it is used, reducing the need for transmission lines, said Noble.

Here's how the bill would work:

Farmers could apply to their local lender to participate in the RFA loan program to receive loans of up to \$50,000 (a separate bill pending this year would raise the cap to \$100,000) for agricultural improvements, including wind energy conversion facilities. The RFA can participate in up to 45 percent of the loan principle. The "blended interest rate" would be about 8 percent, according to agriculture department officials.

Farmers also could apply to receive low-interest loans to buy stock in a cooperative that is designed to "add value" to agricultural commodities, which would be redefined to include wind power. This would be an expansion of a program created by the 1994 Legislature that was designed to spur farmers to invest in a proposed corn syrup plant in Moorhead, Minn.

A third provision in the bill requires the state to pay an "incentive payment" of 1.5 cents for every kilowatt of wind-generated electricity that is produced — similar to the subsidy to be paid for an existing hydroelectric facility in Coon Rapids.

**HF1669** now is pending in the Environment and Natural Resources Finance Committee.



## BUDGET

### Emergency spending bill

A nearly \$3.2 million emergency state government spending bill was given final approval by the House April 10. The vote was 127-2.

The funds will be used to cover state spending during the current fiscal year. The measure now moves to the governor for his consideration.

About \$1 million would go to the Department of Health to cover costs incurred during the recent meningitis outbreak in Mankato, which killed one high school student and caused several other residents to be hospitalized.

The House version of the measure had included \$245,000 to cover the meningitis outbreak, which was a preliminary figure based on the first round of meningitis immunizations. The \$1 million figure reached by House and Senate conference committee members reflects the total costs incurred for some 31,000 immunizations.

Gone from the final bill is a section that would have provided \$790,000 to the Office of the Attorney General for expert witnesses used during the 1994 federal court case involving the Mille Lacs Band of Ojibwe's disputed treaty rights in central Minnesota.

The funding had been included in the House bill but was deleted by a House-Senate conference committee that had been named to work out differences between the House and Senate versions of the "deficiency bill."

Those expenses will have to be covered by the regular appropriation given to the attorney general's office, explained bill sponsor Rep. Jim Girard (IR-Lynd). (See Feb. 24, 1995, *Session Weekly*, page 7; March 17, 1995, *Session Weekly*, page 11; and March 24, 1995, *Session Weekly*, page 10)

The deficiency bill also would provide:

- \$1.5 million to the Board of Public Defense to handle increased caseloads resulting from juvenile crime laws enacted in 1994;
- \$500,000 to the Department of Veterans Affairs for the emergency financial and medical needs of veterans;
- \$77,000 to the Minnesota Racing Commission to regulate pari-mutuel horse racing;
- \$46,000 to the Department of Military Affairs for paying the city of Roseville assessments due for National Guard property; and

- \$30,000 to the Department of Public Safety to match federal funds for flood relief.

Sen. Dennis Frederickson (IR-New Ulm) sponsored **HF355/SF335\*** in the Senate, which gave final approval to the measure on April 10.



## CONSUMERS

### Equal access to videos

Open-or closed-captioning would be required of all educational videotapes distributed for sale or rental in Minnesota, under a bill given final passage by the House April 10. The vote was 132-0.

The proposal would apply to tapes produced after June 1, 1997, for rental or sales to educational institutions, state and local governments, and medical facilities. Most titles seen at the local video store would not be affected by the bill.

Only tapes where more than 2,500 copies are produced would qualify, under the bill.

(Open-captioning is the term for subtitles, like those added to foreign language films. Closed-captioning refers to the subtitles that include descriptions of sound effects — encoded on a videotape or in a live broadcast — that can be switched on or off by a computer chip which is a requirement for all new television sets sold in the U.S.)

Bill sponsor Rep. Matt Entenza (DFL-St. Paul) said that Hollywood motion picture interests objected to the original measure that would have applied to both educational and entertainment videos. (See March 17, 1995, *Session Weekly*, page 6; and March 31, 1995, *Session Weekly*, page 4)

Deaf students who cannot understand educational videos shown in schools would benefit from the proposal, although Entenza noted that the compromise "scaled back significantly our original proposal."

**HF1048** now moves to the Senate.



## CRIME

### Protecting vulnerable adults

A bill that would increase criminal penalties for those who neglect or abuse vulnerable adults won approval from a House panel April 12.

The bill (**HF598**) amends the 15-year-old law that protects adults who are vulnerable to abuse because they suffer from a physical or mental disability or because they're dependent on caregivers or institutionalized services.

It also strengthens provisions under which someone can be prosecuted for neglecting or abusing a vulnerable adult, said Rep. Lee Greenfield (DFL-Mpls), who sponsors the bill.

The proposal, approved by the House Health and Human Services Committee's Health and Human Services Finance Division, creates stiff felony penalties for any caregiver who intentionally physically or mentally abuses a vulnerable adult.

Should such an act result in the death of a vulnerable adult, an offender could face 15 years in prison and a \$30,000 fine. Lesser prison sentences of 10 and five years could also be imposed, depending on the injuries to the vulnerable adult.

Under current law, a person who intentionally fails to supply food, clothing, shelter, or other necessities to a vulnerable adult may be charged with the gross misdemeanor offense of criminal neglect, which carries a maximum penalty of a year in jail and a \$3,000 fine.

The bill would include a caregiver acting with "conscious disregard for danger to human life and reckless indifference to the risk of harm" under the criminal neglect statute and the penalty for such an action would be increased. Such a crime would be a felony offense, punishable by up to 10 years in prison and a \$20,000 fine.

Currently, 25 states have felony-level criminal neglect penalties.

Additionally, the bill would make someone who financially exploits a vulnerable adult guilty of a felony offense. Currently, it is a gross misdemeanor.

It also calls for criminal background checks to be conducted on personal care attendants who are providing services through the state's Medical Assistance program.

The bill also would streamline the current mandated reporting system, Greenfield said. People such as health care providers who suspect a vulnerable adult is being abused are legally mandated to report the suspected abuse to the state.

Those reports are sometimes investigated by more than one agency, which leads to needless duplication, Greenfield said. The bill would ensure that only "the most appropriate" agency would conduct an investigation, he said.

The bill's price tag amounts to about \$3 million. Much of the money would pay for criminal background checks and the cost of appeals filed by individuals denied employment or who disagree with an administrative charge against them.

Greenfield said licensing fees for certain hospitals, nursing homes, and home care

agencies will increase slightly to pay for the bill.

The bill now goes to the Health and Human Services Committee.

## Adjusting prison sentences

A bill to reserve prison space for violent offenders by shortening sentences for some non-violent crimes didn't win the approval of the House Judiciary Committee.

**HF550**, sponsored by Rep. Dave Bishop (IR-Rochester), was laid over by the committee April 7.

The 1994 Legislature directed the Minnesota Sentencing Guidelines Commission to report any actions that could be taken to ensure cell space for violent offenders.

That report, submitted to the Legislature in January, included options for changes to sentencing guidelines that would result in shorter sentences for some people convicted of non-violent crimes such as drug possession and auto theft.

Bishop's bill is based on the commission's recommendations.

Shorter sentences for non-violent criminals would allow the state to save on corrections spending and would help alleviate the problem of projected shortages of prison space, according to Bishop.

"We now have drug offenders in prison doing as much time as murderers, and the public risk is just not there," he said.

The proposed sentencing changes would save the state an estimated \$320 million over the next 20 years, according to the Department of Corrections.

But the bill drew opposition from county attorneys and other county officials, who argued it would mean increased expenses for county jails and local corrections efforts.

Rep. Rich Stanek (IR-Maple Grove), a Minneapolis Police Department detective, questioned the wisdom of easing penalties for drug dealers and users.

"I've got a hundred examples from back in my unit where murder was a direct result of cocaine use — the buying, the selling and the fighting over it," Stanek said.

Acknowledging support for the bill could be a campaign liability, Bishop urged committee members not to be "intimidated by the elective process."

He said the sentencing changes would not turn dangerous individuals out onto the street. Criminals such as drug offenders would still face time behind bars, just not as much.

"I don't for a minute say that persons doing cocaine or selling it shouldn't be punished," Bishop said.

## Impolite to point

Under current law, you cannot point a gun — whether loaded or unloaded — at or toward another person.

If you do, you could face up to a year in jail and a \$3,000 fine, or an even greater penalty if prosecutors can prove you intended to harm someone.

But what about military personnel conducting training exercises?

Technically, any gun-pointing involved in such maneuvers is a criminal act.

A bill given final passage by the House April 10 would exempt all governmental military organizations from the law to the extent that they are "conducting safe training and recruiting activities under direct supervision of qualified military personnel." The vote was 129-0.

**HF853**, sponsored by Rep. Chuck Brown (DFL-Appleton), now moves to the Senate.



## DWI

## Plate impoundment expanded

One-third of chronic DWI offenders continue to drive with little risk of detection because of a loophole in the state's DWI law.

A bill to close that loophole received final passage in the House April 10. The vote was 119-12.

Under current law, when a person's driver's license is suspended for a third DWI offense in five years (or a fourth within 15 years), his or her license plates also are impounded for as long as the offender's driver's license is suspended. For a third-time offender, that's a minimum of one year.

But chronic DWI offenders are smart, said bill sponsor Rep. Wes Skoglund (DFL-Mpls). Once their plates are impounded, they often begin to drive their girlfriend's or their spouse's car.

Should they get caught under the influence in someone else's car, those license plates are then impounded. But all the car owner has to do is sign a statement that he or she was unaware of the DWI violation and new plates are issued — free of charge.

**HF416/SF308\*** still would give plates back to the car owner in such a situation, but they would be coded with specific letters, so that law enforcement officials would know the car had been involved in a prior DWI offense. The plates would remain on the car for a minimum of one year.

The coded plates would provide law enforcement officers with a "reasonable suspi-

cion" to pull the car over should the driver not be the registered owner of the car. From the patrol vehicle, an officer can check the car's registration and the license status of the car owner, which contains a description of the owner. If the driver doesn't match the description, the officer would have cause to stop the car.

About 35 percent of repeat DWI offenders are driving a car in someone else's name, Steve Simon, a University of Minnesota law professor and recognized authority on DWI issues, has told members.

Those repeat offenders are most often male, in their late 20s, often divorced, and marginally employed, Simon said.

Minnesota's plate impoundment law, originally passed in 1990, was the first of its kind in the nation.

About 3,700 Minnesota drivers are eligible to have their plates impounded each year, according to Department of Public Safety records. About one-third of those offenders skirt the law because they aren't the car's registered owner.

Overall, DWI arrests are down about 27 percent since 1986 (28,310 incidents in 1994 compared to 38,717 in 1986). Offenders with three or more offenses, however, have risen steadily over the same time period.

(See April 7, 1995, *Session Weekly*, page 5)

## Seizing cars from drunks

A bill to clear up a glitch in the state's vehicle forfeiture law won final approval from the House April 10. The vote was 123-3.

Under current law, certain repeat DWI offenders lose not only their driver's license but their vehicles as well. The cars are then sold or kept by local law enforcement agencies for official use. Profits from the sale of most vehicles must be used for DWI enforcement, training, and education activities.

But at times, the offenders don't show up for their day in court. As a result, their cars remain in impound lots.

**HF377** would allow for the cars to be sold should a defendant fail to appear in court on such a DWI-related charge.

Under current law, drivers convicted of their fourth DWI-related offense within five years can have their vehicle seized by law enforcement officials, as can drivers convicted of their fifth DWI-related offense within 15 years.

The bill, sponsored by Rep. Matt Entenza (DFL-St. Paul), now moves to the Senate.



## EMPLOYMENT

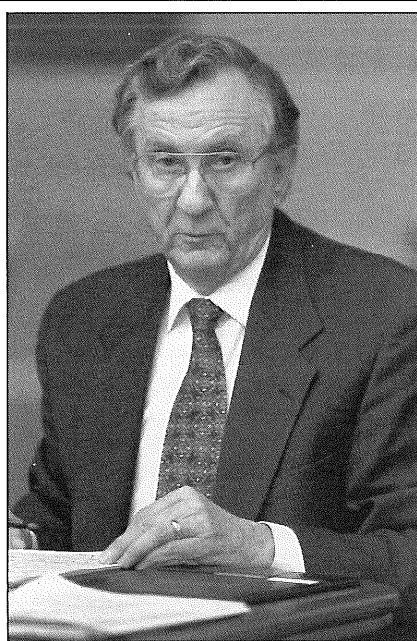
### Complete disclosure

Employers who recruit employees from out-of-town to work in food processing plants would have to explicitly tell them how much they'll be making and how many hours they'll work, under a bill the House approved April 11. The vote was 128-2.

The bill (**HF1437**) would require employers looking for people to work at a meat or poultry processing plant to provide specific documentation to potential employees who may relocate for work. This would include the potential employees' pay rate, the job's health and vacation benefits, the anticipated work hours, the job's duration, and other job specifics.

"This bill would affect the lowest-paid group of people. Sometimes employers recruit these people under false pretenses," said Rep. Kevin Goodno (IR-Moorhead) who sponsored the bill.

The "disclosure" would have to be written in both English and Spanish and signed and dated by the employer and the employee.



Lyle Olson, chief financial officer for the city of Bloomington, testified April 12 before the Property Tax and Tax Increment Financing Division of the House Taxes Committee in favor of **HF1439**. The bill would forgive Bloomington the \$50 million it owes the metropolitan fiscal disparities fund. Dollars from the fund — financed by a percentage of commercial-industrial property tax dollars from seven-county metropolitan area cities — helped finance highway improvements around the Mall of America. The division did not act on the bill.

An employee who does not receive the disclosure form before beginning work or whose employer doesn't abide by the tenets of the form could receive up to \$500 for each violation as well as attorney's fees incurred by bringing a civil action suit to collect the damages, under the bill.

Attorney's fees are included because "these people can't afford to hire attorneys if they're wronged," Goodno said.

The Department of Labor and Industry also could fine an employer between \$200 and \$500 for each violation of the disclosure agreement.

The Senate will hear the bill next.



## ENVIRONMENT

### Save Eagle Creek

A proposal to save one of the state's last healthy urban trout streams was approved by the House Environment and Natural Resources Finance Committee April 7.

The Eagle Creek watershed is located in Savage and Shakopee, two suburbs southwest of the Twin Cities. Commercial and housing developments have been proposed on the nearly 800 acres of land that would be purchased by the state, under **HF1488**. The bill would authorize the sale of bonds to purchase the land.

"This is not a health and safety emergency, but the [land] owners have agreed to sell right now," explained bill sponsor Rep. Steve Trimble (DFL-St. Paul).

He said that waiting to include the proposal in the 1996 Legislature's major bonding bill would be too late, and that developers already would have moved to purchase the land.

In addition to its value to trout anglers, Eagle Creek features an erupting cold water geyser, "the only one of its kind in the state," according to Greg Oltvedt of Trout Unlimited.

He said that the Eagle Creek watershed contains valuable wildlife habitat and a calcareous fen, a rare type of wetland.

In the Twin Cities area "there are not many natural resources of this quality remaining," added Don Arnosti, executive director of the state Audubon Society.

The land would become an aquatic management area under the Department of Natural Resources.

Originally, the bill called for a \$9.4 million bonding authorization to buy the land, but the dollar amount was deleted from the bill at



Trimble's request. A final figure will be determined at a later date.

**HF1488** now moves to the Capital Investment Committee.

## Deer hunting for kids

Young people could buy an inexpensive license to hunt deer with firearms in the 1995 and 1996 hunting seasons, under a bill approved by the House Ways and Means Committee April 10.

The "Youth Deer Bill," sponsored by Rep. Tom Bakke (DFL-Cook), would allow those under age 16 to buy a deer hunting license for \$5, instead of paying \$22 for a regular firearms license.

No tag would be included in the youth license, so a deer shot by a youth carrying the \$5 license would have to be tagged by a licensed hunter possessing a valid tag.

(Under current law, a tag is issued with each deer hunting license; hunters are allowed to take just one deer per season with a firearm.)

While regular deer hunting licenses are only sold prior to the opening day of the firearms season, the youth license could be purchased at any time during the season.

The bill also would allow any deer hunter "who fails to tag a deer" during the firearms season to get a second crack at a deer by buying another firearms license and hunting by muzzleloader.

The 16-day muzzleloader season — which allows hunting with an old-fashioned rifle that was common on the frontier — follows the regular firearms season in late November.

Under current law, a deer hunter is allowed to buy only one firearms license and to hunt either during the regular firearms season or during the muzzleloader season.

Both policy changes are scheduled to expire on June 30, 1997.

**HF723** now moves to the House floor.

## Emissions test exemptions

Cars under six years old need not face an annual exhaust emissions test, under a bill approved by the House Ways and Means Committee April 10.

Recent studies have shown nearly all cars that would be exempted by the proposal pass their annual emissions test.

Under **HF2**, the entire metropolitan auto emissions testing program could be abolished in 1998.

The U.S. Environmental Protection Agency

(EPA) would have to approve the program's intended closure. The Minnesota Pollution Control Agency (MPCA) also would have to show that the seven-county metropolitan area is meeting federal clean air requirements and would continue to do so.

If Minnesota falls below standards set in the 1990 federal Clean Air Act, the EPA may withhold federal highway funds — potentially \$100 million annually — from the state, MPCA officials have said.

The bill also would prohibit Envirotest Inc., the Arizona-based company that administers the testing program, from hiking the current \$8 testing fee. (Current law allows for a fee of up to \$10 to be charged.) The company, which receives about \$7.07 from each car tested, stands to lose nearly \$4 million per year should **HF2** become law.

Envirotest has been in contact with the MPCA to negotiate possible changes in its contract with the state to ease the potential revenue loss.

Sponsored by Rep. Alice Johnson (DFL-Spring Lake Park), the bill now moves to the House floor.

(See March 3, 1995, *Session Weekly*, page 9; Feb. 24, 1995, *Session Weekly*, page 6; Feb. 17, 1995, *Session Weekly*, page 6; and Jan. 27, 1995, *Session Weekly*, page 7)



## FAMILY

### Remember the children

Divorce is never easy, but it often hits children the hardest.

A bill that could require parents who are separating to attend a special workshop received final passage from the House April 10. The vote was 130-0.

"This bill will help families and children through the difficulties of divorce," said bill sponsor Rep. Fran Bradley (IR-Rochester).

Under **HF1008**, in a proceeding involving child custody, child support, or visitation of children, the court may require the parents to attend an orientation and education program which addresses the impact of such proceedings on children.

Parents could be required to pay a fee to cover the costs of the program. (Any fees would be waived for those who are unable to pay.)

The bill now moves to the Senate.



## GAME & FISH

### Trapping great horned owls

Does the Legislature give a hoot about the plight of Minnesota turkey farmers?

A bill that would allow turkey farmers to trap great horned owls that threaten their flocks was approved by the House Environment and Natural Resources Committee April 7.

"Great horned owls love to kill turkeys," said John Stauffenecker, a turkey farmer from Greenbush, Minn., who showed lawmakers photographs of 500 birds killed when an owl entered a pen. The financial loss amounted to \$5,000.

Owls have caused more than \$670,000 in losses to state turkey farmers over the last five years, according to John Hausladen, executive director of the Minnesota Turkey Growers Association.

The proposal would allow turkey and other poultry farmers to catch great horned owls in a trap approved by the Department of Natural Resources (DNR).

Current state law permits licensed game farm operators to trap the owls, but prohibits poultry farmers from trapping.

Under the bill, farmers first would have to obtain a federal permit to trap owls. The trap would have to be tended twice daily and uninjured birds would have to be taken at least 50 miles from the capture site and released alive; injured birds would have to be taken to a veterinarian.

Just the presence of an owl can have a disastrous effect on a turkey farm.

Stauffenecker explained that turkeys panic when an owl is near, and they will run against a wall, pile on one another, and smother each other. He said it was impossible to screen in birds roaming over 40 acres to prevent owls from attacking them.

Even an airplane can cause a flock of turkeys to run amok, according to House sponsor Rep. Jim Tunheim (DFL-Kennedy).

Rep. Doug Peterson (DFL-Madison) said his uncle once lost 30,000 birds. "They panic. They're just not a real smart bird," he said.

Turkey farmers would like to use a small gopher trap with the steel jaws "padded with foam rubber and electrical tape," according to Stauffenecker. The trap is placed atop a pole and tethered with a chain so the trapped owl can rest on the ground. Such traps are currently used by licensed game farm operators.

The bill was opposed by conservationists and those who rehabilitate injured birds of prey.

But if traps must be used, a "Verball trap"



which snares a bird's leg is preferable to the steel jaw trap, according to Dr. Patrick Redig, a veterinarian with the University of Minnesota Raptor Center in St. Paul.

Mike DonCarlos of the DNR's wildlife section said his agency does not oppose the proposal. He did, however, express concerns that other kinds of birds could be caught in traps and possibly injured as a result.

The bill also would direct the DNR to assist poultry farmers with owl trapping and report back to the House and Senate environment committees by Jan. 1, 1996, on their efforts.

**HF120/SF155\***, passed by the Senate April 3 on a 41-24 vote, now moves to the House floor.



Mary Beth Garrigan, a staffer at the University of Minnesota Raptor Center, testified before the House Environment and Natural Resources Committee April 17 holding a great horned owl. She opposed HF120 which was approved by the committee and would allow turkey farmers to trap great horned owls to protect their flocks. John Stauffenecker, *foreground*, a turkey farmer from Green Bush, Minn., testified in favor of the bill.



## GOVERNMENT

### Legislative interpreters

A bill to require the Minnesota Legislature to hire one or more interpreters to make the legislative process more accessible to those who are deaf or hearing impaired was heard by a House panel April 11.

The State Government Finance Division of the House Governmental Operations Committee heard the bill (**HF1116**) and will consider incorporating it into its omnibus state government finance bill.

Bill sponsor Rep. Teresa Lynch (IR-An-dover) said an interpreter is needed to help people who are hearing impaired understand and participate in legislative committee hearings, floor sessions, and meetings with individual legislators and staff members.

The bill, so far, carries no dollar figure. But a fiscal note suggests one interpreter would cost \$42,500 in salary, benefits, and office equipment in fiscal year 1996. The Legislative Coordinating Commission would be charged with hiring the interpreter.

Doug Bahl, who spoke through an interpreter, told lawmakers that "right now the current system is not working."

He spoke of times this session when he's tried to work with both the House and Senate to obtain an interpreter, but the system has been less than flexible. The Sergeant at Arms Office in each body helps arrange for interpreters, who are often scheduled for specific two-hour blocks of time. Committee meetings and floor sessions are anything but specific and time-certain. Bills are shifted around on agendas, and committee meetings run long.

Sometimes, Bahl said, an individual can be ready with an interpreter to listen or testify to a bill, but the bill is delayed until the next meeting. Then, the hearing-impaired person has to arrange for an interpreter all over again.

Cathleen Meyer said she, too, has had trouble with both the House and Senate when she has tried to arrange for an interpreter. She also finds fault with the two-hour time block requirement and the mandate that a person in need of an interpreter request services 24 hours in advance. Meyer said when she wants to talk to someone, she doesn't want to wait 24 hours to do it.

Speaking through an interpreter, Meyer said she recently had a meeting scheduled with a senator for 15 minutes to discuss a particular bill. But because she didn't have one hour and 45 minutes worth of meetings

to follow, the Senate sergeant's office canceled her meeting without notifying her.

"I'm stuck. I don't have equal access to all of you."

The State Government Finance Division's omnibus bill is expected to be completed the week of April 17.

### Offensive place names

The word "squaw" — a term considered derogatory by some American Indians — would vanish from some place names in Minnesota, under a bill given final passage by the House April 10 on a 126-5 vote.

New names in their place would be selected by the Department of Natural Resources (DNR) commissioner in cooperation with county boards, said House sponsor Rep. Karen Clark (DFL-Mpls).

The proposal specifically would change the name of any "geographic feature" containing the word "squaw." It would affect lakes, ponds, islands, bays, and other natural features. (See April 7, 1995, *Session Weekly*, page 9)

Angelene Losh and Dawn Litzau, two Cass Lake-Bena High School students, started the movement against offensive place names by organizing to change the name of Squaw Point, which is on the Leech Lake Indian reservation in northern Minnesota.

Their personal testimony and supporting materials presented to legislators indicated that the word "squaw" is a French corruption of "otsiskwa," an Iroquois word denoting female sexual parts. The Ojibwe word for woman is "ikwe."

The name-change campaign met with success Feb. 7 when the Cass County Board of Commissioners unanimously voted to change the name of Squaw Point to Oak Point.

There is another Squaw Point in Minnesota, six Squaw Lakes, and a Squaw Pond, according to Glen Yakel, a supervisor in the DNR's waters division.

Anticipating that the measure would become law soon, letters from the DNR have been sent to the five county boards that will be involved in future place name changes, explained Yakel.

The Senate version of the bill, sponsored by Sen. Skip Finn (DFL-Cass Lake), passed that body March 20 on a 63-0 vote.

**HF714/SF574\*** now goes to the governor for his consideration.

## Collecting bad debt

A measure to give the state more power to collect overdue debts owed to state agencies and threaten deadbeat debtors with a penalty surcharge is expected to be included in the omnibus state government finance bill.

The State Government Finance Division of the House Governmental Operations Committee April 11 reinstated the section calling for the penalty. The Judiciary Committee removed the language at a March 22 meeting.

The penalty — of up to 25 percent of the debt — would be added to an existing bad debt, such as a student loan, back taxes, or a fee, to pay for the cost of the collection.

Although some have criticized the penalty as "arbitrary," members of the division said it was necessary so taxpayers weren't footing the bill for those who refuse to pay their debts.

Rep. Mike Osskopp (IR-Lake City) said he couldn't understand why the language was taken out in the Judiciary Committee and said its omission "wounds the bill." His amendment to reinstate the penalty was successful.

As of Sept. 30, 1994, people owed \$641 million to the state's general fund and \$587 million to other state accounts, according to the Minnesota Collection Enterprise (MCE). The MCE was established by the 1994 Legislature to coordinate a statewide effort on bill collections.

(See March 24, 1995, *Session Weekly*, page 10, and March 17, 1995, *Session Weekly*, page 6)

Another provision in the bill (HF625) would allow the state to seize or reduce an individual's tax refund check or other state payment of more than \$5,000 to pay debt owed the state. (Public assistance checks would not be seized.)

Current law allows for such deductions only for back taxes or child support payments owed the state.

The state would notify the person whose funds would be taken, and the individual would have 30 days to request a hearing to dispute the matter.

Under HF625, wages also could be garnished until a debt is paid off, as long as no other creditors were garnishing the wages.

Currently, the state and other creditors can garnish a person's wages for up to 70 days. Debtors who prove that they need more money for necessities, such as shelter, food, and work transportation, could reduce a garnishment.

Another successful amendment would allow the Department of Finance to begin a

pilot program to compare which is more effective in collecting debt — the state's MCE or private collection agencies.

The finance department would farm out \$35 million in debt to private collection agencies, compare their collections with the MCE, and report to the Legislature by Feb. 1, 1997. The department currently farms out debt to several national firms, but the amendment calls on the department to try out different firms for the pilot project.

## Unfunded mandates

A bill to help determine how much money federal mandates are costing the state won final approval from the House April 10. The vote was 131-0.

HF139/SF204\* would call for every state agency that runs a program subject to federal mandates or supported by federal funds to report certain information to the Department of Finance.

This would include anticipated federal and state funding for programs for the next biennium, the extent to which the state funding is mandated by federal law, and the extent to which state funding mandated by federal law is in compliance with state policy.

Departments also would be asked to submit suggestions as to how state costs could be minimized by changing state laws or rules or seeking waivers of federal requirements.

Finally, departments would need to report "the extent to which the agency could achieve the outcomes desired by the federal mandate in a less expensive or more efficient manner if the federal mandate were modified or repealed."

The Department of Finance would, in conjunction with Minnesota Planning, report back to the Legislature by Jan. 15, 1996, with its findings.

The proposal, sponsored by Rep. Tim Pawlenty (IR-Eagan), now goes to the governor for consideration.

## Incapacitated chief officer

A bill to clarify who would run the state if the governor is unable to carry out the duties of the office received final passage April 6 from the House. The vote was 128-1.

Present law stipulates the lieutenant governor would take over if the governor dies. But it says nothing about what would happen should the governor become too ill to run the state.

HF1468, sponsored by House Minority Leader Steve Sviggum (IR-Kenyon), would

clarify present law to say the governor who anticipates becoming incapacitated — such as a terminal or debilitating illness — would write to the president of the Senate and the speaker of the House declaring the inability to discharge the duties of office. The lieutenant governor would then take over those duties.

In unanticipated cases, such as when the governor suddenly becomes too sick to perform the job, the lieutenant governor would take over when four of five officials declare in writing the governor cannot discharge the duties of office. Those officials are the chief justice of the Minnesota Supreme Court, the lieutenant governor, the governor's chief of staff, the governor's personal physician, and a member of the governor's cabinet designated in advance by the governor.

Rep. Phyllis Kahn (DFL-Mpls) said the bill would apply when the governor is genuinely disabled "and not just doing a rotten job."

The bill now moves to the Senate.

## Processing zoning permits

A developer, homeowner, or other person who requests a zoning permit from a county, city, or town would know within 60 days whether their request was approved or denied, under a bill the House approved April 12. The vote was 88-41.

The bill (HF641) provides a "critical government streamlining process," said Rep. Chuck Brown (DFL-Appleton) who sponsors the legislation.

It requires a 60-day response from local government units regarding zoning and sewage permit requests. Failure of the agency to meet the request within 60 days would constitute approval of the request, under the bill.

Minneapolis, St. Paul, and Duluth are exempt from the bill.

The permitting requirements in Minneapolis, St. Paul, and Duluth are too cumbersome to be met within 60 days, said Rep. Phyllis Kahn (DFL-Mpls), who supported the exclusion.

"Minneapolis and St. Paul zoning requirements change from plot to plot sometimes. They have complicated zoning requirements," she said.

The bill does not apply to state agencies. But Brown said he would like to see those agencies included in the future.

Under some circumstances, local governments may be granted an extension from the 60-day requirement, such as when a permit request requires approval from a state or federal agency. But, local government officials must notify the permit applicant in writing.

The measure now moves to the Senate for consideration.



## HEALTH

### Diabetes coverage

Health plans supplementing Medicare insurance would have to provide coverage for doctor-prescribed equipment and supplies needed for the "management and treatment of diabetes," under a bill given final approval by the House April 10. The vote was 129-0.

Coverage would be subject to the same deductible or other co-payment provisions applicable to an insurance plan's specific hospital, medical equipment, or prescription benefits.

Health plans were required to provide coverage for all items prescribed for patients with diabetes under a 1994 law, but it did not apply to health plans supplementing Medicare.

**HF350/SF34\*** was sponsored by Rep. Tom Pugh (DFL-South St. Paul) in the House. Sen. Deanna Wiener (DFL-Eagan) carried it in the Senate where it received final passage March 30 on a 63-0 vote.

The bill now goes to the governor for consideration.



## HIGHER EDUCATION

### Bonding for higher ed

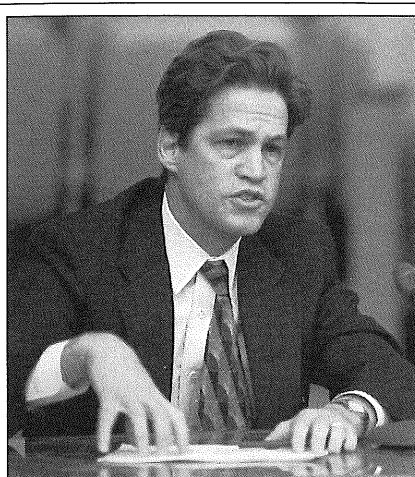
A bill to authorize the sale of \$3.37 million in state bonds to finance various higher education projects was heard April 11 by the House Capital Investment Committee.

The committee did not act on the bill, but committee members may include all or part of it in a House bonding bill, if they decide to draft one in this non-bonding year. (Large bonding bills are typically assembled in the second year of the state's two-year spending cycle.)

**HF1507**, sponsored by Rep. Mary Murphy (DFL-Hermantown), includes the following provisions:

- \$1 million for the State University System so Metropolitan State University can buy a 4.7-acre parcel of land adjacent to its St. Paul campus at 700 E. 7th St.

The land, home to a manufacturing firm which will close its doors June 30, 1995, includes a warehouse which could be used as a student activity center. Another building would provide 800,000 square feet of office space, said Rep. Steve Trimble (DFL-St. Paul),



St. Paul Mayor Norm Coleman testified in favor of **HF1156** before the Property Tax and Tax Increment Financing Division of the Taxes Committee April 11. The bill is designed to create more affordable housing and to stimulate economic development in the Twin Cities metropolitan area. The committee did not act on the bill.

who authored the amendment to include the provision in the bill.

The St. Paul campus eventually will need to expand and the property sale should be taken advantage of, Trimble said.

- \$500,000 for Fond Du Lac Community College so the school can build a dormitory to house 150 students.

The money would be used to design and plan the facility, said Jack Briggs, president of the community college. School administrators tentatively think the dormitory will cost \$6.5 million. Next year, they plan to ask the state for another \$2.5 million in bonding money to build the dormitory, Briggs said.

The community college is unique because it receives about \$2,100 per Native American student in federal Bureau of Indian Affairs (BIA) funds. To receive the money, Native American students must make up 51 percent of school enrollment, Briggs said.

Currently, only 25 percent of students are Native Americans. But the BIA will allow the students to receive federal funds if the school finds ways to attract more Native American students, Briggs said.

Building the dormitory will help because it will allow Native American students from other areas to live in Cloquet, where the school is located, he said.

The town itself does not have enough rental housing to support many of its students who are not from northeastern Minnesota, explained Murphy, who sponsored this provision in the bill.

She said the state bonding money is needed as an emergency appropriation because the school would lose federal money without it.

- \$1.87 million for the University of Minnesota for construction repairs to two pedestrian bridges (which cross Washington Avenue on the Twin Cities campus), to make necessary repairs to the university sprinkler system and to replace and repair fumehoods on all University of Minnesota campuses. (Fumehoods in laboratories vent toxic fumes.)
- Another portion of the bill calls for state universities, technical colleges, and community colleges to be exempted from paying back the one-third debt service on library projects.

The language was originally included in **HF487** sponsored by Rep. Gene Pelowski (DFL-Winona). It was then folded into **HF1507**. (See March 10, 1995, *Session Weekly*, page 11)

Higher education projects receiving state-issued bonds must reimburse the state one-third of the cost of the bond plus interest. Prior to a 1990 law change, state universities were exempted from repaying bonds when they were used to finance school libraries.

The bill would apply only to the three library bonding projects authorized in 1994, which totaled \$30.1 million. The schools affected would be exempted from paying back about \$10 million plus interest accrued on their library projects.

Those three schools are Winona State University, Bemidji State University and St. Cloud State University.



## HOUSING

### Omnibus housing bill

A bill that would help people buy and fix up dilapidated housing and require all cities in the metropolitan area to replace low-income housing destroyed by new development is moving through the House.

Those are among the provisions included in the Housing Committee's omnibus bill, which is now pending in the Economic Development, Infrastructure and Regulation Finance Committee.

The level of funding for the bill (**HF509**), which is sponsored by Rep. Karen Clark (DFL-Mpls), will be determined by that committee.

Below are some of the bill's key provisions.

- It would set aside money for loans to help people buy and repair homes in worn-down neighborhoods across the state. The

idea is to target "eyesore" neighborhoods and make them owner-occupied again instead of overcome by rental properties with absentee landlords.

This provision was originally part of (HF380) sponsored by Rep. Andy Dawkins (DFL-St. Paul). He envisioned \$30 million for the program to buy or repair 1,000 homes with loans averaging \$30,000 each.

With ownership comes the desire to maintain and take pride in the neighborhood, Dawkins has said.

Only low-income neighborhoods would qualify for the program, under the bill. Some of the other qualifications include a neighborhood where at least 70 percent of the single-family homes are at least 35 years old and at least 60 percent of the homes are owner-occupied. Another requirement specifies that the number of owner-occupied homes in a neighborhood must have declined by at least 5 percent between 1980 and 1990.

- The bill would set aside money to help people convert contracts for deed on their homes to traditional mortgages, which would eliminate the need for large balloon payments. Coming up with the money for those lump-sum payments has been a problem for many low-income families.
- It would set aside money to help cities create more affordable rental housing. Fifty percent of any allocated program money would go to cities in the metropolitan area and 50 percent to Greater Minnesota cities, such as Willmar and other cities with

housing shortages. Priority would be given to cities that can come up with money to match the state grant.

- The bill would require the Metropolitan Council to prepare housing impact reports for local governments in the metropolitan area and would expand the requirement that a city that displaces 10 or more low-income housing units must replace them. Currently, the replacement mandate includes only Minneapolis and St. Paul. The bill would include all cities in the seven-county metropolitan area.
- A provision in the bill would set aside money to help residents clean up lead paint and lead-contaminated soil which is known to poison children.
- Finally, the bill would expand a family rental housing assistance program so more families could qualify for help. The program currently provides loans or direct rental subsidies for families with incomes of about 60 percent of an area's median income, which range from a high of \$30,600 in the metropolitan area to a low of \$14,100 in Mahan County. The bill would raise the percentage so that families who earn up to 80 percent of the state's median income (\$34,800) would qualify for help. Those with the lowest incomes, however, would be served first.



## LAW

### Thwarting frivolous lawsuits

It costs the state \$27,803 to house and feed each Minnesota prisoner per year, according to the Department of Corrections.

But that figure doesn't include the hundreds of thousands of additional taxpayer dollars spent to challenge lawsuits filed each year by those prisoners.

Cathy Haukedahl, state assistant attorney general, said that in 1994 her office spent \$340,000 defending the state against inmate claims, "of which 95 percent are frivolous," she said.

The Office of the Attorney General receives about 125 new cases per year filed by inmates.

Actual civil suits have been filed over prison-issued underwear that was allegedly too tight and the lack of fresh salsa in a prison cafeteria. The state must respond to each suit. It's up to a judge to decide the merits of each case.

A bill (HF1309) to make prisoners think twice before they file a civil suit is now pending on the House floor.

The proposal, sponsored by Rep. Tom Pugh (DFL-South St. Paul), calls for disciplinary action against inmates where the court finds their claims are "frivolous or malicious."

Such penalties could include loss of privileges, isolation, loss of good time, or "discipline confinement" time.

Most prisoners lack the financial resources necessary to pay for court filing fees and associated costs. So the law allows them to bring their actions "in forma pauperis," or as an indigent, and they don't pay a dime.

But under the bill, any inmate seeking to file a case without paying the fees would later be billed should they earn or otherwise come into any funds. And prisoners seeking to avoid filing fees by filing as indigents when they really do have the funds in their prison accounts would have their cases dismissed.

Should an inmate prevail in a civil action and be awarded monetary damages, those funds could be seized to pay for their court costs, any taxes they may owe, support for their family, or fines ordered by the court.

The National Association of Attorneys General has developed model legislation designed to thwart prisoners seeking to tie up the court system. As a result, the states of Arizona and California have recently passed similar laws to save their states some money. Efforts are also under way to bring the issue before Congress.



Nadine Knibb, center, of the Southside Neighborhood Housing Service in south Minneapolis, represented one of several groups that came to the Capitol rotunda April 12 for the People's Rally for Affordable Housing. Participants met with legislators after the rally to gain support for HF509, which includes funding for homeless people, those threatened with homelessness, or in transitional housing programs.



## Abandoned waste

A building owner would have a greater chance of successfully suing a renter who moves out and leaves behind containers of hazardous waste, under a bill given final approval by the House April 10. The vote was 130-0.

The bill sponsored by Rep. Robert Leighton (DFL-Austin) would apply to both residential or commercial space rental. It would require the property owner to request in writing that the former renter "remove and properly dispose of the abandoned waste."

Cleaning solvents or other flammable or corrosive liquids are examples of such waste. By law, they must be properly disposed of at an authorized waste facility.

If the renter does not remove all the waste within 20 days, the property owner could then remove the waste and would be entitled to twice the cleanup and disposal costs. The owner also would be entitled to "losses that result from court costs and attorney fees."

Under current law, a property owner's only financial recourse is to withhold a tenant's damage deposit. (See March 31, 1995, *Session Weekly*, page 15)

**HF1320** now moves to the Senate.



## TRANSPORTATION

### Longer semi-trucks

A bill to give over-the-road truckers more sleeping room inside their cabs won final approval from the House April 12. The vote was 121-8.

The proposal would allow semi-tractors which pull trailers to be five feet longer than allowed under current law.

Current law says semi-tractor trailer combinations cannot be more than 65 feet long. **HF1207**, sponsored by Rep. Ted Winter (DFL-Fulda), would allow those combinations to equal 70 feet in length.

The bill would not affect the length of the trailer, which can be either 53 or 48 feet long, Winter said.

The additional five feet would be added to the "tractor cab" that pulls the trailer, Winter said. That length would widen the bed in the tractor cab. Truck drivers often sleep in their cabs when they park their truck overnight at truck stops.

"Some of the new cabs out there have wider beds. I think it's worth it to give our drivers a little more comfort and keep our roads a little safer because they're sleeping better," Winter said during an April 5 Trans-

portation and Transit Committee hearing.

The bill originally called for a 75-foot combination to be allowed, though the trailer length still would not have increased.

But some committee legislators said the additional length would do additional damage to state highways.

Rep. Henry Kalis (DFL-Walters) said semi-tractor trailers do more damage to roads than passenger vehicles. In a tight budgeting year with scarce highway improvement funds, Kalis said he could not support lengthening truck combinations.

Winter said the trailer length would remain the same under his bill, so the trucks would not be hauling a heavier load.

The bill now moves to the Senate.

### Bridge of Hope

A bridge over the Mississippi River at St. Cloud would be named the "Bridge of Hope," under a bill given final passage by the House April 10. The vote was 131-0.

The bill's sponsor, Rep. Jim Knoblach (IR-St. Cloud), said the Highway 15 bridge would be named in honor of Jacob Wetterling and other abducted and missing children.

Jacob Wetterling of St. Joseph, Minn., was abducted near his home in 1989 and is still missing.

Under the bill, the Minnesota Department of Transportation (MnDOT) would create a

suitable design for signs and plaques marking the bridge. Members of the local community would reimburse MnDOT for costs incurred in "marking and memorializing" the bridge.

Sen. Joe Bertram (DFL-Paynesville) sponsored **HF175/SF194\*** in the Senate where it was given final approval March 9 on a 62-0 vote.

The bill now goes to the governor for his consideration.

### Vintage license plates

Vintage car owners would be able to display license plates from the year their car was made, under a bill given final approval by the House April 10. The vote was 128-0.

Currently, those who own restored or vintage automobiles can display special "collector license plates" that bear the year a car was built, but the plates don't look like the original license plates issued for that year.

Cars with collector plates can be used only to drive to and from collector car shows. Owners of such plates don't need to renew them on an annual basis. However, they may only drive 2,000 miles per year in the cars.

Under the bill, collector car owners would be allowed to use the original plates for cars that are at least 20 years old. The license plate number must not already be issued.

Owners of such plates would renew them each year. To preserve the aesthetic integrity of the original plates, they would not have to display the month and year renewal stickers on the plate's lower corners, though they would have to carry the vehicle license registration in the car with them at all times.

**HF1402**, sponsored in the House by Rep. Alice Seagren (IR-Bloomington), now goes to the Senate.

Transportation Continued on page 15



Leon Pearson, a city bridge engineer for the city of St. Paul, testified before the House Economic Development, Infrastructure and Regulation Finance Committee in support of **HF815** April 10. The bill would authorize \$3 million in state transportation bonds to help replace the 100-year-old Wabasha Street Bridge. The committee approved the bill.

Thirty-five and counting . . .

## Lawmakers call for moratorium on specialty plates

The Minnesota Timberwolves' team logo won't be seen on a state license plate, at least not this year.

Although the House Transportation and Transit Committee gave the go-ahead for the specially designed license plates, Rep. Bernie Lieder (DFL-Crookston), who heads the Transportation Finance Division where HF952 is now pending, said he will not act on the proposal this session.

Nor will his committee act on HF808 or HF1606, which would create different specialty plates.

Each of the three bills would create a new plate in an attempt to raise funds for a particular organization. Those buying the plates must agree to make an annual donation to a specific charity or state agency.

Before authorizing any additional plates, lawmakers want to study whether any money is being made by existing specialty plates that were authorized to help specific groups.

Thirty-five specialty plates are already available, but only a select few are set up to raise funds for a charity or agency, said Jack Wildes, assistant director of the Department of Public Safety's Driver and Vehicle Services Division.

And the revenue being generated for those who hoped to benefit financially from the sale of such plates has fallen far short of projected income.

In 1991, for instance, the Legislature authorized the Department of Public Safety to create a special collegiate license plate series



The 1991 Legislature authorized 14 different license plates to sport the logos of select Minnesota colleges and universities. The move was touted as a way to raise money for a special scholarship fund, with a \$100 donation made with the sale of each set of specialty plates sold. At the time, University of Minnesota officials estimated they would sell 20,000 of the license plates. To date, less than 400 sets of U of M plates have been sold.

for each of 14 Minnesota colleges and universities. Drivers who buy the plates contribute \$100 to a special scholarship fund for students.

"The University of Minnesota was bound and determined at that time they would sell 20,000 plates that first year," Wildes said. "So far, the U of M has sold under 400."

In fact, only 799 plates to benefit the scholarship fund for various other colleges and universities have been sold so far. And they're expensive to make, unlike standard plates, because they require the department to purchase special sheeting for the complex logos and coloring. The other plates can be much more cheaply pressed, Wildes said.

Rep. Jim Tunheim (DFL-Kennedy), chair of the Transportation and Transit Committee, said the Legislature needs to control the proliferation of bills calling for special license plates. Many programs with plates don't find enough buyers to make implementing the special plates worthwhile, he said.

Groups that think creating a special license plate tied to a special contribution fund will start the money flowing in should perhaps think twice, Tunheim said.

"These things are a good cause, but they might not be good money raisers," he has said.

Also, the Department of Public Safety must determine how to collect the money, how to design and market the plates, and how to get the money to the charity, Tunheim said.

Because each program proposes to fund start-up costs in a different manner, the department faces a "logistical nightmare" in supervising the plate programs, he said.

Rep. Tom Osthoff (DFL-St. Paul), who now adamantly opposes specially designed license plates, nevertheless claims responsibility for getting the ball rolling.

He successfully sponsored the first legislation in 1976 calling for a license plate honoring prisoners of war and soldiers missing in action.

Though a worthy cause, the legislation

### Specialty license plates

(Number sold as of 4/1/95)

Amateur Radio Operators/CB .....	8,644
Classic motor cycle .....	928
Classic plate .....	950
Collector military .....	15
Collector plate .....	71,336
Combat wounded .....	784
Ex-Prisoner of War .....	610
Firefighter .....	9,414
Gulf War .....	776
Korean Vet .....	1,212
Medal of Honor .....	4
National Guard .....	1,705
Pearl Harbor Survivor .....	173
Personalized .....	60,646
Pioneer plate .....	15,680
Reserves .....	254
Street rod .....	1,976
Vietnam Vet .....	3,136
World War I .....	3
World War II .....	2,071

Source: Department of Public Safety's Driver and Vehicle Services Division

### Collegiate scholarship series

(The following license plates are part of the series. Those who buy the plates contribute \$100 to a scholarship fund.)

University of Minnesota "UM" series ..	287*
University of Minnesota "UN" series .....	146
University of Minnesota-Crookston .....	11
University of Minnesota-Duluth .....	31
University of Minnesota-Morris .....	32
Bemidji State University .....	38
Gustavus Adolphus University .....	45
Hamline University .....	20
Mankato State University .....	69
Moorhead State University .....	20
Southwest State University .....	17
St. Catherine's College .....	0
St. Cloud State University .....	41
St. John's University .....	13
Winona State University .....	27

\* \$125 contribution

Source: Department of Public Safety's Driver and Vehicle Services Division

opened a Pandora's box, Osthoff said.

"Now I think it's run amok," he said.

So the three license plate bills heard this session will remain tabled, awaiting the results of a Department of Public Safety study (HF1606) called for by Tunheim. The department also would recommend future legislative policy on the plate issue and report to the Legislature by February 1996.

State legislators in Florida faced the same special-plate proliferation problem, but they found a solution: repeal all the plates, Osthoff said.

Minnesota legislators aren't at that point — yet. But the Department of Public Safety study results may determine if vehicle owners can steer away from the basic blue Minnesota license plates in the future.

The following three bills are now before

the Economic Development, Infrastructure and Regulation Finance Committee's Transportation Finance Division:

- **HF1606**, sponsored by Rep. Willard Munger (DFL-Duluth) would authorize critical habitat license plates. Drivers who buy the plates must agree to contribute at least \$30 annually to the Minnesota critical habitat private sector matching account, which matches public funds.

The bill calls for \$100,000 to be appropriated from the highway user tax distribution fund for the Department of Public Safety to manufacture the plates.

- **HF952**, sponsored by Rep. Darlene Luther (DFL-Brooklyn Park), would create special license plates with the Minnesota Twins, Timberwolves, Vikings, or an Olympics insignia. Drivers who purchase the plates

would have to contribute at least \$15 annually to the Minnesota Amateur Sports Commission.

The sports commission would put up the money to start the license plate program, under the bill.

- **HF808**, sponsored by Rep. Sharon Marko (DFL-Newport), would authorize special child protection license plates. The Department of Public Safety would design the plates, under the bill. And those who bought them would have to contribute at least \$25 annually to a county child protection service.

The department would get 1 percent of the \$25 to cover costs for the plates, under the bill.

—Jean Thilmany

---

Transportation continued from page 13

## Ensuring bike safety

Motorists who pass alongside a bicycle at closer than three feet would be subject to a petty misdemeanor fine, under a bill given final approval by the House April 12. The vote was 123-6.

The bill (HF1134/SF687\*) is intended to make the roads safer for bicyclists, said sponsor Rep. Leslie Schumacher (DFL-Princeton).

The bill calls for cars or other vehicles passing bicyclists to leave at least three feet of space between the vehicle and the bicycle.

No current law stipulates a safe passing distance.

Motorists who don't observe the three-foot passing distance could be stopped by officers and slapped with a petty misdemeanor, Schumacher told members of the House Transportation and Transit Committee April 7. The maximum fine would be \$200.

Schumacher said she has not talked to law enforcement officials about whether they would be able to enforce the passing distance requirement.

The bill also calls for drivers' examination tests to include questions about traffic laws

relating to bicycles. The questions would ensure that drivers know about bicycle safety, Schumacher said.

It also would require the Minnesota drivers' manual — which potential drivers read before taking the driver's license examination — to include a section on bicycle traffic laws.

The bill now moves to the governor for consideration.



## Q. Do committees have complete control over which bills get to the floor? Can this be bypassed?

A. The committee is the heart of the legislative process where the most detailed work of the Legislature takes place. It is the job of each committee to hold public hearings on bills, to put each bill it hears into its best form,

and to recommend to the full body only those bills which the committee feels merit further consideration.

Many bills affect several aspects of life in Minnesota. These may be studied by more than one committee before traveling to the House or Senate floor.

Most committees don't hear every bill referred to it. Committee chairs schedule hearings on a bill after a request from the chief sponsor has been received. But committee chairs have a great deal of discretion on when and if a bill is heard.

If a committee cannot reach agreement, or does not hold hearings on a bill, the bill has

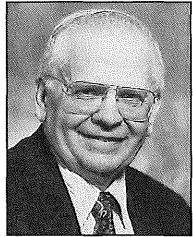
most often ended its journey. While it is technically possible to bring a bill to the full House without committee approval, the tactic is not frequently successful. Some lawmakers, for instance, will attempt to attach their bill, which is stalled in a committee, as an amendment to a separate, but somewhat related bill being debated on the House floor.

Legislators rely on the knowledge gained during committee hearings to weed out the bills they favor from those they oppose.

New members . . .

## Warkentin carries heavy load: tax time and session

Rep. Eldon Warkentin, the newest member of the House, says his April 10 swearing-in ceremony was one of the most exciting days of his life. But he also knows the thrill won't last.



Rep. Eldon Warkentin

Now it's time to get down to hard work. And Warkentin, who dives into a session two-thirds finished, faces a tougher lot than some. In order to make informed votes

on the floor, he has to pick up on issues in midstream and follow bills that have already received full hearings.

"Today was a highly emotional day," he said on the day he was officially sworn in as a House member. "Being sworn in was a very exciting moment. I got to press the voting button quite a bit, but mostly for consent calendar bills which received little discussion and were fairly easy to comprehend."

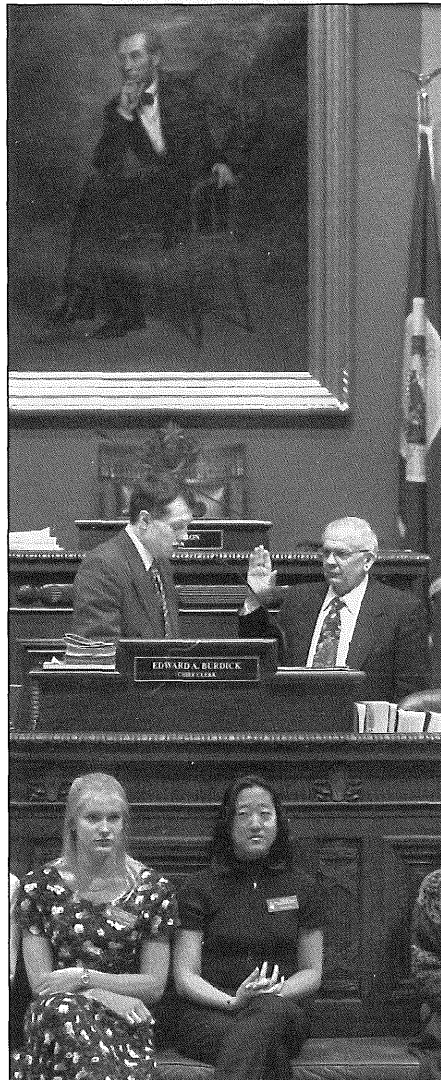
Warkentin, an Independent-Republican, comes to the Capitol from Coon Rapids after winning an April 4 special election to fill former Rep. Joel Jacobs' seat. Jacobs, who was in his 12th House term, was appointed to the Public Utilities Commission by Gov. Arne Carlson.

The results of the three-way race for the open seat continues the IR tradition of winning special elections — even in traditionally DFL areas. Warkentin said his election means an IR will represent his district for the first time.

Though he's a member of several professional groups and is now in his sixth term as executive chairman of the Coon Rapids Evangelical Free Church, Warkentin has never held a political office.

"This is the first time I've ever been involved in politics. In fact, I've never attended a caucus to tell the truth. I've always been a faithful voter, but I've never been a player in the political arena," he said.

He was encouraged to run by several friends and by clients at the public accounting practice he operates in Coon Rapids. With their backing, Warkentin started to think seri-



Rep. Eldon Warkentin, right, the newest member of the Minnesota House, was given the oath of office by Minority Leader Steve Sviggum April 10 in the House chamber.

ously about throwing his hat into the ring.

"I felt my experiences as owner of my own accounting practice and as an accountant helped me understand people. I hear what people are talking about. I thought I could impact legislation with my insights," he said.

His daughter, Colleen Graber, served as his campaign manager for the intense, one-month campaign. They papered the district with fliers announcing his candidacy. And he

walked miles, knocking on numerous district doors along the way, he said.

Warkentin and his wife, Esther, also have another daughter, a son, and six grandchildren.

He will bring a business-oriented focus to the Capitol, he said. He wants to work on legislation that will improve the business climate. Workers' compensation reform is "very important on the list of items I'd like to address," he said.

Warkentin will also look at legislative issues through his role as a small business owner. Those business people face a hostile tax climate and some taxes levied against them, Warkentin feels, are unfairly imposed or unnecessary.

He also pledges to work for tougher criminal laws, for welfare reform, and for laws that would hold parents more accountable for their children's behavior.

Though Warkentin has plunged into a session that is two-thirds over, he also has another consideration: tax time.

This is the busiest time of year for the accountant of 27 years. But he's taking it in stride.

"I'll just have to work in the evenings and weekends. Luckily, someone who used to work for me is willing to come back and help out on his evenings and weekends," Warkentin said.

"So far at the Legislature things are going great," he said on the day of his swearing-in. "But I've only been here one day."

— Jean Thilmany

### District 49B

Population:	33,208
Distribution:	100 percent urban
County:	Anoka
Largest city:	Coon Rapids
Location:	north Metro
Unemployment rate:	4.52 percent
Residents living below poverty level:	5.51 percent
1992 presidential election results:	
Bush/Quayle	29.63 percent
Clinton/Gore	42.91 percent
Perot/Stockdale	26.69 percent
Other:	0.77 percent



**T**here's a human story behind many of the laws that are passed each year by the Minnesota Legislature. Often, an idea for a new law comes from an ordinary citizen.

When 6-year-old Katie Fritz of Farmington was killed by a garage door opener, her parents and others successfully lobbied the Legislature for a law — the first in the nation — to regulate the openers.

When reports of a brutal dog beating were first aired, Deb Lester of Minneapolis and other animal rights activists sprang to action. They mounted a drive in a few short months to get a law passed which would prevent dogs that are the victims of abuse from being returned to their abusive owners.

And when Sandra Shanley of Anoka, who suffers from multiple sclerosis, tired of the bureaucratic process of applying for absentee ballots before each election, she spoke with her representative. The result was a new law that allows permanently disabled people to automatically receive absentee ballots before each election, which will help ensure their right to vote and prevent an often trying trip to the polls.

Those were just a few of the 255 bills that were signed into law during one legislative session.

Former Minneapolis senator Jack Davies, who served in the state Senate from 1959 to 1982, summed it up nicely when he said, "After all is said and done, ideas dominate legislative life."

**S**o how does a bill become law? In many different ways. But the basic process works like this:

Legislative staff translates the idea for a new law into proper legal form. A legislator, who either initiated the idea or acted upon a suggestion, becomes the chief author of the bill.

The bill is then introduced in

either the House or Senate and referred to a committee — the Agriculture or Environment and Natural Resources committees, for example — where members will discuss it, invite public testimony, and take amendments. The identical bill (called a companion bill) is usually introduced in the other body.

Committees in both bodies can either recommend the bill to pass, amend it and then recommend it to pass, or defeat the measure.

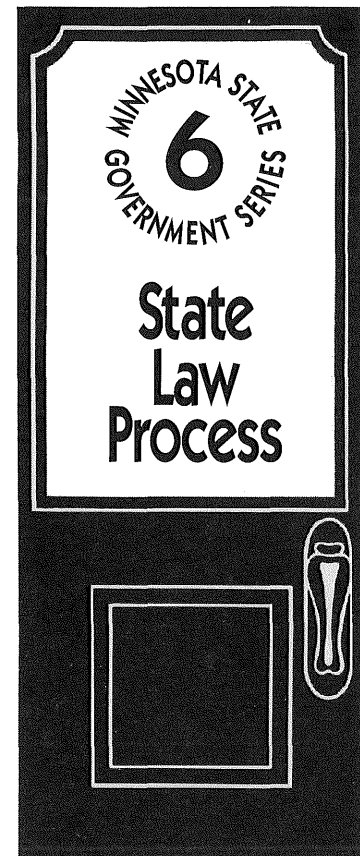
If the bill is recommended to pass, it can then be re-referred to another committee for consideration or to the full House for a vote by all the members. Typically, a bill must be voted on twice by the full House — once in the "committee of the whole" when amendments can be offered and adopted by a majority, and a second time when amendments can be offered only if *all* members consent to the additions. For most bills, 68 votes are all that's needed for a bill to pass in the House; 34 in the Senate.

If the bill is passed by both the House and Senate, it's then sent to the governor for a signature. Although this often happens with minor, non-controversial bills, it rarely occurs with major spending or tax bills.

The Senate and House typically approve much different bills in addressing the same topic. When that occurs, a conference committee — either three or five members from each body — is named to work out the differences.

Once a compromise is reached, the bill is returned to both the House and the Senate for final approval, and then sent to the governor for his or her signature.

Although the process is simple in theory, it can often be confusing



in practice. A bill that is defeated or amended in committee early in a session is often resurrected in a different form a few weeks later.

That's just what happened with a bill to appropriate money to help pay for the investigation of the Jacob Wetterling kidnapping, for example. The appropriation request wasn't approved in a committee, so on the House floor, the chief author added the proposal as an amendment to a separate bill on taxes. It passed, and later the governor signed it into law.

**T**he legislative process in practice is akin to those long balloons that can be twisted into various shapes. Squeeze the air out of one section and it'll pop up in another.

For that reason, legislators, during legislative sessions, often recite the immortal words of baseball great Yogi Berra: "It ain't over 'til it's over." ▼

# How a Bill Becomes

## Idea

**1** A bill is an idea for a new law or an idea to change an old law. Anyone can suggest an idea for a bill — an individual, consumer group, professional association, government agency, or the governor. Most often, however, ideas come from legislators, the only ones who can begin to move an idea through the process. There are 134 House members and 67 senators.

## General Orders

**7** On General Orders, all House or Senate members, acting as the "committee of the whole," have a chance to debate the issue, offer amendments, and present arguments on the bill. Afterwards, they vote to recommend: passage of the bill, progress (delay action), or further committee action. And sometimes they recommend that a bill not pass. Members' votes on General Orders are usually not recorded unless there is a specific request to do so. From here, the bill is placed on the Calendar.

## Legal form

**2** The Office of the Revisor of Statutes and staff from other legislative offices work with legislators in putting the idea for a new law into proper legal form. The revisor's office is responsible for assuring that the proposal's form complies with the rules of both bodies before the bill can be introduced into the Minnesota House of Representatives and the Minnesota Senate.

## Calendar

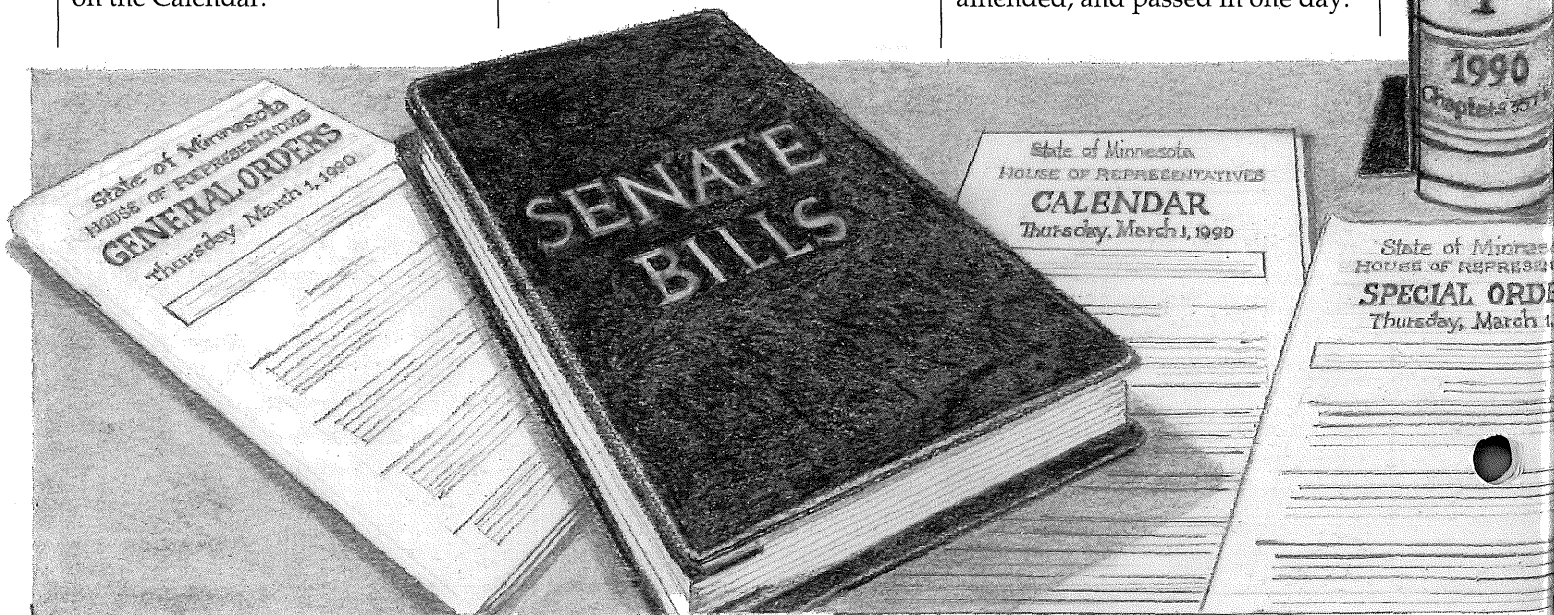
**8** The Calendar is a list of bills the full House and full Senate vote on. At this point, the bill has its *third reading*. The bill cannot be amended unless the entire body agrees to it. Here, representatives and senators vote on the bill for the last time. A bill needs 68 votes to pass the House and 34 votes to pass the Senate. If the House and Senate each pass the same version of the bill, it goes to the governor for a signature.

## Authors

**3** Each bill must have a legislator to sponsor and introduce it in the Legislature. That legislator is the chief author whose name appears on the bill along with the bill's file number to identify it as it moves through the legislative process. There may be up to four co-authors from the House and four from the Senate. Their names also appear on the bill.

## Special Orders

**9** Toward the end of the session, the rules committees of the House and Senate designate bills from the General Orders calendar to receive priority consideration. These Special Orders bills are debated, amended, and passed in one day. The House also has a Rule 1.10 calendar which allows the chairs of the Taxes and Appropriations committees to call up for consideration any tax or appropriations bill that has had a second reading. These Rule 1.10 bills are debated, amended, and passed in one day.



# a Law in Minnesota

## Introduction

**4** The chief House author of the bill introduces it in the House; the chief Senate author introduces it in the Senate. Identical bills introduced in each body are called *companion* bills. The bill introduction is called the *first reading*. The presiding officer of the House then refers it to an appropriate House committee for discussion; the same thing happens in the Senate.

## Conference

**10** If the House and Senate versions of the bill are different, they go to a conference committee. In the House, the speaker of the House appoints three or five representatives, and in the Senate, the Subcommittee on Committees of the Committee on Rules and Administration selects the same number of senators to form the committee. The committee meets to work out differences in the two bills and to reach a compromise.

## Committee

**5** The bill is discussed in one or more committees depending upon the subject matter. After discussion, committee members recommend action — approval or disapproval — to the full House and full Senate. The House committee then sends a report to the House about its action on the bill; the Senate committee does likewise in the Senate.

## Floor

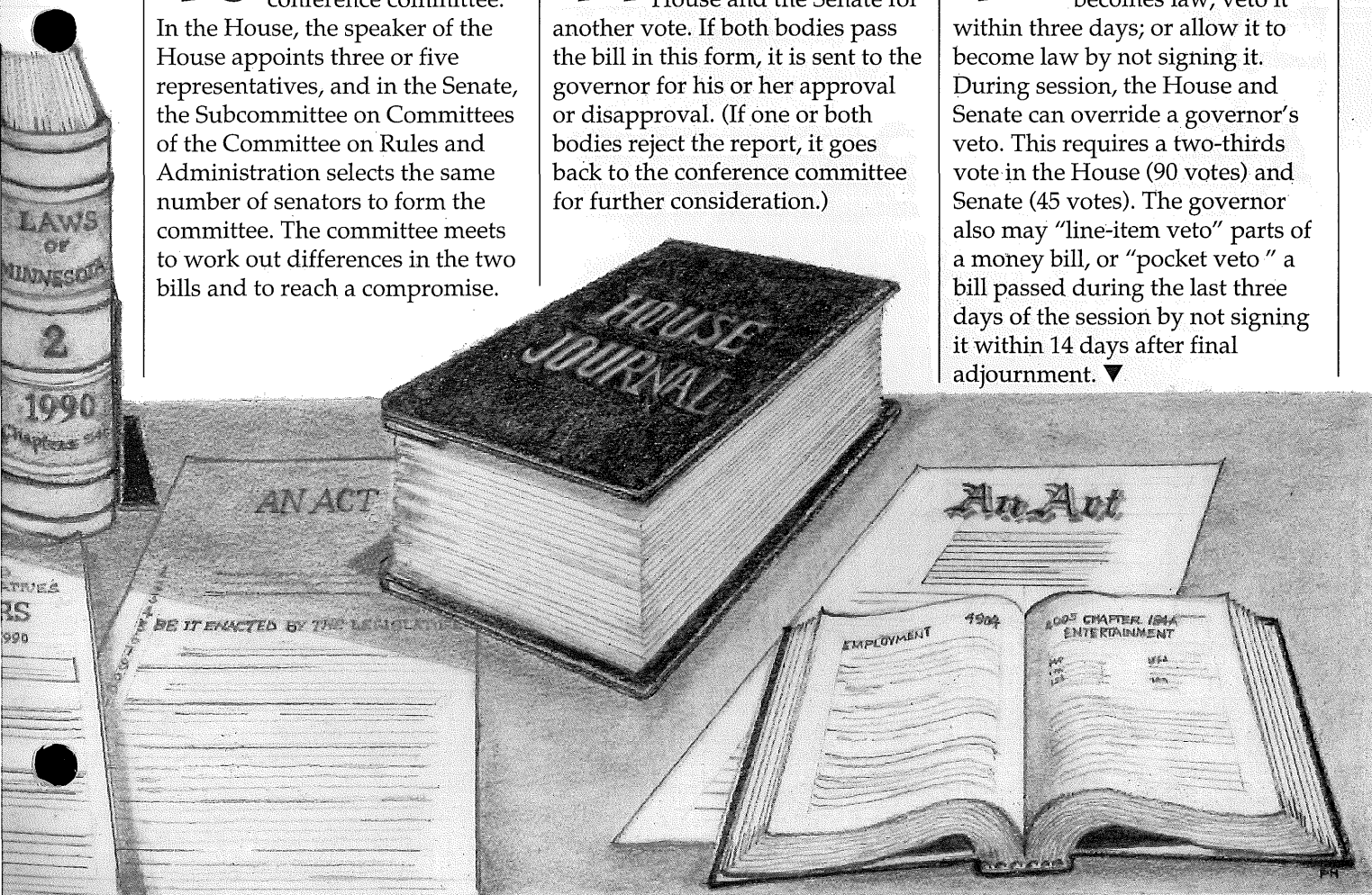
**11** The conference committee's compromise bill then goes back to the House and the Senate for another vote. If both bodies pass the bill in this form, it is sent to the governor for his or her approval or disapproval. (If one or both bodies reject the report, it goes back to the conference committee for further consideration.)

## Floor

**6** After the full House, or Senate, accepts the committee report, the bill has its *second reading*. From here, the bill is usually placed on the House and Senate agendas called General Orders. (A committee can recommend that a local or non-controversial bill bypass General Orders and go onto the Consent Calendar where it usually passes without debate.)

## Governor

**12** Once the governor has the bill, he or she may: sign it, and the bill becomes law; veto it within three days; or allow it to become law by not signing it. During session, the House and Senate can override a governor's veto. This requires a two-thirds vote in the House (90 votes) and Senate (45 votes). The governor also may "line-item veto" parts of a money bill, or "pocket veto" a bill passed during the last three days of the session by not signing it within 14 days after final adjournment. ▼



# Questions and Answers

## How are bills amended?

**B**ills going through the Legislature are often amended, which can greatly change the thrust of a bill.

Most often legislators make amendments to bills when they are being considered in committee. Committee members are usually well-versed in the subjects of the bills, and they have the time at this point to consider making changes. Legislators can also amend bills when they reach the House floor. In both cases, amendments are adopted by a majority vote.

Generally, the legislator offering the amendment will have the proposal drafted by legislative staff before offering it for discussion ▼

## What are first, second, and third readings?

**A** "reading" is the presentation of a bill before either house when the bill title is read. Bills must have three readings, one on each of three separate days, before they can receive final approval. Each of these readings is a stage in the enactment of a measure. Exceptions can occur, however, if the rules are suspended.

The Minnesota Constitution outlines this procedure to ensure that legislators know exactly what bills are before them, and to allow time for legislators to study the proposals.

The first reading occurs when a bill author introduces a bill on the House or Senate floor, after which it is sent to a committee for consideration.

The second reading occurs when either body accepts the committee report regarding the action the committee took on the

bill. This happens in advance of the floor debate on the bill.

The third reading occurs immediately preceding the final vote on the bill.

Even though the Minnesota Constitution requires this process, it permits legislators to dispense with the rule when necessary. ▼

## What happens to bills remaining on calendars at the end of the first session of a biennium?

**B**ills of this nature are returned to the last committee from which they were reported to the floor. But before they can be reported to the floor in the succeeding year, the committee must again recommend action. ▼

## Are there any legislative deadlines?

**B**ills can be introduced at any time during a session, but there are committee deadlines after which a bill will no longer be considered that session.

Committee deadlines are announced during the first half of a session in order to winnow the list of topics to be dealt with that year. The first deadline requires bills to have passed all House or Senate policy committees in order to be considered further that session.

The second deadline sets a date after which bills will not be considered unless they have passed through all policy committees.

In 1995, the first deadline was March 31; the second, April 7. Of course, there are exceptions to every rule; these deadlines generally do not apply to tax and appropriations bills. ▼

## How do legislators vote on various issues?

**A**lthough people frequently call and ask for a legislator's "voting record," no such complete document exists. In reality, each legislator casts hundreds of votes on assorted bills that are subsequently recorded in the *Journal of the House*. The Senate has a comparable journal.

If you want to know how a legislator voted on a specific bill, the House Index Office and the Senate Information Office can help you.

Probably the best way to get a feel for a legislator's voting record is to contact any number of special interest groups that rate legislators based on issues that are important to them. Several business associations and environmental groups, for example, issue regular ratings. ▼

## When do new laws go into effect?

**M**ost new laws go into effect on Aug. 1 following a legislative session unless a bill specifies another date. Exceptions are bills that contain an appropriation, which become effective July 1, the same date the fiscal year begins. ▼

## What is an omnibus bill?

**A**n omnibus bill is a large bill that includes several different issues under one general topic such as education. It's usually an appropriations bill, contains many pages, and is often comprised of several individual bills. Legislators often say the smaller bills are "rolled into" the larger one. ▼



# Bill Introductions

HF1824-HF1836

## Monday, April 10

### HF1824—Milbert (DFL)

#### Taxes

Dakota County public defender cost aid payment adjustment provided.

### HF1825—Rest (DFL)

#### Taxes

Sales and use tax advisory council established.

### HF1826—Ness (IR)

#### Education

Education department abolished, teaching and learning board established, Faribault academies governance provided, education commissioner duties modified, and money appropriated.

### HF1827—Kahn (DFL)

#### Education

Higher education administrative rotation plan provided.

### HF1828—Rukavina (DFL)

#### Judiciary

Self-insured employer access to employee medical records regulated.

### HF1829—Koppendrayner (IR)

#### Agriculture

Agriculture commissioner grain inspection, grading, weighing, sampling and analysis authority repealed, and grain inspection division of the Department of Agriculture abolished.

## Tuesday, April 11

### HF1830—Rest (DFL)

#### Taxes

Tax increment financing state aid offset and local approval requirements modified.

### HF1831—Rest (DFL)

#### Taxes

Property tax refund deduction provided on property tax statement, and money appropriated.

## Wednesday, April 12

### HF1832—Bettermann (IR)

#### Local Government & Metropolitan Affairs

Sauk Centre authorized to determine the number of members of local public utilities commission.

### HF1833—Milbert (DFL)

#### Taxes

Sparkling wine excise tax rate reduced.

### HF1834—Solberg (DFL)

#### Ways and Means

Higher Education Coordinating Board, state universities, University of Minnesota, and Mayo Medical Foundation appropriated money.

### HF1835—Anderson, B. (IR)

#### Governmental Operations

Legislature bound by bidding, contract, and accounting laws imposed on state agencies.

### HF1836—Rest (DFL)

#### Taxes

Corporate franchise tax apportionment factor definition modified.

The Legislature, it seems, is always under attack by at least some factions of the public.

But did you know that a formal plan exists in Minnesota law for how the Legislature should conduct its business should the bombs really start falling?

Right there in *Minnesota Statutes* 3.95, under "SPECIAL SESSION IN EVENT OF ATTACK," is the following declaration:

"In the event of an attack, if the legislature is not in session, the governor shall convene a special session as soon as practicable, but within 30 days after the inception of the attack.

"If the governor fails to issue the call, the legislature, on the first Tuesday after the first Monday more than 30 days after the inception of the attack, shall convene at the place where the governor then maintains official office."

The law was adopted in 1961 when tensions with the former Soviet Union, and Cuba, were at an all-time high. The Senate passed the bill 51-2 on April 14,

## It's a fact!



On Jan. 16, 1991, House members and their guests monitored developments in the Persian Gulf on a small television set just outside the House Chamber.

1961, and the House passed it the next day on a 96-0 vote.

Just two days later, on April 17,

1961, CIA-trained Cuban refugees invaded Cuba at the Bay of Pigs.

As to just where the Legislature should meet in the event of an attack, it could be just about anywhere. The law states that the governor could convene a session "to any other place within or without the state which the governor deems safe and convenient."

The Legislature also recognized that not all members may be able to show up during a time of a national emergency, and modified the quorum requirement for convening the Legislature.

Currently, it takes 68 members in the 134-member House to convene a session and 34 members in the 67-member Senate.

"[But] in the event of an attack the quorum requirement for the legislature is a majority of the members of each house who convene for the session," states *Minnesota Statutes* 3.96.

So if only 20 House members showed up, the magic quorum number would be 11.

Coming Up Next Week . . . April 17 - 21, 1995

# Committee Schedule

Schedule is subject to change.  
For information updates, call House  
Calls at (612) 296-9283. All meetings  
are open to the public.

## MONDAY, April 17

No committee meetings scheduled.

## TUESDAY, April 18

8 a.m.

### ENVIRONMENT & NATURAL RESOURCES FINANCE

Basement Hearing Room  
State Office Building  
Chr. Rep. Chuck Brown  
**Agenda:** To be announced.

### Higher Education Finance Division/ EDUCATION

200 State Office Building  
Chr. Rep. Tony Kinkel  
**Agenda:** Omnibus Higher Education Finance  
Bill.

### Transportation Finance Division/ ECONOMIC DEVELOPMENT, INFRASTRUCTURE & REGULATION FINANCE

500S State Office Building  
Chr. Rep. Bernie Lieder  
**Agenda:** HF1404 (Lieder) Transportation com-  
missioner allowed to accept federal money on  
behalf of nonpublic organizations for transpor-  
tation purposes.  
HF1793 (Lieder) Relating to the organization  
and operation of state government; appropriat-  
ing money for the Department of Transporta-  
tion and other agencies with certain conditions.  
Other bills may be added.

10 a.m.

### CAPITAL INVESTMENT

500S State Office Building  
Chr. Rep. Henry Kalis  
**Agenda:** HF324 (Lieder) Bridge construction  
and reconstruction bond issuance authorized  
and proceeds appropriated as grants to political  
subdivisions.  
HF815 (Mariani) Wabasha Bridge in St. Paul  
removal and replacement provided, money  
appropriated, and bonds issued.  
HF1260 (Milbert) Amateur Sports Commis-  
sion ice arena authority increased, bond use

authorized, and money appropriated.  
HF1652 (Trimble) Public property acquired  
with bond funds lease and disposition provi-  
sions modified.  
HF1705 (Knoblach) Seven year limit on bond  
authority.  
HFXXXX (Kalis) Bond authorization cancella-  
tions.

### HEALTH & HUMAN SERVICES

10 State Office Building  
Chr. Rep. Bob Anderson  
**Agenda:** HF1077 (Cooper) MinnesotaCare;  
integrated service network requirements estab-  
lished, penalties provided, and money appro-  
priated.

### State Government Finance Division/ GOVERNMENTAL OPERATIONS

400S State Office Building  
Chr. Rep. Tom Rukavina  
**Agenda:** State Government Finance Division  
Omnibus Bill.

### TAXES

200 State Office Building  
Chr. Rep. Ann H. Rest  
**Agenda:** HF755 (Johnson, R.) Insurance com-  
pany gross premium tax rate modified for fire,  
lightning, and sprinkler coverage.

15 minutes before Session

### RULES & LEGISLATIVE ADMINISTRATION

118 State Capitol  
Chr. Rep. Phil Carruthers  
**Agenda:** Special Orders.

2:30 p.m.

The House meets in Session.  
(Session televised on Metro Cable Channel 6.)

After Session

### Higher Education Finance Division/ EDUCATION

5 State Office Building  
Chr. Rep. Tony Kinkel  
**Agenda:** Omnibus Higher Education Finance  
Bill (continued).

### RULES & LEGISLATIVE ADMINISTRATION

400N State Office Building  
Chr. Rep. Phil Carruthers  
**Agenda:** House budget for the next biennium.

### State Government Finance Division/ GOVERNMENTAL OPERATIONS

400S State Office Building  
Chr. Rep. Tom Rukavina  
**Agenda:** Continuation of morning agenda.

## WEDNESDAY, April 19

8 a.m.

### ECONOMIC DEVELOPMENT, INFRASTRUCTURE & REGULATION FINANCE

300N State Office Building  
Chr. Rep. Jim Rice  
**Agenda:** To be announced.

### ENVIRONMENT & NATURAL RESOURCES FINANCE

Basement Hearing Room  
State Office Building  
Chr. Rep. Chuck Brown  
**Agenda:** To be announced.

### TAXES

200 State Office Building  
Chr. Rep. Ann H. Rest  
**Agenda:** HF1000 (Johnson, A.) K-12 Omnibus  
Education Bill.

### University of Minnesota Finance Division/ EDUCATION

300S State Office Building  
Chr. Rep. Becky Kelso  
**Agenda:** Omnibus University of Minnesota Fi-  
nance Bill.

10 a.m.

### FINANCIAL INSTITUTIONS & INSURANCE

5 State Office Building  
Chr. Rep. Wayne Simoneau  
**Agenda:** HF1742 (Long) Health plans to pro-  
vide coverage for autologous bone marrow trans-  
plants.

### GOVERNMENTAL OPERATIONS

Basement Hearing Room  
State Office Building  
Chr. Rep. Phyllis Kahn  
**Agenda:** Omnibus State Departments Appro-  
priations Bill. Other bills recommended by  
division.

12:30 p.m.

**WAYS & MEANS**

10 State Office Building

Chr. Rep. Loren Solberg

**Agenda:** To be announced.

15 minutes before Session

**RULES &**

**LEGISLATIVE ADMINISTRATION**

118 State Capitol

Chr. Rep. Phil Carruthers

**Agenda:** Special Orders.

One half hour after Session

**EDUCATION**

5 State Office Building

Chr. Rep. Lyndon Carlson

**Agenda:** Omnibus Higher Education Finance Bill.

6 p.m.

**Joint House/Senate Subcommittee on Claims**

500S State Office Building

Chrs. Rep. Edgar Olson, Sen. Randy Kelly

**Agenda:** Injury claims against the Department of Corrections. Discussion of Diekman et. al. vs. the Department of Corrections. Property claims against the Department of Corrections. Discussion of MCF-Stillwater property room issue.

\*\*\*The House will likely meet in Session.  
Time to be announced.\*\*\*

**THURSDAY, April 20**

8 a.m.

**ECONOMIC DEVELOPMENT,  
INFRASTRUCTURE &  
REGULATION FINANCE**

300N State Office Building

Chr. Rep. Jim Rice

**Agenda:** To be announced.

**ENVIRONMENT &  
NATURAL RESOURCES FINANCE**

Basement Hearing Room

State Office Building

Chr. Rep. Chuck Brown

**Agenda:** To be announced.

10 a.m.

**CAPITAL INVESTMENT**

500S State Office Building

Chr. Rep. Henry Kalis

**Agenda:** HF1010 (Kalis) Water and Soil Resources Board project bond proceed financing report requirements modified.  
Bond authorization allocations.

**GOVERNMENTAL OPERATIONS**

Basement Hearing Room

State Office Building

Chr. Rep. Phyllis Kahn

**Agenda:** Omnibus State Departments Appropriations Bill. Other bills recommended by division.

HF976 (Orenstein) Human resources, gainsharing, and procurement pilot projects established to improve state agency efficiency and effectiveness.

HF1473 (McGuire) Government data classification provisions modified, financial assistance data classification provided, and information policy training program established.

**HEALTH & HUMAN SERVICES**

10 State Office Building

Chr. Rep. Bob Anderson

**Agenda:** To be announced.

**TAXES**

200 State Office Building

Chr. Rep. Ann H. Rest

**Agenda:** To be announced.

15 minutes before Session.

**RULES &**

**LEGISLATIVE ADMINISTRATION**

118 State Capitol

Chr. Rep. Phil Carruthers

**Agenda:** Special Orders.

After Session

**RULES &**

**LEGISLATIVE ADMINISTRATION**

400N State Office Building

Chr. Rep. Phil Carruthers

**Agenda:** To be announced.

**WAYS & MEANS**

10 State Office Building

Chr. Rep. Loren Solberg

**Agenda:** Omnibus Bills: Economic Development Infrastructure & Regulation Finance (Rice), Transportation Finance Division (Lieder), K-12 Education Finance Division (Johnson, A.) and Higher Education Finance Division (Kinkel).

\*\*\*The House will likely meet in Session.  
Time to be announced.\*\*\*

**FRIDAY, April 21**

8 a.m.

**ECONOMIC DEVELOPMENT,  
INFRASTRUCTURE &  
REGULATION FINANCE**

300N State Office Building

Chr. Rep. Jim Rice

**Agenda:** To be announced.

**TAXES**

200 State Office Building

Chr. Rep. Ann H. Rest

**Agenda:** Omnibus Tax Bill.

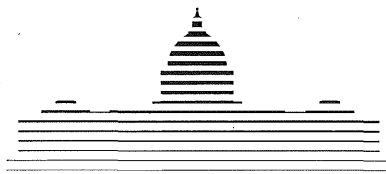
10 a.m.

**GOVERNMENTAL OPERATIONS**

5 State Office Building

Chr. Rep. Phyllis Kahn

**Agenda:** Continuation of April 20th agenda.



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

### Minnesota waste and garbage

Tons of solid waste generated by Minnesota citizens and businesses, 1992 .....	4.4
Cost to collect and dispose of that solid waste, in millions .....	\$440
Tons of recyclables collected, 1992 .....	1.7
Percent of solid waste that was recycled .....	39
Number of curbside recycling programs .....	651
Minnesotans served by those programs, in millions .....	3.2
Curbside yard waste programs .....	220
Minnesotans served by those programs, in millions .....	2.2
Minimum block grant awarded to each Minnesota county for use in reduction, recycling, waste education, and problem materials/household hazardous waste management programs, per year .....	\$55,000
Total state dollars allocated each year for the programs, in millions .....	\$15
Percent of Minnesota's trash composed of paper, May 1994 .....	40
Percent composed of food waste .....	13.3
Percent composed of plastic .....	11.4
Percent composed of diapers .....	2.4
Years that it takes for a plastic "disposable" diaper to decompose .....	500
Trees required to make one ton of paper .....	17
Pounds of solid waste created in the manufacturing of one ton of paper .....	176
Tons of paper used in the United States each year, in millions .....	67
Pounds of paper for each person in the United States .....	600
Rank of the United States, in worldwide paper consumption .....	1
Times that the garbage created in the United States each day would fill the New Orleans Superdome .....	2
Percent of an average grocery bill spent on packaging that is discarded .....	9
Percent of all drinks in the United States sold in returnable containers, 1958 .....	98
in 1986 .....	15

Sources: Minnesota Office of Waste Management, Minnesota Pollution Control Agency's Public Information Office, Legislative Commission on Waste Management.

### 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**