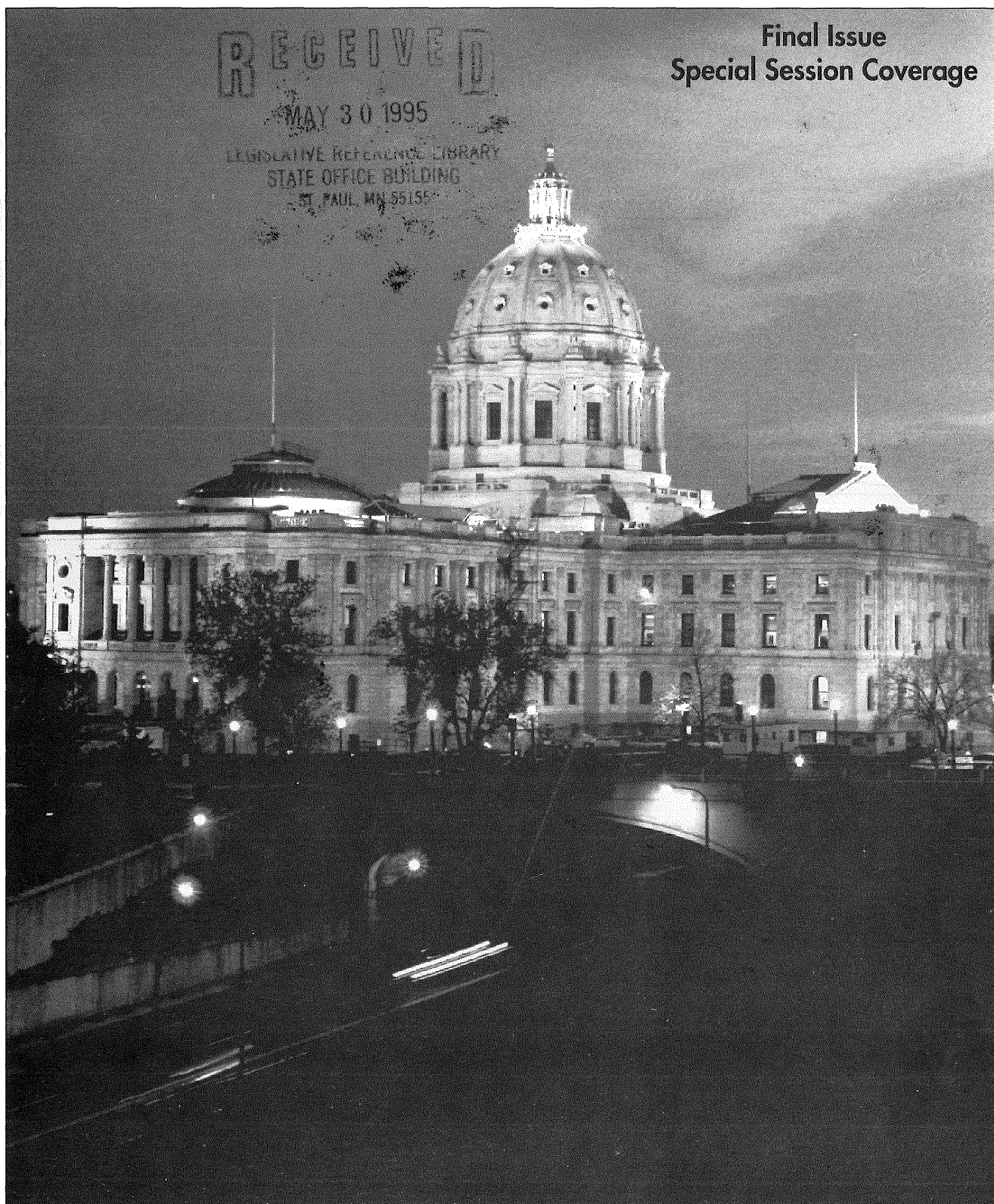


95. May 26

P615

SESSION WEEKLY

A Non-Partisan Publication of the Minnesota House of Representatives ♦ May 26, 1995 ♦ Volume 12, Number 21



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

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 • May 26, 1995 • Volume 12, Number 21

Week at a glance

Bonding bill passes — After failing three times on the House floor, a \$34.3 million bonding bill is on its way to Gov. Arne Carlson. It authorizes the state to sell bonds to pay for repairs to Capitol office space, build schools, and help rebuild deteriorating bridges and a city hall in Parkers Prairie, Minn. **Page 5**

Punishing civil disorder — In the wake of the Oklahoma City bombing that killed 167 and wounded more than 400, state lawmakers have added penalties for those encouraging "civil disorder." The provision is contained in a crime bill now being considered by the governor. **Page 11**

Environmental spending bill — State spending for environmental and natural resource programs will total \$572.2 million over the next two-year budget cycle, under a law signed by Gov. Arne Carlson. The governor line-item vetoed \$445,000 worth of spending from the proposal. **Page 14**

Omnibus game and fish bill — Anglers winning a fishing contest would be assured of getting their prizes, under the omnibus game and fish bill now being considered by the governor. And anglers fishing for trout or salmon anywhere in the state would have to purchase a trout and salmon stamp. **Page 21**

MinnesotaCare changes — A bill to expand the number of Minnesotans eligible for MinnesotaCare, the state-subsidized health insurance program, is on its way to the governor's desk. **Page 28**

Genetic discrimination — Insurance companies could not use genetic information to decide who will receive medical coverage, under a bill on its way to the governor. **Page 36**

Workers' comp reform — A bill that promises to reform Minnesota's \$1 billion workers' compensation system now awaits Gov. Arne Carlson's signature. Supporters of the measure say it will cut workers' compensation insurance premiums for businesses by 11.4 percent. **Page 37**

K-12 education finance — Minnesota's public schools would receive an increase in basic funding from the state, under a \$5.75 billion K-12 education spending bill on its way to the governor. The financing represents about a 7 percent increase over funding for the current biennium. **Page 47**

Easing wetlands restrictions — A bill that would have given counties more authority to develop wetlands protected by state law was passed by the House May 25. However, the bill died several hours later when the Senate rejected the bill. **Page 48**

INSIDE

Highlights	3
Special Session	47
Vetoed Bills	49
Final Action	52
Bill Introductions (HF1939 - HF1999; SS HF1-5)	59

On the cover: The Capitol glowed at dusk on May 22, the final night of the 1995 Legislative Session.

— photo by Laura Phillips

Highlights

1995 session, special session . . .

Lawmakers adjourn; come back nine hours later

The 1995 Legislature adjourned at midnight May 22 — the last day they could meet as specified by the Minnesota Constitution — only to be brought back nine hours later.

Without a bill to fund K-12 education in the next two-year spending cycle, and a variety of other proposals still in limbo, Gov. Arne Carlson called the Minnesota Legislature back for a special session May 23.

It marked the second time in three years that the regular session of the Legislature ended with a special session to clean up unfinished business.

When all was said and done, three bills were passed during the three-day 1995 Special Session — a K-12 appropriations bill, a small bonding bill, and an omnibus game and fish bill.

Those bills were in addition to the 265 bills and three resolutions that were approved during the regular legislative session. (Of those, the governor vetoed a total of 10 bills, two of which contained line-item vetoes.)

Left on the table during the 1995 Special Session was a proposal to relax a 1994 law that banned lawmakers from receiving gifts from lobbyists, a bill that would have eased standards set forth in the 1991 Wetlands Conservation Act, and a measure that would have given top state department heads a pay raise.

Despite the unfinished business, the Legislature's list of accomplishments includes: reforming portions of Minnesota's welfare system; cutting workers' compensation costs to business owners; expanding eligibility so more low-income Minnesotans could qualify for MinnesotaCare, the state's subsidized health care plan; and strengthening laws to help collect delinquent child support payments.

In addition to those changes, the Legislature also approved a bill now on its way to the governor that would pay the overdue bill for a variety of get-tough-on-crime proposals enacted by previous legislatures.

The judiciary finance bill would appropriate about \$546 million for the Department of Corrections over the next two-year spending cycle — a 28 percent increase over corrections spending for the current biennium.

Also included in that money is \$76.3 million in funding for public defenders over the

next biennium — a 36 percent increase over current funding levels.

That increase is largely due to changes made by the 1994 Legislature that created a new class of juvenile offender which is a sort of hybrid between traditional juvenile court and adult court.

This special session may not be the last in 1995. The governor has said he plans to call the Legislature back in October, after it is more clear what kind of cuts the federal government might impose on states.

Since statehood, many reasons have brought the Minnesota Legislature back for a special session. There have been debates on everything from budget shortfalls to women's suffrage, and even daylight-saving time.

Minnesota's first special session as a state took place in 1862, when Gov. Alexander Ramsey recalled the Legislature to resolve on-

going hostilities between settlers and Indians.

The longest special session ever held is believed to have occurred in 1971, when Gov. Wendell Anderson called lawmakers back May 25 and the session lasted 159 days. Lawmakers convened until Oct. 30 (they did recess, however, from July 31 to Oct. 12). Out of the session came the "Minnesota Miracle," which boosted education funding and slashed property taxes.

Carlson holds the record for the most bills vetoed by a Minnesota governor — eclipsing the century mark this year — but former Gov. Al Quie holds the record for the most special sessions called by a governor: seven.

In 1979, Quie called a special session to deal with, among other issues, an energy and transportation bill that included a gasoline rationing plan. (At that time in history the United States was coping with rising fuel prices.) In 1982, Quie called his sixth special session to deal with short-term emergency jobs for unemployed miners on Minnesota's Iron Range.

— K. Darcy Hanzlik

(See Special Session Chart on page 4)



Minutes after the Legislature's mandated adjournment for the regular session at midnight May 22, Gov. Arne Carlson called for the House and Senate to meet in special session May 23. Joining Carlson for the late night press conference are House Minority Leader Steve Sviggum, left, Lt. Gov. Joanne Benson, and Senate Minority Leader Dean Johnson.

A look back at special sessions

Year	Days	Subject	Governor
1862	21	Conflicts between Indians and settlers	Alexander Ramsey
1881	40	Railroad bonds	John Pillsbury
1902	36	Tax commission report	Samuel VanSant
1912	15	Statewide primary, corrupt practices act, and reapport.	Adolph Eberhart
1916	1	Permitting National Guard members to vote	J.A.A. Burnquist
1919	12	Women's suffrage, WWI veteran benefits, election law, improve state budget system, flood relief	J.A.A. Burnquist
1933-34	33	Unemployment, liquor regulations	Floyd B. Olson
1935-36	55	Social Security Act	Floyd B. Olson
1936	7	Social Security Act, fund for unemployment compensation	Hjalmar Petersen
1937	61	Taxes	Elmer Benson
1944	4	Election dates, soldiers' suffrage	Edward J. Thye
1951	1	Appropriations	Luther Youngdahl
1955	1	Create new revenue sources to balance spending bills, increase income tax rates	Orville Freeman
1957	1	Tax bill, state government finance bill, judge salaries, retirement law	Orville Freeman
1958	4	Unemployment benefits, bonuses for Korean War veterans	Orville Freeman
1959	68	Adopted 90 laws some relating to taxes, approps., day-light saving time, salaries, retirement, and distressed school districts	Orville Freeman
1961	45	Adopted 100 laws, some relating to unfair trade practices, license plates, farm seed, elections, swamp land, state debt, and traffic tickets	Elmer Andersen
1961	2	Income tax, aid to the blind, and Congressional reapportionment	Elmer Andersen

Year	Days	Subject	Governor
1966	25	Reapportionment	Karl Rolvaag
1967	11	Taxation, appropriations for governmental operations	Harold LeVander
1971	159	Tax and spending, bills, public-employee contracts, studded tires	Wendell Anderson
1979	1	Transportation, Downtown People Mover, workers' compensation, energy bill, gasoline-rationing plan, appropriations	Albert Quie
1981	1	Taxes, budget matters	Albert Quie
1981	2	Enact short-term borrowing laws	Albert Quie
1981-82	49	Balance state budget, address cash flow	Albert Quie
1982	1	Unemployment and workers' compensation	Albert Quie
1982	1	Short-term emergency jobs for unemployed miners on the Iron Range	Albert Quie
1982	4	Balance state budget	Albert Quie
1985	3	Tax bill, state budget, billion-dollar tax cut considered	Rudy Perpich
1986	1	Balance a shortfall in the budget, farm loans	Rudy Perpich
1987	1	Dayton-Hudson anti-takeover legislation	Rudy Perpich
1989	3	Tax relief bill, recycling program	Rudy Perpich
1993	1	Appropriations bills, such as for health and human services, and higher education; campaign finance; tougher sentences for repeat domestic abusers	Arne Carlson
1994	1	Strengthen the sexual predators law to keep them off the streets	Arne Carlson
1995	3	K-12 education approps., game and fish approps., wetlands bill, bonding bill, ethics bill, pay raise bill	Arne Carlson

Source: Legislative Reference Library

Editors' note: The following highlights include selected new laws and bills being considered by the governor, and are listed alphabetically by category.

Highlights of a few bills acted upon May 25, including the Omnibus K-12 education finance bill, are summarized beginning on page 47.



AGRICULTURE

Jumping the fence



Any new fences erected by Minnesota deer and elk ranchers to contain their domesticated herds will have to be a little higher, under a new law effective Aug. 1, 1995.

The law raises the height to 8 feet for fences built after Aug. 1 — up from the old standard of 75 inches for deer and 90 inches for elk.

It's not as if state agricultural and game officials miscalculated the jumping abilities of deer and elk when the "farmed cervidae" law was first adopted in 1993.

Rather, the change was made because the 8-foot fence has become the industry standard to keep the domesticated animals contained — and the wild ones out, explained Paul Hugenin, a marketing specialist with the state Department of Agriculture.

It's important to segregate the wild and domesticated animals to ensure that diseases can't spread from one group to the other, said Hugenin, who worked with the farmed cervidae advisory committee in developing the law changes.

But even if a deer or elk did make a break for it, they usually don't stray far.

"If they get out, they're right back again when it's time to eat," said Dr. Bill Hartmann, a veterinarian with the state Board of Animal Health. "They're domesticated to the point that they don't go out and search for feed elsewhere."

Hartmann estimated that there are between 200 and 300 cervidae herds (with an average size of about 20) in Minnesota.

Deer and elk meat is increasingly being marketed as a low-cholesterol alternative to beef, and is sometimes available at fancier, "white tablecloth" restaurants.

Supporters of the industry say domesticated deer and elk taste better than their wild cousins because their feed is controlled and their age at slaughter can be regulated. (Younger animals generally taste better.)

The new law also requires such animals to be identified with eartags, electronic implants or in other ways as long as they are approved

by the Department of Natural Resources.

Under the old law, brands, collars, and tattoos were acceptable.

The proposal was sponsored by Rep. Doug Peterson (DFL-Madison) and Sen. Charles Berg (DFL-Chokio).

HF1176/SF1043*/CH39

Wind energy

A bill that would help farmers form cooperatives to harness wind energy is on its way to the governor.

The House passed the bill May 22 on a vote of 128-2. The Senate approved it the same day, 61-1.

The proposal would allow farmers to receive low-interest loans 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 allow farmers to apply for affordable loans so they could buy stock in cooperatives formed to harness wind power in rural Minnesota. The bill does not specify the particulars of the loan program. (See April 13, 1995, *Session Weekly*, page 4 and May 19, 1995, *Session Weekly*, page 4)

Both provisions would expand existing programs operated by the state Department of Agriculture's Rural Finance Authority which lends money to farmers through seven different programs.

Supporters of wind energy say encouraging development of small cooperatives will make it more likely for farmers to share in the

wealth of the growing wind energy movement.

A law approved in 1994 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.

Under the bill, at least 51 percent of shareholders in a cooperative must reside in a county or contiguous county to the location of the wind energy production facility. The facility must be located on agricultural land owned by the cooperative.

The bill was sponsored by Rep. Ted Winter (DFL-Fulda) and Sen. Janet Johnson (DFL-North Branch).

HF1669/SF1551*/CH245



BONDING

Bonding bill passes

After failing three times on the House floor, a \$34.3 million bonding bill is on its way to Gov. Arne Carlson.

It authorizes the state to sell bonds to pay for repairs to Capitol office space, build schools, and help rebuild deteriorating bridges and a city hall in Parkers Prairie, Minn.

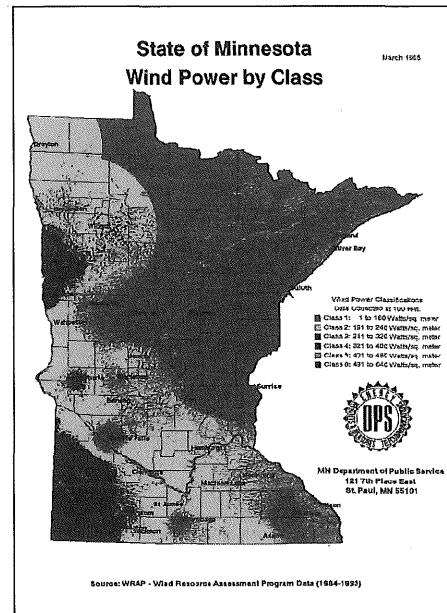
The House and Senate passed the bill (HF1, formerly HF1010) May 25 during a special session. The House passed the bill 122-8. The Senate passed it 53-6.

Previous to the May 25 vote, the House had three times voted down a \$25.4 million bonding bill, while the Senate had passed a \$37.8 million bonding bill. The two bodies worked out a compromise and that is what has been sent to the governor.

The compromise bill, sponsored by Rep. Henry Kalis (DFL-Walters), would authorize the sale of \$34.3 million in bonds during this non-bonding year. Last year, the governor signed a \$621 million bonding bill into law, the largest in state history. (Bonding bills are typically assembled in the second year of the state's two-year spending cycle.)

HF1 would authorize \$23.7 million in bonds for maximum effort school loans to three school districts.

Such loans are granted to districts which, due to low property tax values, cannot raise sufficient funds through property taxes to make much needed capital improvements. Districts must show they meet a number of tax capacity qualifications to be eligible for the loans, which allow them to take advantage of the state's low-interest loan rates. (The loans are repaid according to a schedule based on a district's property tax values.)



This map shows areas with the greatest potential for capture and conversion of wind energy into electricity.

Graphic courtesy Minnesota Department of Public Service

Under the bill, the Kelliher School District would receive \$6.9 million to help construct a new school, the Littlefork-Big Falls School District would receive \$7 million for building expansion and to make the schools handicapped accessible, and the Big Lake School District would receive \$9.7 million to help repay a short-term loan used to build a new school.

The Big Lake proposal has been approved by the House each of the past three years and removed from the bonding bill during conference committee negotiations. This year it survived.

Also under the bill, the Department of Administration would receive nearly \$1.7 million in bonds to make improvements to the State Capitol building. Of the amount \$184,000 would come from the general fund.

The dollars would resolve the turf battle over Capitol office space. Earlier this session, the Legislature went to Ramsey County District Court and won an injunction to stop the governor's office from moving into office space lawmakers said was theirs.

The bill also includes bonds to be sold for the following projects:

- \$1.5 million to buy portions of Eagle Creek and adjacent springs and wetlands in Savage, Minn., to protect it from encroaching development.

The bill calls for Savage to prohibit development within 200 feet on either side of the creek.

This provision was originally included in the Senate bill with a request for \$5.2 million.

- \$750,000 to the Minnesota State Colleges and Universities system to buy land near Metropolitan State University in St. Paul to expand that campus and to buy land in Bloomington so Normandale Community College could construct a parking ramp.
- \$4.5 million to make grants to local governments for bridge building and reconstruction.

Some lawmakers, including Rep. Carlos Mariani (DFL-St. Paul) have said bridges in their districts are in dire need of repair.

Earlier this session, Mariani sponsored a bill which would have released \$3 million from the transportation fund to help repair the Wabasha Street bridge over the Mississippi River in his district.

That bill did not receive a House hearing.

- \$103,000 to the Department of Agriculture to complete a seed potato inspection facility in East Grand Forks. The bonds would be paid off from inspection fees.

- \$410,000 to the city of Parkers Prairie to assist with the design and construction of a fire hall and city hall to replace those damaged by a propane explosion in April 1995.



BUDGET

Emergency spending bill



Signed
by the
governor

A new state law authorizes nearly \$3.2 million for emergency state government spending.

The funds, which became available April 19, will be used to cover state spending during the current fiscal year.

Just over \$1 million will 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.

The deficiency bill also provides:

- \$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.

The measure was sponsored by Rep. Jim Girard (IR-Lynd) and Sen. Dennis Frederickson (IR-New Ulm).

HF355/SF335*/CH48

Tell us exactly



Signed
by the
governor

Minnesota lawmakers are encouraging their federal counterparts to balance the federal budget, but they want to know what such efforts are going to mean to Minnesotans.

The Legislature has passed a non-binding resolution asking Congress for financial information on the impact of a balanced federal budget amendment on the Minnesota state budget.

The Republican Party's "Contract with America" promised a vote within the first 100 days of the 104th Congress on a balanced budget amendment. It passed the U.S.

House, but failed by a single vote in the U.S. Senate.

The contract says the amendment is necessary to "restore fiscal responsibility to an out-of-control Congress, requiring them to live under the same budget constraints as families and businesses." While the balanced budget amendment failed, the contract still promises a balanced federal budget by the year 2002.

The resolution does recognize that working to balance the federal budget "may impose on the states unfunded mandates that shift to the states responsibility for carrying out programs that the Congress can no longer afford."

A recent study completed by the U.S. Treasury Department for the nation's governors estimates that the balanced budget amendment would reduce federal grants to Minnesota by \$1.2 billion. But some have dismissed that estimate as being politically motivated.

Copies of the resolution have been forwarded to the speaker and clerk of the United States House of Representatives, the president and secretary of the United States Senate, the presiding officers of both houses of the legislature of each of the other states in the Union, and to Minnesota's senators and representatives in Congress.

The proposal was sponsored by Sen. Roger Moe (DFL-Erskine).

HFnone/SF66*/R1



BUILDINGS

Sprinklers for high-rises

A bill that would require high-rise buildings to be equipped with sprinkler systems is on its way to the governor, who vetoed a similar bill in 1994.

The bill would require most buildings over 74 feet tall and not equipped with sprinkler systems to have the systems installed within the next 15 years.

The proposal is designed to help save lives in case of fires.

The measure would affect only older commercial buildings and apartment buildings. Since 1974, state law has required newly constructed high-rise buildings to be equipped with sprinkler systems.

In addition, a section of the bill exempts buildings that are 70 percent owner-occupied, which would excuse most condominiums from the legislation.

The bill, sponsored by Rep. Bob Johnson (DFL-Bemidji) and Sen. Carl Kroening (DFL-Mpls), passed the House May 18, 80-48, and the Senate May 11, 45-11.

HF1064/SF529*/CH217



BUSINESS

Free haircuts



A new law will allow charities and homeless shelters to provide free haircuts to the clients they serve.

The law stems from an incident last summer involving two volunteers at the Union Gospel Mission in Duluth, Minn.

Two sisters, Theresa Taylor and Velma Williamson, for years had been giving free haircuts to the poor, first out of their home and later in a makeshift hair salon in the ladies' rest room at the mission.

But then the Minnesota Board of Barber Examiners, after complaints from several Duluth barbers, stepped in to say barbering without a license is against the law. Violators could face up to 90 days in jail and a \$700 fine.

Since the 1920s, the state has required barbers to be licensed. Cutting hair for immediate family members is the only exception to the law.

After several media outlets picked up the story, including the nationally syndicated Paul Harvey radio program, the Board of Barber Examiners had a change of heart. Members of the board voted unanimously to grant the sisters honorary licenses.

But before they could be back in business, the barber board said the two women needed to attend a Minneapolis barber school for two weeks to learn how to sanitize the tools of the trade.

"We couldn't afford it," Taylor said. "We've got families to take care of and couldn't just pick up and go to the Cities for several weeks."

The sisters never did get the training. They also haven't touched a head of hair since August 1994.

"We're scared to do it," Taylor said.

The new law, effective Aug. 1, 1995, permits barbering for several charitable purposes "in nursing homes, shelters, missions, or other similar facilities." The cuts must be free, and there is no training required of the barbers.

The measure was sponsored by Rep. Mike Jaros (DFL-Duluth) and Sen. Sam Solon (DFL-Duluth).

HF1747/SF838*/CH59

Wheelchair warranties



Equipment such as wheelchairs or Braille printers that aid people with disabilities will have to come with at least a one-year warranty, under a new state law signed by the governor May 19.

House sponsor Rep. Matt Entenza (DFL-St. Paul) said the Department of Administration asked him to carry the bill to help curb a specific problem with malfunctioning wheelchairs.

"There are a small number of devices that continue to break down. It's a problem in the handicapped community," Entenza has said.

If manufacturers of "assistive devices" don't provide a warranty with the equipment, the law — effective Aug. 1, 1995 — calls for a one-year warranty to exist as if the manufacturer had issued one.

Under either warranty, the equipment owner could have it repaired by the manufacturer or an authorized dealer if it breaks within one year. The law also ensures that the owner would get a refund if the device is not repaired within a reasonable amount of time.

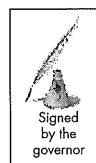
The measure contains no penalty if a manufacturer decides not to honor the government-imposed warranty. A consumer or the attorney general, however, could take the manufacturer to court to recover damages.

Under the law, the court "shall" award a consumer who wins in court twice the amount of the monetary loss, attorneys fees and costs, and any "equitable relief the court determines is appropriate."

Sen. Ellen Anderson (DFL-St. Paul) sponsored the measure in the Senate.

HF990*/SF1479/CH193

Selling exchanges



A telephone company seeking to sell a local exchange will have to get Minnesota Public Utilities Commission approval before making the sale, under a new law.

The law, signed by Gov. Arne Carlson May 19, applies to Class A telephone companies — those with annual revenues of more than \$100 million.

Currently, a telephone company applies to the PUC for the right to offer phone service within a certain geographical area. Under this "local exchange monopoly," the company is the only one that can provide local phone service to the area.

PUC approval is currently needed to buy, but not to sell, exchanges.

"But this would give the PUC an opportu-

nity to hear what customers have to say about their telephone company before (the company) can sell an exchange," said Rep. Steve Kelley (DFL-Hopkins), who sponsored the bill in the House.

The new law, effective Dec. 31, 1995, requires the phone company wishing to sell to provide each customer with a stamped envelope addressed to the PUC. Customers could then comment on the quality of service they've received and send their responses to the PUC. The commission also must hold a public hearing on the proposed sale, under the law.

(The PUC is a quasi-judicial body that regulates the rates and services of Minnesota telephone, natural gas and electric utilities.)

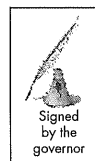
"Then the PUC could see if customers are in favor of the sale," Kelley said. "Most complaints about quality of service are mainly about time delays in making repairs."

The sale could not be approved unless the telephone company wishing to sell has provided a high quality of service throughout the past year. The company wishing to buy the exchange also must show it is financially responsible and has a proper number of trained employees, Kelley said.

Sen. Kevin Chandler (DFL-White Bear Lake) sponsored the bill in the Senate.

HF1356/SF1173*/CH191

Telephone free-for-all



A new law, effective Aug. 1, 1995, will increase competition among Minnesota telephone companies and give Minnesotans more choices for basic telephone service.

Currently, a telephone company applies to the state Public Utilities Commission (PUC) for the right to offer phone service within a certain geographical area. Under this "local exchange monopoly," the company is the only one that can provide local phone service to the area. Under the new law, this practice will end, permitting many companies to enter the same calling area.

The change gives Minnesotans a real choice for basic telephone service. A Minneapolis resident, for example, could switch from US West to a cable television operator, a cellular telephone firm, or any company that receives PUC approval to offer local telephone service.

The change also will allow all 100 Minnesota telephone companies — including major players like US West and GTE — to venture into other market areas around the state, after gaining approval from the PUC.

(The PUC is a quasi-judicial body that regulates the rates and services of Minnesota telephone, natural gas, and electric utilities.)

The nuts and bolts as to how this deregulation would take place will be laid out in rules established by the PUC.

The rule-making process is to be completed by Aug. 1, 1997. Until then, the PUC will be allowed to certify a company as a provider of local telephone service.

The PUC also will have to determine how a local telephone company would separate or "unbundle" its services so a competitor could connect to its customers to provide a service. This would make it possible, for example, to receive basic phone service from one company, and voice messaging from another.

Another provision of the law will create an "alternative regulation" framework for phone companies to choose. Under the system, certain essential services, as defined by the law — call tracing, call number-blocking, and 911-service, for example — will remain regulated by the PUC. But the price of other non-essential services, such as voice mail, will be determined by market competition, rather than requiring the PUC to certify any rate change by a telephone company.

If a telephone company opted for this more relaxed regulatory system, its rates for basic residential and business local service could not increase for three years.

A Department of Public Service study will determine what "essential telephone services" should be available to all state households. The study also will address how money from a Universal Service Fund (made up of money all Minnesota telephone companies will be required to contribute) will be spent. Specifically, "whether expenditures from the fund should be used to ensure citizen access to local government and other public access programming." The Department of Public Service will report its recommendations to the Legislature by Jan. 1, 1996.

The measure was sponsored by Rep. Edgar Olson (DFL-Fosston) and Sen. Steve Novak (DFL-New Brighton).

HF620/SF752*/CH156



CHILDREN

Foster homes



A new law, effective Aug. 1, 1995, mandates that the Department of Corrections notify local governments before licensing a foster care facility for delinquent children.

Under current law, all such facilities are reviewed by the department at least once every two years. But the department doesn't

have to notify the town or city that such a license is being issued.

The new law requires the department to give a 30-day written notice to any city or town before issuing a license to a foster home for delinquent children within its boundaries.

The requirement applies to a home's initial license. Notification, however, must be made annually should the local government request such a notification in writing.

The notice is not required if the foster home will hold six or fewer children.

Any state funds funneled to the licensed foster care home cannot be made until the notification requirements are met.

The measure was sponsored by Rep. Alice Johnson (DFL-Spring Lake Park) and Sen. Don Betzold (DFL-Fridley).

HF74/SF64*/CH12



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 new state law.

The law, effective Aug. 1, 1995, will 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 will not be affected by the law.

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

(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.)

House 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.

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."

Sen. Tom Neuville (R-Northfield) sponsored the measure in the Senate.

HF1048*/SF846/CH143



Rep. Teresa Lynch had a visit from her grandson, 10-month-old Bennett Larson, who seemed quite oblivious to the debate on the House floor May 19.



CRIME

Omnibus judiciary funding bill

Minnesota taxpayers would spend \$867.5 million to fund the state's prisons, courts, and crime prevention programs over the next two-year spending cycle, under a bill on its way to the governor's desk.

The proposal was given final approval by the House May 19. The vote was 128-2. It passed the Senate May 19, 53-10.

The huge price tag indicates that crime and corrections is one of the fastest growing areas of the state budget.

The bulk of the funding — about \$546 million — would go to the Department of Corrections (DOC). That's a 28 percent increase over corrections spending for the current biennium.

Nearly two-thirds of the corrections budget — almost \$366 million — would pay for Minnesota's juvenile and adult correctional institutions.

Spending for community services by the DOC would total more than \$142.5 million — a 50 percent increase over the \$97 million spent during the current biennium.

This dramatic increase in spending includes several million for counties to hire additional probation officers and to operate community-based treatment programs.

Caseloads for state district court judges would be eased through the hiring of nine new judges. The bill would provide almost \$1.8 million for four judges to assume office in 1995 and for five judges to start in 1997.

HF1700*/SF1653/CH226, sponsored by Rep. Mary Murphy (DFL-Hermantown) and Sen. Tracy Beckman (DFL-Bricelyn), also increases criminal penalties for a number of offenses, funds a host of crime prevention programs and includes the following provisions.

State public defenders

The bill would spend \$76.3 million over the next biennium for state public defenders. That's a 36 percent increase over current funding levels.

The increase is largely due to changes made by the 1994 Legislature.

In establishing a new class of serious juvenile offenders — the extended jurisdiction juvenile (EJJ) — lawmakers would give these kids in juvenile court the right to a public defender and a jury trial.

The resulting increased burden on the public defender system threatened to cause a huge logjam in the juvenile court system, according to testimony given earlier this session.

The state would spend an additional \$6.8 million for incarcerating and treating EJJ offenders.

The EJJ classification is a hybrid between the traditional informal juvenile court and adult court. It is intended for serious juvenile offenders, but not for those whose crimes warrant a transfer to adult court.

Under an EJJ proceeding, a teenager receives a juvenile court penalty and a stayed adult penalty — often a prison sentence. But if he or she violates the condition of the sentence, the adult penalty is imposed.

An extra \$600,000 appropriation to the State Board of Public Defense would hire additional public defenders and pay for trial transcripts needed in EJJ court cases. (Art. 1, Sec. 10)

Background checks

The bill would require criminal background checks on potential apartment building managers.

The proposal stems from the 1994 abduction and murder of Kari Koskinen, a New Brighton woman believed to have been killed by her building manager. It would be called the "Kari Koskinen Manager Background Check Act."

It would require apartment building owners to have the Minnesota Bureau of Criminal Apprehension (BCA) conduct a criminal history check on every building manager applicant (or other employee) who would have the authority to enter a tenant's apartment. Managers who have lived in Minnesota for less than five years would also be subject to a national FBI background search.

(An equivalent background check could also be done by a private business or a local law enforcement agency.)

If a manager is found to be convicted of any of a host of crimes, ranging from sexual assault to aggravated robbery, the manager may not be hired unless 10 years have elapsed since the sentence for the crime was completed.

Managers hired before July 1, 1995, or found guilty of crimes before that date could keep their jobs, but tenants must be informed of their past criminal acts. (Tenants also would be released from leases based on this information.)

Owners — who would pay for the background checks — who fail to conduct a background check would be guilty of a petty misdemeanor, punishable by up to a \$200 fine.

Also included in the bill is a tenant's right to privacy section, which states that a landlord may only enter an apartment — after giving reasonable notice — for a "reasonable business purpose." This would include show-

ing an apartment, or for maintenance reasons. Limited exceptions would be allowed for emergency or safety reasons.

A landlord privacy violation could result in a tenant being released from a lease, a recovery of a damage deposit, and up to a \$100 civil penalty for each violation.

Tenants and landlords of mobile homes are exempt from the tenant's right to privacy.

The provisions were included in **HF72** sponsored by Rep. Mindy Greiling (DFL-Roseville). (Art. 4, Secs. 13-21)

Frivolous lawsuits

The bill would call for disciplinary action against inmates who file "frivolous or malicious" lawsuits against the state.

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

It costs the state about \$350,000 each year to challenge lawsuits filed by those prisoners.

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 indigents, and they don't pay a dime.

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 money in their prison accounts would have their cases dismissed. (They could be filed again later.)

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 provisions were included in **HF1309** sponsored by Rep. Tom Pugh (DFL-South St. Paul). (Art. 6, Secs. 4-5, 12)

Fighting sex crimes

Patterned sex offenders could face up to 40 years in prison, under the bill.

Under Minnesota law, a patterned sex offender is a repeat offender or someone who has been determined likely to re-offend in the future.

Current law mandates that a judge sentence a patterned sex offender to twice the penalty called for under the state's sentencing guidelines.

This measure would allow judges to impose a prison term of up to 40 years — regardless of the penalty called for under the state's sentencing guidelines.

The 40-year maximum prison term also would apply to a first-time offender who planned the crime in advance.

And for the first time, crimes committed in other states would apply to the state's patterned sex offender law. Currently, only prior sex offenses in Minnesota can be considered.

Once released from prison, a patterned sex offender would remain on parole for life. Under current law, parole can last either 10 years or the time remaining under the maximum sentence for the offender's crime set by law, whichever is longer. Violating the conditions of that parole at any time after release from prison could put the offender back in jail.

The proposal also would require the state's training program for judges and other court personnel to include information on sentencing laws involving sex crimes — specifically repeat offenders and patterned sex offenders.

Committee testimony indicated many judges are unfamiliar with current patterned sex offender statutes.

The provisions were included in **HF177**. The proposal was drafted by the 1994 Sexual Predators Task Force. (Art. 2, Secs. 12-14)

The bill also would increase to a gross misdemeanor from a misdemeanor the penalty for the crime of indecent exposure in the presence of a minor (under age 16).

The provision was previously included in **HF633**. (Art. 2, Sec. 31)

Additionally, it would extend the statute of limitations for criminal sexual conduct crimes from seven to nine years. The provision was formerly **HF176**. (Art. 2, Sec. 35)

Finally, the bill would change the law to "stop time" on any statute of limitations while DNA testing is being conducted. A man was actually cleared of a possible rape charge because the limitation period expired while authorities waited for DNA test results, Rep. Wes Skoglund (DFL-Mpls) told members. The provision was formerly **HF911**. (Art. 2, Sec. 35)

HF176, HF177, HF633, HF911 all were sponsored by Skoglund.

Electronic alcohol monitoring

A three-year \$470,000 pilot program would monitor the effectiveness of using breath analyzer units to track DWI offenders ordered by the court to abstain from drinking.

The Department of Corrections would establish the program, which would be tested in two of the state's 10 judicial districts.

Offenders ordered to use the alcohol monitoring device must pay for any costs for its use.

To pay for the program, a \$10 surcharge would be added to the driver's license reinstatement fee charged to those whose driving privileges have been revoked because of a DWI offense. That fee is currently \$250. (Art. 2, Sec. 37)

Sex offender registration

The bill also would require those convicted of sex offenses in other states to register in Minnesota upon arrival. Such offenders would need to register for 10 years after they enter Minnesota.

Minnesota now requires all felony-level sex offenders to register their address with a probation officer for at least 10 years following release from a Minnesota prison.

Failure to register is now a gross misdemeanor. Under the bill, a second conviction for failure to report would be a felony offense.

Offenders also could register with the local police or sheriff, under the bill. Current law mandates that sex offenders register with their assigned probation officer. The registration information would mandate that a current photo of the offender be included in the file. The provisions were included in **HF178**, sponsored by Rep. Wes Skoglund (DFL-Mpls). The sections were drafted by the 1994 Sexual Predators Task Force. (Art. 4, Sec. 3-5)

Evaluating juvenile facilities

A task force composed of lawmakers, corrections officials and others, would study how services are provided to juveniles in residential facilities, both public and private.

The task force is directed to suggest alternative methods to serve serious juvenile offenders — such as those housed at Sauk Centre and Red Wing.

A recent report by the Office of the Legislative Auditor, *Residential Facilities for Juvenile Offenders*, revealed that Minnesota programs for delinquent juveniles are largely ineffective.

Of the 219 juveniles released from the Red Wing or Sauk Centre correctional facilities in 1985, 90 percent were arrested again before turning 23; 69 percent were sent to prison.

The two facilities receive the most serious of Minnesota's juvenile offenders. Juveniles released from Red Wing in 1991 had an average of 13 prior offenses; those released from Sauk Centre had an average of 10 prior offenses.

The Senate proposed to eliminate both Sauk Centre and Red Wing and transfer the residents to private facilities.

Under the bill, the question of the future use of the two facilities "is reserved until the 1996 legislative session has considered the report of the task force." (Art. 3, Sec. 56)

'Peeping Tom' law expansion

The bill would expand the current 'peeping Tom' law to include any place where individuals have a "reasonable expectation of privacy" and have removed or are likely to remove some or all of their clothing.

(Hospitals and other medical facilities would be exempt, as would stores that place warning signs in their dressing rooms that individuals may be observed to prevent theft.)

Current law applies to those peeping in windows or secretly photographing or videotaping outside someone's home. Such a crime is a misdemeanor.

But offenses occurring away from the home have frustrated county attorneys, who have said they lack the legal tools to slap offenders with real consequences.

The bill originally applied only to hotel rooms and tanning booths, based on a voyeuristic incident at a tanning salon in Windom, Minn.

Prosecutors considered charging the man under a section of the state's stalking law, but the incident didn't quite fit there, either. In the end, the business owner agreed to pay a \$500 fine to close the case.

The bill also would explicitly include peeping into a tanning bed or hotel room under the state's "pattern of harassing conduct" definition in the stalking law. Photographing or videotaping a person in such a setting also would be a misdemeanor.

The original proposal, **HF272**, was sponsored by Rep. Teresa Lynch (IR-Andover). (Art. 2, Secs. 22-23)

Safer schools

A student who brings a gun to school would be expelled for at least one year, under the bill.

If a student expelled for a gun violation applies for admission to another school, the school district that expelled the student could disclose that information to the other school.

School boards also would be required to develop a policy directing their schools to refer to the criminal or juvenile system any student who brings a gun onto school property.

Another section of the bill would establish a statewide policy that school lockers are the property of school districts and can be searched by school authorities "for any reason at any time, without notice, without student consent, and without a search warrant." Notice of the policy would have to be distributed in advance to parents and students, and would take effect at the beginning of the 1995-96 school year.

The school locker proposal was introduced as **HF107** and sponsored by Rep. Jim Farrell (DFL-St. Paul). (Article 3, Sec. 10-12)

Background checks for schools

All people hired to work at a Minnesota school — public or private — would face a criminal background check, under the bill.

All those offered employment would be

subject to a state check through the Bureau of Criminal Apprehension, and must pay for the cost of the check. Should the check turn up a crime in the applicant's past, "the individual's employment may be terminated" as a result.

Teachers would face both a state and a federal background check. The state Board of Teaching could revoke a teacher's state license should the checks reveal a criminal past. (Art. 3, Secs. 1, 6)

The Department of Human Services would also, by Jan. 15, 1996, develop a way to include child maltreatment reports in the necessary background checks. (Art. 3, Sec. 53)

Revoking drivers' licenses

Juvenile courts are now required to order that the drivers' licenses of minors found in possession of guns or other dangerous weapons at school or on a school bus be canceled, or their driving privileges revoked, until they turn 18.

The bill would allow courts to deny or revoke the drivers' license of habitual truants as well, until the truant turns 18 years old. (Art. 3, Sec. 31)

Combating truancy

The proposal also would create a series of programs to better address the growing truancy problem.

Community-based truancy service centers would be established to coordinate intervention efforts, and school attendance review boards would be responsible for matching students with appropriate community services. Each review board would be composed of school officials, parents, school counselors, law enforcement officials, individuals from community agencies, and a probation officer.

County attorney truancy mediation programs also would be established to resolve truancy matters outside of juvenile court. (Art. 3, Secs. 37-44)

Productive day programs

Last year, the Legislature established "productive day programs" in Hennepin, Ramsey, and St. Louis counties that were designed to motivate inmates in local jails to develop life and work skills. The goal is to provide training and education to create opportunities for inmates upon their release.

The Legislature earmarked \$1 million to be split among the counties, but it was vetoed by the governor.

This year, lawmakers would earmark \$2.16 million for the programs — and expand it to include Anoka and Olmsted counties. (Art. 1, Sec. 11, Subd. 3)

Essential court employees

An assistant county attorney in Minnesota would be classified as an "essential employee" and could not strike, under the bill.

The provision is designed to head off a simmering labor-management conflict involving Ramsey County and its prosecutors.

A strike by prosecutors would cripple the courts and force those accused of crimes to languish in jail, according to some lawmakers.

If assistant county attorneys — like firefighters and police officers — were classified as essential employees, contract disputes with county officials would be settled through binding arbitration. (Art. 6, Sec. 3)

Escapees to be charged

The bill would make it a gross misdemeanor for someone committed under the state's psychopathic personality law to escape from a state facility.

Charges against two sex offenders who escaped April 22 from the Minnesota Security Hospital in St. Peter, Minn., were dropped because their currently is no law against such an escape. The bill closes the loophole. (Art. 2, Sec. 20)

Elderly prisoners

The bill calls for the state Department of Corrections to look into transferring elderly prisoners from the medium security prison in Faribault, Minn., to the state-run nursing home in Walker, Minn.

The Ah Gwah Ching Center — a nursing home operated by the Department of Human Services — has three buildings which potentially could be turned into a medium-security correctional facility to house up to 100 prisoners. That's the number of elderly prisoners who now require ongoing supervision and health care.

A report would be submitted to lawmakers by Jan. 15, 1996. The provisions were included in **HF1784** sponsored by Rep. Tony Kinkel (DFL-Park Rapids).

The bill also authorizes a new minimum security prison to be established at Camp Ripley, near Brainerd, Minn.

No funds are provided for either facility. (Art. 5, Sec. 11-12)

Insurance for inmates

Minnesota prisoners who can afford it would have to pay a co-payment for health care services. The amount would be the same as those charged to enrollees of the MinnesotaCare program.

The co-pays include \$3 per prescription, \$25 for eyeglasses, and up to a \$1,000 per year for inpatient hospital services.

The provision would apply to those in state and county facilities. (Art. 5, Sec. 3, 6)

Crime victim services

Three state agencies — the Supreme Court, and the departments of Corrections and Public Safety — would split about \$15 million in aid for crime victims services.

But the dollars for the second year of the biennium would be contingent upon a consolidation plan being developed by the three departments.

The programs involved include battered women shelters, sexual assault assistance, and financial reparations to crime victims. (Art. 1, Sec. 22)

County curfews

The 1994 Legislature gave each county board in Minnesota the authority to establish a countywide curfew for juveniles under age 17.

The bill would expand the curfew to those up to age 18, and would require each county curfew ordinance to set an earlier curfew time for children under age 12. (Art. 2, Sec. 1)

Punishing civil disorder

In the wake of the Oklahoma City bombing that killed 167 and wounded more than 400, state lawmakers have added penalties for those encouraging "civil disorder."

The provision is contained in a crime bill now being considered by the governor. It passed the House May 22 on a 110-24 vote. It passed the Senate the same day, 39-26.

Civil disorder is defined as any public disturbance involving acts of violence by three or more people "which causes an immediate danger of or results in damage or injury to the property or person of any other individual."

Provisions in the bill would make it a gross misdemeanor — punishable by up to a year in jail and a \$3,000 fine — for teaching someone how to use a firearm or to make a bomb if they do so knowing that it will be used to commit such an illegal act.

The same penalty would apply to anyone training or practicing with firearms or bombs with the intent that they one day would be used in a civil disorder.

The law clearly states that the criminal penalties would apply only to those who *know* their training will be used to harm others or damage property. Simply teaching a gun safety course, for example, would in no way be considered "civil disorder." (Sec. 23)

Other provisions in the measure (**HF980*/SF1564/CH244**), sponsored by Rep. Wes

Skoglund (DFL-Mpls) and Sen. Ellen Anderson (DFL-St. Paul), include:

Public nuisance

The bill would change the definition of a "public nuisance" to make it easier to shut down places shown to be operating illegal gambling or prostitution operations.

Current law requires three or more misdemeanor convictions (or two or more convictions, one of which is a felony or gross misdemeanor) within a two-year period to shut down a known brothel or gambling den. Under the bill, it would take only two separate incidents within a 12-month period involving gambling, prostitution (or other drug or firearms offenses outlined in current law) to shut the operation down for a year.

A prosecuting attorney would notify a building owner that a nuisance exists and that failure to help stop it could result in the building being closed for a year, (or the cancellation of a tenant's lease). The notice must describe the type of illegal behavior occurring in the building and notify the owner he or she has 30 days to resolve the matter before appearing in district court.

Current law allows a building owner to cancel the lease of a tenant who maintains a nuisance in the building. The bill also would authorize the owner to assign the prosecutor the right to cancel the lease.

The proposal was originally sponsored as **HF885** by Rep. Jean Wagenius (DFL-Mpls). (Secs. 26-34)

Collaring familial pimps

Spouses and relatives of a prostitute who profit from prostitution would be guilty of a felony, under the bill.

Under current law, it is a felony offense — punishable by up to three years in prison and a \$5,000 fine — to make money from or to promote prostitution, but anyone related to the prostitute by "blood, adoption, or marriage" is exempt from the law.

Some have said the provision insulates criminals who are benefiting from prostitution.

Committee testimony by women's advocates revealed that at times spouses and parents have worked as pimps for their wives and children.

A single criminal exemption still would exist for kids who depend on a prostitute's earnings for support.

The proposal was originally sponsored as **HF1241** by Rep. Darlene Luther (DFL-Brooklyn Park). (Sec. 15-17)

Fleeing a police officer

Leading a police officer on a high-speed chase could lead to forfeiture of your vehicle, under the bill.

Under current law, certain DWI offenders — those convicted of a fourth DWI offense within five years or a fifth DWI offense within 15 years — lose their vehicles.

Anyone fleeing a police officer and endangering "life or property" — whether drunk or sober — would face the same penalty. (Sec. 21)

Witness tampering

The bill would close a loophole in the current witness tampering statute. Current law only makes it a crime to threaten to retaliate against a witness or informant, but not for carrying out the threat and causing injury.

First-degree tampering with a witness, a felony, carries a maximum penalty of five years in prison and a \$10,000 fine.

The penalty is the same whether the threat to retaliate is carried out or not.

The proposal was originally sponsored as **HF772** by Rep. Jim Farrell (DFL-St. Paul). (Sec. 18)

Unlawful masks

Effective Aug. 1, 1995, covering one's face in public for religious reasons no longer will be a crime, under a new state law.

House sponsor Rep. Matt Entenza (DFL-St. Paul) says present law, which prohibits concealing one's identity by means of a "robe, mask, or other disguise," is unconstitutional.

The law, originally placed on the books in

1923, targeted Ku Klux Klan members, who maintained a significant presence in the state at the time.

The proposal stems from a Sept. 28, 1994, arrest of a Muslim woman in downtown St. Paul. Police officers asked the woman, dressed in traditional Muslim attire, to lift the veil from her face. When she refused, they issued her a citation.

The local Islamic community called the incident a clear violation of her First Amendment rights.

In light of Minnesota's winter climate, anyone covering their face "as protection from weather" also will be exempt from the law. Technically, under current law, snowmobilers and others protecting their faces in the winter months are in violation of the law.

Sen. Allan Spear (DFL-Mpls) sponsored the bill in the Senate.

HF735/SF214*/CH30

Powers of arrest

A new state law allows a police officer to arrest someone whom the officer has reason to believe committed a misdemeanor offense within a school zone.

A school zone is defined as any school property and the area within one city block of a school. It also includes a school bus while it is transporting students.

The change allows an officer to arrest someone without a warrant. The arrest can be made anywhere, as long as the criminal behavior takes place within a school zone and within four hours of the arrest. Such crimes include a fifth-degree assault or a disorderly conduct offense.

Under current law, an officer normally



House Speaker Irv Anderson, left, and Majority Leader Rep. Phil Carruthers, right, held an impromptu press conference after the House adjourned the 1995 Special Session May 25.

can't arrest someone for a misdemeanor offense that the officer did not witness.

The law, which becomes effective Aug. 1, 1995, was sponsored by Rep. John Dorn (DFL-Mankato) and Sen. John Hottinger (DFL-Mankato).

HF110/SF320*/CH55



DWI

Seizing cars from drunks



A new law to clear up a glitch in the state's vehicle forfeiture law took effect April 29, 1995.

Under current law, certain repeat DWI offenders lose not only their driver's licenses 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.

The new law allows for the cars to be sold should a defendant fail to appear in court on such a DWI-related charge.

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 measure was sponsored by Rep. Matt Entenza (DFL-St. Paul) and Sen. Richard Cohen (DFL-St. Paul).

HF377*/SF390/CH97

Snowmobiling, boating, DWIs

Some repeat DWI offenders who get caught driving their boats or snowmobiles while under the influence could forfeit their pleasure craft or vehicles to the state, under a bill now being considered by the governor.

It was given final passage by the House May 22. The vote was 114-19. The Senate passed it the same day, 51-7.

The proposal, sponsored in the House by Rep. Tom Van Engen (IR-Spicer), also would apply to all-terrain vehicles (ATVs).

Under current law, those convicted of a fourth DWI offense within five years or a fifth DWI offense within 15 years lose their vehicles.

Under the bill, if that fourth or fifth conviction happens in a boat, snowmobile, or ATV, the recreational craft or vehicle also would be

taken — for good.

Only the vehicle used to commit the drunken driving offense would be seized. The vehicle would not be subject to forfeiture if the person convicted of a DWI was not the vehicle's owner.

Local law enforcement agencies could keep the vehicles for official use or sell them. The profits would be used for anti-DWI efforts. If the arresting officer works for the state, such as a DNR conservation officer, the proceeds would be forwarded to the snowmobile trails and enforcement account or the all-terrain vehicle account, depending on the type of vehicle involved.

"We don't really want the vehicles, we just want [drunk] people to stop driving them," Van Engen has said.

The bill would generate only a small amount of money — \$11,000 — for the state over the next two years. A fiscal note prepared for the bill indicates that counties could gain \$55,000 each year through the sale of boats, snowmobiles, and ATVs.

Sen. David Knutson (IR-Burnsville) sponsored the proposal in the Senate.

HF423/SF399*/CH230



EDUCATION

Editors' note: The omnibus K-12 education finance bill was passed by the Legislature May 25. A summary of that bill appears on page 47.



ELECTIONS

Town supervisor vacancies



An appointed town supervisor must be at least 21 years old and have lived in the town at least 30 days, under a new law that became effective March 28.

Current law says when a vacancy occurs in a town office, the town board must appoint someone to the post until the next annual town election.

The 1995 law change says when a town supervisor needs to be appointed, the person appointed to fill the vacancy must be an eligible voter, be at least 21 years old, and have lived in the town at least 30 days.

Before the change, state law did not specify an age or residency requirement for a town supervisor. Most supervisors fill three-year terms and are elected at a town general election. Metropolitan supervisors hold four-year terms and are elected in the November election.

The law also specifies that a vacancy be filled by an "appointment committee" made up of the remaining town supervisors and the town clerk.

The technical change was sought by the Minnesota Association of Townships which argued that the old law wasn't as clear as it should be.

The new law does not specify age or residency limits for elected town supervisors.

HF229/SF182*/CH21

Special time off to vote



A new state law will allow voters to take time off work to vote in a special election held to fill a seat in the Minnesota Legislature.

Under current law, any Minnesotan who is eligible to vote has the right to be absent from work to cast a ballot in the morning on election day. The employer cannot penalize or deduct wages because of the absence.

But current law only applies to a state primary or general election, an election to fill a vacancy in the office of U.S. senator or representative, or a presidential primary election.

The new law adding special elections for state legislative races became effective March 28, 1995.

Since the 1994 general election, there have been five special elections for state legislative seats.

The proposal was sponsored by Rep. Richard Jefferson (DFL-Mpls) and Sen. Richard Cohen (DFL-St. Paul).

HF647/SF181*/CH20



EMPLOYMENT

Omnibus pension bill

The state's contribution to the Minneapolis Employees Retirement Fund (MERF) would decrease as enrollment in the plan continues to drop, under an omnibus pension bill on its way to the governor.

MERF has been closed to new members since 1978. Since that date, new employees have been covered by a state pension plan.

Because previous individuals enrolled in MERF are now retiring, the three government entities which pay into the fund — the state, the city of Minneapolis and the Minneapolis Public School District — expect to see their contributions fall.

The original bill called for the three government entities to maintain their current

payments even as enrollment decreased. The excess MERF money would have been funneled to the Minneapolis Teacher's Retirement Association Fund.

That provision, however, was deleted in the version that is now before the governor.

The House passed the bill May 22 on a 117-15 vote. The Senate passed it the same day, 65-0.

The bill includes a number of other provisions concerning state pension funds, among them:

- Retired Duluth teachers would see an increase in post-retirement adjustments because the bill eliminates the current system and replaces it with a 2 percent yearly increase, plus an investment-based increase.

The teachers also would receive higher benefits at the time of retirement due to a change in the formula used to calculate those benefits. (Art. 2)

- Communities receiving more than enough aid to pay police and salaried firefighter pensions would see the excess money redistributed to other such community pension funds.

Those employee pensions are partially funded through a 2 percent tax on automobile insurance. But because automobile insurance rates have increased in past years, the tax is now raising more money than needed for the pension funds in some municipalities. Under current law, excess funds are deposited in the state's general fund.

The bill would redistribute the money to municipalities in need of the extra aid beginning in October 1997. (Art. 4)

The proposal was sponsored by Rep. Phyllis Kahn (DFL-Mpls) and Sen. Steve Morse (DFL-Dakota).

HF1040*/SF806/CH262

Complete disclosure



Effective Aug. 1, 1995, employers who recruit employees from out of town to work in food processing plants will have to explicitly tell them how much they'll be making and how many hours they'll work, under a new state law.

The law will require employers soliciting 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.

The "disclosure" will have to be written in

both English and Spanish and be signed and dated by the employer and the employee.

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 in bringing a lawsuit to collect the damages, under the law.

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

The measure was sponsored by Rep. Kevin Goodno (IR-Moorhead) and Sen. Ellen Anderson (DFL-St. Paul).

HF1437*/SF1152/CH154



ENERGY

Energy discounts



Gas and electric utilities can continue to offer discounted rates to businesses in designated economic development zones, under a new state law.

A pilot program created in 1990 added discounted gas and electric rates to the arsenal of tax and financing incentives designed to lure manufacturers and other businesses to certain areas of the state.

The new law makes the program, which would have expired July 1, 1995, permanent.

Gas and electric utilities can offer new or expanding businesses concessions on rates for a limited time. Previously, this time period was from two to five years. The new law will allow the Public Utilities Commission (PUC) to determine the length of time a discounted rate can be offered to a particular customer. No maximum length of time is specified.

Utilities can raise rates to other commercial customers in order to recover income lost under the discounted rate program, but they could not raise rates for residential customers, under a new provision in the law. The PUC has to approve any rate increase proposed by a utility.

The law also adds the Iron Range Resources and Rehabilitation Board, a rural development agency in northeastern Minnesota, to the list of local governments and agencies that can use discounted utility rates to supplement other development incentives.

The measure, which became effective March 11, 1995, was sponsored by Rep. Richard Jefferson (DFL-Mpls) and Sen. Randy Kelly (DFL-St. Paul).

HF164*/SF65/CH9

Rural electrical competition



A 1990 pilot program that allows electric utilities to offer discount rates to large rural businesses is now permanent, under a law that became effective March 2, 1995.

Since 1974, rural companies using two megawatts or more of electricity have been allowed to buy electricity from any power producer they choose. They are not restricted to the electrical utility assigned to their locale.

A wholesale trade business, for example, can bypass the local electric utility and contract with the owner of a hydroelectric dam in a nearby county for power.

In order to keep their largest local customers — and avoid rate hikes to all customers in their service areas — electric utilities, since 1990, have been allowed to offer reduced rates to these large electric power users for one to five years under a competitive rate schedule approved by the Public Utilities Commission (PUC).

Four electric utilities have used the 1990 law and offered competitive rates to some customers, according to a December 1994 report to the Legislature by the Department of Public Service (DPSv).

The report recommended extending the competitive rate program past its July 1, 1995, expiration date. The new law does just that.

The bill was sponsored by Rep. Joel Jacobs (DFL-Coon Rapids), who resigned from the House March 5 when he was appointed to the PUC by Gov. Arne Carlson.

Sen. Doug Johnson (DFL-Cook) sponsored the bill in the Senate.

HF137*/SF213/CH6



ENVIRONMENT

Environmental spending bill

State spending for environmental and natural resource programs will total \$572.2 million over the next two-year budget cycle, under a law signed May 24 by Gov. Arne Carlson.

The governor line-item vetoed \$445,000 worth of spending from the proposal.

The law funds the Department of Natural Resources (DNR), the Minnesota Pollution Control Agency (MPCA), the Minnesota Zoo and 10 other state agencies.

Nearly 55 percent of the state spending in the bill — \$317.8 million — will go to the DNR effective May 25, 1995. (Sec. 5)

The MPCA, the next largest recipient, will

receive \$78 million effective May 25, 1995. (Sec. 2)

Lawmakers appointed to a joint House-Senate conference committee worked out differences in the bills passed by their respective bodies and pared \$600,000 off the DNR operations budget, and \$150,000 from the MPCA.

These budget cuts could translate into layoffs for some full-time employees.

Peder Larson, MPCA assistant commissioner, said his agency is now "figuring out how to minimize the impact" of the cuts. He said that, as a rule of thumb, each \$50,000 cut from an operating budget eliminates one full-time position.

Environment and Natural Resources Finance Committee chair Rep. Chuck Brown (DFL-Appleton), who sponsored the House bill, said the spending bill amounts to \$6 million less than the governor recommended.

Effective July 1, 1995, \$32.9 million is appropriated for 95 environmental and recreational programs selected by the Legislative Commission on Minnesota Resources (LCMR), which is funded from a two-cent per-pack cigarette tax and limited state lottery proceeds. (Sec. 19)

The legislation was sponsored in the Senate by Sen. Steve Morse (DFL-Dakota). The following highlights are also included in the law.

HF1857/SF106*/CH220

State parks, trails and recreation areas

Effective July 1, 1995, funds for state parks and recreation areas totaling more than \$47.6 million will be available, a spending increase of \$2.4 million over the previous two-year budget.

Another \$22.5 million will go to trails and waterways management programs. Included in this amount is \$4.5 million for grants to counties to maintain the state's network of snowmobile trails.

The Metropolitan Council will receive \$4.5 million for maintenance and operation of regional parks. (An additional \$4 for the metro park system is included in the LCMR recommendations outlined in Section 19 of the law.) Development projects in state parks will receive \$1.4 million from a water recreation account.

A \$140,000 appropriation for the fiscal year ending June 30, 1995, will replace trucks and other vehicles destroyed in a February 1995 arson fire at William O'Brien State Park.

The law directs the DNR commissioner to prepare a five-year plan for using available funds to construct or modify existing park trails for accessibility to persons with physical disabilities. At least one trail in each state park will be selected for these improvements. (Sec. 5)

Fish and wildlife

A total of \$71 million will be spent in fiscal years 1996 and 1997 on programs for lake, stream and wildlife area management. Almost all of the money comes from the Game and Fish Fund, which collects hunting and fishing license fees.

The dollars were made available May 25, 1995.

Non-game wildlife management programs will receive \$1.9 million of these funds. Another \$2.6 million will be marked to fund game and fish critical habitat programs and wetlands

protection under the Reinvest in Minnesota (RIM) program. (Sec. 5, Subd. 7-8)

An additional \$3.3 million will be earmarked for RIM programs contained in the LCMR recommendations. (Sec. 19)

DNR enforcement programs will receive \$36.1. The DNR commissioner is directed to maintain "historic levels of overtime" — 400 hours per year — for conservation officers; and not to cut back the number of field-based conservation officers.

Effective July 1, 1995, trout and salmon anglers fishing anywhere in Minnesota will be required to buy a trout and salmon stamp in addition to a regular fishing license. Under current law, the stamp was required only for Lake Superior and designated lakes and streams. This provision is also included in the omnibus game and fish bill (**Special Session: SF1**). (Sec. 90)

Forest resources council

DNR forest management programs will receive \$61.2 million. The funds were released May 25, 1995. (Sec. 5, Subd. 4)

Effective July 1, 1995, a forest resources council charged with developing sustainable management practices for state forests will be established under the law. The 13 members of the council will be appointed by the governor from business, labor, and environmental groups and government agencies. (Secs. 76, 78-88)

The law also allocates \$1.7 million for the first phase of an environmental impact statement on timber harvesting in Minnesota and funding the forest resources council. (Sec. 5, Subd. 4)

Clean air and water

The MPCA, effective May 25, 1995, will receive \$20.3 million to clean up Minnesota lakes and rivers. It will receive another \$14 million for air pollution programs, and \$16 million for groundwater protection and solid waste management. The agency's hazardous waste programs will receive \$11.9 million. (Sec. 2)

Most of these appropriations will continue existing pollution control efforts.

"This is not a major year for new initiatives," commented Peder Larson of the MPCA.

The Clean Water Partnership Program will provide local governments with almost \$2 million in grants to develop cleanup projects for local rivers, streams, and lakes, according to Larson.

Efforts to clean up the Minnesota River have been discussed during the legislative session, and the MPCA will spend \$620,000 to begin an analysis of pollutants in river tributaries.



Members, front to back, Reps. Tom Rukavina, David Tomassoni, Mark Mahon, and Myron Orfield leave the House chamber after the House passed bills on K-12 financing, wetlands, and bonding before adjourning the 1995 Special Session May 25.

Larson said another \$1.7 million of MPCA funding will go toward reducing pollution from industrial and municipal "point sources" — pipes draining directly into waterways.

The law directs the governor to appoint an advisory task force to examine the MPCA Water Quality Division's program for issuing permits for discharging pollutants into waterways. The task force on the point source permitting program will report back to the Legislature by Nov. 30, 1995.

Some \$1.7 million of MPCA money will be transferred to the Board of Water and Soil Resources (BWSR) for grants to counties to reduce pollution hazards from cattle feedlots. Counties that issue permits and provide technical assistance to feedlot owners will have to match the grants with cash or in-kind contributions.

Almost \$5 million will fund continuation of the MPCA's four-year project to computerize its data for its varied environmental oversight programs. MPCA officials say completion of the Delta Project will increase the agency's efficiency and help businesses that it now regulates.

The law requires that revenue collected by the MPCA from the sale or licensing of software developed for the Delta Project go to the Environment and Natural Resources Trust Fund. (Sec. 2)

The law also includes, effective July 1, 1995, a \$575,000 LCMR appropriation to the MPCA to determine the sources of toxic mercury emissions in Minnesota's air and how much is ending up in the state's lakes. (Sec. 19, Subd. 5)

Ethanol production

Minnesota farmers will be encouraged to produce all the ethanol that is used in the state, under provisions that became effective May 25, 1995.

It will raise to \$30 million per year the amount the state will pay to subsidize the production of ethanol, although the state will actually spend about half that yearly amount in the next two years.

The cap is currently at \$10 million per year, which proponents of the law say is not enough to encourage the long-term development of more ethanol plants in Greater Minnesota.

Ethanol is made from the fermentation of corn and other agricultural products and has been used as an additive in gasoline to make it burn more cleanly.

There are currently five ethanol plants in Minnesota (a sixth will begin production in April) that combined produce a total of 59 million gallons of ethanol per year.

That's less than half of the 120 million

gallons of ethanol that is consumed per year in Minnesota, most of which is imported from plants in Illinois, Iowa, and Nebraska.

The proposal was introduced as **HF202**, sponsored by Rep. Doug Peterson (DFL-Madison). Peterson has argued that raising the cap to \$30 million per year will send a message to potential investors in ethanol plants that the state is committed to helping the industry.

Increasing Minnesota's ethanol production will help meet a rising demand.

As of Oct. 1, 1995, automobiles in the 10-county metropolitan area will be required to burn "oxygenated fuel" year round, instead of just during the winter (Oct. 1 to Feb. 1) as is required under current law. And beginning Oct. 1, 1997, all gasoline sold in the state will have to be oxygenated, which will further increase demand for ethanol.

(The law was enacted in 1991 because the Twin Cities was in violation of federal Environmental Protection Agency clean air requirements. Adding one part ethanol for every 10 parts of gas is one way to oxygenate gas, although there are petroleum-based additives that can do the same thing.)

The so-called "blenders' credit" — a tax credit to petroleum distributors who mix gasoline and ethanol — will be phased out on Oct. 1, 1997.

The law also provides for \$350,000 in low-interest state loans to companies building ethanol production facilities in Minnesota, and \$200,000 for loans to farmers to invest in existing ethanol facilities and other value-added agricultural businesses. (Secs. 45-50, 117)

Treaty litigation costs

Under the law, the DNR will receive \$750,000 — which will be transferred to the Office of the Attorney General — to defend the state against the 1990 hunting and fishing rights lawsuit brought by the Mille Lacs Band of Ojibwe in federal court and to contest a similar lawsuit brought by the Fond du Lac Band of Ojibwe.

The governor had recommended \$1 million in funding.

(The state government finance bill (**SF1678**) would give the Office of the Attorney General another \$790,000 in fiscal year 1995 to pay for state expert witnesses already employed in the Mille Lacs treaty court case.)

The law also will allocate \$600,000 for the DNR to survey fish and wildlife resources "in the 1837 treaty area." Of this amount, \$200,000 will come from the Game and Fish Fund. An additional \$100,000 is included in the DNR's enforcement budget for activities related to the 1837 treaty area.

The DNR sought \$808,000 for the natural

resources survey. The survey will be critical in the second phase of the Mille Lacs lawsuit trial next year, which will determine how the band and the state divide the "harvestable surplus" of fish and game in 12 Minnesota counties, according to Ron Nargang, DNR assistant commissioner.

A federal court decided last year that the Mille Lacs Band retains its rights to hunt, fish and gather under the 1837 Treaty.

The provisions became effective May 25, 1995. (Sec. 5, Subds. 7-9)

Youth deer licenses

Effective July 1, 1995, young people could buy an inexpensive license to hunt deer with firearms in 1995 and 1996, under the law.

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

No tag will be included in the youth license, so a deer shot by a youth carrying the \$5 license will 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 law also will 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. This provision applies to the 1996 and 1997 hunting seasons.

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 hunt either during the regular firearms season or during the muzzleloader season.

The DNR will solicit public input on both the youth deer and muzzleloader provisions in the law, and report back to the Legislature by March 1, 1996. The report will summarize the public comments and recommendations for legislation. (Secs. 135-137)

Recreational vehicle fees

Effective July 1, 1995, owners of boats will pay a \$2 registration surcharge for a three-year license. The registration surcharge has been 50 cents since 1971.

Originally introduced as **HF1483** by Rep. Tom Rukavina (DFL-Virginia), the revenue

generated by the surcharge increase will be kept by deputy registrars in Minnesota. The surcharge revenue collected by a DNR license bureau will be deposited in the dedicated water recreation account.

Also, a current \$5 surcharge on boats to fund public awareness efforts about Eurasian water milfoil, zebra mussels and purple loosestrife, will remain in effect. Under current law, the \$5 surcharge is set to dip to \$3 in 1997. (Secs. 73-74)

Used oil disposal

Effective July 1, 1996, retailers selling more than 1,000 motor oil filters each year will have to accept and properly dispose of used oil and oil filters from the public.

The program will affect major retailers and exclude small businesses and gas stations.

Affected businesses either will have to set up their own collection facility or contract with another business — within two miles in the Twin Cities metropolitan area or within five miles in Greater Minnesota — to accept used oil and filters.

Also, the law explicitly states that retailers “may not charge a fee” to accept used oil and filters. Under a previous proposal, retailers could charge 50 cents per filter to recover disposal costs.

Under current law, a retailer selling motor oil is required only to post a notice advising consumers of a location within 10 miles of where they can dispose of used oil.

Retailers will now have to post a sign next to their motor oil and filter displays indicating that they accept used oil and filters or where these materials can be taken for recycling. (Sec. 119)

This provision in the law was originally sponsored by Rep. Robert Leighton (DFL-Austin) as **HF1073**. (Secs. 119-120)

Minnesota Zoo free days

There will no longer be two free days each month at the Minnesota Zoo. The law now will require that the zoo offer free admission during the year to “economically disadvantaged Minnesota citizens” equal to 10 percent of the average annual attendance. That amounts to about 100,000 people.

By July 1, 1995, zoo officials will develop a plan to distribute vouchers for free admission.

Zoo officials have said that crowds at the zoo on free days were unmanageable, endangering the welfare of the animals and ruining the zoo experience for visitors. (Secs. 70-71)

Resource management

Much conference committee discussion

focused on a Senate proposal to reallocate \$22 million of DNR funds for a pilot project involving “integrated resource management” of parks, trails and waterways in southern Minnesota. This “sustainable, multiple-use” approach to natural resources management would have involved other state agencies and private conservation, agricultural, and outdoors recreation groups.

Rather than launching the pilot project, House members preferred that the DNR first study the issue and send a final plan to the Legislature by Feb. 15, 1996. The bill will spend \$746,000 to develop the pilot project over the next two years. The funds became available May 25, 1995. (Sec. 5, Subd. 10) **HF1857/SF106*/CH220**

LCMR projects

The environmental funding law includes \$32.9 million for 95 projects recommended by the Legislative Commission on Minnesota Resources (LCMR).

Money to fund the projects comes primarily from a 2-cent per pack cigarette tax and limited state lottery proceeds. (See March 24, 1995, *Session Weekly*, page 9)

The largest single LCMR appropriation — over \$4.5 million — would go to the Metropolitan Regional Park System to acquire land and rehabilitate existing facilities. The DNR would receive almost \$3.8 million to acquire land for state parks and improve parks and recreation areas across the state. State and metropolitan parks would each receive an additional \$720,000 appropriation for projects which would have to be completed by Dec. 31, 1995.

The LCMR provisions also would provide:

- \$100,000 to the Minnesota Historical Society to survey “shipwrecks in Minnesota inland lakes and rivers,” and organize a conference in Duluth on “underwater cultural resources”;
- \$575,000 to the Minnesota Pollution Control Agency to determine the sources of toxic mercury emissions in Minnesota’s air and how much is ending up in the state’s lakes;
- \$150,000 to the Neighborhood Energy Consortium in St. Paul to conduct workshops on landscaping with native Minnesota plants in the Twin Cities metropolitan area;
- \$2.3 million to the DNR for four Reinvest in Minnesota (RIM) projects to acquire land to improve streams and wildlife habitat;
- \$900,000 to the DNR for the ninth and 10th years of a 24-year project studying the “ecology of rare plants, animals, and

natural communities” in Minnesota counties;

- \$680,000 for an expansion of the University of Minnesota Landscape Arboretum and development of a wetland restoration demonstration project;
- \$250,000 to Twin Cities Public Television to create an environmental video resource center and to produce and broadcast a series about environmentalism in Minnesota;
- \$100,000 to the International Wolf Center to collect and develop materials about wolf ecology and management for TV and radio broadcasts; and
- \$50,000 to the DNR to contract with TIP, Inc. (Turn in Poachers) for a “turn in poachers youth activity book” to educate children about poaching and “its impact on natural resources.”

The legislation was sponsored by Rep. Chuck Brown (DFL-Appleton) and Sen. Steve Morse (DFL-Dakota).

HF1857/SF106*/CH220

Petrofund changes

A bill to encourage petroleum tank owners to check to see if their storage tanks are leaking is on its way to the governor’s desk.

The proposal won final approval in the House May 22 on a vote of 133-0. It passed the Senate the same day, 65-0.

Under the bill, those who pay to have their property tested to see if there has been soil or groundwater contamination from a leaking tank could get their money back for that preliminary assessment. (A typical assessment costs between \$2,000 and \$3,000.) Should the initial assessment show that the tanks are leaking, they would have to be removed or repaired, and further analysis of water and soil contamination would be done.

Any tank that has not been used for a year would have to be removed, whether it is leaking or not.

Many of these tanks are underground and found at sites such as abandoned gas stations. Contamination is found at “about 75 to 80 percent” of the sites with old underground storage tanks, bill sponsor Rep. Roger Cooper (DFL-Bird Island) has said.

The change is one of several the bill would make to the state’s Petrofund program, which was established by the 1987 Legislature to help the owners of storage tanks recover some of the costs of a site’s cleanup.

The Petrofund program is financed by a two-cent per gallon fee paid by petroleum distributors.

The bill also would place a cap on clean-up

costs if the leaking tank is on residential property.

An individual would be responsible for paying no more than \$7,500 for cleaning up a residential site, under this provision. Current law requires an owner to pay an open-ended 10 percent of all cleanup costs.

The following provisions are included in the bill:

- All above-ground storage tanks would need to be labeled to indicate their contents. Multiple tank sites would have to post a permanent sign with a diagram showing the location, contents, and capacity of each tank, and the location of piping, valves, storm sewers, and other information needed for an emergency response.

According to Michael Kanner, manager of the Minnesota Pollution Control Agency's Tanks and Spills Section, accidents have occurred where petroleum products have been poured into the wrong tanks. In one case, fuel was poured directly into the ground through a monitoring well.

Owners of above-ground storage tanks would have to install gauges showing the amount of fuel in a tank, and an "audible or visual alarm" to alert a person delivering fuel that the tank is within 100 gallons of capacity.

- Two contaminated petroleum bulk storage sites — one owned by the city of Minneapolis, and one in St. Paul owned by a company going through financial reorganization — would receive reimbursement for cleanup through the Petrofund program. (While the Petrofund was not intended to pay for cleaning up leaking storage tanks of more than 1 million gallons, current law does include an exception for such facilities owned by mining companies.)
- Contractors who register with the Petroleum Tank Release Cleanup Board, commonly called the "Petro board," would have to obtain \$1 million in liability coverage, and agree to make all field and financial records available for audits by the board.

Additionally, in order to receive reimbursement for cleanup work, contractors would have to retain their work records for seven years. Under current law, records detailing corrective actions must be kept for five years.

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

HF488/SF507*/CH240

Emission omissions



Metropolitan area residents driving newer cars will be spared the inconvenience of an annual emissions test, under new state law signed by Gov. Arne Carlson May 22.

The law will exempt vehicles up to five years old from the \$8 test currently required to obtain annual license plate tabs in the Twin Cities area.

The exemption will begin with cars having license tabs renewed after July 31, 1995.

Sponsored by Rep. Alice Johnson (DFL-Spring Lake Park), the law takes effect Aug. 1, 1995. At that time, cars from the 1991 model year or later will not have to be tested.

Because so few newer cars fail the test, the procedure is unnecessarily costly and time consuming, Johnson has said. A recent Minnesota Pollution Control Agency study showed that less than 1 percent of cars from the 1991 model year or newer failed the test during a one-year period.

The 1988 Legislature enacted the vehicle emissions testing program, which took effect in mid-1991 because the state was in violation of federal clean air requirements.

If the state falls below standards set forth in the 1990 Clean Air Act, the U.S. Environmental Protection Agency (EPA) may withhold federal highway funds from the state.

Sen. James Metzen (DFL-South St. Paul) sponsored the bill in the Senate.

HF2*/SF27/CH204

Bigger state parks



Several state parks will have their legal boundaries expanded, under a bill signed into law May 24 by Gov. Arne Carlson.

The new law will allow parcels of land to be added to Forestville, Gooseberry Falls, and William O'Brien state parks.

In addition, the law will correct a legal oversight to reclassify John A. Latsch State Park. The land was once a state park, but, for reasons unknown, it inadvertently became classified as a wayside rest area.

A bill is usually introduced each session to modify state park boundaries. In some cases, landowners want their land to become part of a park. In others, state forest land is added to a park.

Although the law will expand the legal boundaries of the state parks, future legislation will need to be approved to authorize the

sale of state bonds to pay for acquiring private land to add to the parks.

The measure also will allow vehicles without state park permits to enter Gooseberry Falls State Park and park in a new highway rest area that lies within the park. Parking no longer will be allowed along the highway.

Rep. Tom Bakk (DFL-Cook) and Sen. Steve Morse (DFL-Dakota) sponsored the proposal.

HF479*/SF548/CH215

State ownership of waters



A new law asserts the state's ownership of waters inside federal nature areas in northern Minnesota.

House sponsor Rep. Tom Bakk (DFL-Cook) said the law will make it clear the state has never given up jurisdiction over surface waters and lake beds inside the Boundary Waters Canoe Area Wilderness (BWCA) and Voyageurs National Park.

The law says that the state has not ceded control over "roughly 100,000 acres of state-owned" land within the BWCA portion of the Superior National Forest in the northeastern part of the state.

The law also asserts state control over parts of Rainy Lake and other lakes within the 35,000 acres donated by the state in 1971 for Voyageurs National Park, which is just east of International Falls.

Minnesota's governor and other constitutional officers are instructed to "vigorously assert and defend" the state's ownership of "these waters and their beds and related natural resources," and to protect the rights of Minnesota citizens to free navigation on border waters in accordance with two treaties between the U.S. and Canada.

House Speaker Rep. Irv Anderson (DFL-Int'l Falls), a co-author of the law, said, "This legislation will help bring greater state and local input to management decisions regarding Voyageurs and the BWCA."

Bakk and other supporters of the law would like to see fewer restrictions on the use of the waters. In particular, Bakk expressed opposition to newer restrictions banning fishing contests and forbidding snowmobiling on specific lake bays in Voyageurs.

"It seems to be moving more and more away from being a multi-use park, and that's what we were promised [when it was created]," Bakk has said.

The law puts the state on record about where it stands on ownership of the waters, said Bakk.

Minnesota, along with property owners

and a snowmobilers group, has already challenged federal restrictions on motorboat and snowmobile use in the BWCA.

In 1981, the U.S. Court of Appeals for the 8th Circuit ruled that the federal government had the right to regulate motorized vehicles within the northern wilderness area — even though the state still owns the land and water.

The court noted that testimony before Congress on the 1978 Boundary Waters Canoe Area Wilderness Act established that the “sight, smell, and sound of motorized vehicles seriously marred the wilderness experience of canoeists, hikers, and skiers and threatened to destroy the integrity of the wilderness.”

The appeals court also rejected arguments from Minnesota that federal restrictions violated two U.S.-Canadian treaties — the Webster-Ashburton Treaty of 1842 and the Root-Bryce Treaty of 1909.

The proposal, which became effective May 11, 1995, was sponsored in the Senate by Sen. Doug Johnson (DFL-Cook). (See April 21, 1995, *Session Weekly*, page 8)

HF54*/SF279/CH1242

Natural disaster relief



Effective Aug. 1, 1995, the Department of Natural Resources (DNR) will be allowed to lend equipment to cities and counties facing a natural disaster, under a new law signed by the governor.

Under current law, the DNR is authorized to lend its equipment only for “wildfire prevention or suppression.”

The new law replaces that reference with “natural disaster relief,” which includes “wildfire prevention or suppression, hazardous material discharge control or clean-up, and flood or windstorm relief.”

The DNR provided gloves, shovels, pumps, and large earth-moving equipment during the 1993 Minnesota floods, even though it did not have specific legal authorization to do so, said Olin Phillips, a manager in the DNR's Forestry Division.

DNR finance officials suggested the state statute be changed to cover this practice.

The DNR and the U.S. Forest Service jointly maintain fire fighting equipment in Grand Rapids, Minn.

Phillips explained that the new law, signed April 12, 1995, allows the DNR to provide municipalities and counties with “multi-use equipment,” such as shovels and bulldozers, needed for natural disaster relief.

Local governments will reimburse the state

for the cost of the equipment used, and the money will revert to the DNR's emergency fire fighting fund.

“This is a small piece of legislation that's going to have a lot of value,” Phillips said.

The bill was sponsored by Rep. Dennis Ozment (IR-Rosemount), and Sen. Dennis Frederickson (IR-New Ulm).

HF812*/SF710/CH36

Expanding trails



The Blufflands Trail System in southeastern Minnesota will have its legal boundaries expanded, under a new state law. But it will be up to future legislatures to actually appropriate money to develop the trail system.

The trail was originally authorized by the 1992 Legislature. It called for connecting the Root River Trail to a number of towns in the area.

It was extended by the 1994 Legislature to connect several cities in Houston and Fillmore counties — and the city of Winona — to the Root River Trail, which runs from Fountain, through Lanesboro, to Rushford.

The new law will add Minnesota City, Rollingstone, Altura, Lewiston, Utica, St. Charles, and Elba, all located in Winona County, to the trail system.

Funding for the trail has yet to be secured.

The measure, effective Aug. 1, 1995, was sponsored by Rep. Virgil Johnson (IR-Caledonia) and Sen. Steve Morse (DFL-Dakota).

HF121*/SF310/CH26

Reprieve for a burner



A meat processing plant will be allowed to continue burning blood- and meat-contaminated packaging until the year 2005, under a new law, effective April 25, 1995.

In 1992, Huisken's Meats in Chandler, Minn., installed a gas-fired waste incinerator to burn the waxed cardboard boxes and cellulose used for shipping frozen meat.

The incinerator was approved by the Minnesota Pollution Control Agency (MPCA), but the agency revised its air quality rules in June 1994 and banned such smaller incinerators, except those used by medical facilities, crematoria, and companies that recover precious metals from electronic circuit boards.

The small incinerators allowed to continue operating must meet new MPCA performance standards, and some will require an operating permit from the agency.

The new law is essentially a waiver from the 1994 MPCA small incinerator ban. It will allow the incinerator in Chandler to operate until the year 2005, which covers the useful life of the incinerator.

Without the waiver, the plant would have had to pay to dispose of its cardboard and cellulose refuse in a landfill.

The waste incinerator must be monitored by an automatic temperature control device, and must meet the emission standards in effect when it was installed.

“This is an economic enabler for that small town processing plant,” explained Rep. Ted Winter (DFL-Fulda), who sponsored the legislation.

The company employs 400 workers producing sausage sticks and beef jerky “sold all over the world,” according to Winter.

Small, on-site incinerators used by various businesses, schools, and hospitals release large quantities of pollutants, according to the MPCA. The agency says that small incinerators generate 93 percent of the dioxin emissions from waste burned in Minnesota.

(A dioxin is a toxin that studies have shown can cause cancers, birth defects, and fetal deaths in animals. Scientists disagree on whether it contributes to cancer in humans.)

The measure was sponsored in the Senate by Sen. Arlene Lesewski (IR-Marshall).

HF485*/SF445*/CH87



FAMILY

Improving child support

A \$3.7 million comprehensive proposal to help collect delinquent child support payments — which includes provisions to suspend drivers' and occupational licenses — is on its way to the governor.

The bill won final approval from the House May 22 on a 108-21 vote. It passed the Senate the same day, 43-23.

As of July 1994, Minnesota kids were owed \$551 million in delinquent support payments, according to the Office of the Attorney General.

Supporters say the bill should be considered welfare reform, as well.

There are currently 91,600 Minnesota child support cases involving families on public assistance.

The bill would suspend the drivers' and occupational licenses of certain deadbeat parents who refuse to pay up. It also would establish a program to make custody and visitation proceedings less confrontational.

Sponsored by Rep. Matt Entenza (DFL-St.

Paul) and Sen. Richard Cohen (DFL-St. Paul), the major provisions of **HF966/SF217*/CH257** include:

Child custody

A custodial parent's failure to comply with a court-ordered visitation schedule could be used to help a non-custodial parent regain custody of a child, under the bill.

Specifically, the "unwarranted denial of, or interference with, a duly established visitation schedule" may be considered by the court in deciding to modify a custody order.

As passed by the House, the bill contained a controversial provision ordering judges to consider a parent's refusal to comply with a visitation agreement in determining child support payments. That provision was deleted by House-Senate conferees.

Instead, the bill includes \$90,000 for the Supreme Court to study whether there is a relationship between visitation and payment of child support in Minnesota. Included in the study will be consideration of whether visitation impacts a non-custodial parent's compliance with court ordered child support.

Pay it or park it

Parents who are at least three months behind in their child support payments could lose their driver's license.

The "pay it or park it" provision would notify those at least three months behind in their child support that they have 90 days to work out a payment plan with the county or the court. Failure to do so would result in a suspended driver's license. (The debtor may request a hearing on the matter.)

The provision is modeled after a current Maine law which has generated \$21 million in collections since its 1992 inception. It cost the state \$70,000 to implement the program. Only 39 drivers' licenses have been suspended.

Bill sponsor Rep. Matt Entenza (DFL-St. Paul) called the Maine program a successful deterrent. He said the goal is to collect money, and that few license suspensions are expected.

The Department of Human Services (DHS) would get \$50,000 to administer the program. By fiscal year 1999, when the program would be fully operational, DHS conservatively estimates the program will account for the collection of an additional \$30 million in child support.

Occupational license suspension

Those who are at least three months behind in their child support payments also could lose a state-issued occupational license. Current law doesn't specify a minimum amount before a license can be suspended.

The state issues occupational licenses including those for barbers, doctors, contractors, and other professions. Without a license they could not practice.

Parents would be warned 30 days in advance that such a license suspension will be sought, and would have a right to a hearing on the matter.

The Department of Human Services would get \$10,000 to implement the program.

Curbing teen sex

To curb the trend of teens becoming pregnant at younger and younger ages, the state would authorize a grant program for communities that develop programs to target 12- to 14-year-old boys and girls.

The bill includes \$362,000 from the general fund to start the program.

Originally sponsored by Rep. Ann Rest (DFL-New Hope) as **HF517**, the ENABL (Education Now And Babies Later) program would be created, modeled after a similar program in California.

School districts, churches, YMCAs, and other groups would qualify for grants as long as they could come up with 25 percent of the cost of the program.

The program would focus on convincing 12- to 14-year-olds to postpone sex by using an existing curriculum that doesn't include birth control information.

Part of the program would include a statewide media campaign that would encourage parents to talk with their children about postponing sex. Older teens also would talk to their younger peers on abstaining from sex.

The state would distribute grants to community organizations across the state to implement the ENABL program.

The need to reduce teen pregnancy is a taxpayer issue, according to proponents. In 1993, Minnesota spent \$20 million on Aid to Families with Dependent Children welfare grants to families that began with a teen birth.

There are about 7,100 parents on AFDC who are either minors now or were under 18 when their oldest child was born. That accounts for about 14,000 children.

The program also would get another \$128,000 in revenue from an increase in the marriage license fee. The bill would boost the fee to \$70, up from \$65. Of the \$5 increase, \$2 from each license would fund ENABL, the

remaining \$3 of the hike would fund grants for children's safety centers. The grant program was established by the 1992 Legislature to provide a safe place for family visitation in situations where there has been abuse in a relationship. Up to \$192,000 would be available for such grants.

Support or service

A "support or service" pilot project would be established to make able-bodied debtors without jobs perform community service work. They could be made to work up to 32 hours per week for six weeks. Entenza has said a similar Wisconsin program has proven to be an incentive for debtors to find work and has resulted in improved child support compliance.

The Department of Human Services would get \$119,000 to implement the program.

Work reporting system

A centralized employment database at the DHS would be created by Jan. 1, 1996. Business owners must report all new hires to the department within 15 days or face up to a \$500 fine, per employee, for repeatedly (and intentionally) failing to report. Its purpose is to track those who drift from job to job to avoid having wages garnished to pay child support.

When the state or any other governmental unit hires a contractor, it, too, will be reported to the DHS.

The Department of Human Services would get \$350,000 to implement the program.

Naming deadbeat parents

The names of those delinquent in their support payments would be published twice per year — instead of quarterly — under the bill.

The program publishes the names of those owing at least \$3,000 in delinquent child support payments. Those not in compliance with a current payment plan will see their names in the newspaper with the widest circulation available in their neighborhood.

A decision not to publish someone's name due to special circumstances may be made by the commissioner of human services.

The DHS would also need to publish "a printed retraction and apology" acknowledging those whose names are published in error.

The changes follow the recent erroneous publication of the names of several people in newspapers statewide.

The Department of Human Services would get \$275,000 to implement the program.

Motor vehicle liens

The state (or person owed child support) would be a "secured party" listed on the motor vehicle title of someone at least three months delinquent in child support payments. When such a vehicle, valued at more than \$4,500 is sold, the seller would keep \$4,500 and the state or the person owed child support would get the rest.

The Department of Human Services would get \$24,000 to implement the program.

Cooperation for kids

A "cooperation for the kids" pilot project would be created to address issues of custody and visitation in a mediation setting without judges or attorneys. It would be implemented by the DHS, the Office of Administrative Hearings, and the Office of the Attorney General.

The program would be implemented in select counties and participants would be charged on a sliding-fee scale. All couples would be screened to identify a domestic abuse situation.

The Department of Human Services would get \$100,000 to implement the program.

Support payment center

A centralized state child support collections unit would be established within the DHS in 1997. All payments made to local agencies would be forwarded to the DHS.

The Department of Human Services would get \$358,000 to implement the program.

Freezing interest

The accrual of interest would be frozen on back child support owed if the parent makes timely payments for 36 consecutive months. This is designed to aid parents who at one time owed a lot in back child support but were unable to pay. By freezing the interest on that large unpaid balance, it is hoped that parents who resume paying can catch up and pay off the debt's principal. This provision was previously contained in **HF348**, sponsored by Rep. Tony Kinkel (DFL-Park Rapids), which was incorporated into **HF966/SF217**.*

The Department of Human Services would get \$19,000 to implement the change.

'Mrs. Doubtfire' arrangements

Non-custodial parents could see their kids more by providing child care for them, under the bill.

If the custodial parent works, and the non-custodial parent is able to care for the child, such an arrangement may be approved by the court.

The provision is named after a popular movie in which, to resolve a child care crisis, the non-custodial father eventually becomes the child care provider.

In approving such an arrangement, the courts would consider the ability of the parents to cooperate, methods for resolving disputes regarding care of the children, and whether domestic abuse has occurred between the parents.

Children of divorce



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

A new law could require parents who are separating to attend a special workshop.

After Aug. 1, 1995, 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 proposal was sponsored by Rep. Fran Bradley (IR-Rochester) and Sen. Sheila Kiscaden (IR-Rochester).

HF1008*/SF606/CH127



GAMBLING

Gambling treatment funds



Public funds for treatment of compulsive gamblers will be available to private, for-profit agencies, under a new state law.

Bill sponsor Rep. Tony Kinkel (DFL-Park Rapids) has said the bill is necessary to give Minnesotans, especially in outstate areas, more opportunities for treatment.

Effective April 25, for-profit agencies are now able to compete with non-profits for the grant funding.

During the current two-year spending cycle, the state will spend about \$1.2 million to treat problem gamblers. Non-profit treatment facilities are selected to receive some of that money through Department of Human Services grants. (See March 10, 1995, *Session Weekly*, page 9)

The House passed similar legislation in 1993, but it did not survive conference committee negotiations.

Sen. Skip Finn (DFL-Cass Lake) sponsored the proposal in the Senate.

HF83/SF91*/CH86



GAME & FISH

Omnibus game and fish bill

Anglers winning a fishing contest would be assured of getting their prizes, under the omnibus game and fish bill now being considered by the governor. And anglers fishing for trout or salmon anywhere in the state would have to purchase a trout and salmon stamp.

On May 23, the House approved **SF1**, the first bill of the 1995 Special Session, on a 130-0 vote. The Senate approved it the same day on a 60-0 vote. The bill (previously known as **HF683/SF621***) was the result of a compromise arrived at by lawmakers appointed to a joint House-Senate conference committee.

Under the bill, promoters of fishing contests would have to furnish proof to the Department of Natural Resources (DNR) that they have the financial resources to pay for the advertised prize awards.

They would have to furnish a \$25,000 surety bond or a bank letter of credit in that amount.

This provision would apply to any contest having an entry fee of more than \$25 per person, or total prizes valued at more than \$25,000. (Sec. 33)

The House sponsor of the bill considered during the regular session was Rep. Bob Milbert (DFL-South St. Paul). Selected highlights of the bill, sponsored by Sen. Bob Lessard (DFL-Int'l Falls) in the special session, are listed below.

Special Session: HFnone/SF1*

Trout stamps required

Anglers fishing for trout or salmon anywhere in the state would have to purchase a trout and salmon stamp. Under current law, the stamp is required only for fishing in Lake Superior and certain designated lakes and streams. (Sec. 34)

Hunting heritage week

Minnesota would observe an official "hunting heritage week" in late September, under the bill.

The week to "commemorate the state's valued heritage of hunting game animals" would begin on the third Monday in September. Minnesota citizens would be urged to "reflect on hunting as an expression of our culture and heritage."

The first observance of hunting heritage week could take place in September 1995, if the governor signs the bill into law. (Sec. 1)

Milfoil fine hike

Another provision of the bill would increase the fine — to \$200 from \$150 — for spreading water milfoil into a lake or river. The fine could be assessed against those who introduce a trailer or boat — either of which are contaminated with the exotic species — into a body of water. The state had been attempting to curb the spread of Eurasian water milfoil that has quickly spread in Minnesota waters. (Sec. 13, Subd. 2)

Mute swan season

The mute swan would be added to the list of unprotected birds, under the bill. Unprotected birds, such as house sparrows, black-birds and common pigeons, can be killed at any time. The mute swan is a non-native species. (Sec. 17)

Mute swans aren't to be confused with trumpeter swans, a breed which the Minnesota DNR has been working to bring back in greater numbers in Minnesota, according to Steve Wilds, chief of the migratory birds and refuge biology section of the U.S. Fish and Wildlife Service.

Firearms safety

The DNR would develop a plan for a firearms safety program "directed at children that is value-neutral concerning firearms ownership." The course would promote awareness of the "safe use and storage of firearms." The DNR would submit its plan to the Legislature by Feb. 1, 1996. (Sec. 46)

Tip-ups, from a distance

An ice angler would be allowed to stray 200 feet from a "tip-up," which is a mechanical device that raises a small red flag when a fish tugs on the line. Under current law, a person has to be within 80 feet of a tip-up. This provision would allow Minnesota anglers to build a bonfire on the shore for warmth and still be fishing within the law. (Sec. 35)

Licenses in advance

An angler would be able to buy a 24-hour, 72-hour, seven-day, or 14-day fishing license that would begin on a specified future date. Under current law, these licenses become effective on the day they are purchased. (Sec. 23)

Trapping licenses

Residents 13 and older would have to buy a trapping license. Under current law, those 14 and older must obtain a license. (Sec. 22)

Ontario fishing dispute

Minnesotans who fish in Ontario will be allowed to return to the state with their fish filleted — at least for the next year, under a new state law.

The law, contained in the environment and natural resources spending bill, is the result of an agreement reached by legislative leaders, Gov. Arne Carlson, and the Department of Natural Resources.

It repeals a 1994 law that limited Minnesotans fishing in Ontario to bringing back just one trophy fish of each species. (Sec. 141)

The law permits anglers to bring back their full limit of game fish allowed under Ontario law.

But the provision to bring back filleted fish could be short-lived. A separate bill (SF1670) now being considered by the governor would give the governor the authority after May 1, 1996, to require that all anglers fishing in Ontario return to Minnesota with fish unfileted, or "in-the-round."

The one-year reprieve from fish transpor-

tation restrictions is designed to allow time for the governments of the two countries to get together to resolve the long-running dispute over fishing and tourism.

The "in-the-round" requirement is significant because the prospect of unfileted fish makes Canadian fishing expeditions less attractive, so that fewer anglers will patronize Ontario resorts. Fish spoil more quickly when "in-the-round" and consequently don't taste as good.

The 1993 Legislature approved a law that required fish to be transported into the state unfileted, which was changed in 1994 to allow only one trophy fish of each species.

This year, the Legislature had considered resurrecting portions of the 1993 law — but the proposal had strong opposition in the Senate and from some House members.

Ontario has placed stricter fish limits on anglers who lodge in Minnesota than on those who stay in Ontario resorts, including a ban on keeping any walleyes that Minnesota-based anglers have caught on the Ontario side of Lake of the Woods and Rainy Lake.

Another provision of the economic development spending bill (SF1670) would allow anglers fishing north of Big Island in Lake of the Woods to possess both a Minnesota and Ontario fish limit if they have valid licenses and tags. That's six walleye from Minnesota waters and an additional two from Ontario waters. (Sec. 51)

Currently, anglers can only bring back the Minnesota limit of six walleye, according to Roger Holmes, director of the DNR's Fish and Wildlife Division.

DNR Commissioner Rod Sando has said the provision would encourage anglers to stay at resorts on the Minnesota side of the lake.

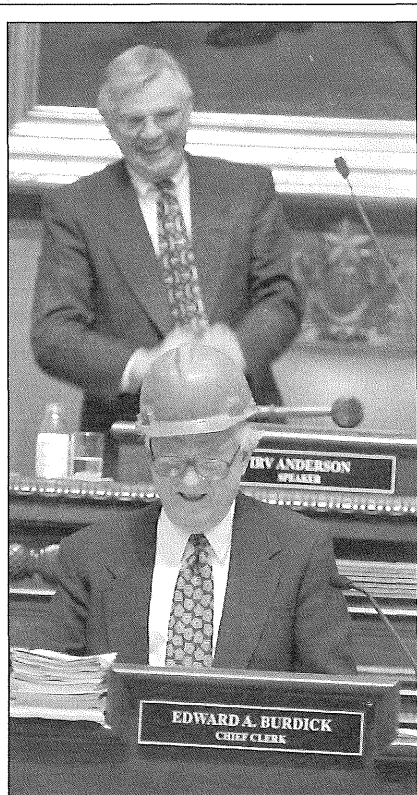
The expanded limit would not apply on the Manitoba side of Lake of the Woods or on other border waters.

(The Minnesota-Canada border runs through Lake of the Woods in Minnesota's Northwest Angle. The western portion of the lake is in Manitoba, eastern portions of the lake are in Ontario.)

The bill also would allocate \$100,000 to the Department of Trade and Economic Development to examine ways to legally or diplomatically challenge Ontario's current fishing regulations. (Sec. 2, Subd. 4)

A third bill moving through the Legislature also would repeal portions of existing law dealing with fishing in Ontario.

The omnibus game and fish bill (**Special Session: SF1**), now being considered by the governor, also includes a section that would repeal the law restricting Minnesota anglers



Ed Burdick, chief clerk of the House of Representatives, sports a hard hat given to him by Rep. Bob Johnson for "protection from falling gavel" May 22. Burdick, seated, was grazed by the speaker's gavel earlier that day.

from returning from Ontario with only one trophy fish of each species. (Sec. 48)

HF1857/SF106*/CH220

Turkeys saved, owls trapped



Minnesota turkey farmers now have a new way to protect their flocks from the threat of great horned owls.

A new law, effective May 19, 1995, allows farmers to catch the owls in padded jaw traps.

Currently, only licensed game farmers are permitted to trap the birds.

Turkey farmers say they suffer large financial losses at the hands of owls. They say the mere presence of an owl can cause serious problems on a turkey farm.

Turkeys panic when an owl is near, and they have been known to run in fear, pile on one another and smother each other. (See April 13, 1995, *Session Weekly*, page 8)

Under the law, farmers have to obtain a federal permit to trap owls. Traps have to be tended twice daily. Injured owls have to be taken to a veterinarian.

The measure was sponsored by Rep. Jim Tunheim (DFL-Kennedy) and Sen. LeRoy Stumpf (DFL-Thief River Falls).

HF120/SF155*/CH188

Antlerless permits



Youths under age 16 who have completed certified gun training will still be able to bag a deer of either sex, under a new state law.

In 1993, lawmakers set up a two-year pilot program to allow youths to take a deer of either sex. The new law repeals a Dec. 31, 1995, sunset date for the program.

Older hunters in a group are still prohibited from taking an antlerless deer unless they have the required permit.

The measure was sponsored by Rep. Loren Jennings (DFL-Harris) and Sen. Bob Lessard (DFL-Int'l Falls).

HF321*/SF174/CH32



GOVERNMENT

Omnibus state government bill

A \$508 million omnibus state government spending bill with money for everything from ice rinks to a Korean War veterans memorial is on its way to the governor.

The bill, sponsored by Rep. Tom Rukavina (DFL-Virginia) and Sen. Richard Cohen (DFL-St. Paul), includes new policies such as cutting state agency money spent on private consultants.

The bill passed both the House and Senate May 22. The House passed it 90-42, the Senate, 37-25.

Below are some of the bill's highlights for the 1996-1997 biennium.

HF1001/SF1678*/CH254

'Mighty Ducks'

The bill spends \$2.9 million to build more indoor ice arenas in Minnesota. (Art. 1, Sec. 17)

The proposal was originally part of HF1260, sponsored by Rep. Bob Milbert (DFL-South St. Paul). The Minnesota Amateur Sports Commission would use money to distribute grants of up to \$250,000 each to local communities. To the extent possible, 50 percent of all grants must be awarded to communities in Greater Minnesota. (Art. 1, Sec. 76)

Milbert, also a member of the amateur sports commission, said a study of ice needs in Minnesota discovered more than 90 communities that say they need a new indoor ice arena or repairs for an existing arena. The number of girls and boys participating in winter sports such as hockey and competitive figure skating has increased the demand for ice time.

(A 1994 law mandates that all public indoor ice arenas must give female hockey teams "up to 30 percent" of the prime ice time during the 1995 winter season and "up to 50 percent" by the 1996 season.)

The "Mighty Ducks" label is in reference to a movie about a group of misfit youthful hockey players.

Unpaid leaves

The bill requires state department managers to "encourage" their state employees to take an unpaid leave of absence for up to 160 hours during the two-year budget period ending June 30, 1997. It is anticipated that this proposal would save the state's general fund \$400,000 in each year of the biennium. (Art. 1, Sec. 92)

Bank refunds

The bill sets aside \$1.3 million to pay overtime to experienced state corporate audit staff to process bank refund claims as part of the Cambridge State Bank court settlement against the state. The money also would be used to hire temporary employees for some duties. The Minnesota Supreme Court has ruled that the state illegally taxed the interest that banks and other corporations paid on federal bonds over a four-year period in the late 1970s and early 1980s. It is estimated that the settlement will cost the state about \$320 million. (Art. 1, Sec. 16, Subd. 2)

Gambling

The bill would abolish the seven-member advisory State Lottery Board. (Art. 1, Sec. 80, Subd. 4)

This provision was originally part of HF138 sponsored by Rep. Phyllis Kahn (DFL-Mpls). Her bill also called for the elimination of the Gambling Control Board and the Minnesota Racing Commission, but the omnibus state government bill does not include them in the cuts.

The omnibus bill also would require 70 percent of all unclaimed prize money from the lottery to be distributed as follows: 40 percent must be transferred to the Minnesota environment and natural resources trust fund and 60 percent must be transferred to the general fund. The remaining 30 percent of the unclaimed prize money must be added to the prize pools of future lottery games. Currently, all unclaimed prize money is added to future games for financial prizes. (Art. 1, Sec. 84, Subd. 5)

Mille Lacs court fight

Costs continue to mount in the state's challenge of the Mille Lacs Band of Ojibwe Indians' established claim to hunting and fishing rights in a 12-county area of east-central Minnesota. Their claim involves Lake Mille Lacs, the state's premier walleye lake.

The omnibus state government spending bill gives the Office of the Attorney General another \$790,000 to pay for state expert witnesses in the treaty court case. (Art. 1, Sec. 34)

Peggy Willens, finance director for the Office of the Attorney General, has told lawmakers that none of the \$790,000 would pay for attorneys. The Legislature in 1993 appropriated about \$1 million for the attorney general's office to take the case to court. About half of that was to go to pay for expert witnesses.

Willens has said that "\$500,000 was our estimate. It was low."

State debt collection

A measure to give the state more power to collect overdue debts owed to state agencies and threaten deadbeat debtors with a penalty surcharge also can be found in the omnibus state government finance bill. (Art. 5)

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.

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.

Another provision in the measure, originally sponsored by Rep. Howard Orenstein (DFL-St. Paul) as **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.

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.

The measure also 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 of the money owed to the state 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.

Private consultants

The state's use of private contracts and consultants would be cut by 5 percent during the 1996-1997 biennium, under the omnibus state government spending bill.

The state's 20 main agencies would have to

cut 5 percent off the *aggregate* amount they spent on consultants in fiscal years 1994-1995. They could not make the cuts from grant money or federal funds. Instead, they must cut from the dollars allocated to them by the state. (Art. 1, Sec. 93)

Under the measure, the governor would decide which agencies would face contract cuts. Some could increase their use of consultants as long as others decreased enough for an overall reduction of 5 percent.

The measure was originally sponsored by Rep. Joe Opatz (DFL-St. Cloud) as **HF123**. His bill, however, asked for a 10 percent cut.

The provision also would apply to the House of Representatives, the Senate, and the Legislative Coordinating Commission. Each would be required to cut 5 percent in their consultant spending.

There are exemptions in the bill, such as contracts for highway construction and maintenance; consultants hired by a Minnesota state college or university to teach public or private organizations, agencies, or businesses; and consultants used to help with pension plans.

Veterans

A memorial to be built on the Capitol grounds honoring those who served in the Korean War would be given \$50,000. (Art. 1, Sec. 13)

In addition, \$16,200 would be set aside under the bill to contribute to a memorial honoring women in military service which is being built at the entrance to Arlington National Cemetery. (Art. 1, Sec. 20)

Another \$30,000 over the 1996-1997 biennium would go to help Vietnam veterans and Vietnam-era veterans prepare and present their claims to the U.S. government for compensation and other benefits they are entitled to as a result of disabilities incurred in military service. (Art. 1, Sec. 20) Rep. Sharon Marko (DFL-Newport) originally sponsored this provision as **HF1045**.

House and Senate television

The House and Senate television departments would receive \$300,000 over the 1996-1997 budget period. The money would be used to expand the broadcasts of House and Senate floor sessions and some committee hearings. At least half the money must go toward broadcasting in rural Minnesota. The proposal (**HF1120**), sponsored by Rep. Gene Pelowski (DFL-Winona), originally had asked for \$425,000 over the biennium. (Art. 1, Sec. 11, Subd. 8)

Leif Erikson face lift

A proposal to repair the Leif Erikson statue on the Capitol grounds would receive \$20,000 in fiscal year 1996. The proposal was originally sponsored by Rep. Mark Holsten (IR-Stillwater) as **HF1219**. Erikson, son of Eric the Red, who colonized Greenland, is reputedly the first European to discover America. (Art. 1, Sec. 11, Subd. 4)

Economic, community development

There would be no 1996 presidential primary in Minnesota, under a provision of an economic development spending bill that has been sent to the governor.

The Senate gave the bill final passage May 18, and the House passed it May 19. The votes were 40-22 and 90-40, respectively.

The \$397 million omnibus economic/community development bill provides funding in the next two-year spending cycle for a diverse group of state agencies, ranging from the Office of the Secretary of State to the Board of Boxing.

The bill also includes provisions setting requirements for the recipients of so-called "corporate welfare," and prohibits the establishment of juvenile sex offender treatment centers in neighborhoods.

The measure was sponsored by Rep. Carl Kroening (DFL-Mpls). Rep. Jim Rice (DFL-Mpls) chaired the committee which assembled the House version.

SF1670*/HFnone/CH224

Presidential primary

The bill would defeat a presidential primary proposal that had the support of Gov. Arne Carlson. The governor was one of the backers of a plan to create a "Big Ten" primary in March 1996 along with Illinois, Ohio, Pennsylvania, and Wisconsin.

Instead, the bill would bar the state from holding a presidential primary until the year 2000. (Sec. 73)

Rep. Jim Rice (DFL-Mpls) has said the provision was added because the bill's appropriation for the Secretary of State does not include money for a primary. As a result, allowing a 1996 primary would have resulted in an unfunded mandate on local municipalities.

The Secretary of State would receive \$12.2 million for the biennium, more than \$4 million below the agency's request. Much of that cut — \$3.1 million — would have reimbursed municipalities for the expense of the presidential primary. (Sec. 27)

Rep. Ron Abrams (IR-Minnetonka), who supported the "Big Ten" primary proposal,

argued a presidential primary is needed to involve more Minnesotans in the political process than the current caucus system attracts.

"We ought to do something for the people in the state rather than the political pros in the state," Abrams said.

Corporate welfare

Some companies receiving financial assistance from the state would have to meet job-growth standards, under the compromise "corporate welfare" language included in the bill.

But the companies would not have to pay employees the "livable wage" — about \$15,150 annually — prescribed in the House version of the bill.

Instead, the bill would require companies receiving a benefit in the form of a state grant, loan, or tax increment financing district worth more than \$25,000 to show a net job growth within two years. Also, the state agency that provides the assistance would negotiate job and wage goals with the company. The company would have to pay back the state if it fails to meet those goals. (Sec. 58)

The requirements in the omnibus bill are the result of a proposal included in a separate bill (HF869) originally sponsored by Rep. Karen Clark (DFL-Mpls). Clark has argued the state needs to be assured its investments in business yields positive results for workers.

The omnibus bill also includes a provision to require the legislative auditor to study state and local assistance to businesses and its affects on job creation. (Sec. 44)

Minority affairs councils

Four state councils designed to ensure minority groups in Minnesota get equal access to the state's services would be funded for an additional year, but funding for the second year is not set in stone.

The measure requires the Indian Affairs Council, the Council on Affairs of Spanish-Speaking People, the Council on Black Minnesotans, and the Council on Asian-Pacific Americans to conduct a study of their operations.

In his proposed budget, Gov. Arne Carlson said he intends to submit legislation that would remove these councils from "state agency status."

The bill states that the study must, among other issues, consider:

- removal of council members by the governor;
- methods of reducing overall costs of the councils through sharing of staff and administrative expenses;
- methods of improving coordination with other state agencies; and

- methods of educating council members in management issues for state agencies, including statewide budget and accounting practices, management practices, and legal liability.

Each council must submit its report to the Legislature by Feb. 1, 1996. The bill states that funding for each council in the second year of the biennium is contingent upon the report being completed.

Another provision in the bill would allow the Council on Affairs of Spanish-Speaking People to sell advertising in its publications to help underwrite publication costs. (Secs. 23-26, 35)

Koch refinery

The Koch Refining Co. in Rosemount, just south of the Twin Cities, could have an easier time constructing a nearby co-generation power plant, under a section of the measure.

The refinery is considering constructing a co-generation plant that would burn "petroleum coke," which is a byproduct of the refining process.

The proposed plant would burn the petroleum coke to generate up to 250 megawatts of electricity — which would more than meet the plant's electrical needs — and steam, which would be used for heating.

The measure would streamline power plant siting laws that are administered by the Minnesota Environmental Quality Board.

The provision also would allow the Environmental Quality Board to waive an Environmental Impact Statement for the project provided the board "determines that the proposed site will not have a significant human and environmental impact."

All that would be needed is a less detailed environmental assessment worksheet.

Supporters of the Koch proposal argue that co-generation plants are much more efficient than traditional power plants and that the project would make use of a byproduct that is essentially wasted now.

The measure does not contain earlier proposals advanced by Koch that would have exempted the project from the Public Utilities Commission's certificate of need process and from paying *personal* property taxes, which are not to be confused with local property taxes. (Personal property taxes are only paid by pipeline companies and electric utilities.)

Those provisions were among the most controversial of the proposals put forward by Koch, which processes crude oil into a variety of more refined petroleum products, including gasoline and heating oil.

The refinery, which processes crude oil from Canada and the Gulf of Mexico region

that is sent here via pipelines, produces about half of the gas used in Minnesota. (Sec. 47)

Juvenile sex offenders

Smaller, residential treatment programs that are designed to treat juvenile sex offenders would no longer be permitted in neighborhoods, under the bill.

Such facilities would no longer be considered a "permitted single-family residential use" under the state's zoning law definitions.

The law would now specifically exclude a "residential program whose primary purpose is to treat juveniles who have violated criminal statutes relating to sex offenses or have been adjudicated delinquent on the basis of conduct in violation of criminal statutes relating to sex offenses. . . ." (Secs. 79 & 95)

Historical society

The omnibus bill would keep open historical sites such as the James J. Hill House in St. Paul which may have closed under Gov. Arne Carlson's budget recommendations.

The Minnesota Historical Society would receive a total of \$37.7 million for the biennium — about \$500,000 more than called for by the governor.

The money in the bill pays for the operation of the Hill House and other historical sites, some of which may have closed under the governor's budget recommendations, such as the Northwest Co. Fur Post in Pine County, the Mille Lacs Indian Museum, and the Children's Museum in St. Paul. (Sec. 18)

Housing

A family housing assistance program would be expanded so more families could qualify for help, under the bill.

The program currently provides loans or direct rental subsidies to families with incomes of up to 60 percent of the area's median income, which ranges from a high of \$30,600 in the metropolitan area to a low of \$14,000 in Mahanomen County. (Sec. 111)

The bill would change the maximum qualifying level to 80 percent of the state's medium income, which is \$34,800.

The provision was part of HF509 — the omnibus housing bill — sponsored by Rep. Karen Clark (DFL-Mpls). (See April 13, 1995, *Session Weekly*, page 11). Provisions of that bill were folded into the economic development omnibus bill.

The bill also would set aside money to help people convert contracts for deed on their homes to traditional mortgages. That would eliminate the need for home owners to come up with large balloon payments. (Sec. 107)

Claims bill approved

The state would pay the remaining medical expenses from a 1988 crash of a Department of Corrections van and war veteran bonuses that are decades overdue, under a bill on its way to the governor.

The 241 appropriations listed in the 1995 claims bill total about \$164,000.

The Senate passed the bill May 18, 56-0. The House passed it May 22, 128-3.

The Claims Committee, a joint panel composed of House and Senate members, considers claims made against the state each year. The panel serves as a court of last resort for those who feel the state is responsible for a financial loss. A person can pay a \$5 filing fee and plead their case for reimbursement.

This year's House bill contains claims that range from \$10 to more than \$74,000.

The highest claim would pay remaining medical expenses from the Oct. 27, 1988 crash of a state-owned van transporting residents of the Sauk Centre juvenile correctional facility. Three teenagers and a staff member on a movie outing were killed when the van skidded off Interstate 94 near Alexandria, crossed the median and was struck by a semi-truck. Eleven others were injured in the accident.

The lowest claim would pay a World War II veteran who is eligible for a military service bonus.

Most of the claims contained in the bill, would go to the Department of Veteran Affairs to compensate Minnesota veterans for state-authorized bonuses based on their length of military service during wartime. Each veteran must apply for the bonus. The bill appropriates \$43,315 for the bonuses.

Bill sponsor Rep. Edgar Olson (DFL-Fosston), chair of the Claims Committee, said this will be the last series of veterans bonus payments for anyone who served in World War I, World War II, the Korean conflict, and Vietnam.

The bill also would pay five Minnesota prison inmates for injuries sustained while performing assigned work. Those claims total about \$23,600. Another \$9,000 would go to two people injured while performing court-ordered community work.

The bill was carried by Sen. Randy Kelly (DFL-St. Paul) in the Senate.

HF1910*/SF1701/CH228

Government efficiency

A bill that aims to improve government efficiency by eliminating periodic reports to the Legislature and reducing regulations on some state agencies is now being considered by the governor.

Both the House and Senate passed the bill on May 22. The votes were 117-16 and 58-6, respectively.

Some governmental entities the House previously voted to abolish will survive, under the bill.

The Minnesota Racing Commission and Gambling Control Board — once marked for elimination by the House — and the Department of Public Service and Public Utilities Commission (PUC) — slated to be merged into a new department — remain untouched.

Rep. Steve Sviggum (IR-Kenyon) complained the bill is long on reports and experiments and short on real action to cut the size and cost of government.

While conceding the bill would not do everything he set out to do, Rep. Howard Orenstein (DFL-St. Paul), the House sponsor, described it as a significant step in the right direction.

Sen. Phil Riveness (DFL-Bloomington) sponsored the bill in the Senate.

The following are major provisions of the bill **HF1542/SF1246*/CH248**.

Untangling bureaucracy

Pilot projects would be established to free three state agencies from what some consider to be cumbersome bureaucratic requirements.

The two-year projects would free one state agency from purchasing requirements and a second agency from many personnel requirements. The governor would be allowed to decide which agencies would take part in the projects.

The first project would allow an agency the freedom to do more comparison shopping. According to Orenstein, many items such as office supplies and cleaning supplies often can be purchased from retailers at lower prices than if bought from the state's central store.

The second project would allow an agency to cut through much of the red tape involved with hiring and other personnel procedures. However, the agency would not be exempted from affirmative action requirements.

The third pilot project would test a "gainsharing" program in the Department of Employee Relations.

The program would provide financial rewards for any employee who comes up with an idea that makes significant reductions in costs or improvements in efficiency.

Orenstein said the pilot projects should help lawmakers identify where changes can be made.

Legislative commissions

On July 1, 1996, all legislative commissions, with the exception of the audit commission and the advisory commission, would be abolished unless the Legislative Coordinating Commission (LCC) acts to continue them by Jan. 1, 1996.

The LCC's budget for the second year of the biennium would be cut by \$601,000 due to these changes.

Potentially, 13 existing commissions could be disbanded.

The commissions are joint House-Senate panels of lawmakers that meet often between legislative sessions to develop legislation and hear public testimony on policy issues. Most commissions have small staffs of one to three employees.

The bill also would eliminate the staff complement of the Commission on Planning and Fiscal Policy by Aug. 1, 1995.

The commission would remain, but existing legislative staff will perform necessary duties.

The staff and duties of the Commission on Employee Relations would be transferred to the LCC July 1, 1995.

Reports eliminated

Many of the 700 periodic reports required from state agencies could be eliminated. Any report that is not specifically exempted in the bill or requested by the legislative leaders including the House speaker, minority leader and committee chairs, would be discontinued.

Restructuring government

The commissioner of the Department of Public Service and the director of the PUC would be required to report to the Legislature on whether the department and the commission should be merged or restructured.

The Department of Public Service is responsible for protecting the public interest in the areas of energy, telecommunications, and weights and measures. The PUC is a quasi-judicial body that regulates the rates and services of Minnesota telephone, natural gas, and electric utilities.

Orenstein had proposed the elimination of the department and the creation of a new agency to house the PUC and to handle some of the duties of the department.

Additionally, studies would be done to determine the feasibility of merging or reorganizing state agencies that promote economic development and assist business, in-

cluding the Department of Economic Development and the Department of Economic Security.

The bill also calls for a similar study concerning the potential for reorganizing environmental agencies, including the Department of Natural Resources and the Minnesota Pollution Control Agency.

Customer service

State agencies would be required to make improvements in the service provided to citizens. Under the bill, state agencies would have 60 days to act on an application for a license or permit or it would be automatically granted to the applicant. Exceptions would be made in some cases, such as those requiring a public hearing.

The bill also aims to reduce the hassle for citizens needing the help of more than one agency. In such cases, the first agency contacted would be required to coordinate services from other agencies instead of sending the citizen from one office to the next.

Friendly government

Any individual or small business applying to a state agency for a license would get a refund, upon request, if they don't receive it within six weeks, under a bill now being considered by the governor.

The proposal passed the House May 22 on a 126-6 vote. It passed the Senate the same day, 63-0.

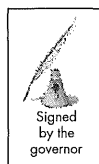
The money-back guarantee also would apply to permits, variances, orders, or other documents. It would not apply to drivers' licenses.

There are certain exceptions to the six-week deadline, including those documents requiring public hearings or environmental impact statements. (See May 19, 1995, *Session Weekly*, page 12)

The bill was sponsored by Rep. Phil Caruthers (DFL-Brooklyn Center) and Sen. Steve Murphy (DFL-Red Wing).

HF796/SF538*/CH237

Incapacitated chief officer



A new law will clarify who would run the state if the governor is unable to carry out the duties of the office.

Current 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.

A change will clarify present law to say a

governor who anticipates incapacity — 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.

The proposal, effective Aug. 1, 1995, was sponsored by Rep. Steve Sviggum (IR-Kenyon) and Sen. William Belanger (IR-Bloomington).

HF1468*/SF1268/CH98

Unfunded mandates



A new state law will help determine how much money federal mandates are costing the state of Minnesota.

It calls 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 will 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 will 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 will 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 will, 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) and Sen. Kevin Chandler (DFL-White Bear Lake), becomes effective Aug. 1, 1995.

HF139/SF204*/CH57

Offensive place names



The word "squaw" — a term considered derogatory by some American Indians — will soon vanish from some place names in Minnesota, under a new state law.

New names in their place will 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 will change the name of any "geographic feature" containing the word "squaw." It will affect lakes, ponds, islands, bays, and other natural features.

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, letters from the DNR already have been sent to the five county boards that will be involved in name changes.

The measure, which became effective April 19, was sponsored in the Senate by Sen. Skip Finn (DFL-Cass Lake).

HF714/SF574*/CH53

Seized goods for sale



Unclaimed items recovered by police departments across the state will soon be sold in non-profit stores, under a new state law.

The law will allow merchandise not claimed within 60 days to be sold at auction, as is the current practice, or by sale through a non-profit agency.

In 1992, Minneapolis police began working with a community organization on a plan to teach young people bicycle repair, business management, and other skills by setting up a non-profit store, The Phantom Bike

Shop, for the sale of "recycled" bicycles. The store receives damaged bikes the police cannot auction off, fixes them up, and sells them.

The law will allow the police departments to dispose of unclaimed items — such as electronic equipment, tools, and lawn mowers that it recovers each year — through similar stores that sell second-hand goods. Police will not provide items such as clothing, fine jewelry, and firearms to the stores.

Police departments will benefit by gaining a percentage of the sale price on the items sold at the store and clearing out storage space.

The proposal, which becomes effective Aug. 1, 1995, was sponsored by Rep. Karen Clark (DFL-Mpls) and Sen. Carol Flynn (DFL-Mpls).

HF859*/SF833/CH79



HEALTH

MinnesotaCare changes

A bill to expand the number of Minnesotans eligible for MinnesotaCare, the state-subsidized health insurance program, is on its way to the governor's desk.

The House approved the bill May 22 on a 121-13 vote. The Senate passed it the same day, 45-18.

On May 4, the House voted down the bill, in part because two controversial abortion amendments were attached during debate. Throughout the final weeks of session, bill sponsors Rep. Roger Cooper (DFL-Bird Island) and Sen. Linda Berglin (DFL-Mpls) worked to find a compromise agreeable to lawmakers.

As passed, the bill specifically says public money would not be used to finance abortions except in certain circumstances, such as when the life of the woman is at stake or the pregnancy is a result of rape or incest.

The bill also says no one may perform an abortion except physicians and physicians assistants. No health insurance plan is required to cover the procedure.

HF1077/SF845*/CH234

Health care access

The bill may allow more people to be eligible for MinnesotaCare.

After October 1995, single adults and households with no children who make no more than 135 percent of the federal poverty guideline would be eligible for the state insurance program. Currently, the cap for those people is at 125 percent. The expansion is contingent upon approval from the commissioner of human services.

In dollars, that means couples earning up to \$13,530 and singles earning up to \$10,120 would be eligible. Currently, couples earning \$12,300 and singles earning \$9,200 annually are eligible for the program.

Nearly 80,000 Minnesotans are enrolled in the program.

The bill originally would have expanded eligibility to include singles and childless couples earning up to 150 percent of the federal poverty guideline, but some were concerned the state couldn't afford it. (Art. 6, Sec. 9)

Currently, the MinnesotaCare program is funded by a 2 percent gross revenue tax on hospitals, health care providers, and wholesale drug distributors.

The bill would appropriate \$244.3 million to pay for MinnesotaCare during the upcoming biennium. (Art. 11)

Universal coverage

The 1992 MinnesotaCare Act originally called for every Minnesotan to have health insurance by July 1, 1997.

The bill now does not specify a date by which "universal coverage" — when all Minnesotans have health care — must be achieved. Instead, it says universal coverage is achieved "when every Minnesotan has access to the full range of health care services, including preventive and primary care, and pays into the system according to that person's ability."

It also sets a goal of reducing the number of uninsured Minnesotans by 4 percent by January 2000. In 1994 it was estimated that 8.9 percent — or about 400,000 — of the state's residents were uninsured.

Also, the commissioner of health would have to make an annual report to the Legislature on the state's progress toward universal health care coverage. (Art. 4, Sec. 1)

Another change would ensure that all MinnesotaCare enrollees pay at least \$4 each month to be enrolled in the program. (Art. 6, Sec. 16)

Senior discount drug program

The bill would establish a program to provide prescription drugs for senior citizens at a discounted price.

Eligible seniors would pay \$5 each year to be enrolled in the drug discount program.

Under the program, seniors would pay 20 percent less than the average wholesale price or 5 percent less than the usual retail price for a drug, whichever is less.

Participation on the part of drug companies and pharmacies is strictly voluntary.

To be eligible, senior citizens must not earn more than 200 percent of the federal poverty guideline, (or \$14,720 per year),

must be enrolled in Medicare, and have no prescription drug coverage under any other health care plan.

Participating pharmacies would be reimbursed at four percent of the average manufacturer's price for the drug. They could not charge a more than \$3 dispensing fee. (Art. 6, Sec. 2)

RAPO

The bill would eliminate the regulated all payer option (RAPO), which would have allowed the state to standardize insurance prices and ensure that health insurance companies operate under uniform rules.

RAPO requirements were to apply to all health care services provided outside integrated service networks (ISNs) — nonprofit organizations agreeing to provide health care to an enrollee for a fixed charge per month.

(ISNs will begin operations in July 1996, and will function as a health care provider and an insurer.)

A 1994 law called for the commissioner of health to present recommendations to the Legislature by July 1995 on RAPO requirements and reimbursement methods. RAPO was to have been fully implemented by July 1997. (Art. 3)

Integrated Service Networks

The bill still permits ISNs to begin operating in 1996 and would ensure each is solvent before beginning operations.

The bill calls on ISNs to deposit \$300,000 in a custodial account with the Department of Health, which will oversee the ISNs. An ISN must then deposit \$300,000 annually, which would be used to pay costs should the ISN become insolvent.

The bill requires that each ISN have a net worth of at least \$1.5 million or an amount equal to a portion of the expected first year's operating expenses. An ISN also must maintain a \$1 million net worth after the first year of operation, under the bill.

It also would require the ISN to file a yearly audited financial statement with the Department of Health.

The bill requires an ISN to immediately notify the department of health if it does not have sufficient "working capital" as outlined in the bill. The commissioner of health can then take action deemed necessary to correct the situation. (Art. 1, Sec. 14, 15 and 16)

The bill also would require ISNs to make sure emergency services are located 30 miles or 30 minutes from every enrollee.

Also, an ISN would have to make sure all covered health services are available 24 hours a day seven days a week. (Art. 1, Sec. 24, Subds. 2, 6)

No standard health benefits

As passed, the bill contains no references to standard health care benefits, that is, a set policy for all insurers with identical coverage so that consumers could better compare prices and services.

Amendments that prohibited abortions from being included as part of a standard benefits package almost stalled the proposal. All provisions referring to standard health benefits were removed from the bill.

During floor debate May 22 on that bill, Rep. Steve Wenzel (DFL-Little Falls) offered several abortion-related amendments. All were unsuccessful.

Vulnerable adults

A bill that would increase criminal penalties for those who neglect or abuse vulnerable adults is on its way to the governor's desk.

The proposal was given final House approval May 22 on a 122-10 vote. The Senate approved it May 19, 62-0.

The measure would strengthen the 15-year-old law which protects adults vulnerable to abuse because they suffer from a physical or mental disability or are dependent on caregivers.

The bill creates stiff felony penalties under a new criminal abuse statute 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 years, five years, or up to a year 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. Under the bill, financial exploitation of a vulnerable adult would carry the same penalty.

The bill also would increase — to a gross misdemeanor from a misdemeanor — the criminal penalty for fifth-degree assault of a vulnerable adult.

It also calls for criminal background checks to be conducted on virtually all health professionals who work with vulnerable adults: those working in hospitals, surgical centers, nursing homes, or for home care agencies are among those included.

The bill also specifies that sexual contact between a vulnerable adult and his or her domestic partner does not constitute sexual

abuse. (The provision had been previously deleted in the House.)

The bill also would streamline the current mandated reporting system. Under current law, health care workers and other professionals who suspect a vulnerable adult is being abused are legally required to report the suspected abuse to the state.

The bill would create a single point at the county level for those people to make reports. Currently, the reports are made to and investigated by more than one agency, causing confusion and needless duplication, Greenfield has said.

The bill's price tag amounts to about \$3.1 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.

Licensing fees for certain hospitals, nursing homes, and home care agencies would increase slightly to pay for the bill.

Sen. Allan Spear (DFL-Mpls) sponsored the proposal in the Senate.

HF598/SF512*/CH229

Licensing acupuncturists



A new law requires Minnesota acupuncturists to be licensed by the state.

Acupuncture involves the ancient Chinese practice of puncturing the skin with needles at specific points to relieve pain and cure diseases.

Currently, the state requires neither training nor licensing for acupuncturists. House sponsor Rep. Peggy Leppik (IR-Golden Valley) has said that's precisely the problem. There are 50,000 acupuncture treatments performed each year in Minnesota and consumers have no assurance that their practitioner is trained in either acupuncture or clean needle techniques.

The law, effective July 1, 1995, will prohibit a person from practicing acupuncture after June 30, 1997, unless certified by the National Commission for the Certification of Acupuncturists or unless "grandfathered" in under the bill.

During a two-year transition period beginning July 1, 1995, a current acupuncturist may qualify for a state license without national certification if they have practiced in the field for at least three years between July 1, 1991, and June 30, 1995. During those years they must have had at least 500 patient visits annually with at least 100 different patients.

Last year, a similar provision appeared in the omnibus health and human services bill, but Gov. Arne Carlson vetoed the entire bill. Members of the profession have unsuccessfully sought state licensure for several years.

The law also requests that acupuncturists be regulated by the same board that regulates doctors: the Minnesota Board of Medical Practice.

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

HF446*/SF307/CH177

Breast cancer treatment



A bill to require insurance companies to pay for bone marrow transplants for Minnesota residents with breast cancer was signed by the governor May 18.

Some breast cancer patients whose doctors tell them their best chance of survival is a high-dose chemotherapy treatment accompanied by a bone marrow transplant have had to battle insurance companies that refuse to pay for the procedure. Most often the battle lands in the courts.

The new law sponsored by Rep. Dee Long (DFL-Mpls) doesn't give insurance companies the option. They must pay. (See April 7, 1995, *Session Weekly*, page 10, April 21, 1995, *Session Weekly*, page 15, and May 5, 1995, *Session Weekly*, page 8)

The measure, effective May 19, 1995, prohibits insurance companies from charging co-payments and deductibles greater than those that apply to other portions of the policy.

Long said that in Minnesota, too many insurance companies are making medical decisions by refusing to pay for the treatment. The decision, she said, should be in the hands of the woman and her physician.

Lawmakers heard debate from several doctors, many of whom agree the treatment should be covered by insurance. But some said only patients in a clinical study should be covered.

Patients, however, don't want to take the chance they'll be part of the group that doesn't receive the treatment. In a clinical study, there is a 50 percent chance you'll be a part of the study that receives the treatment but an equal chance you'll be a part of a "control" group that doesn't receive the treatment.

Mike Hatch, former head of the Department of Commerce, and now an attorney who has represented women whose insurance companies refused to pay for the proc-

edure, has said costs can run about \$65,000 compared to traditional chemotherapy, administered in low doses over several months, which costs about \$45,000.

He said he has represented many women in recent years and cited court decisions that have required insurance companies to pay for the procedure. Courts have found the procedure can be effective.

Sen. Pat Piper ((DFL-Austin) sponsored the bill in the Senate.

HF1742*/SF1590/CH183

Insurance and dental work



Health plans that insure Minnesota residents will have to cover general anesthesia and treatment for dental work if the work is for a medical condition covered by the plan, under a new state law.

Sponsored by Rep. Becky Lourey (DFL-Kerrick), the law also calls for health plans to cover dental treatment that requires general anesthesia, a hospital stay, or both, if the patient is a child under five, a severely disabled patient, or a person who, due to a medical condition, needs anesthesia or a hospital stay for dental work.

Such cases may not be covered by health plans now, Lourey said.

The law becomes effective for health plans issued or renewed on or after Aug. 1, 1995.

Sen. Ellen Anderson (DFL-St. Paul) sponsored the proposal in the Senate.

HF843*/SF613/CH91

Diabetes coverage



Health plans supplementing Medicare insurance will have to provide coverage for doctor-prescribed equipment and supplies needed for the "management and treatment of diabetes," under a

new state law.

Coverage will be subject to the same de-

ductible 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.

The proposal, effective Jan. 1, 1996, was sponsored by Rep. Tom Pugh (DFL-South St. Paul) and Sen. Deanna Wiener (DFL-Eagan).

HF350/SF34*/CH52

Complete malpractice reports



A new state law will ensure that the Board of Medical Practice receives the names of all doctors who are the subject of malpractice awards or settlements.

Under current law, insurance companies are required to provide the board reports of all settlements or awards involving doctors.

But hospitals, clinics, and other entities paying off settlements against physicians have been able to dodge the requirement to provide details to the board. Since they are not insurance companies, they technically have not been required to report.

The new law closes that loophole by specifically requiring that hospitals and other entities that provide malpractice coverage for doctors or other health professionals report all settlements and awards to the Board of Medical Practice.

Reports must include the health professional's name, the allegations in the claim or complaint, and the date and dollar amount of the settlement or award.

The measure, which is effective Aug. 1, 1995, was sponsored by Rep. Steve Kelley (DFL-Hopkins) and Sen. Pat Piper (DFL-Austin).

HF226*/SF73/CH44

Criminal doctors



Any doctor convicted of a felony-level criminal sexual conduct offense will have his or her medical license automatically — and permanently — revoked, under a new state law.

And Minnesota doctors convicted of felonies "reasonably related to the practice of patient care" will have their licenses automatically suspended.

The law also will apply to physician's assistants, physical therapists, or other health professionals licensed by the state Board of Medical Practice.

Under the measure, license suspension will be automatic following a felony conviction, and a doctor or other health professional will have to request a hearing to get back his or her license. For reinstatement, the individual will have to demonstrate that he or she has been rehabilitated by "clear and convincing evidence."

Under current law, the board has the authority to suspend a doctor's license, but a hearing is held first. The board can suspend a license without a hearing in some circumstances, but the burden is then on the board to set up a hearing seeking a final determination.

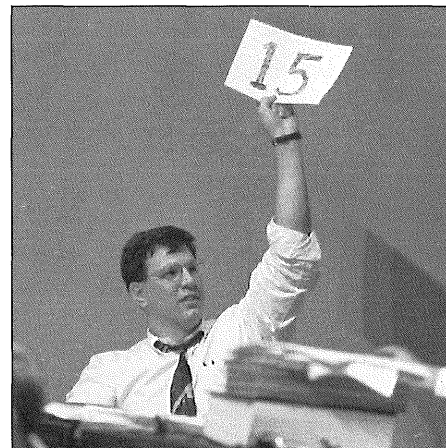
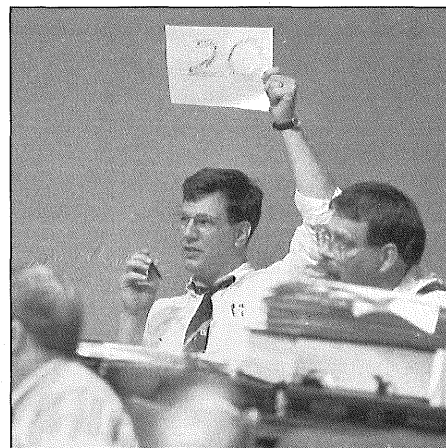
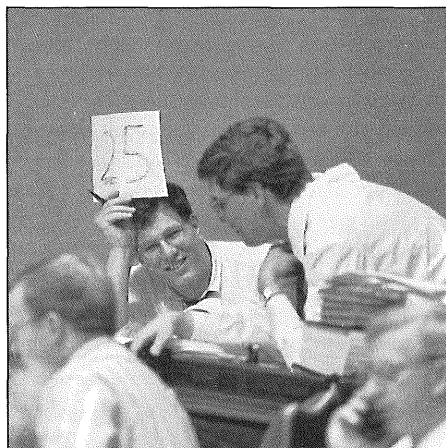
The new law will shift the burden to the health professional, who must seek a hearing and prove the suspension should not be made permanent.

Another provision in the bill will allow the medical board to suspend or revoke the license of a doctor or health professional who fails to repay a state or federal student loan.

Most of the proposal becomes effective Aug. 1, 1995. The provision relating to the revocation of a state license because of a criminal sexual misconduct conviction became effective March 28, 1995.

The measure was sponsored by Rep. Steve Kelley (DFL-Hopkins) and Sen. Pat Piper (DFL-Austin).

HF231*/SF95/CH18



Insurance and prescriptions



Health insurance plans that cover prescription costs will have to help pay those costs whether a doctor, nurse practitioner, or physician's assistant wrote the prescription, under a new state law.

Currently, many health plans pay only for prescriptions written by a doctor. But under current law, nurse practitioners and physicians' assistants also are able to write patient prescriptions.

The law won't cost insurance companies anything or affect insurance rates. It only ensures that prescriptions legally written by nurse practitioners and physician's assistants are covered by an insurance plan.

The House and Senate passed the same provision last year as part of the Health and Human Services supplemental appropriations bill, which was vetoed by the governor.

The proposal, effective Aug. 1, 1995, was sponsored by Rep. Roger Cooper (DFL-Bird Island) and Sen. Dallas Sams (DFL-Staples).

HF612*/SF543/CH69

HIGHER EDUCATION

Higher ed funding



For the first time, a small portion of the state appropriation to Minnesota's higher education institutions will be granted only if those schools meet specific goals spelled out by the Legislature.

The measure, which the governor signed on May 24, comes as part of a \$2.14 billion higher education spending package.

It marks the first time the granting of state money is tied to the performance of the institution or agency receiving the money.

Of that \$2.14 billion appropriation, a total of \$10 million — or about one-half of 1 percent of the total — is tied to the making of

improvements at the University of Minnesota and the Minnesota State Colleges and Universities (MnSCU) system.

University of Minnesota

Of the \$969 million in state money intended for the University of Minnesota, \$5 million will be tied to the university making increases in the following five areas:

- The percentage of freshmen who ranked in the top 25 percent of their high school class.
- The rate of retention of entering freshmen.
- The number of minority freshmen and the number of women and minority faculty.
- The five-year graduation rate measured between August 1994 and August 1996.
- The number of credits issued through televised classes between fiscal year 1995 and fiscal year 1996.

Each time the school meets one of those goals, it will receive \$1 million in state money.

MnSCU

Money for the Minnesota State Colleges and Universities (MnSCU) system — which will represent all Minnesota higher education institutions except for University of Minnesota schools — also will be tied to performance. Specifically, \$5 million of the MnSCU's \$937 million appropriation.

The system will receive \$1 million of the \$5 million each time it makes increases in the following areas:

- The portion of the budget devoted to instruction.
- The number of courses offered on television.
- Student retention rate by 2 percent each year.
- The graduate rate by 2 percent each year.
- The number of students who complete two-year degrees and transfer to four-year programs.

The idea behind tying state aid to specific "performance measures" originally came from Rep. Steve Kelley (DFL-Hopkins), who included such a provision in the original House

bill, though it pertained only to the University of Minnesota.

His language called for University of Minnesota schools to meet goals administrators already had set for those institutions, such as increasing minority enrollment. Under Kelley's plan, \$1.25 million of the \$5 million appropriation will be released each time the schools meet a goal.

"But this goes beyond what we originally intended," Rep. Tony Kinkel (DFL-Park Rapids) said of the conference committee bill. Other government operations could, in the future, tie the release of state funds to the meeting of set goals in much the same way, he suggested. Kinkel served on the conference committee and chaired the House Higher Education Finance Division where the House bill originated.

The law calls for the planned merger of the state's university, technical college, and community colleges in July. Those schools will combine to form the MnSCU system.

The House had voted — as it did in 1992 and 1993 — to call off the merger.

But this year's conference committee again took out the House provision calling off the merger. The law now includes a number of technical and administrative provisions necessary to enact merger legislation.

In terms of financing, the law will allocate \$937 million to the Minnesota State Colleges and Universities — the merged system — over the next two years, and \$969 million to the University of Minnesota.

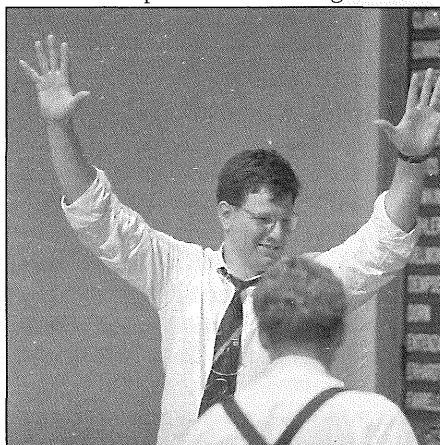
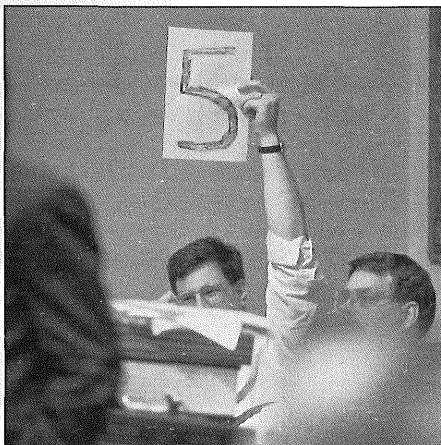
The House bill originally called for the merged system to receive \$935.6 million over the next biennium and the University of Minnesota to receive \$970.6 million.

Kinkel said the funding is "woefully short" but the best the state can do in an extremely tight budgeting year.

The governor had originally called for a higher education spending bill which would not increase tuition at state schools by more than 3 percent each year of the biennium. But Kinkel said he expects tuition to increase by more than that amount simply because the new law does not provide the full funding amount needed by state colleges and universities.

University of Minnesota officials, for example, have said they may need to raise tuition by 7.5 percent each year during the next two years.

Rep. John Tuma used signs and his fingers to count down the final 25 minutes before the mandated midnight adjournment of the House, May 22. The Minnesota Constitution calls for the Legislature to adjourn on the first Monday following the third Saturday in May. This year, that date fell on May 22.



Under the law, the Mayo Medical School gets \$1.8 million over the two-year spending cycle. Of that amount, \$120,000 is intended to help fund a program to train medical residents at the St. Cloud Hospital.

Doctors at the hospital had originally asked for a \$120,000 state appropriation in 1997 with a stepped-up appropriation in following bienniums. But the conference committee bill stipulates money for the program is one-time only. The hospital will have to ask for renewed funding in upcoming years.

Also, the Higher Education Services Office — a newly created office — will receive \$236 million for the two-year state spending cycle to administer financial aid to Minnesota residents attending public higher education institutions. The agency will replace the Higher Education Coordinating Board, which will be abolished.

The new law (HF1856*/SF1234/CH212), sponsored in the Senate by Sen. LeRoy Stumpf (DFL-Thief River Falls), also includes the following key provisions:

HECB eliminated

The Higher Education Coordinating Board, which is responsible for distributing financial aid to Minnesota's post-secondary students, will be eliminated and its duties moved to a newly created Higher Education Services Office (HESO).

Rep. Gene Pelowski (DFL-Winona) sponsored HF307, the language of which has been rolled into the omnibus bill, said the move would save about \$3.7 million over the next biennium. (See March 10, 1995, *Session Weekly*, page 11)

The law will eliminate 27 of the 67 HECB employee positions, Pelowski said. The remainder will be transferred to the HESO.

The law will also set up an 11-member Higher Education Administrators Council (HEAC) made up of campus presidents, the president of the private college council, the commissioner of education, and others. The HEAC will be responsible for consulting with a newly established student advisory council, appointing the HESO director, and communicating with the Legislature and the governor.

Semester system

Classes at Minnesota's state universities, community colleges, and technical colleges will last one semester rather than one quarter of the academic year.

Those universities and colleges will have until fall 1998 to begin a semester school year. (See March 24, 1995, *Session Weekly*, page 13)

Kinkel has said the move would save money because students would have to register only twice during the academic year instead of three times, and financial aid would be distributed only twice. Also, 80 percent of colleges and universities nationwide use a semester school year, he said.

Also under this section of the law, schools in the soon-to-be-combined state university, technical, and community college system will begin classes on the same fall date.

If all system classes start at the same time, students can more easily transfer between schools, Kinkel said. The University of Minnesota will be exempted from this provision because the Legislature has no authority to mandate changes at that school.

This portion of the law was originally included in HF899, which Kinkel sponsored.

Financial aid limited

The law also calls for the state to stop subsidizing tuition costs after a student has earned 48 more credits than are needed for a degree in his or her major.

This would apply to students at any public college or university in Minnesota.

Currently, the state pays 60 percent of a Minnesota student's education costs for up to 180 credit hours. Student tuition pays the remaining 40 percent.

After the excess 48-credit limit is reached, students will be responsible for the true cost of a course. That means an otherwise \$280 four-credit course at the U of M will cost about \$467.

Also, the state university campus in Akita, Japan, will have two years to bring state funding of its Minnesota students in line with state funding of students on Minnesota public campuses.

Currently, the state pays about \$17,000 to subsidize the education of each Minnesota student in Akita. For students studying in Minnesota, the subsidy amount is about \$3,500.

This portion of the law was originally included in HF899, which Kinkel sponsored.

More rural doctors

A program to train medical residents at the St. Cloud Hospital will receive \$120,000 from the state in 1997.

The money will go to help establish a family practice residency program to be run in conjunction with the Mayo Graduate School of Medicine in Rochester, Minn. The hospital will also use federal government and hospital money to fund the program. (See March 31, 1995, *Session Weekly*, page 11)

After they finish medical school, doctors

need to complete a residency program before they can become certified doctors.

Rural Minnesota — like rural areas throughout the nation — faces a shortage of doctors because only about 30 percent of medical students today become general practitioners.

Presently, 220 additional doctors are needed in rural Minnesota. The hospital will train residents who would hopefully stay in the area and practice as rural doctors.

The hospital's residency program will kick off in 1999 with four residents. Four students would be added each year until there are 12 students total in the three-year program.

The Mayo Graduate School of Medicine request for a state appropriation may make additional requests for state funds in upcoming years.

This portion of the law originally entered the legislative process as HF1028, sponsored by Rep. Joe Opatz (DFL-St. Cloud).

Interpreter training

An advisory committee could determine whether there is a need for a training program to certify interpreters and translators, under this portion of the law.

If they find a need, certification would begin in September 1998. (See March 24, 1995, *Session Weekly*, page 7)

Rep. Karen Clark (DFL-Mpls), who sponsored the original language of this provision (HF678), has said because interpreters are untrained and are sometimes friends and relatives of the non-English speaking person, the actual interpretation could be sketchy.

Certifying interpreters will ensure they meet certain standards and will protect those who use interpreters at court hearings and doctor's appointments, Clark said.

The Higher Education Board will determine standards interpreters will need to meet for certification.

An interpreter acts as a go-between for people carrying on an oral conversation. Translators work from written material.

HF1856*/SF1234/CH212



HOUSING

Affordable housing

A bill to help clean up polluted land in the Twin Cities metropolitan area to make room for new development, create more affordable housing, and offer tax breaks for people who move into blighted neighborhoods, is on its way to the governor.

The House and Senate both passed a compromise version of the bill May 22. The House voted 81-49, the Senate 57-1. (See March 31, 1995, *Session Weekly*, page 12,

May 5, 1995, *Session Weekly*, page 10, and May 19, 1995, *Session Weekly*, page 15)

The bill, sponsored by Rep. Dee Long (DFL-Mpls) and Sen. Ted Mondale (DFL-St. Louis Park), contains several programs for the seven-county metropolitan area paid for by several different funding sources.

HF1156/SF1019*/CH255

Local housing

First, the Local Housing Incentives Account program — a voluntary program for cities — would require that a portion of the property taxes on high-value homes in metropolitan communities be used to build more affordable housing and “life-cycle” housing for targeted groups at various stages of life — such as young families, singles, and the elderly.

Under the program, each seven-county metro area city could annually negotiate affordable housing goals with the Metropolitan Council. A city would keep the tax money generated from certain high-value homes if the city works toward its negotiated housing goals. But a city could lose some of its property tax dollars to a regional pool or its local housing authority if it refused to work toward the housing goals it negotiated.

Besides those dollars, the program is paid for with a \$1 million appropriation from solid waste bond proceeds. And, beginning in 1998, \$1 million per year of the Metropolitan Council's general property tax levy, would help fund the program. Another \$500,000 would come from a separate account under the bill which funds “livable communities” demonstration projects such as a project that may relate development with transit needs in a community.

A city could choose not to participate in the housing program, but then it could not apply for state grants to help clean up contaminated sites.

If the city wants to apply for the grants, it must show it has spent money on affordable housing as if it had been a participant in the program. Or, it must spend the money (cumulative for all the years it did not participate) on those housing programs. The city also could agree to deposit its share into the regional pool for affordable housing. The Metropolitan Council would have the option to waive a portion of the cumulative amount owned.

The bill does require the Metropolitan Council to issue an annual public report card on affordable and life-cycle housing in the metro area by city.

‘Livable communities’

A second program under the bill would fund “livable communities” demonstration projects. The Metropolitan Council would provide grants and loans to cities for certain projects. Just what kind of projects would qualify for grants or loans is left up to the Metropolitan Council to determine.

To pay for the grants and loans, the bill authorizes the Metropolitan Council to levy a tax up to 50 percent of the current Metropolitan Mosquito Control District's levy and provides an annual Homestead and Agricultural Credit Aid (HACA) payment equal to 50 percent of what the mosquito control district receives.

Fifty percent of the mosquito control district's levy, along with the HACA payment, could amount to about \$4.5 million a year for the grants and loans.

To balance the books, the bill lowers the mosquito control district's taxing authority by the amount granted to the Metropolitan Council and cuts its HACA payment by 50 percent.

Contaminated land clean-up

And finally, the bill would help clean up polluted lands in the metropolitan area. This program would help revitalize the tax base in urban areas by providing more land for commercial and industrial development.

Some of the money to fund the clean-up program would come from funds the Metropolitan Council sets aside to help local governments purchase rights-of-way necessary when building roads.

Other dollars would come from a pool of money (the fiscal disparities fund) made up of a portion of each metropolitan city's commercial-industrial tax base. Specifically, the bill would tap into a portion of the pool that dates back to the construction of the Mall of America.

When the Mall of America was built, the city of Bloomington sold bonds to pay for a series of highway improvements around the mall. For now, the fiscal disparities fund foots the bill for interest on the bonds. The pool is to stop paying off the interest in 1999. The city of Bloomington must then repay the pool for the interest on those bonds.

Under the bill, Bloomington is still responsible for paying its debt, but instead of beginning repayments in the year 2000, the city would begin in 2006.

Money from the fiscal disparities pool, however, would continue to be tapped, this time set aside in a new account to finance the cleanup of polluted land. It is estimated that the pool would pay about \$5 million a year to the program.

The bill also includes a provision originally found in a housing and economic development bill (**HF1627**) sponsored by Rep. H. Todd Van Dellen (R-Plymouth).

It would create an urban homestead exemption program that would provide tax breaks to people who move into homes in blighted metro neighborhoods.

The Metropolitan Council would designate one or more urban revitalization and stabilization zones by Sept. 1, 1995. Anyone buying and occupying a home within such an area would receive an income tax break for up to five years, provided they do not move out of the home, sell the house, fail to comply with building codes, or get convicted of a gross misdemeanor or a felony.

The maximum exemptions would equal \$15,000 for a married couple filing jointly, \$10,000 for singles, and \$12,500 for unmarried people qualifying as heads of households.

Joint utility bills



Landlords who own multi-unit apartment buildings and measure tenants' utility use with a single meter will be required to pay the utility bills, under a new state law.

Beginning with leases signed after Aug. 1, 1995, landlords will either have to install separate utility meters for each apartment or become the utility company's customer of record, pay the bill, divide it up among the tenants, and figure it into the rent.

In some buildings with only one meter, tenants are now required to pay the electric and other utility bills for all tenants. Later, they must seek out the other tenants to get them to pay their share.

Some tenants also are now being charged to light and heat the common areas of a building, such as lights in the hallways and parking lots.

The problem, House sponsor Rep. Andy Dawkins (DFL-St. Paul) has said, is that the tenant who pays the utility bill has no recourse if the other tenants refuse to pay their share. The utility company will seek reimbursement from the individual whose name appears on the bill. A landlord, on the other hand, can pay the bill and then figure it into each tenant's rent.

Sen. Janet Johnson (DFL-North Branch) sponsored the proposal in the Senate.

HF323*/SF249/CH192



HUMAN SERVICES

Health, human services funding



A \$5.1 billion bill that spends money on child care, sets limits on in-home personal care services for the disabled, and requires some individuals to obtain a foster care license to care for a child to whom they are related, has been signed into law.

The House passed the compromise May 17 on a vote of 98-31. The Senate passed it the same day, 56-11.

The Omnibus Health and Human Services new law for 1996-1997 spends about \$58 million less than Gov. Arne Carlson recommended and roughly \$650 million more than in the 1994-1995 two-year budgeting period. (See April 28, 1995, *Session Weekly*, page 15 and May 5, 1995, *Session Weekly*, page 11, and May 19, 1995, *Session Weekly*, page 16)

The law appropriates money for programs in the Department of Human Services, the Department of Health, and several other smaller agencies.

It sets aside \$16.2 million to subsidize child care costs for low- and moderate-income families, thus removing a barrier to their returning to work. It also sets aside more than \$3.4 billion for the state's medical plans such as Medical Assistance, \$290.3 million for Aid to Families with Dependent Children grants, \$90.7 million for General Assistance grants, and more than \$175 million in other public assistance and work and training grants.

The bill became wrapped in heated debate earlier this session when Carlson proposed cutting back two programs that help disabled people remain at home instead of in an institution.

Specifically, the governor proposed to cut a program that provides in-home personal care attendants for the disabled and another program — known as TEFRA — that allows the families of children with disabilities to buy into a state medical care plan.

But after hours of public hearings and hundreds of people who testified — many of whom came in wheelchairs, with guide dogs, or with ventilators — lawmakers backed down from some of the cuts.

If the two programs had been left alone, they would have received \$116.6 million (combined) during the 1996-1997 budget period. The new law cuts the two by \$10.3 million altogether.

Although the governor's supplemental

budget recommendations showed cuts of about \$11.5 million for the two programs, Carlson was anticipating federal waivers to transfer people into other programs. Those waivers were never guaranteed.

The new law does tighten eligibility requirements and limits some services for personal care attendants and the TEFRA program.

The law reduces by 12.5 percent the maximum number of personal care service hours a recipient may receive. (Art. 6, Sec. 55) It also eliminates personal care services for ventilator-dependent people in hospitals and prohibits legal guardians from being personal care service providers. (Art. 6, Sec. 48)

The measure further expands the list of personal care services not eligible for Medical Assistance reimbursement. Only care ordered by a doctor can be reimbursed. Currently only a registered nurse, in conjunction with the personal care assistant, needs to authorize care. (Art. 6, Sec. 54)

The law also tightens eligibility requirements for people seeking personal care services. To qualify for those services under the law, individuals must be able to "identify their needs, direct and evaluate task accomplishment, and assure their health and safety." (Art. 6, Sec. 48)

Families with children receiving care under the state's Medical Assistance program (including those in the TEFRA program) will have to contribute more for their care. Under the law, parents with an adjusted gross income of \$30,000 or more will have to pay a \$25 minimum fee or a greater amount depending on their income. The law changes the formula so more of a family's income is chargeable to the fee. (Art. 6, Sec. 6)

Currently, only the income above 200 percent of the federal poverty level is used to calculate the fee. The law will lower that to 150 percent. For a family of four that means that instead of income more than about \$29,600 being used to calculate the fee, income more than about \$22,200 applies.

The law was sponsored by Rep. Lee Greenfield (DFL-Mpls) and Sen. Don Samuelson (DFL-Brainerd).

HF1588/SF1110*/CH207

Some of the law's highlights include the following provisions.

Electronic welfare

The measure authorizes the Department of Public Safety to issue cards to welfare recipients across the state so they can access their food stamp and other public assistance benefits electronically. Ramsey County piloted the program.

Under the system, people receiving public

assistance use a "cash card" to withdraw their benefits — both monetary and food stamp — from either machines stationed at grocery store checkout lanes or a typical "cash machine."

Although costly to set up, the electronic system reduces the potential for theft and fraud and eliminates mailing costs. (Art. 2, Sec. 3.)

Foster care by relatives

An individual who wishes to provide foster care to a child that they are related to must have a foster care license, under the law. This provision takes effect May 26. (Art. 2, Secs. 5-8)

"Relative" is defined to include members of the child's extended family as well as important friends with whom the child has had significant contact. The measure does include a federal waiver request to exempt grandparents from the foster care license requirement. (Art. 2, Sec. 38)

The law does make room for an emergency license that allows a county to place a child in foster care with an unlicensed relative so long as the county inspects the home within three days, requires the relative to apply for a regular foster care license, and obtains background information on the relative.

If an emergency license is granted, it stays in effect until a regular license is obtained, but for no longer than 90 days. If the request for an emergency license is denied, the child is taken out of the home. The relative does have the option to appeal the decision to the commissioner of human services.

Cultural child care centers

The law requires child care providers at licensed child care facilities — as part of their on-going training — to be trained in "cultural dynamics." The training will include understanding the importance of the cultural differences and similarities in working with children. It also will include learning skills to help children develop unbiased attitudes about cultural differences. (Art. 4, Sec. 1)

Laura Baker School

The Department of Human Services will be required to inspect and certify the expansion of a Northfield, Minn., health care facility to a 44-bed crisis facility for persons with Prader-Willi Syndrome, a genetic obesity disease. The hospital will be eligible for Medical Assistance funding under the law. Currently there are two other facilities in the state to care for people with this disease but both have lengthy waiting lists for services. (Art. 3, Sec. 21)

Home visits

The law sets aside \$82,000 to expand the current public health nurse and family aide home visiting program. The money will be used to fund additional projects to help prevent child abuse and neglect and reduce juvenile delinquency. The projects, through a public health nurse or other trained individual, will contact adolescent parents, families with a history of violence or drug abuse at the birth of a child, and other families considered to be in need of additional services.

The nurse or other staff member will offer to visit, answer parenting questions, provide information on breast-feeding and other infant health issues, and make referrals to any other appropriate state or county services. Staff will also screen the family to determine if families need additional support or are at risk for child abuse and neglect. (Art. 9, Sec. 37, Subds. 1-3)

Children's Mental Health Act

A county board could provide services under the Children's Mental Health Act to an individual who is no longer a minor. The law allows services to individuals between the ages of 18 and 21. The act requires counties to make available a range of mental health services, both inpatient and outpatient, for all county residents. If state aid or private insurance is unavailable to pick up the tab, the county charges fees based on income. (Art. 8, Sec. 8)

This provision is designed not to abruptly switch a child's mental health care simply because he or she reaches age 18. It allows a county board to continue mental health services to individuals older than 18 but younger than 21 if the individual is enrolled in special education lessons through the local school district or it is in the best interest of the person to continue their current treatment. The language matches the age range of persons served through the social service system with that used in the education system, because special education may be provided to persons up to age 21.

Homeless youth

The law requires the Department of Human Services to solicit proposals to create safe houses and transitional housing for homeless youth. The department must request the proposals from groups knowledgeable about the homeless youth problem. The measure sets aside \$1.2 million.

Safe houses will provide emergency housing for homeless youth ages 13 to 22. Transitional housing will provide housing for homeless youth ages 16 to 22 who are pre-

paring to live independently on their own. The law says the housing should resemble a family atmosphere in a neighborhood or community and, if possible, provide separate homes for males and females. (Art. 4, Sec. 4, Subds. 1-2)

The homes will also provide counseling services, employment services, health care, and education services.

Child care slots

The measure will help some families on public assistance — specifically Aid to Families with Dependent Children — more easily find child care. (Art. 4, Sec. 30)

Currently, AFDC recipients who are enrolled in STRIDE (the federally mandated employee and training program for AFDC participants) are entitled to full payment of child care costs. But there is a lengthy waiting list for STRIDE.

The law allows those on the waiting list to obtain a slot in a separate child care program for AFDC participants who are in a self-initiated employment and training program independent of STRIDE. The law reallocates the child care slots from counties that have vacancies to counties that have a waiting list.

Home care for some

Pending federal approval, an individual who is mentally retarded or otherwise developmentally disabled may receive state Medical Assistance benefits for care in their own home, even if that home is not licensed, under the law.

The home, however, must be inspected and care provided by qualified professionals. The provision is designed to provide care at home instead of at an institution. (Art. 3, Sec. 19)

Nursing home restrictions

Effective July 1, 1996 — pending federal approval — people considered "high functioning" could no longer be admitted to nursing homes where their care is paid for by state medical assistance programs, under the law.

High functioning people are defined, in part, as being "independent in orientation and self-preservation." Instead of nursing home care, they will have the option of receiving personal care services and home health aide services; residing in group residential housing; or receiving a service allowance to arrange for their own care.

This provision exempts nursing home residents admitted before July 1, 1996, and provides an appeals process for those denied admission into a nursing home. (Art. 6, Sec. 1)

Estates subject to MA claims

The law allows a claim against the estate of a person who is over 55 and who receives state Medical Assistance. Currently, the age is 65. (Art. 6, Sec. 79)

Osteoporosis prevention

Gone from the bill is a \$300,000 proposal for a statewide osteoporosis prevention and treatment program.

Instead, the law requires the Department of Health to report on the need for an osteoporosis prevention and treatment program and authorizes the department to apply for grants and gifts to establish a program. (Art. 9, Sec. 53)

Osteoporosis is characterized by a decrease in bone mass leading to fragile bones that can fracture easily.

U.S. Army spraying examined

The law requires the Department of Health to review the National Academy of Science's report on the past and future adverse effects, if any, on public health and the environment from the U.S. Army's spraying of zinc cadmium sulfide and other chemicals in Minnesota in the 1950s and 1960s.

Some residents in Minneapolis and around the state maintain they have health problems due to the spraying.

It further requires the Office of the Attorney General to determine whether any state or federal laws or constitutional provisions were broken and what legal action is available to recover damages and prevent any future spraying. (Art. 9, Secs. 51-52)

Child support changes

The law creates an employee remedy against an employer who engages in reprisals because the employee has child support withheld from his or her check. It allows the employee to recover twice the amount of any lost wages and imposes a \$500 fine on those employers who violate the ban. (Art. 10, Sec. 22)

The law also imposes a maximum \$250 fine on an employer found guilty of contempt for not withholding child support ordered by the court. (Art. 10, Sec. 24)

Welfare reform



A welfare reform bill that requires some new Minnesota welfare recipients to take part in a tough new jobs program and mandates that teen-aged moms on welfare live at home, was signed into law May 18.

But the governor line-item vetoed a food stamp outreach program and a cash assistance program for single adults totaling nearly \$6.6 million. (See related story page 51)

The new law authorizes \$22.4 million in spending during the 1996-1997 biennium for a variety of programs.

But despite that price tag, supporters of the welfare reform measure say it will actually save millions over the next two years — primarily through cuts in some public assistance benefits such as AFDC.

The law appropriates \$1.7 million for AFDC grants, \$500,000 for welfare fraud prevention efforts, and beginning July 1, 1996, it spends more than \$1 million for an intensive six-month language program for some non-English speaking welfare recipients who participate in work training programs.

A major provision in the new law appropriates more than \$1 million to help some counties design their own employment program for first-time public assistance recipients or participate in a Work First pilot program.

The Work First program includes tough penalties, such as losing benefits, if participants don't stick to a contract to search for a job and accept work. The new law does not specify which counties could operate the program.

Under Work First, participants will not receive a check, but will see their AFDC or other public assistance grant money first go toward vendor payments for rent and utilities for up to six months. They also will receive food stamps, medical assistance, child care assistance, and a job search allowance.

The new law also will require most teen-aged moms, beginning Oct. 1, 1995, to live at home or with a supervising adult except in special circumstances, such as in a case where there has been abuse at home. A waiver of federal rules will be required before this can be implemented.

The law also seeks exemptions from federal rules that some argue discourage welfare recipients from finding work. One waiver allows welfare recipients to spend more for an automobile, giving them more reliable transportation to and from work. The new law asks that the limit be raised to \$4,500 —

up from the current \$1,500 limit. Another allows individuals receiving AFDC to work more than 99 hours per month and remain eligible for public assistance.

In addition, the new law:

- prohibits Medical Assistance from paying for fertility drugs;
- prohibits General Assistance Medical Care from paying for sex-change operations;
- requires the Department of Human Services to develop a grant pilot program to enable AFDC caretakers to become child care workers; and
- expands the Minnesota Family Investment Plan (MFIP) welfare program to Ramsey County at a cost of \$6.6 million in grants. The program is currently a five-year pilot project in seven counties. It allows families to accept lower paying jobs while receiving some public assistance. This helps them gain work experience. The bill would further tighten the MFIP program and specifies that participants must seek and accept full-time employment (30 or more hours per week). After three months of searching for a job, participants are required to take any suitable job. Those who quit, lose their job, or fail to meet with their case manager, would be subject to sanctions.

The measure was sponsored by Rep. Bob Anderson (DFL-Ottertail) and Sen. Don Samuelson (DFL-Brainerd).

(See Jan. 13, 1995, *Session Weekly*, page 6; Jan. 20, 1995, *Session Weekly*, pages 6-7; Feb. 3, 1995, *Session Weekly*, page 10; and Feb. 17, 1995, *Session Weekly*, pages 8-9; Feb. 24, 1995, *Session Weekly*, page 9; and May 12, 1995, *Session Weekly*, page 7)

HF5*/SF1/CH178



INSURANCE

Genetic discrimination

Insurance companies could not use genetic information to decide who will receive medical coverage, under a bill on its way to the governor.

Both House and Senate passed the bill May 22. The votes were 131-2 and 62-0, respectively.

The proposal, sponsored in the House by Rep. Charlie Weaver (IR-Anoka), would bar health insurance providers from requiring applicants to submit to genetic testing and from refusing coverage on the basis of the results of tests taken by individuals or their relatives.

Scientists currently can identify at least 4,000 of the about 100,000 human genes and the indicators of 500 to 1,000 medical

disorders. Recently, genes have been identified for such maladies as Huntington's disease, colon cancer, and breast cancer.

While the mere presence of a genetic indicator does not mean a person will ever contract the disease, discrimination on genetic grounds is already taking place in the insurance industry and the practice threatens to become more common, according to Weaver.

His bill applies to tests performed in the absence of any symptoms to determine the presence or absence of a gene or genes. It does not apply to cholesterol tests or other similar procedures.

The ban on using genetic information to determine insurance eligibility would not extend to life insurance providers.

(See March 3, 1995, *Session Weekly*, page 11 and March 31, 1995, *Session Weekly*, page 14)

Sen. Gene Merriam (DFL-Coon Rapids) sponsored the proposal in the Senate.

HF278/SF259*/CH251

Terminal illness, insurance



A new state law will provide protection for AIDS patients and other terminally ill people who sell the rights to their life insurance policies and sometimes end up on the short end of the deal.

The law, effective Jan. 1, 1996, will regulate what are called viatical settlements. Under the agreements, those who face certain death sell off their life insurance policy to receive some cash on their investment before they die.

Those who buy the insurance policies do so as an investment. They receive the value of the policy when the person dies.

The problem is that in some cases profiteers have purchased policies for as little as 25 percent of the amount that will be received in death benefits.

The law, signed by Gov. Arne Carlson May 10, will require companies or individuals who provide viatical settlements to be licensed by the state and to be subject to state oversight.

Under the measure, buyers will be required to pay a minimum percentage of the face value of the policy dependent on the seller's life expectancy.

For example, the buyer would have to give the ill person at least 80 percent of the value of the policy if the seller has less than six months to live or 70 percent if the seller has six months to a year to live. The law sets an absolute minimum of 50 percent of the policy

value to be paid to sellers with a life expectancy of two years or more.

Policy buyers will be required to receive a physician's statement showing the seller is of sound mind. They'll need to obtain a signed and witnessed statement from the seller demonstrating he or she understands the consequences of the contract and consents to it.

The law also will require policy buyers to inform sellers of alternatives to viatical settlements, including the fact that some insurance companies are willing to offer them early payments on their policy benefits.

The bill was sponsored by Rep. Wayne Simoneau (DFL-Fridley) and Sen. Sam Solon (DFL-Duluth).

HF217*/SF139/CH151

Insurance break



Owners of automobiles equipped with certain anti-theft devices will get a break on insurance premiums, under a new state law.

The measure requires insurance companies to provide a minimum 5 percent discount on comprehensive coverage to policyholders whose vehicles have alarm systems.

In order to receive the discount, the policyholder must have an alarm system that was original equipment on the vehicle or was installed later by the manufacturer or an authorized dealer.

The measure, which was sponsored by Rep. Wayne Simoneau (DFL-Fridley) and Sen. Sam Solon (DFL-Duluth), was signed May 3 by Gov. Arne Carlson. The law takes effect Jan. 1, 1996.

HF877*/SF949/CH115

No more quotas



Independent insurance agents no longer will be required to meet quotas for the sale of certain kinds of insurance, under a new state law.

Independent agents often represent as many as 30 separate insurance companies. Some of those companies link the agents' right to sell property and casualty insurance, such as homeowner and automobile policies, to quotas on the sale of life and health policies which are more difficult to sell.

Agents can run into problems trying to meet all of the quotas demanded by the companies they represent. Those who fail to meet the quotas can be dropped by the companies — limiting insurance options available to consumers.

The new law does not apply to agents directly employed by a single company or those who sell for only one company.

The measure, sponsored by Rep. Greg Davids (IR-Preston) and Sen. Kevin Chandler (DFL-White Bear Lake), was signed May 10 by Gov. Arne Carlson. The law goes into effect Aug. 1, 1995.

HF751*/SF649/CH152

Rental car coverage



Vehicle owners will be able to rent cars, trucks, and vans by the month and still expect their private automobile insurance to extend coverage to those rental vehicles, under a new state law.

Current law calls for private automobile

insurance to cover vehicles rented on a weekly or daily basis. But House sponsor Rep. Betty McCollum (DFL-North St. Paul) said those who rent cars are able to obtain better rates when renting by the month.

The law calls for vehicles rented on a monthly basis to be accompanied by a statement which informs the renter that, under state law, personal automobile insurance policies issued in Minnesota must cover rental vehicles.

Currently, such statements must accompany vehicles rented by the day or week.

The measure includes language that would prevent long-term renters from leasing cars and having their auto insurance provide coverage for those cars, McCollum said.

The proposal, which becomes effective Aug. 1, 1995, was sponsored in the Senate by Sen. James Metzen (DFL-South St. Paul).

HF1308/SF973*/CH140



LABOR

Workers' comp reform

A bill that promises to reform Minnesota's \$1 billion workers' compensation system now awaits Gov. Arne Carlson's signature.

The House passed the bill May 22 on an 81-52 vote. The Senate passed the bill May 19 on a 37-28 vote.

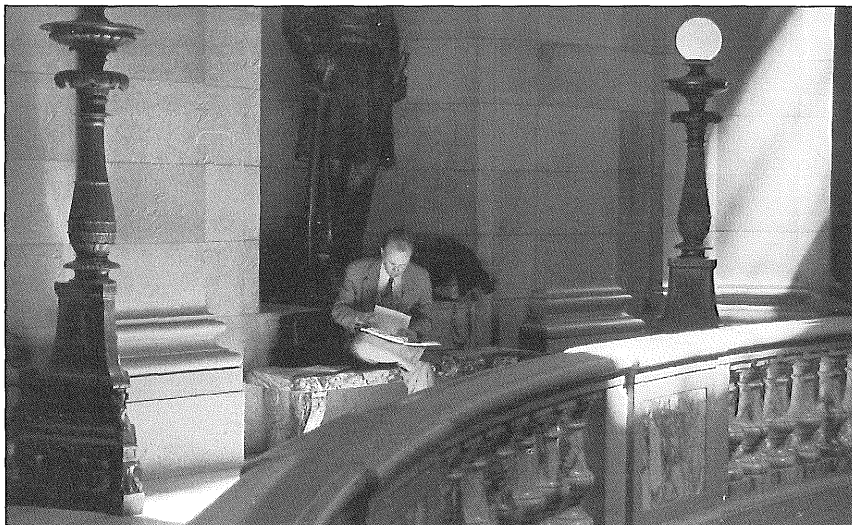
The proposal was backed by a group of lawmakers dubbed the Bipartisan Workers' Compensation Caucus, who found the necessary support to supplant a DFL proposal relying mainly on insurance reform.

Supporters of the measure say it will cut workers' compensation insurance premiums for businesses by 11.4 percent.

Most of the savings would be accomplished by three main changes.

First, the automatic cost-of-living increases in the benefits paid to injured workers would be cut. The annual hikes would be trimmed from the current 4 percent to 2 percent. (A 1992 workers' compensation reform bill cut the automatic increase from up to 6 percent to the current 4 percent.)

Second, the bill would make it more difficult to qualify for permanent total disability benefits. These are benefits paid to injured workers who are found to be unable to work. The stricter standards for permanent total benefits would cut in half the number of people receiving them, supporters said. This would be accomplished by altering the current complex formula to determine one's disability classification. This change alone, according to the Department of Labor and



The morning sun created a contrasting display of shadow and light over the Capitol rotunda May 19. Mark D. Britton, a lobbyist with Fryberger, Buchanan, Smith & Frederick, P.A., took advantage of the natural light to go over his notes.

Industry, would give businesses an estimated 5 percent savings in their workers' compensation insurance premiums.

Third, the workers' compensation insurance industry would face limited regulation. Insurance companies would have to receive approval from the Department of Commerce for any premium increase or decrease exceeding 25 percent, under the bill. (Currently, insurance companies are only required to notify the state of rate increases before they are implemented.) The bill also mandates a 33 percent cut in insurance premiums for businesses in the state's assigned-risk pool for businesses that have no injury claims for three years.

Any workers injured before Oct. 1, 1995, would not see their benefits cut. Also, the reduction in cost of living increases would apply only to workers injured in the future.

The bill also would increase the amount paid to some workers receiving benefits for a temporary total disability — boosting the maximum benefit for a temporary total disability from the current \$516.66 a week to \$615.

And small businesses in the assigned risk pool who for three consecutive years have no workers' compensation claims paid for lost work time would see their premiums discounted by 33 percent.

In 1992, lawmakers put a temporary freeze on workers' compensation rate increases and created a managed care system of medical providers in an attempt to control costs. These and other changes helped to stem the rise of employers' insurance premiums, but critics said the 1992 law did not provide the "institutional reform" that proponents are now promising should the bill become law.

The proposal was sponsored by Rep. Ted Winter (DFL-Fulda) and Sen. Steve Novak (DFL-New Brighton).

HF642*/SF1020/CH231

Elevator repairs

Work performed on a passenger or freight elevator would have to be done by a state licensed elevator mechanic, under a bill on its way to the governor's desk.

The proposal won final passage in the House May 19. The vote was 93-34; it passed the Senate May 18, 61-0.

The bill, sponsored in the House by Rep. Phil Carruthers (DFL-Brooklyn Center), requires that a licensed person or company obtain a state permit before installing, altering, repairing, or removing an elevator.

Current law requires only that a person apply for a permit before work is started.

A person must complete the National Elevator Industry Education Program and must have an elevator constructor license issued by the state Board of Electricity before receiving state licensure. A licensed elevator mechanic could supervise up to five helpers, under the bill.

Requirements of the bill would not apply to demolition work or minor repairs.

Carruthers said the bill addresses important public safety concerns. He said that a similar measure passed out of committee last year, but no action was ever taken on the House floor.

Sen. Paula Hanson (DFL-Ham Lake) sponsored the proposal in the Senate.

HF398/SF255*/CH221



LAW

Data practices changed

The list of exceptions to the Minnesota Data Practices Act — which since 1974 has deemed all government information open to the public unless the Legislature decides otherwise — would grow again this year under the omnibus data practices bill.

The bill has been sent to the governor.

The House and Senate passed the bill May 22. The House voted 131-3. The Senate voted 56-0.

In 1974, the data practices act was three pages long. It has since ballooned to cover 67 pages in *Minnesota Statutes*.

The 1995 bill outlines a myriad of additions to the laws, including the following:

- Copies of videotaped interviews with abused children would be non-public data, even when the children's parents ask for them. County attorneys have sought such restrictions on videotaped interviews. The issue came to their attention after a mother tried to get a copy of her daughter's videotaped interview about an alleged sexual assault. The videotaped information is currently considered public. (Art. 4, Sec. 2)
 - The bill also would classify as private any information acquired during a session held to help emergency dispatchers, firefighters, and other public safety employees deal with a traumatic event. (Art. 1, Sec. 9)
 - The measure would allow custodial parents on welfare to learn how much the noncustodial parent pays the state or county in child support. (Art. 1, Sec. 11, Subd. 2)
- Under current Minnesota law, child support payments to a family on welfare first go to the government to reimburse tax coffers for the family's public assistance benefits.

- It would classify drafts of the governor's budget proposals and state agency budgets as private data. But the governor's office would have to make "supporting data, including agency requests" public when the governor officially presents his or her budget recommendations.

In Gov. Arne Carlson's first term, some advocates tried to determine whether the governor planned to propose deep cuts to the Department of Human Services. They requested his draft budget but Carlson successfully had the draft temporarily classified as non-public data. (Such a classification means the information is only available to the subject of the data and no one else).

This language in the bill, originally proposed by Rep. Dave Bishop (IR-Rochester), is in response to that incident. (Art. 1, Sec. 16)

- Although the fact that a business has requested state financial help would remain public, financial information on the business would be private under the bill.

Such information would include credit reports, financial statements, net worth calculations, customer lists, and tax returns.

The measure comes after the state was criticized for proposing subsidies to the Dayton-Hudson Corp. Publicity over the company's financial matters may have squelched the deal, according to officials at the Minnesota Department of Trade and Economic Development. (Art. 1, Sec. 29)

- Heads of state agencies, their assistants, or deputies who have a complaint or charge lodged against them would see investigative information about the charge become public after the investigation is completed.

The information also would become public if that person resigned or was fired before the investigation was completed. Exceptions would be made if the release of information would jeopardize an active investigation or reveal confidential sources. (Art. 1, Sec. 7)

Rep. Mary Jo McGuire (DFL-Falcon Heights) and Sen. Skip Finn (DFL-Cass Lake) sponsored the bill.

HF1473/SF1279*/CH259

Authorized use of force



Workers at the privately owned Prairie Correctional Facility in Appleton, Minn., have a right to defend themselves against an assault by an inmate — just as guards currently do in state-owned prisons, under a new state law.

The law, effective Aug. 1, 1995, clarifies that the power to use force in defense of an assault also applies in Minnesota prisons that

are not run by the state. The Appleton prison is the only such facility in Minnesota.

The law applies to anyone assaulted by a prison inmate, including another inmate.

The law currently states that "if any inmate attempts to damage the buildings or appurtenances, resists the lawful authority of any correctional officer, refuses to obey the correctional officer's reasonable demands, or attempts to escape, the correctional officer may enforce obedience and discipline or prevent escape by the use of force. If any inmate resisting lawful authority is wounded or killed by the use of force by the correctional officer or assistants, that conduct is authorized under this section."

The proposal was sponsored by Rep. Chuck Brown (DFL-Appleton) and Sen. Warren Limmer (IR-Maple Grove).

HF145/SF1255*/CH70

Notary cops



Beginning Aug. 1, 1995, all licensed peace officers will have the authority to notarize certain witness statements, under a new state law.

Currently, such authority rests only with state-licensed notaries public — persons authorized by the state to administer oaths and authenticate signatures. Such a license, purchased from the Department of Commerce, costs \$40.

The law will grant peace officers some of the authority of a notary, which means no license or fee is required of them.

The need for the law stems from a 1991 U.S. Supreme Court decision which required that all witness statements submitted to the court to establish probable cause be notarized.

Police officers administer an oath to a person providing information for such a purpose.

Since the court ruling, police departments have had to pay to have a certain number of their officers become notaries public. The city of Bloomington — at a cost of \$800 — has 20 officers that are state certified.

The law will not extend to police officers the other statutory powers given to notaries public: "to take and certify all acknowledgments of deeds, mortgages, liens, powers of attorney, and other instruments in writing; and to receive, make out, and record notarial protests." Any officer wishing to perform any of these duties must apply to the Department of Commerce for the proper notary license.

The measure was sponsored by Rep. Mark Mahon (DFL-Bloomington) and Sen. Phil Riveness (DFL-Bloomington).

HF564*/SF748/CH37

Probate guide



The state court administrator will prepare a guide to informal probate proceedings, under a new state law.

Such court proceedings are necessary to validate a will or administer an estate following a death.

But the paperwork involved in such probate proceedings is complex and often baffling, House sponsor Rep. Kris Hasskamp (DFL-Crosby) has said.

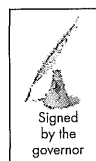
In addition, the "legalese" can be confounding. In the lingo of probate, houses become 'domiciles' and the subject of a will is termed a 'decendent.' Standards of 'reasonable diligence' apply, and applicants for such an informal proceeding must state whether they are aware of any "unrevoked testamentary instrument relating to property having a situs in this state."

The probate guide to be prepared by the state court administrator promises to use plain English to interpret the law and application process for those who encounter the system.

The measure, which became effective April 21, 1995, was sponsored in the Senate by Sen. Jane Krentz (DFL-May Township).

HF544*/SF520/CH78

Inmate name changes



Harley Davidson, Punisher X, and Jay De Lawless are Minnesota prisoners, but they didn't go behind bars with those names. Once incarcerated, they obtained legal name changes at taxpayer expense.

A new law to curtail the occurrence of such name changes will take effect Aug. 1, 1995.

The law will limit prisoners to one name change while within the state prison system. And it can be done at public expense only when "failure to allow the name change would infringe on the constitutional rights of an inmate." Religious reasons would be an example of such a case.

A total of 305 name changes were made between 1990 and February 1995, according to Jim Bruton, deputy commissioner of the Department of Corrections. Some inmates have changed their name as many as three times. Currently, there is no limit on the number of name changes a prisoner may request.

Each change costs between \$400 and \$500, Bruton has said. The most concrete cost is in the form of a \$142 filing fee that is waived for

most prisoners because they can't afford it. The remainder of the cost is the price of bringing a judge, court reporter, and bailiff to the state prisons several times per year. Time spent by Department of Corrections staff renaming prison files also adds up, Bruton has said.

The proposal was sponsored in the House by Rep. Dave Bishop (IR-Rochester) and in the Senate by Sen. Tracy Beckman (DFL-Bricelyn).

HF125*/SF197/CH16

Abandoned waste



A building owner now has a greater chance of successfully suing a renter who moves out leaving behind containers of hazardous waste, under a new state law.

The law, effective May 6, 1995, applies to both residential and commercial space rental. It requires 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 can then remove the waste which entitles him or her to twice the cleanup and disposal costs. The owner also is 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.

The measure was sponsored by Rep. Robert Leighton (DFL-Austin) and Sen. Kevin Chandler (DFL-White Bear Lake).

HF1320*/SF1073/CH119

Icehouse identification



In the land of Olsons, Petersons, and Johnsons, where the winter religion is ice fishing, how can you tell one ice house from another?

It's not easy — particularly when the only identifiable landmark on a wind-swept lake may be a frozen walleye or a block of ice.

But a new law will allow anglers the option of painting their drivers' license number on the shack's outside wall.

Currently, icehouse residents must identify their home-away-from-home by painting

their name and home address in letters at least three inches high.

But problems ensue when more than one—or even more than two or three—Johnsons or Olsons share the same lake, said House sponsor Rep. Don Ostrom (DFL-St. Peter).

The painted names serve to identify fish house owners to the Department of Natural Resources, which issues licenses for, and regulates fish houses.

The measure, effective Aug. 1, 1995, was sponsored in the Senate by Sen. John Hottinger (DFL-Mankato).

HF1307*/SF867/CH65

No baby food allowed



People who shop at flea markets could no longer pick up some food for their newborns while they browse for antiques, under a new state law.

There is a growing trend among transient vendors: selling baby food from flea market booths. Anyone may rent a table at a flea market and sell items.

Effective Aug. 1, 1995, merchants at flea markets cannot sell infant formula, other food intended for a child under two years old, over-the-counter drugs, medical devices, or cosmetics.

Since the sales of such items are unregulated if they're sold at such booths, the safety or freshness of the products can't be assured.

The law does make an exception for authorized manufacturers' representatives who may sell such items from booths they rent.

The proposal was sponsored by Rep. Matt Entenza (DFL-St. Paul) and Sen. John Hottinger (DFL-Mankato).

HF1091*/SF1337/CH64

Radar jamming



On Aug. 1, 1995, speeders will lose a leg up on police, under a new state law.

The measure will make it illegal to sell, use, or possess a radar jammer. Violators could face a \$200 fine.

The law targets devices that send out radio waves from a car or truck to block the effectiveness of radar guns police use to catch speeding drivers.

House sponsor Rep. Dan McElroy (IR-Burnsville) has said radar jammers are more dangerous than their less-sophisticated brethren, radar detectors or fuzz busters.

Why?

Because a screeching radar detector likely

will cause a driver to slow down, McElroy said, but a driver using a jamming device can travel at illegal speeds relatively free from the risk of being caught.

The Senate companion was sponsored by Sen. Tom Neuville (IR-Northfield).

HF1011*/SF1015/CH118



LOCAL GOVERNMENT

Noisy town hall



Two towns in Aitkin County will be allowed to work around a state statute which says town meetings are to be held the second Tuesday in March.

A new 1995 law pertains specifically to Glen and Kimberly, two towns sharing a town hall.

The town boards can't hold town meetings on the same state-mandated day—the second Tuesday in March—because the hall becomes too noisy, said Rep. Becky Lourey (DFL-Kerrick) who sponsored the legislation in the House.

Under the new law, either town may hold its town meeting the day before or the day after the second Tuesday in March. The other town would meet on the mandatory meeting day.

The boards would determine between them which will meet on what date.

The proposal, effective Aug. 1, 1995, was sponsored in the Senate by Sen. Florian Chmielewski (DFL-Sturgeon Lake).

HF37*/SF49/CH10



Paying the bills

Minnesota towns may not have the hustle and bustle of big cities, but they've got to pay the bills just the same.

A new law, effective Aug. 1, 1995, will allow towns in Minnesota to have petty cash funds to pay the bills. Previously, only cities and counties had the authority.

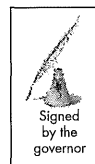
In the past, when town officials wanted to pay the phone bill, electric bill, or other monthly normal operating expense, they had to wait until the regular meeting of the town board and seek approval.

The new law will help speed up the process and make it more practical, said David Fricke, executive director of the Minnesota Association of Townships. It does not specify how much money can be in a petty cash fund. The law does state that the town board at its regular meetings must receive an itemized list of what bills the petty cash fund is paying off.

The measure, sponsored by Rep. Jeff Bertram (DFL-Paynesville) and Sen. Joe Bertram (DFL-Paynesville), prohibits using the petty cash fund to pay the salary and personnel expenses of a town officer or employee.

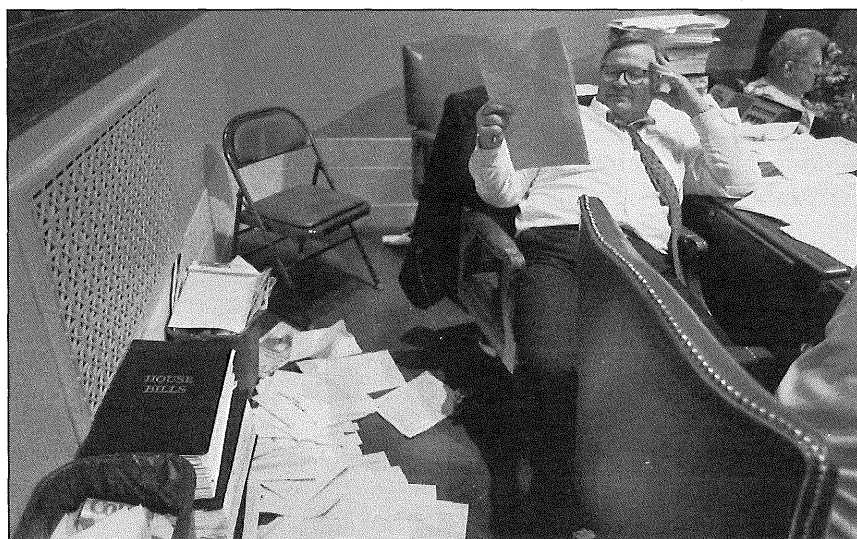
HF362*/SF266/CH15

Random audits



Minnesota cities and towns with annual revenues of \$100,000 or less and combined clerk and treasurer offices will be audited once every five years, and then for only one of those years, under a new

law.



A long trail of paper led to the desk of Rep. Doug Peterson, who examined one of the final amendments considered at the end of the 1995 regular legislative session May 22.

The measure clarifies a 1994 law that allowed for an audit once every five years for some smaller cities and towns. That law, however, did not specify whether each of the years in the five-year period, or only one year chosen at random, had to be audited.

The new law, effective March 30, 1995, clarifies that auditors or accountants will audit only one year, chosen at random, for each five-year period.

Prior to the 1994 law change, towns and cities — regardless of size — had to be audited by the state auditor or a public accountant every year.

The measure was sponsored by Rep. Roger Cooper (DFL-Bird Island) and Sen. Dallas Sams (DFL-Staples).

HF305*/SF265/CH27



METRO AFFAIRS

Status quo for Met Council pay

The Metropolitan Council could not use money from the sale of bonds to buy uniforms for bus drivers, under a bill now being considered by the governor.

The proposal was given House approval May 22. The vote was 109-55. It passed the Senate the same day, 55-9.

The bill makes mostly technical changes to the council and its operations, but also says uniforms are not to be considered a capital expenditure.

Without the provision, \$750,000 could have been spent to buy new uniforms for the more than 1,000 Metropolitan Council Transit Operations (formerly MTC) bus drivers.

The bill also deletes from current law a requirement that the council submit salary recommendations for council members to the Legislature.

The House voted overwhelmingly (106-20) to cut council salaries this year. The vote was to slash the salary for the chair of the Metropolitan Council from \$52,500 per year to \$29,657 — the same pay lawmakers receive. And it would have trimmed Metropolitan Council members' salaries from \$20,000 per year to \$6,000.

The cuts were removed during conference committee negotiations.

The bill was sponsored by Rep. Myron Orfield (DFL-Mpls) and Sen. Carol Flynn (DFL-Mpls).

HF585/SF281*/CH236

Better metro planning



A new state law is intended to better coordinate planning and development across the Twin Cities metropolitan region.

Effective Aug. 1, 1995, cities, counties, and towns within the seven-county metropolitan area must review and update their comprehensive plans by December 1998. Each will then have to repeat the process every 10 years. (The final plans are then to be submitted to the Metropolitan Council.)

A comprehensive plan serves as a development and planning blueprint for a local government. Plans include a section stating how the government's planned land use and its urban services, such as sewer service, would affect adjoining communities.

The law will not allow local governments to adopt zoning ordinances which conflict with their comprehensive plans.

The zoning guide laid out in the plans, however, can be amended by a two-third majority vote of the local governmental unit's governing body.

Currently, if a government's zoning ordinance differs from its comprehensive plan, the zoning ordinance supersedes the plan.

The measure was sponsored by Rep. Dee Long (DFL-Mpls) and Sen. Ted Mondale (DFL-St. Louis Park).

HF833*/SF841/CH176



TAXES

Omnibus tax bill

All those owning cabins in Minnesota — including non-residents — would get a small property tax break, under the omnibus tax bill on its way to the governor.

The proposal was given final approval May 22 by the House. The vote was 72-59. It passed the Senate the same day, 53-13.

The current property tax rate on seasonal recreation property is 2 percent of the property's value up to \$72,000, and 2.5 percent on the value over \$72,000.

Under **HF1864**, the 2 percent rate on the first \$72,000 in value would be cut to 1.9 percent for taxes payable in 1997. For taxes payable in 1998, it would dip again to 1.8 percent. (The 2.5 percent tax rate for property value above \$72,000 would not change.)

The tax break would cost the state \$24.14 million over the 1998-1999 biennium in lost property tax revenue. (Art. 3, Sec. 10)

The tax bill also would impose a new property tax on wind energy conversion systems, but the tax would be a boon for Lincoln

and Pipestone counties in southwestern Minnesota.

The proposal does not cut \$57 million in local government aid for the current year, as called for by Gov. Arne Carlson. But an across-the-board cut of \$16 million in Homestead and Agricultural Credit Aid to local governments would take effect in the second year of the biennium.

Sponsored by Rep. Ann Rest (DFL-New Hope), the bill sets a budget reserve of \$350 million for the state and also includes the following tax changes.

HF1864*/SFnone/CH264

Wind energy property tax

The current property tax exemption for wind energy conversion systems would end, under the bill.

The change would be a boon to Lincoln and Pipestone counties, both property-poor but geographically poised nearby the "Buffalo Ridge," an area wind energy experts have called one of the best resources in the United States to tap wind and convert it to electricity.

And with last year's law mandating that Northern States Power Co. (NSP) produce 425 megawatts of wind energy by Dec. 31, 2002, (as a condition for allowing the company to store spent nuclear fuel at Prairie Island), there are many more wind turbines coming to the area.

Under the bill, new wind energy systems generating less than two megawatts of electricity would remain tax exempt, as would the 73 existing wind towers in Lincoln County. Beginning with taxes payable in 1996, all other new wind energy systems would be taxed.

The owner of the wind power system would pay at the commercial-industrial property tax rate: 3 percent of the first \$100,000 of the wind energy system's value and 4.6 percent on any value exceeding \$100,000.

But the tax would not apply to the entire value of the wind power structure — each of which is estimated at between \$325,000 and \$400,000. Only the value of the structure's foundation would be taxed — or about 8 percent of the entire system's value. After five years, 30 percent of the towers' value also would be taxed, in addition to the foundation tax.

Since NSP already has taken bids for the equipment to produce the first 100 megawatts of wind energy, the bill would allow NSP to pass the cost of property taxes resulting from these wind energy systems on to rate payers. (Art. 3, Secs. 4, 12, 17-18)

TIF district changes

Under Minnesota law, cities can offer tax breaks to companies to help create jobs in their communities. In exchange for creating jobs, a city can agree to forego property taxes on a business for a set number of years.

Proponents say these tax increment financing (TIF) district arrangements place businesses — and jobs — in Minnesota cities that would otherwise be built elsewhere. Opponents have said they cost too much in lost property tax revenue — about \$260 million per year, statewide, by some counts — and at times provide tax breaks to businesses that would have been built anyway without the state's help.

Several bills were heard this session to limit the way different cities sometimes compete with one another to lure businesses to either move or expand in their towns through the creation of TIF districts.

Under provisions in the omnibus tax bill, cities would be required to show that the use of a TIF district would increase the taxable market value of a site over what would have occurred without TIF.

Additionally, more details about TIF districts would need to be disclosed in legal sections of newspapers. Under current law, the disclosure doesn't have to be published if the city files an annual report with the state auditor. (Enforcement of the TIF law also would be shifted to the Office of the State Auditor from the Department of Revenue.)

Also, special laws extending the duration of a TIF district would need to be approved by all affected local units of government — the city or town, school district, and county. (This would apply to all the extensions granted in the bill, except for Lake City.)

Provisions in the House tax bill calling for the repayment of TIF benefits to the city if the property is sold or transferred, (repayment of up to 100 percent of the benefit if sold within five years), were deleted by House-Senate conferees. (Art. 5, Secs. 18, 19, 34, 35)

Help for landlords

A program established in 1994 to encourage St. Paul landlords to reinvest more money in their properties would be extended for another year.

Owners of single-family and duplex rental units would get a property tax break for repairing or upgrading their properties, under the program.

The goal is to establish more safe, affordable housing for renters and to improve St. Paul neighborhoods.

A total of \$1 million was earmarked for the program, and about half of the money was not used.

To participate, a landlord must pay a fee to hire a housing evaluator to inspect the rental unit or units, repair the property based on the evaluator's findings, have the property re-inspected after repairs, and gain approval from city officials. (Any life and safety hazards identified in the inspection would need to be repaired even if the building owner withdraws from the program.) (Art. 3, Sec. 38)

A similar one-year program would be established in Brooklyn Park, under the bill. (Art. 3, Sec. 43)

Since renters' rebates are tied to the amount of property taxes paid by the building owner, renters' credits in St. Paul and Brooklyn Park will be based on 20 percent of rent paid for next year. (Art. 3, Sec. 44-45)

Property tax breaks

Those who own apartment buildings with four or more units in small cities outside the seven-county metro area would see their property taxes decline.

Currently, those property owners are taxed at 3.4 percent of the property's value. Under the bill that would dip to 2.3 percent for taxes payable in 1996.

To be eligible for the tax break, a small city cannot be within 15 miles of a city that has a population of more than 5,000.

The provision is also designed as an incentive to encourage the building of such units, which are in short supply in Greater Minnesota's small cities.

Additionally, the 2 percent property tax rate on all manufactured home parks (trailer homes) would be made permanent. Under current law, it was scheduled to increase to 2.3 percent in 1996. (Art. 3, Secs. 10)

'Targeting' refund program

A state property tax refund program scheduled to end after the 1996 tax season would be made permanent and fully funded by the state.

The state's "targeting" refund program helps property owners whose taxes go up more than 12 percent and increase by at least \$100 over the previous year.

Under current law, the state can only give a maximum of \$5.5 million in refunds under the program in a given year. When property taxes increase sharply across the state — as they did for the 1994 tax year — those funds don't provide help to everyone who is eligible.

(In 1994, lawmakers made a one-time exception to the law and pumped a total of \$11.7 million into the program to cover all those eligible for targeted refunds.)

The maximum refund under the targeting program is \$1,000. (Art. 4, Sec. 11)

Sales tax changes?

Should clothing be taxed? Or should more services be subject to a sales tax?

A 17-member advisory council would be established to study and recommend possible changes in the sales tax system.

The council would be composed of five members each from the House and Senate, the commissioner of revenue, and six members of the public.

The council would have to suggest changes to the current sales tax system, and would specifically examine alternative forms of taxation, including a value-added tax or another form of consumption tax. Current tax exemptions also would be examined for possible alteration or elimination.

The council would need to consider equity, efficiency, and ease of understanding in formulating its proposals for changing the current sales tax system.

Its findings would be presented to lawmakers by Feb. 1, 1996 — in time for consideration by the 1996 Legislature. (Art. 2, Sec. 42)

Tax-free horses (and feed)

In 1994, lawmakers exempted many horse purchases (except race horses) from the state sales tax. When that law goes into effect June 30, 1995, it's estimated to save horse buyers \$200,000 a year.

This year, lawmakers have decided race horses ought to be sold tax-free as well. Horse feed and bedding used in breeding and racing horses would also be exempt. (Art. 2, Sec. 29)

Tax-free materials

Materials and supplies used to construct an indoor ice arena would be exempt from the sales tax if it would be used primarily for youth activities or owned and operated under a joint powers agreement with a school district.

This provision goes hand-in-hand with the "Mighty Ducks" provisions of the omnibus state government finance bill (HF1001/SF1678*), which would mark \$2.9 million to help build and renovate ice arenas throughout the state. (Art. 2, Sec. 30)

Also, construction materials used to improve and expand the Duluth Convention Center and an agricultural processing facility in Brooten, Minn., would be exempt from the sales tax, under the bill. (Art. 2, Sec. 31-32, 41)

Tax-free farm machinery

The current sales tax exemption for used farm machinery, set to expire on June 30, 1995, would be extended until June 1, 1996.

The extension would cost the general fund \$300,000 and the Local Government Trust Fund \$1.3 million in lost revenue in fiscal year 1996. (Art. 2, Sec. 30)

1-900 calls

Since 1992, there has been a 50-cent per-call tax on 1-900, 1-976, and other fee-per-call services.

This year, lawmakers are trying to repeal the tax entirely, as of June 30, 1995.

The original law was targeted at phone sex operations, but most are located out of state — and therefore aren't subject to the tax. Some also skirt the tax by providing a 1-800 number and then use the connection to refer callers to 1-900 extensions.

Those that are paying the tax include legitimate information services that have testified the tax has put them at a competitive disadvantage because out-of-state services are exempt from the surcharge.

The Department of Revenue estimates the state would lose about \$400,000 over the biennium if the tax is repealed. (Art. 2, Sec. 43)

Board of Innovation

The State Board of Innovation and Cooperation would get \$2 million, of which \$1 million would be spent in grants over the next biennium to enhance local government cost-saving efforts through consolidation and cooperation.

The board is also directed to study unfunded state mandates and the feasibility of consolidating counties.

The board was created by the 1993 Legislature and has a three-pronged mission to: grant waivers of state rules to local units of government; provide grants to cooperating units of government; and to facilitate mergers of local governments.

In his budget proposal, Gov. Arne Carlson targeted the board for elimination, which was estimated to bring a cost savings of \$3.4 million over the next biennium.

In a related provision to find greater efficiency in government, the Commission on Planning and Fiscal Policy would create a subcommittee to consider alternative methods of local government aid delivery and the efficiency and effectiveness of local government service delivery. The subcommittee shall report by Feb. 1, 1996, to the commission and the chairs of the House and Senate tax committees.

Should SF1246, a government reorganization bill, be signed into law, the commission would be eliminated, and the study would be done by Legislative Coordinating Commission staff. (Art. 8)

Cambridge Bank settlement

The bill authorizes the Department of Finance, upon the request of the governor, to issue an unspecified amount of state revenue bonds to pay for the judgment against the state in the Cambridge State Bank case.

A 1994 the Minnesota Supreme Court decision requires the state to provide tax refunds to certain banks and financial institutions totaling about \$320 million over the next four years.

The bill specifies that Minnesota taxpayers are not responsible for the debt, and the bonds and any accrued interest are not to be paid by a statewide tax.

Instead, they would be secured by lottery revenues (up to 60 percent), various state fees, and reimbursements from regional treatment centers and state nursing homes. (Art. 6)



TRANSPORTATION

Omnibus funding bill

The transportation funding bill which would appropriate \$2.5 billion for the state's roads, bridges, and aviation projects won House approval on a 121-12 vote May 22.

It passed the Senate the same day, 47-19, and now awaits action by the governor.

The bill appeared before legislators as an amendment to HF611/SF371*, a bill to add an additional lane of traffic in each direction to a stretch of Interstate 394 near the Penn Avenue interchange in Minneapolis.

(The bill does not include any money to pay for the new lanes nor does it set a date for construction.)

Most of the money in the bill — about \$2.2 billion — would go to the Minnesota Department of Transportation (MnDOT).

The bill also would appropriate \$84.4 million to the Metropolitan Council for the next two-year spending cycle. The council is responsible for coordinating the metropolitan area public transportation system. Of that money \$30.6 million would go to Metro Mobility, which provides rides to approximately 24,000 people with disabilities around the metropolitan area — a \$1.3 million increase (4.2 percent) over funding for the current biennium.

The transportation bill, sponsored by Rep. Bernie Lieder (DFL-Crookston) and Sen. Keith Langseth (DFL-Glyndon) (HF1793/SF1536*), was incorporated into the I-394 interchange proposal sponsored by Rep. Peggy Leppik (IR-Golden Valley) and Sen. Gen Olson (IR-Minnetrista).

HF611/SF371*/CH265

Bus safety

The bill would earmark \$354,000 to the Metropolitan Council to improve security on metropolitan area city buses.

The money would pay for Plexiglas shields to protect drivers and surveillance cameras on 59 buses that travel six "high risk routes" in the Twin Cities. Combined with the planned purchase this year of similarly equipped buses, there would be cameras and shields on 150 of the approximately 1,000 buses in the Metropolitan Council Transit Operation (MCTO) fleet.

The shields would protect drivers from blind attacks from the rear or side, and the cameras would record the behavior of passengers.

Rep. Darlene Luther (DFL-Brooklyn Park) originally sponsored a bill (HF848) calling for such security measures on buses, saying growing violence on buses demands action.

Also, \$625,000 would go to the Metropolitan Council to study operating buses between suburbs, and from downtown St. Paul and downtown Minneapolis to the suburbs.

Few such routes exist now, officials say. That provision was originally sponsored as HF342 by Rep. Edwina Garcia (DFL-Richfield) (Art. 2, Sec. 3)

High speed rail

The bill would conditionally appropriate \$500,000 over the biennium for the second phase of a study to evaluate a high-speed train linking Minnesota, Wisconsin and Illinois by high-speed rail.

Unlike the feasibility phase of the study, which was done in 1991, the second phase will determine which train technology is best and what route the link should take.

The appropriation would come only if Wisconsin provides \$500,000 for the study and if Minnesota receives federal money to help fund the study.

The same legislation passed during the 1994 session, but Wisconsin failed to come up with its share, so the study was postponed.

The Wisconsin Legislature is expected to appropriate \$500,000 which, along with the Minnesota money, should trigger a \$1 mil-

lion federal match. The cost of the two-year study is \$2 million.

This portion of the bill was originally sponsored as **HF729** by Rep. Don Frerichs (IR-Rochester). (Art. 2, Sec. 2, Subd., 4)

Wakota bridge

The bill calls for MnDOT to complete the Wakota bridge reconstruction project at "the earliest feasible date consistent with available funding."

The present bridge is in such poor repair a new one is needed by the year 2000, said Rep. Sharon Marko (DFL-Newport), who sponsored the provision in the bill.

When representatives voted on a different version of the bill May 17, it called for MnDOT to complete bridge construction in specific stages to be done by specific dates. The bridge would have been completely reconstructed by August 2003.

That language was removed from the bill.

A new bridge will aid more than just the communities of South St. Paul and Newport, which the bridge will connect. The entire surrounding area will benefit because the Interstate 494 interchange is heavily used, Marko said. (Art. 2, Sec. 13)

Electric bus

The omnibus transportation spending bill also includes a \$250,000 appropriation to help build the world's first bus powered by an electric strip embedded in the road.

That money would be matched by federal and private dollars and would help pay for vehicle testing.

In 1994, the Legislature appropriated \$200,000 to the St. Cloud-based Saints Road Project to study how the electric bus developed by the company would move through snow and ice.

The 1995 bill calls on the Metropolitan Council Transit Operation to analyze the findings of the bus testing study.

The developers of the bus hope it is one day used as public transportation in Minnesota and internationally.

Marko originally sponsored this provision as **HF395**. (Art. 2, Sec. 2, Subd. 9)

Other road projects

The bill calls for MnDOT to find alternative ways to fund the reconstruction of Highway 212 between Interstate 494 and Cologne, which is about 30 miles southwest of Minneapolis.

Those alternative funding methods could include public-private partnerships and toll financing, under the bill. (Art. 2, Sec. 12)

Gone from the bill are several local trans-

portation projects added during a lengthy April 27 floor debate.

Those amendments called upon MnDOT to reconstruct portions of highways, erect stop signs, and repair bridges from the suburbs to the Iron Range.

Longer semi-trucks

A bill to give over-the-road-truckers more sleeping room inside their cabs is on its way to the governor's desk.

The proposal won final approval from the House May 19 on a 108-21 vote. The vote was 121-8. The Senate passed the bill May 19, 43-7.

The proposal would allow semi-tractors which pull trailers to be 10 feet longer than allowed under current law.

Current law says semi-tractor trailer combinations cannot be more than 65 feet long. The bill would allow those combinations to equal 75 feet in length.

The proposal would not affect the length of the trailer, which can be either 53- or 48-feet long, bill sponsor Rep. Ted Winter (DFL-Fulda) has said.

The additional 10 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 sleep in their cabs when they park their truck overnight at truck stops. (See April 13, 1995, *Session Weekly*, page 13)

Sen. Steve Murphy (DFL-Red Wing) sponsored the measure in the Senate.

HF1207*/SF571/CH223

Selling junked cars



Effective Aug. 1, 1995, junked vehicles which have been towed to private or public impound lots could be immediately sold, under a new state law.

Junked vehicles—vehicles with little value that don't run—frequently sit at impound lots with little or no chance that their rightful owners will claim them.

The public impound lot usually ends up losing money whenever such a vehicle is towed, said House sponsor Rep. Jeff Bertram (DFL-Paynesville).

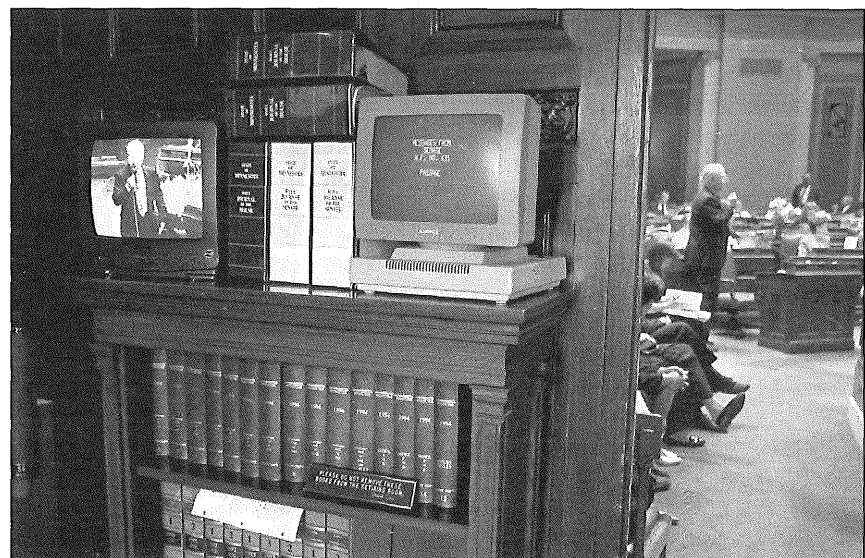
The measure would allow junk vehicles to immediately be sold at public auctions or sold as scrap. Present law says the vehicle may be sold 15 days after the owner receives notice that the impound lot has the car.

A "junk vehicle" is defined as one that is at least three or more years old, extensively damaged, apparently inoperable, not registered, and has value only as scrap.

The law also will allow the towing of "unauthorized" vehicles—those left unattended on public property more than 24 hours after being tagged for unauthorized parking.

Currently, local governments can tow only "abandoned" vehicles—vehicles which have sat for long periods of time on public or private property. (Vehicles also can be towed immediately for specific reasons outlined in Minnesota law, such as if a car is parked in a location that creates a traffic hazard.)

Such vehicles could be sold at a public auction 45 days after notice is given to the vehicle's owner of the proposed sale.



Rep. Ron Abrams, right, stood to speak on the House floor May 19 while his image, TV left, was broadcast to the metropolitan area via a local cable station. During the 1996 Legislative Session, Greater Minnesota is expected to see more broadcasts of House proceedings.

The law also will allow impound lot owners to notify a vehicle owner of the proposed public sale of their car. Under present law, only units of local government can give such notice.

The measure was sponsored in the Senate by Sen. Joe Bertram (DFL-Paynesville).

HF586*/SF553/CH137

Vintage license plates



Vintage car owners will be able to display license plates from the year their car was made, under a new state law.

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 need not renew them on an annual basis. However, they may drive only 2,000 miles per year in the cars.

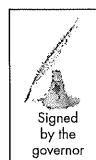
Under the new law, collector car owners will be allowed to use the original plates for cars that are at least 20 years old. The license plate number, however, cannot have been previously issued.

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

The measure, effective Aug. 1, 1995, was sponsored by Rep. Alice Seagren (IR-Bloomington) and Sen. Bill Belanger (IR-Bloomington).

HF1402*/SF1163/CH145

Plates for test cars



Automobile manufacturers testing their cars in Minnesota will need to purchase special license plates for the vehicles, under a new state law.

The law creates a new Minnesota license plate called a manufacturer test plate. Automobile manufacturers will buy such plates for cars which are tested in Minnesota to assess cold weather performance.

Such test cars are usually parked for long periods of time in northern Minnesota, then driven to determine how they perform after being idle in cold weather, said Katherine

Burke Moore, director of the Driver and Vehicle Services Division of the Minnesota Department of Public Safety.

The division will issue the license plates. Manufacturers must pay \$40 per year for the first four plates. Of that charge, the department keeps \$25 and the remaining \$15 goes to the general fund. Each additional plate would cost \$25 — \$10 of which is kept by the division with the remainder going to the general fund.

Currently, test cars usually come from Michigan auto plants and use Michigan manufacturer plates, Burke Moore said.

Her division will pay only about \$300 to begin making the plates, because they are pressed from standard stock used to create Minnesota license plates, she said.

Under the law, cars with such plates can be operated on streets and highways by employees of the automobile manufacturing company testing the plates.

The law, sponsored by Rep. Jim Tunheim (DFL-Kennedy) and Sen. Bob Lessard (DFL-Int'l Falls), became effective April 20, 1995.

HF971/SF172*/CH74

Bridge of Hope



A bridge over the Mississippi River at St. Cloud will be named the "Bridge of Hope," under a new state law.

The bill's sponsor, Rep. Jim Knobloch (IR-St. Cloud), said the Highway 15 bridge will 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.

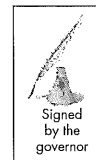
The Minnesota Department of Transportation (MnDOT) will create a suitable design for signs and plaques marking the bridge. Members of the local community will reimburse MnDOT for costs incurred in "marking and memorializing" the bridge.

Sen. Joe Bertram (DFL-Paynesville) sponsored the measure in the Senate.

The new law becomes effective Aug. 1, 1995.

HF175/SF194*/CH50

Betty Adkins Bridge



A new state law will name a bridge near Elk River, Minn., after a former state senator who represented the area for 12 years.

The bridge over the Mississippi River near Elk River connecting Highway 101 in Wright County with Highway 169 in Sherburne County will be designated the "Betty Adkins Bridge."

The commissioner of transportation will furnish and erect plaques or signs to mark and memorialize the bridge.

Betty Adkins, of St. Michael, Minn., was first elected to the Senate in 1982 and served through the 1994 session. At the time, she was chair of the Senate Metropolitan and Local Government Committee.

The measure, which becomes effective Aug. 1, 1995, was sponsored by Rep. Bruce Anderson (IR-Buffalo Township) and Sen. Mark Ourada (IR-Buffalo).

HF6/SF50*/CH19

Rescuing rail travel



A resolution asking Congress to continue funding the Amtrak passenger rail service has been signed by Gov. Arne Carlson.

Congress is discussing major cuts to the federally subsidized Amtrak budget. House sponsor Rep. Mark Mahon (DFL-Bloomington) said the nation's only passenger rail service would not be viable without federal funding.

"No passenger rail service in the world makes money," he said.

Last year, Amtrak received a \$952 million subsidy from the federal government. One Amtrak route passes through St. Paul on a line running between Seattle and Chicago.

About 160,000 people take the train each year in Minnesota. About 130,000 of them arrive in or depart from St. Paul, according to Mahon. Amtrak employs 74 Minnesotans, who make a combined \$3 million annually, he said. (See March 10, 1995, *Session Weekly*, page 13)

The measure was sponsored in the Senate by Sen. Steve Murphy (DFL-Red Wing). The law was signed April 28, 1995.

HF821*/SF700/Res. 3

Educating drivers



Minnesotans learning to drive will now be taught how they could be affected by the state's DWI laws.

Under the new law, all schools and private companies teaching drivers' training must instruct their students on the hazards of driving under the influence of drugs or alcohol. All students also will hear what the criminal penalties and financial consequences are should they get caught driving under the influence.

Training courses must also teach students how drinking and using drugs can affect a person's ability to drive.

Also under the law, the written test given by the Department of Public Safety must include information on the penalties one could face for driving drunk or after using drugs. Such information must also be contained in future editions of the state driver's manual issued by the department.

Future manuals also will warn teens that, should they drive after consuming any amount of alcohol, they could face a driver's license suspension — whether they are legally drunk or not.

(The 1993 Legislature enacted the so-called "not a drop law," which calls for a mandatory 30-day drivers' license suspension for anyone under the age of 21 who is caught drinking and driving.)

The measure, effective July 1, 1995, was sponsored by Rep. Doug Swenson (IR-Forest Lake) and Sen. Linda Runbeck (IR-Circle Pines).

HF901*/SF1129/CH104

Ensuring bike safety



Motorists who pass alongside a bicycle at closer than three feet are subject to a petty misdemeanor fine, under a new state law.

The law is intended to make the roads safer for bicyclists, said House sponsor Rep. Leslie Schumacher (DFL-Princeton).

The law, effective Aug. 1, 1995, calls for cars or other vehicles passing bicyclists to leave at least three feet of space between the vehicle and the bicycle. Current law does not stipulate 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. The maximum fine is \$200.

The law also calls for drivers' examination tests to include questions about traffic laws relating to bicycles to ensure that drivers know about bicycle safety.

It also requires that the Minnesota drivers' manual — which is studied before taking the drivers' license examination — must include a section on bicycle traffic laws.

Sen. Jane Krentz (DFL-May Township) sponsored the proposal in the Senate.

HF1134/SF687*/CH72

Private driver data



The names and addresses of disabled drivers won't be available to the public, under a new state law.

The law is necessary to curb some medical equipment vendors from compiling lists of potential customers and contacting them in an attempt to make a sale, said Kurt Strom, an advocate for the State Council on Disabilities. Some disreputable vendors have made such contacts, he said.

Currently, only medical information on those disabled drivers is private — which means members of the public don't have access to that data. But the fact that a driver has a handicapped parking permit has been public.

The law also will allow disabled drivers to display their handicapped parking certificate on the dashboard if their disability prevents them from hanging it from the rear view mirror as state law currently requires.

The proposal, effective Aug. 1, 1995, was sponsored by Rep. Sherry Broecker (IR-Vadnais Heights) and Sen. Paula Hanson (DFL-Ham Lake).

HF900/SF144*/CH85

Eye protection mandated



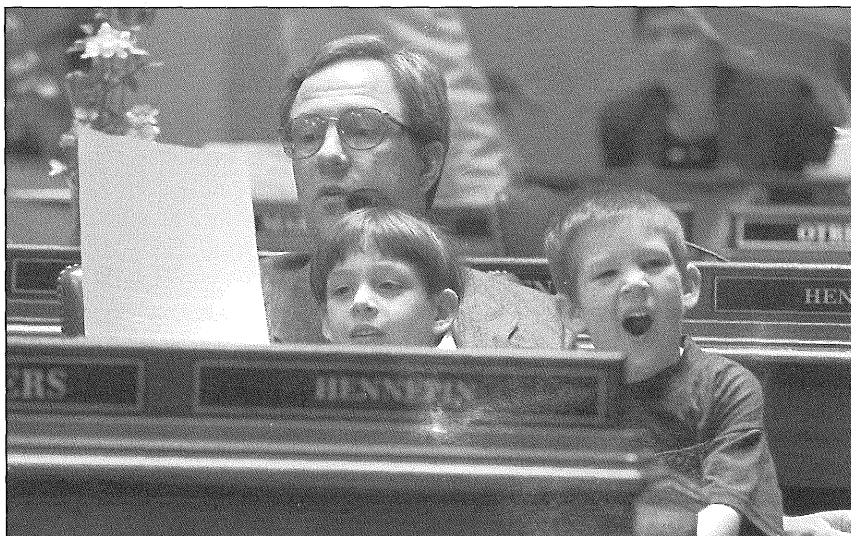
All motorcycle drivers and riders must wear glasses, goggles, visors, or some other type of eye protection, even if their vehicles have windshields, under a new law.

Both the Minnesota Motorcycle Riders Association and the Minnesota Department of Public Safety support the law which is effective Aug. 1, 1995.

State law has long required a motorcycle rider or driver to wear eye protection unless their motorcycle had a windshield. But many new windshields are too low to offer any real protection from objects that may fly up from the road, said Rep. Don Frerichs (IR-Rochester), sponsor of the bill.

The new law, effective Aug. 1, 1995, mandates drivers or riders to wear eye protection, which could be regular eyeglasses, sunglasses, a helmet visor, or "anything else that literally protects the eye," Frerichs said.

HF568*/SF528/CH40



Three-year-old Rory Carruthers found the action on the House floor less than interesting as he and his brother, six-year-old Alex, visited their father, Majority Leader Phil Carruthers, on May 22.

1995 Special Session



EDUCATION

Omnibus K-12 finance

Minnesota's public schools would receive an increase in basic funding from the state under a \$5.75 billion K-12 education spending bill on its way to the governor.

The financing represents about a 7 percent increase over funding for the current biennium.

Both the House and Senate approved the bill in a special session May 25. The votes were 125-5 and 54-5, respectively.

The bill, **Special Session: HF4** (formerly **HF1000*/SF944**) would spend \$200 million more during the next two years than recommended by Gov. Arne Carlson. It would, however, set aside \$200 million in a rainy day account sought by the governor.

Carlson had requested a \$220 million rainy day fund to brace for cuts he expects the federal government will impose on states later this year.

Public school funding was the subject of a month-long negotiation between select House and Senate members as they tried to hammer out a compromise bill. Deadlock on the bill helped force the 1995 Special Session.

Under the bill, the general education funding formula would jump from the current \$3,150 per pupil unit to \$3,205 in 1996 and \$3,505 in 1997. The amount would drop back to \$3,430 beginning in 1998, under the bill. (Art. 1)

The bill was sponsored by Rep. Alice Johnson (DFL-Spring Lake Park) and Sen. Larry Pogemiller (DFL-Mpls)

Other major provisions of the bill include:

New children's department

The Department of Children, Families, and Learning — one of the governor's pet proposals — would be created to house the functions of the Department of Education and other agencies that run programs related to children and families. (Art. 16)

The governor would appoint the head of the new department on July 1, 1995. The commissioner would then work with a planning team to prepare for the transition of programs to the new department.

The Department of Education would be abolished and its functions transferred to the new department on Oct. 1, 1995.

Some programs from the Department of



House Speaker Irv Anderson, left, and Rep. Alice Johnson, right, listened as Sen. Lawrence Pogemiller, foreground, addressed a House proposal to break the impasse over the financing of Minnesota's K-12 schools during a May 24 conference committee hearing.

Human Services, the Department of Corrections, the Department of Public Safety, and Minnesota Planning also would transfer to the new department, under the bill.

Despite opposition, Head Start, now run by the Department of Economic Security, would be among the programs transferred to the new department July 1, 1997.

And, beginning July 1, 1996, seven programs, including early childhood development and child care initiatives, would transfer from the Department of Human Services.

Graduation rule

The bill includes \$12.5 million to continue developing graduations standards for Minnesota high school students. (Art. 7)

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

New requirements for math and reading proficiency are slated to take effect statewide beginning with the 1996-97 ninth-grade class.

Students who begin ninth grade in the 1997-98 school year would have to meet writing and science requirements in addition to the reading and math requirements.

The Department of Education requested \$15 million to continue testing new graduation standards at 23 sites across the state and to begin implementing the reading and math requirements.

Special education

The omnibus bill would eliminate — over the next five years — all local property taxes used to pay for special education programs.

Beginning in 1997, the state would use money from the Homestead and Agricultural Credit Aid (HACA) to replace local levies for special education.

The state would pay 70 percent of special education costs in 1997, 80 percent in 1998, and so forth until the state paid 100 percent in the year 2000. (Art. 3)

A portion of HACA currently is used to reduce school districts' reliance on local property taxes. When the HACA funds are shifted to pay for special education, districts will need to find another revenue source — or increase property taxes — to compensate for the revenue loss.

Internet connections

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

Some \$10.5 million in grant funding would be available to help schools and libraries link to the Internet and expand access to the global information resource for those already on-line. (Art. 12)

The program aims to expand learning opportunities for both students and adults by giving them access to a broad scope of information through the Internet computer network.

Staff development

Finally, the bill allows local school officials more control over how they spend their state aid.

A requirement in current law that school districts spend 2 percent of their general education dollars for staff development would be lifted. (Art. 1)

Instead, the bill would simply encourage districts to use an unspecified amount for staff development, which consists of specialized training to keep educators up-to-date in their field.

Money mandated for staff training has drawn criticism because it forces districts to spend money to send teachers and administrators to conferences or training seminars when schools lack necessary classroom supplies.

As a result, no changes were made by lawmakers to the current Wetlands Conservation Act.

Special Session: HF5 (formerly HF787*/SF1116), sponsored by Rep. Jim Tunheim (DFL-Kennedy), would have allowed counties to create their own less restrictive wetland protection and management plans to replace the rules of the Board of Water and Soil Resources (BWSR), which currently over-see the law.

Local governments have argued those rules are overly restrictive and unnecessarily prevent land development, especially in northern Minnesota.

The Wetlands Conservation Act now requires developers, local governments, property owners, or others to replace the wetlands they drain to build roads, housing, and other developments.

Under current law, wetlands in most parts of the state must be replaced on a two-for-one basis, except in areas that still have at least 80 percent of the wetlands which existed when Europeans arrived in Minnesota. (This standard is referred to as "presettlement wetlands.") Those areas are allowed under current law to replace wetlands on a one-for-one basis.

The bill would have provided breaks to those counties having 80 presettlement wetlands intact.

In those counties, which are located almost exclusively in north and northeastern Minnesota, wetlands less than 10,000 square feet in size would have been exempted from the current Wetlands Conservation Act. Currently, wetlands less than 400 square feet are exempt.

Tunheim said the bill would benefit counties that are now suffering under current law.

But some House members said the bill was not the proposal negotiated the previous night.

Rep. Charlie Weaver (IR-Anoka) said that officials of both the Department of Natural Resources and BWSR told him that the bill before the House was not the "deal" they had agreed to.

Rep. Willard Munger (DFL-Duluth), sponsor of the 1991 Wetlands Conservation Act, said the bill went too far in exempting certain wetlands from protection.

He offered an amendment to the bill that would have eased some current restrictions, but it was rejected on a 59-68 vote.



ENVIRONMENT

Easing wetlands restrictions

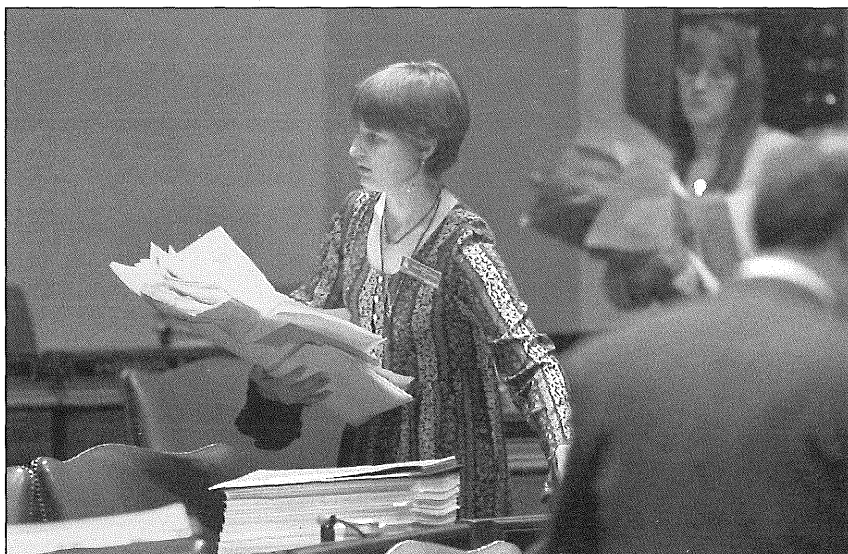
A bill that would have given counties more authority to develop wetlands protected by state law was passed by the House May 25 on a 74-55 vote.

However, the bill died when the Senate, on a procedural vote to bring the bill before members for debate, rejected the bill.



BONDING

Editor's note: The bonding bill was passed by the Legislature May 25. A summary of that bill appears on page 5.



Autumn Hickenbotham, a House page, helps to clear the mountains of paper off the desks of representatives following the May 19 floor session.

Vetoed Bills 1995

(as of May 24, 1995)

Private traffic escorts

A bill to allow private escort services to perform traffic control duties for oversized loads on Minnesota roads has been vetoed by the governor.

Such duties can now be performed only by police officers or members of the Minnesota State Patrol.

House sponsor Rep. Carlos Mariani (DFL-St. Paul) has said that private security company employees have been controlling traffic for years, and cited funeral processions as an example.

But Carlson said it was a safety issue.

"This bill will endanger public safety," Gov. Arne Carlson wrote in his veto message. He noted state troopers and local police are trained to direct traffic, have medical training, and can issue tickets to those who disobey their traffic instructions.

"Private escort services simply are not capable of providing such an important and comprehensive series of safety measures," he wrote.

The bill brings to an even 100 the number of bills Carlson has vetoed during his tenure — the most of any governor in state history.

The proposal was sponsored in the Senate by Sen. Jim Vickerman (DFL-Tracy).

HF1485*/SF1171/CH117

Running for office

A bill that would have allowed any public employee to stay on the job while running for political office was vetoed by the governor.

Under current law, state employees have such a right.

But at least 18 counties require their employees to take a leave of absence after filing to run for an elective office. House sponsor Rep. Don Ostrom (DFL-Mankato) has said that is unfair.

During committee testimony, witnesses explained that such a policy discourages many from running for elective office.

Brad Peterson, the current sheriff of Blue Earth County, successfully ran for office despite being forced to take an unpaid leave from his former county job. It cost him \$7,000 in lost wages and an additional \$1,500 to keep his health insurance active.

The bill also would have provided job security for those public employees who chose to take a leave of absence to run for office. It would have given all public employees the

right to an unpaid leave of absence upon becoming a candidate for any elected political office.

Such rights are now granted to state employees.

Gov. Arne Carlson called the bill "unacceptable." By giving all public employees the benefit of a leave of absence it provides a "significant advantage over private employees when running for elective office," he said.

Sen. John Hottinger (DFL-Mankato) sponsored the proposal in the Senate.

HF624*/SF493/CH138

Plate impoundment

A bill designed to keep more chronic DWI offenders off the roads was vetoed by the governor, who called the proposal an "unfunded mandate to the Department of Public Safety."

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, House sponsor Rep. Wes Skoglund (DFL-Mpls) has said. 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.

The vetoed bill still would have given the plates back to the car owner (if the car was reported missing), but the plates would have been coded with specific letters, so that law enforcement officials would know the car had been involved in a prior DWI offense. The plates would have remained on the car for a minimum of one year.

The coded plates would have provided law enforcement officers with a "reasonable suspicion" 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.

Gov. Arne Carlson said the goals of the bill were laudable, but the cost to the Department of Public Safety would have been \$124,000 per year. The department estimated the bill would have called for three new employees to process 10,000 plates per year.

Carlson said it was "unfortunate" the bill did not provide the necessary funding.

Sen. John Marty (DFL-Roseville) sponsored the bill in the Senate.

HF416/SF308*/CH157

State employee suggestions

A bill that would have included a note with the paycheck of each state employee requesting suggestions on how to improve state government was vetoed by the governor.

Under the bill, any suggestions would have been forwarded to the House Ways and Means Committee and the Senate Governmental Operations and Veterans Committee.

House sponsor Rep. Linda Wejcman (DFL-Mpls) has said the suggestion program would have been an easy way to identify greater efficiencies in government.

"Let's ask employees, 'What do we ask you to do that really doesn't matter?'" she said.

The governor disagreed.

"This picayune bill is entirely unnecessary," Gov. Arne Carlson said. "Bills of this nature, mandating the exact steps as to how an employee makes a suggestion on how to improve service, are senseless."

"It has been a policy of my administration to actively solicit employee input and involve them in the operation of their agencies. However, this legislation would require that suggestions go directly to legislative oversight committees, not the people responsible for responding and acting upon the suggestion in a timely fashion."

Sen. Ellen Anderson (DFL-St. Paul) sponsored the bill in the Senate.

HF1524/SF1402*/CH160

Pension enhancement

Gov. Arne Carlson vetoed a bill May 18 that would have increased a St. Paul teachers pension benefit.

The bill would have modified the post-retirement benefit increase for those enrolled in the St. Paul Teachers Retirement Fund Association (StPTRFA). It would have awarded to those individuals lump sum post-retirement adjustments which do not de-

pend on investment performance.

Carlson said he vetoed the bill because the St. Paul teacher's retirement plan is not adequately funded and cannot afford to make benefit improvements.

"The status of the plan has improved, but not enough to change my position on this matter," Carlson wrote in his veto message.

Also, the state pays \$500,000 each year to help improve the plan's funding, he wrote.

"It was not my expectation the StPTRFA would then give this state aid away in post-retirement benefit increases," Carlson said in his veto message.

In 1992, Carlson vetoed a bill that would have awarded a similar increased pension benefit to those teachers. He said at that time the fund was not sound enough to offer additional benefits.

In addition to the St. Paul provision, the bill made various changes and adjustments to local public employee pension plans.

The bill was sponsored in the House by Rep. Richard Jefferson (DFL-Mpls) and in the Senate by Sen. Lawrence Pogemiller (DFL-Mpls).

HF493*/SF803/CH172

Pumped hydropower

A bill that would have provided a financial incentive for a power company to solve a water problem at the Hill Annex Mine State Park was vetoed by the governor.

At the state park in Calumet, Minn., (northwest of Grand Rapids), tour buses travel to the bottom of a 500-foot-deep pit, which continually fills with water, Bill Morrissey of the DNR has explained.

The DNR spent \$150,000 last year pumping water out of the pit.

The bill would have directed the Department of Finance to extend a 1.5 cents per kilowatt hour subsidy to a facility that uses "pumped hydropower" to drain the water late at night when demand for electricity is low, then release it in a different direction to generate power during the day when demand for electricity is high.

The bill also would have changed language in the guidelines for the legislative Electric Energy Task Force to add "closed system pumped hydropower" to the list of preferred electric energy generation sources.

In his veto letter, Gov. Arne Carlson said that he didn't consider pumped hydropower as an "energy conscious and environmentally sound" source of power.

The governor said closed system pumped hydropower "is a means of generating electricity that consumes more energy than it

produces and clearly does not rank among the energy alternatives that we have encouraged the public and private sectors to develop."

He disapproved of subsidizing pumped hydropower projects, saying that it could cost taxpayers \$5 million per year beginning in 1998.

Rep. Loren Solberg (DFL-Bovey) and Sen. Bob Lessard (DFL-Int'l Falls) sponsored the bill.

HF248/SF375*/CH173

Tax redistribution

Gov. Arne Carlson has vetoed a controversial metropolitan area tax-sharing proposal stating: "Past legislatures have wisely rejected the concept of pooling residential property taxes."

The bill would have shifted a portion of the tax dollars from some wealthy suburbs to less fortunate inner-ring suburbs and the core cities of Minneapolis and St. Paul. The bill promised to reduce property taxes in 85 percent of the metro area, but taxes would likely increase in the remaining 15 percent of the region.

It would have created a pool of funds for metropolitan redistribution drawn from the growth in property tax revenue generated on the value of homes greater than \$200,000.

House sponsor Rep. Myron Orfield (DFL-Mpls) aimed to achieve greater equity in basic public services provided in metropolitan area communities, ease competition for tax base, and make land-use planning more possible. He predicted that \$12 million would be redistributed, under the bill.

Carlson gave a variety of reasons for vetoing the bill in his veto message May 19. Among them: "First, this pooling approach sets many communities up for a property tax increase. Clearly, taking money from some suburban communities reduces their revenue. . . . Second, this bill worsens an already grossly unfair, inequitable property tax system. It punishes communities which are successful and rewards others for being inefficient. . . ."

This is the third consecutive year Orfield has pushed legislation to give wealthier suburbs a greater role in sharing the social burden faced by central cities and aging suburbs.

His bills in each of the previous two years focused on housing in the metro area. Carlson vetoed those as well.

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

HF431*/SF277/CH197

Driver's license refund

The governor has vetoed a bill that would have given Minnesotans a refund on their \$18.50 fee for a driver's license if they waited more than six weeks for it.

"This bill is a knee-jerk, quick-fix reaction to the contract problems the Driver and Vehicle Services Division experienced last summer in converting from the old manner of distributing licenses to a computer-based imaging system," Gov. Arne Carlson said in his May 22 veto message.

Many consumers waited months to receive their new driver's license — equipped with a new design and tamperproof security feature — in the mail.

"It would be easy to assert that the department made a mistake and should therefore pay. But that would be fallacious," Carlson said.

Katherine Burke Moore, who heads the Driver and Vehicle Services Division of the Department of Public Safety, has said the problem arose after the department found a new vendor to create the licenses. That company, Deluxe Corp. of Shoreview, Minn., did not have enough time to work the considerable kinks out of its system before it began distributing new licenses, she said.

"The basic assumption that the Department of Public Safety receives all of the \$18.50 cost of a driver's license — and thus should refund the money — is simply wrong," Carlson stated.

First, \$3.50 goes to Deputy Registrars across the state who work in individual county license bureaus. The department receives \$11.85 to fund various programs such as driver training, driver exams, and the upkeep of accident records. And the remainder goes to the Trunk Highway Fund to improve highways.

"This is the same as cutting the Legislature's overall budget because one subcommittee made a process error," Carlson said in his veto message. "It is unreasonable and unacceptable to put the state at such a large financial risk. It would also harm too many good programs."

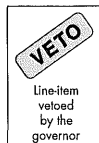
The bill's refund provision also would have applied to driver's instruction permits — which Minnesotans use as special licenses while learning to drive — and identification cards, which do not function as driver's license but serve as official identification cards because they display the holder's photograph.

The bill, sponsored by Rep. Phil Carruthers (DFL-Brooklyn Center) and Sen. Steve Murphy (DFL-Red Wing), made an exception for receiving the refund if the delay was

due to a work stoppage, a requirement of a federal law, or a court order imposed after July 1, 1995.

HF797/SF537*/CH196

Welfare line-item vetoed



Although Gov. Arne Carlson signed most of the 1995 welfare reform bill May 18, he line-item vetoed a food stamp outreach program and a cash assistance program for single adults totaling nearly \$6.6 million.

The governor cut a \$6.42 million component of the bill that would have replaced the state's Work Readiness program for single, able-bodied adults with a one-month per year payment to individuals of \$203. The replacement program, which Carlson called an "ineffective use of taxpayer dollars," was to have been called the Temporary County Assistance Program. (Art. 6, Sec. 16, Subd. 2)

The new law does repeal Work Readiness, which offered cash assistance and job services to employable people who qualify for General Assistance.

Carlson, an opponent of Work Readiness, wrote in his veto message: "This new program seems to be a revamped version of the Work Readiness program which I eliminated in my budget recommendations to the Legislature. As I have stated consistently since the beginning of the 1995 Legislative Session, we must eliminate welfare for able bodied adults without children. We cannot afford to carry

those who should carry their own weight."

The governor also vetoed a \$150,000 appropriation for a food stamp outreach program that would have informed people about filing for food stamps. (Art. 2, Sec. 48, Subd. 2)

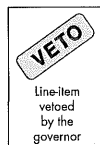
"Outreach programs of this type have been implemented with very little additional effect in the past, and I do not feel that it is appropriate to use taxpayer dollars with the sole intent of expanding enrollment in welfare entitlement programs," said Carlson in his veto message.

Overall, the new welfare reform law requires some new Minnesota welfare recipients to take part in a tough new jobs program and mandates that some teen-aged moms on welfare live at home beginning Oct. 1, 1995. (See related story page 36)

(See also Jan. 13, 1995, *Session Weekly*, page 6; Jan. 20, 1995, *Session Weekly*, pages 6-7; Feb. 3, 1995, *Session Weekly*, page 10; and Feb. 17, 1995, *Session Weekly*, pages 8-9; Feb. 24, 1995, *Session Weekly*, page 9; and May 12, 1995, *Session Weekly*, page 7)

HF5*/SF1/CH178

Environment funds pared



The governor signed the environmental and natural resources finance bill May 24 but line-item vetoed five items totaling \$445,000.

The following appropriations were deleted, with no explanations offered by the governor:

- \$150,000 for the Beaver Damage Control Joint Powers Board in northern Minnesota; (Beaver dams in ditches, rivers, and coulees have created flooding in the flat terrain up north)
- \$100,000 for operational costs at Cuyuna Country State Recreation Area near Aitkin, Minn.;
- \$100,000 to create the Passing On the Farm Center at the Southwest Technical College in Granite Falls, Minn. The center was to have expanded an existing local program that assists families and others who are in the process of transferring the farm from one generation to the next. The dollars would have made the project statewide in scope and brought it under the state's umbrella. In the past, the project has received funding from the Southwestern Minnesota Initiative Fund, Sisters of Notre Dame, and several other organizations and was limited to southwestern Minnesota;
- \$75,000 in 1996 "to preserve and enhance" oak savannah stands in St. Paul and Ramsey County; and
- \$20,000 in 1996 for staff and research support for the Livestock Processing Markets Task Force.

The bill was sponsored by Rep. Chuck Brown (DFL-Appleton) and Sen. Steve Morse (DFL-Dakota)

HF1857/SF106*/CH220

Final Action*

Now it's up to the governor

Exactly 3,787 bills were introduced by the Legislature during the regular session — 1,999 by the House and 1,788 by the Senate. Of those, 265 bills (and three resolutions) were passed by both bodies during the 1995 Session and sent to the governor.

So what happened to the other 3,522? Some were duplicates, some were folded into other bills, but most are in limbo, awaiting legislative action when the next regular session begins on Jan. 16, 1996.

And what happened to the 265 bills (and three resolutions) that have been sent to the governor? Most were signed into law, but here's a quick review of the governor's veto authority during the first year of the biennium.

Once a bill has passed both the House and the Senate in identical form, it's ready to be sent to the governor for consideration. The governor has several options when considering a bill. The governor can:

- sign the bill and it will become law;
 - veto the bill;
 - line-item veto individual items within an appropriations bill; or
 - do nothing, which results in the bill becoming law in the first year of the biennium.
- The timing of these actions is as important as the actions themselves.

But the important thing to remember in the first year of the biennium is this: the governor has three days from the time of "presentment" to veto a bill.

If the governor doesn't sign the bill within this time frame, it will become law without his signature. (Sundays aren't counted in the three-day time limit, but holidays are.)

(For bills passed in the Special Session, however, the governor has 14 days from "presentment" to veto them — the same rules that apply in the second year of a biennium. If the governor takes no action on a bill during this time, the bill is vetoed in what is commonly referred to as a "pocket veto.")

Only on appropriations bills can the governor exercise the line-item veto authority. This option allows the governor to eliminate the appropriation items to which he/she objects. As with all vetoes, the governor must include a statement listing the reasons for the veto with the returned bill. Here, too, the timetable is within three days after the governor receives the bill.

A two-thirds vote of the members in each house is needed to override a veto. So the Legislature, either next year or if it is called into special session before then, could vote to override the governor's veto.

The governor's veto authority is outlined in the Minnesota Constitution (Art. IV, Sec. 23).

So what happens to the bills that weren't approved by the Legislature this year?

Bills that were awaiting floor action on the General Orders Calendar now return to the last committee they were acted upon, where they will stay unless acted upon by the 1996 Legislature. This rule also applies to any bill up for consideration on the Consent Calendar, Calendar, or Special Orders.

For appointed conference committees that have not submitted a report upon adjournment, the bill returns to the body it originally came from and is laid on the table. The conference committee is then disbanded.

Bills that are passed by one body and not the other remain alive for the second year of the biennium. The house that approved the bill in the first year need not repass the bill in the second.

Bills pending before the Rules and Legislative Administration Committee from either body return to the standing committee to which the bill was previously referred.

Bills vetoed by the governor are returned to the body where the bill originated and laid on the table.

Bills remaining in standing committees can be taken up in the second year of the biennium in the committee to which they were last referred.

After each session, a comprehensive summary of all bills that were signed into law or vetoed is published. You can get a copy of *New Laws 1995* by calling or writing the House Public Information Office, 175 State Office Building, St. Paul, MN 55155-1298; (612) 296-2146, 1-800-657-3550.

Editor's note: The following chart includes the 265 bills (and three resolutions) that passed both the House and the Senate and have been or will be sent on to the governor for consideration. Final action as of May 24 is yet incomplete on just over 47 of the bills.

Here are details concerning some of the terms used in the process.

Governor's options

• enactment

The date the governor signed the bill into law.

• line-item veto (liv)

The power or action of the governor to reject individual items within an appropriations bill while approving the rest of the bill.

• veto

The governor did not approve the bill.

• *

An asterisk marks the version of the bill the House and Senate approved and sent on to the governor.

Effective dates

Each act takes effect at 12:01 a.m. on the day it becomes effective, unless the act specifies a different time. Examples:

• Aug. 1, 1995

Each act the governor signs into law, except those that make appropriations, take effect on Aug. 1 following its final enactment, unless the act specifies a different date.

• upon local approval (ula)

A special law requiring approval from the local government unit it affects becomes effective the day after the local government unit's governing body files a certificate with the secretary of state, unless the act specifies a later date.

• July 1, 1995

An appropriations act, or an act spending money, takes effect at the beginning of the first day of July following its final enactment, unless the act specifies a different date.

• day after enactment (dae)

The act becomes effective on the day after the governor signs it.

• Various

Different parts of the act have different effective dates.

• with exceptions (we)

Act includes other effective dates.

• with qualifications (wq)

Act adds conditions to the effective date.

*Unofficial listing

**1995 MINNESOTA LEGISLATURE
FINAL ACTION (as of May 24, 1995)**

KEY

HF — House File	dae — day after enactment	* — bill the governor signed or vetoed
SF — Senate File	we — with exceptions	† — footnote
R — Resolution	wq — with qualifications	liv — line item veto
CH — Chapter	ula — upon local approval	

HF	Author	SF	Author	Bill Title	CH	Governor's signature	Governor's veto	Waiting Governor's action	Effective date
None		66	Moe	Balanced federal budget	Res. 1	1/20/95			
None		1670	Kroening	Omnibus jobs, housing, and economic development appropriations	224			x	
				AGRICULTURE					
202	Brown	106*	Morse	Omnibus environment and natural resources appropriations	220	5/24/95	liv		Various
337	Otremba	739*	Scheevel	Elk crop damage compensation procedures modified	33	4/5/95			8/1/95
1082*	Olson, E.	1407	Hottinger	Cooperative optional voting systems provided	150	5/10/95			5/11/95
1176	Peterson	1043*	Berg	Farmed cervidae provisions modified	39	4/12/95			8/1/95
1332	Cooper	839*	Dille	Pesticide dealer and applicator requirements modified	95	4/26/95			4/27/95
1377*	Dehler	1270	Dille	Agricultural chemical response reimbursement procedures clarified	182	5/18/95			8/1/95
1478*	Otremba	1159	Sams	Ag. commissioner notification of farming operation rule changes required	233			x	
1669	Winter	1551*	Johnson, J.B.	Family farm co-op agricultural wind energy resource development loans provided	245			x	
				CAPITAL INVESTMENT					
1614	Rest	1393*	Pogemiller	Public bond issuance conditions and requirements provided	256			x	
				COMMERCE, TOURISM & CONSUMER AFFAIRS					
340*	Pugh	305	Chandler	Motor vehicle sales dealership establishment and relocation regulated	107	5/1/95			8/1/95
399*	Perlt	559	Finn	Corporate purchase right authority clarified, filings reg., service of process provided	128	5/5/95			Various
457*	Perlt	469	Solon	Mortgage loan negotiator and mortgage broker regulatory provisions modified	68	4/20/95			4/21/95
536*	Entenza	1263	Limmer	Residential building contractor license requirements modified, garage defined	169	5/17/95			Various
554*	Entenza	620	Oliver	Securities broker-dealer, agent, or invest. advisor licensee enforcement actions reg.	11	3/17/95			3/18/95
564*	Mahon	748	Riveness	Peace officers granted notary public powers for admin. of oaths for prob. cause info	37	4/12/95			8/1/95
661	Murphy	446*	Solon	Restraint of trade sales discrimination low price markup provisions repealed	73	4/19/95			4/20/95
809	Entenza	579*	Chandler	Charitable organizations regulated and money appropriated	235			x	
990*	Entenza	1479	Anderson	Disabled and handicapped assistive device warranties provided	193	5/19/95			8/1/95
1048*	Entenza	846	Neuville	Videotape captioning for deaf or hearing-impaired persons required	143	5/10/95			8/1/95
1052*	Entenza	565	Betzold	Federal Lien Registration Act provisions modified	144	5/10/95			5/11/95
1064	Johnson, R.	529*	Kroening	Automatic sprinkler installation required in certain existing high-rise buildings	217			x	
1091*	Entenza	1337	Hottinger	Transient merchant sales of baby food & health items regulated	64	4/19/95			8/1/95
1132*	Jennings	936	Solon	Relating to brewers with retail on-sale licenses, home brewing, and liquor licenses	198	5/22/95			Various
1185	Smith	732*	Betzold	UCC revised art. 8 enacted regulating investment securities	194	5/22/95			8/1/95
1371*	Opatz	1272	Metzen	Investment securities order flow direction payment disclosure required	148	5/10/95			5/11/95
1469	Bradley	870*	Hanson	Elevator safety provisions modified	166	5/15/95			8/1/95
1645*	Olson, M.	1390	Ourada	Wood types specified for exterior deck, patio, and balcony construction applications	100	4/28/95			3/20/95
1666	Bertram	1170*	Metzen	Geoscientist licensure required by Board of Architecture	206	5/22/95			7/1/95 wq
1747	Jaros	838*	Solon	Barber services performed for charity provided exemption from registration	59	4/18/95			8/1/95
887*	Rice	764	Kelly	St. Paul teacher training institute city authority expanded	22	3/27/95			8/1/95
				EDUCATION					
146	Hasskamp	188*	Samuelson	Brainerd Tech. College appropriation use authorized for athletic facility relocation	208	5/24/95			5/25/95
679	Winter	566*	Vickerman	Ind. School Dist. No. 518, Worthington, residential program operation ext. provided	76	4/21/95			4/22/95
702*	Lieder	522	Stumpf	School safety patrols authorized to include nonpupil adults as members	103	5/1/95			8/1/95
				ECONOMIC DEVELOPMENT, INFRASTRUCTURE & REGULATION FINANCE					
1194*	Rukavina	947	Krentz	Regional arts council appropriations allocated	126	5/5/95			8/1/95
				ENVIRONMENT & NATURAL RESOURCES					
2*	Johnson, A.	27	Metzen	Motor vehicle emission inspection requirement waived in certain cases	204	5/22/95			Various
31	Munger	44*	Novak	Legislative electric energy task force initial report deadline ext. provided	4	2/22/95			2/23/95
54*	Bakk	279	Johnson, D.J.	Const. officers to assert state's ownership, control over certain waters, public lands	124	†			5/12/95
120	Tunheim	155*	Stumpf	Great horned owl trapping by turkey farmers authorized	188	†			5/19/95
121*	Johnson, V.	310	Morse	Blufflands trail system in Winona County extension authorized	26	3/29/95			8/1/95
316	Bakk	133*	Johnson, D.J.	Cook and St. Louis county tax-forfeited land sales authorized	77	4/21/95			4/22/95
321*	Jennings	174	Lessard	Deer; program for those under 16 to take deer of either sex continued	32	4/5/95			8/1/95
345	Cooper	239*	Johnson, D.E.	Kandiyohi County tax-forfeited land sale authorized	62	4/18/95			4/19/95
474	Commers	243*	Wiener	Dakota County authorized to sell certain tax-forfeited land to Eagan	159	5/11/95			5/12/95
479*	Bakk	548	Morse	State park additions and state wayside deletions provided	215	5/24/95			8/1/95
485	Winter	445*	Lesewski	Waste combustor operation permitted by MPCA in certain cases	87	4/24/95			4/25/95
503	Bishop	273*	Price	Water supply systems, wastewater treatment facilities classified; operators cert.	180	5/18/95			7/1/95
672	Wagenius	462*	Johnson, J.B.	Waste Management Act provisions modified	247			x	
714	Clark	574*	Finn	Geographic place names — potentially offensive titles changed	53	4/18/95			4/19/95
782*	Munger	427	Solon	Western Lake Superior Sanitary District, bond compliance with revenue code	41	4/18/95			8/1/95

**1995 MINNESOTA LEGISLATURE
FINAL ACTION (as of May 24, 1995)**

KEY

HF — House File	dae — day after enactment	* — bill the governor signed or vetoed
SF — Senate File	we — with exceptions	† — footnote
R — Resolution	wq — with qualifications	liv — line item veto
CH — Chapter	ula — upon local approval	

HF	Author	SF	Author	Bill Title	CH	Governor's signature	Governor's veto	Waiting Governor's action	Effective date
806	Macklin	680*	Pariseau	Scott County authorized to purchase trust fund land from DNR	88	4/24/95			8/1/95
812*	Ozment	710	Frederickson	DNR authorized emergency equipment material and use expanded	36	4/12/95			8/1/95
985	Johnson, R.	830*	Finn	Akeley land conveyance from DNR commissioner required	108	5/1/95			Various
1018*	Trimble	1067	Laidig	Chlorofluorocarbon state recycling regulations to comply with federal law	147	5/10/95			8/1/95
1055*	Dauner	898	Price	Relating to the Water & Soil Resources Board	199	5/22/95			8/1/95
1063*	Huntley	858	Solon	Duluth storm water infiltration and inflow prevention demo. project authorized	90	4/25/95			4/26/95
1101*	Trimble	1405	Frederickson	Water resources protection laws provided technical corrections	218	5/24/95			5/25/95
1238*	Trimble	897	Price	Metro area surface and groundwater mgmt. planning, dev., review, reporting provided	184	5/18/94			8/1/95 we
1255	Weaver	644*	Merriam	Anoka land sale provisions modified	84	4/24/95			4/25/95
1256*	Kelley	890	Johnson, J.B.	Adoption of federal energy standards for various items	161	5/11/95			8/1/95
1307*	Ostrom	867	Hottinger	Ice fishing houses identified by owners driver's license numbers	65	4/19/95			8/1/95
1320*	Leighton	1073	Chandler	Hazardous waste abandonment cause of action provided	119	5/5/95			5/6/95
1423	Hausman	1122*	Lessard	Drycleaner environmental response and reimbursement law adopted	252			x	
1425*	Bakk	1250	Johnson, D.I.	Tax-forfeited timber payment terms modified	121	5/5/95			5/6/95
1441	Solberg	1023*	Lessard	Tax-forfeited land sale notice require. modified, county road use leasing modified	83	4/21/95			8/1/95
1457*	Olson, E.	1583	Moe	Becker County state land sale by DNR commissioner authorized	93	4/26/95			4/27/95
1479*	Long	1314	Mondale	Environmental improvement pilot program established	168	5/17/95			8/1/95 wq
1539	Ness	1280*	Dille	Meeker County tax-forfeited land sale authorized	243			x	
1582	Rukavina	1444*	Solon	Fillmore, Koochiching, and St. Louis county tax-forfeited land sales authorized	238			x	
1767	Paulsen	127*	Terwilliger	Eden Prairie tax-forfeited land conveyance from Hennepin County authorized	249			x	
				ENVIRONMENT & NATURAL RESOURCES FINANCE					
1014	Hausman	1076*	Johnson, J.B.	Wind energy conversion system siting regulated and rulemaking authorized	203	5/22/95			8/1/95
				FINANCIAL INSTITUTIONS & INSURANCE					
68*	Simoneau	68	Solon	Group life insurance policy proceeds alternative payment methods required	116	5/3/95			1/1/96
96*	Bishop	164	Hottinger	Health carrier subrogation rights restricted	219	5/24/95			1/1/96
217*	Simoneau	139	Solon	Life ins. living benefits settlements reg., NAIC viatical settle. model act adopt. prov.	151	5/10/95			1/1/96
278	Weaver	259*	Merriam	Genetic discrimination act adopted	251			x	
350	Pugh	34*	Wiener	Medicare supplement plans to provide coverage (equip., supplies) for diabetes	52	4/19/95			1/1/96 wq
365*	Jennings	457	Chandler	No-fault auto insurance taxi coverage priorities regulated	227			x	
570	Davids	318*	Lesewski	Crop hail insurance rate changed	24	3/27/95			8/1/95
673*	Huntley	1026	Oliver	Risk-based capital for insurers regulated, and NAIC model act adopted	253			x	
677	Tamassoni	440*	Hottinger	Insurance coverage regulated	258			x	
687	Lourey	474*	Johnson, J.B.	Medicare supplement policy reinstatement regulated	75	4/21/95			8/1/95
747	Paulsen	1033*	Oliver	Department of Commerce insurance solvency provisions modified	214	5/24/95			8/1/95
751*	Davids	649	Chandler	Insurance agent life and health policy quotas prohibited	152	5/10/95			8/1/95
877*	Simoneau	949	Solon	Auto insurance premium reduction provided for vehicles with anti-theft devices	115	5/3/95			1/1/96
1130	Simoneau	893*	Price	MN comprehensive health insurance assoc. benefits modified	96	4/26/95			8/1/95
1178	Simoneau	1204*	Betzold	No-fault auto insurance rental vehicle coverage to include loaner vehicles	225			x	
1184	Jennings	1134*	Solon	Omnibus financial institutions technical corrections bill	202	5/24/95			Various
1308	McCollum	973*	Metzen	Rental vehicle automobile insurance rate provisions modified	140	5/8/95			8/1/95
1573*	Kelley	1469	Metzen	Omnibus financial institution regulatory bill	171	5/17/95			8/1/95
1617	Pugh	1404*	Solon	Reinsurance intermediaries regulation and fund investment provided	163	5/15/95			8/1/95
				GENERAL LEGISLATION, VETERANS AFFAIRS & ELECTIONS					
103	Osthoff	141*	Sams	Sch. bd. mbrshp. plans, election expense allocation, materials, terms, changed	8	3/2/95			Various
185	McCollum	381*	Betzold	Armory construction fund use authorized; bldg. commission member appt. flexible	210			x	
229	Schumacher	182*	Vickerman	Town supervisor office vacancy filling procedure clarified	21	3/27/95			3/28/95
647	Jefferson	181*	Cohen	Employees provided time off to vote in legislative special elections	20	3/27/95			3/28/95
1148	Dehler	1099*	Bertram	Election judges permitted to serve outside of counties in which they reside	34	4/10/95			8/1/95
				GOVERNMENTAL OPERATIONS					
83	Kinkel	91*	Finn	Compulsive gambling treatment provider eligibility provision modified	86	4/24/95			4/25/95
98*	Kahn	134	Metzen	Gambling advisory council provided alternate member	2	2/17/95			2/18/95
139	Pawlenty	204*	Chandler	Tenth Amendment; federal government mandate reporting and analysis required	57	4/18/95			8/1/95
265*	Dorn	619	Berg	Lawful purpose and bingo expenditures regulated, tolerating references eliminated	261			x	
266*	Rest	180	Reichgott Junge	Surviving spouse benefit expenditures auth. for kid's med. or dent. treatment	133	†			8/1/95
282*	Perlt	237	Price	Vacation leave donations provided for a Dept. of Admin. employee	35	4/12/95			4/13/95
493*	Jefferson	803	Pogemiller	Local police, fire, teacher, and public employee pension plans modified	172		5/18/95		
617*	Johnson, R.	561	Stumpf	Public pension plans modified; survivor benefits; administrative changes	141	5/10/95			7/1/95

**1995 MINNESOTA LEGISLATURE
FINAL ACTION (as of May 24, 1995)**

KEY

HF — House File	dae — day after enactment	* — bill the governor signed or vetoed
SF — Senate File	we — with exceptions	† — footnote
R — Resolution	wq — with qualifications	liv — line item veto
CH — Chapter	ula — upon local approval	

HF	Author	SF	Author	Bill Title	CH	Governor's signature	Governor's veto	Waiting Governor's action	Effective date
624*	Ostrom	493	Hottinger	Public employees running for elective office provided leave of absence	138		5/9/95		
695	Solberg	557*	Flynn	Higher education employee labor contracts ratified	239			x	
1001	Rukavina	1678*	Merriam	Omnibus legislative and state government appropriations	254			x	
1040*	Kahn	806	Morse	Public employee pension plan benefits and related modifications provided	262			x	
1468*	Swiggum	1268	Belanger	Governor authorized to declare an inability to discharge duties of the office	98	4/28/95			8/1/95
1524	Wejman	1402*	Anderson	State employees requested to give input on improving govt. efficiency	160		5/12/95		
1542	Orenstein	1246*	Riveness	State government department and agencies reorganized	248			x	
1556	Milbert	1118*	Betzold	Revisor's bill correcting statutes and other laws	186	5/18/95			8/1/95
1626*	Bishop	1572	Riveness	Public fund investment in certain assets prohibited	122	5/5/95			5/6/95
				GOVERNMENTAL OPERATIONS/State Government Finance Division					
355	Girard	335*	Frederickson	Appropriations; earlier appropriations supplemented	48	4/18/95			4/19/95
				HEALTH & HUMAN SERVICES					
HF5*	Anderson, R.	SF1	Samuelson	Welfare provisions reformed and modified, money appropriated	178	5/18/95	liv		Various
33	Dawkins	16*	Betzold	Neuroleptic medication administration, prescription provisions modified	189	5/19/95			8/1/95
226*	Kelley	73	Piper	Med. Practice Bd. to receive reports of ins. settlements from all persons reg. by bd.	44	4/19/95			8/1/95
228*	Mulder	72	Piper	Advisory councils: physical therapy, physician asst. and others reinstated	43	†			4/21/95
231*	Kelley	95	Piper	Discipline procedures modified for physicians; lic. requirements modified	18	3/27/95			8/1/95 we
331*	Clark	309	Berglin	Patient bill of rights privacy provisions modified	136	5/8/95			8/1/95
432	Sykora	342*	Spear	Child abuse investigation liability provisions modified	187	5/18/95			8/1/95
446*	Leppik	307	Sams	Acupuncture practitioner licensure by BMP established; rules, penalties provided	177	5/17/95			7/1/95
452	Kelley	258*	Piper	Physician assistants registered by Board of Medical Practice, and rules provided	205	5/22/95			Various
598	Greenfield	512*	Spear	Vulnerable Adults Reporting Act modified, and penalties provided	229			x	
612*	Cooper	543	Sams	Prescription drug prescribers provided equal treatment	69	4/19/95			8/1/95
694*	Huntley	608	Solon	Human services child care programs and county contribution provisions modified	139	5/8/95			7/1/95
724	Kelley	1055*	Piper	Social worker home care provider, nursing home, hosp. licensure requirements mod.	63	4/19/95			8/1/95
744	Tomassoni	577*	Janezich	Nursing home administrator provisions modified	81	4/21/95			8/1/95
765	Delmont	299*	Larson	Visually handicapped reference changed to visually disabled	82	4/21/95			4/22/95
813*	Brown	974	Berg	Int. care facilities for those with mental retardation temp. payment. rate est.	114	5/3/95			8/1/95
843*	Laurey	613	Anderson	Dental hospitalization and anesthesia coverage for dental procedures required	91	4/25/95			8/1/95
983	Laurey	992*	Kiscaden	Maternal aid child health advisory task force reinstatement provided	246			x	
1003*	Huntley	1075	Piper	X-ray equip. operator exam & certification req., & advisory comm. established	146	5/10/95			8/1/95
1037*	Huntley	425	Betzold	Rule enforcement & fee provisions modified relating to Dept. of Health services	165	5/15/95			Various
1077	Cooper	845*	Berglin	MnCare; ISN requirements established, penalties provided, money appropriated	234			x	
1246*	Greiling	532	Kiscaden	Regulations relating to child care operations and family day care programs	158	5/11/95			7/1/95
1363*	Pelowski	1336	Vickerman	Drug regulations modified to allow dispensation by M.D. in bordering state	66	4/19/95			8/1/95
1442*	Greenfield	1417	Vickerman	Chemical dependency counselor licensure required and penalties provided	164	5/15/95			5/16/95 we
1450*	Bishop	1220	Reichgott Junge	Living will to include provisions for organ donations, power of attorney provided	211				8/1/95
1522	Delmont	999*	Riveness	Human service provider billing prompt payment required	241			x	
1588	Greenfield	1110*	Samuelson	Omnibus Health and Human Service Bill	207	5/22/95			Various
1602*	Greenfield	1420	Piper	Mobile health care providers defined and regulated	135	5/8/95			8/1/95
1742*	Long	1590	Piper	Breast cancer insurance coverage required	183	5/18/95			5/19/95
				HOUSING					
323*	Dawkins	249	Johnson, J.B.	Landlord is cust. of record on util. accts. in single-metered multi-unit res. bldgs.	192	5/19/95			8/1/95
506	Clark	801*	Berglin	Lead abatement provisions modified and recodified and money appropriated	213			x	
565*	Moriani	501	Pappas	Metropolitan Council federal sec. 8 housing program operation authorized	112	5/3/95			5/4/95
726	McElroy	323*	Anderson	Manufactured home park retaliatory conduct provisions clarified	13	3/20/95			8/1/95
749*	Trimble	350	Anderson	Transitional housing services eligibility provisions to incl follow-up support services	14	3/22/95			8/1/95
				INTERNATIONAL TRADE & ECONOMIC DEVELOPMENT					
873	Jaros	759*	Novak	Advantage Minn., Inc., economic development corporate structure modified	232			x	
1211*	Lieder	982	Moe	Public contractor performance bond posting requirements modified	200	5/22/95			5/23/95
				JUDICIARY					
32*	Jaros	29	Solon	Retired court administrators authorized to solemnize marriages	129	5/5/95			8/1/95
74	Johnson, A.	64*	Betzold	Foster care facilities for delinq. kids local gov. notification required prior to licensing	12	3/20/95			8/1/95
110	Dorn	320*	Hottinger	Assault in the fifth degree probable cause arrests allowed in school zones	55	4/18/95			8/1/95 wq
125*	Bishop	197	Beckman	Inmate name change restrictions imposed	16	3/27/95			8/1/95
129	Bishop	229*	Kiscaden	Medical examiner data shared with state or federal agencies investigating a death	29	3/31/95			4/1/95
145	Brown	1255*	Limmer	Correctional officer defensive use of force authorized in certain correctional facilities	70	4/19/95			8/1/95

**1995 MINNESOTA LEGISLATURE
FINAL ACTION (as of May 24, 1995)**

KEY

HF — House File	dae — day after enactment	* — bill the governor signed or vetoed
SF — Senate File	we — with exceptions	† — footnote
R — Resolution	wq — with qualifications	liv — line item veto
CH — Chapter	ula — upon local approval	

HF	Author	SF	Author	Bill Title	CH	Governor's signature	Governor's veto	Waiting Governor's action	Effective date
262	Leighton	75*	Betzold	Mechanics' lien notice filing requirements modified	5	2/24/95			8/1/95
344*	Leighton	303	Finn	Common Interest Ownership Act modified	92	4/25/95			Various
367*	Macklin	293	Betzold	Municipal subcontractor prompt payment provided	31	4/5/95			Various
377*	Entenza	390	Cohen	DWI; vehicle forfeiture penalties for failure to appear at trial for offenses	97	4/28/95			4/29/95
423	Van Engen	399*	Knutson	DWI; snowmobile, motorboat and all-terrain vehicle forfeiture provided	230			x	
529*	Pugh	431	Reichgott Junge	Eminent domain notice of pendency provisions modified	106	5/1/95			5/2/95
544*	Hasskamp	520	Krentz	Informal probate guide prepared by state court administrator	78	4/21/95			4/22/95
628*	Bishop	733	Kiscaden	Parental right termination	242			x	
651*	Macklin	591	Finn	Uniform Probate Code provisions modified; deposit box search authority expanded	130	5/5/95			1/1/96
735	Entenza	214*	Spear	Concealing ID crime exception provided based on religious beliefs, cultural practices	30	4/5/95			8/1/95
900	Broecker	144*	Hanson	Disabled parking certificate holder data access limited and use provisions modified	85	4/24/95			8/1/95
927*	Bishop	864	Kiscaden	Domestic abuse hearing requirement eliminated in certain cases	142	5/10/95			8/1/95
966	Entenza	217*	Cohen	Child support and enforcement provisions modified	257			x	
980*	Skoglund	1564	Anderson	Mini-omnibus crime bill	244			x	
1008*	Bradley	606	Kiscaden	Child support, custody & visitation proceeding education program established	127	5/5/95			8/1/95
1075	Vickerman	521*	Berglin	State adoption exchange prompt listing required for all children freed from adoption	61	4/19/95			8/1/95
1105*	Leighton	626	Krentz	Parentage Act; biological father pre-sumptions in paternity cases modified	216	5/24/95			5/25/95
1338	Rest	1042*	Reichgott Junge	Partnership name and filing requirements modified	58	4/19/95			8/1/95 we
1399*	Skoglund	1274	Salon	Police horse assault penalties provided	179	5/17/95			5/18/95
1463	Leighton	77*	Betzold	Motor vehicle warranty action limitations clarified	49	4/19/95			4/20/95
1473	McGuire	1279*	Finn	Omnibus data classification, access, and privacy bill	259			x	
LABOR-MANAGEMENT RELATIONS									
244*	Johnson, R.	306	Lesewski	Gov's workforce development council est. to replace gov's Job Training Council	131	5/5/95			Various
398	Caruthers	255*	Hanson	Elevator mechanic registration and regulation required, money appropriated	221			x	
642*	Winter	1020	Novak	Omnibus workers' comp. bill, insurance regulation and benefits modified	231			x	
733*	Bakk	1547	Lesewski	High pressure pipe installation licensure requirements modified, penalties provided	123	5/5/95			8/1/95
1145	Perlt	1060*	Chandler	Dept. of Economic Security re-employment insurance provisions modified	54	4/18/95			4/19/95; 1/1/96 (Sec. 1)
1437*	Goodno	1152	Anderson	Food processing ind. employee recruitment disclosure required, penalties provided	154	5/10/95			8/1/95
LOCAL GOVERNMENT & METROPOLITAN AFFAIRS									
1700*	Murphy	1653	Beckman	Metropolitan government obsolete references removed and language clarified	226			x	
37*	Laurey	49	Chmielewski	Glen or Kimberly in Aitkin Co. allowed alternate annual meeting day	10	3/17/95			8/1/95
305*	Cooper	265	Sams	Local government financial audit provisions clarified	27	3/29/95			3/30/95
362*	Bertram	266	Bertram	Town boards authorized to establish petty cash imprest fund for claims payment	15	3/22/95			8/1/95
450	Pelowski	257*	Morse	Soil and water conservation district supervisors authorized to hold certain offices	222	5/24/95			1/1/95 retro.
533*	Bertram	420	Bertram	Eden Valley annexed to Paynesville area hospital district	110	5/3/95			Various
585	Orfield	281*	Flynn	Metro area government obsolete references removed and language clarified	236			x	
597	Kelley	467*	Mondale	Metro. public safety radio communications systems coord., consolidation provided	195	5/22/95			8/1/95
606	Solberg	526*	Lessard	Nashauk area ambulance district local approval requirements modified	181	5/18/95	†		5/19/95
611	Leppik	371*	Olson	I-394 construction; omnibus transportation bill	265			x	
670*	Pelowski	494	Morse	Winona Co. authorized to negotiate, contract with dev. achievement center	67	4/19/95			4/20/95
715*	Schumacher	453	Janezich	Town board adoption of recorded town road map damages paid to property owners	45	4/18/95			4/19/95
823*	Abrams	726	Mondale	Hospital financing through bond issuance authorized for certain cities, counties	80	4/21/95			4/22/95
833*	Long	841	Mondale	Metropolitan comprehensive municipal planning provisions modified	176	5/17/95			8/1/95
838*	Bishop	713	Kiscaden	Olmsted Co. authorized to create a nonprofit to own, operate a hosp., med. ctr.	102	4/28/95			Upon local approval
859*	Clark	833	Flynn	Cities authorized to conduct private sales of unclaimed property thru nonprofit orgs.	79	4/21/95			8/1/95
866*	Osskopp	683	Murphy	Home rule charter, grants to nonprofit community food shelves	109	5/3/95			5/4/95
1039	Milbert	856*	Wiener	Dakota Co. administrator assigned county board clerk duties	60	4/18/95			Upon local approval
1047	Bakk	1520*	Lessard	Landfarming contaminated soil reporting to unincorp. twshps. requirements modified	250			x	
1060*	Pugh	810	Metzen	South St. Paul fire & police dept. employees excluded from civil service	113	5/3/95			Upon local approval
1156	Long	1019*	Mondale	Metropolitan livable communities act adopted	255			x	
1159*	Jefferson	1056	Koenig	Municipalities authorized to create trust or escrow accounts to cover losses	170	5/17/95			1/1/96
1291	Anderson, B.	1112*	Ourada	Sherburne County ditch conveyance to Elk River provided	175	5/17/95			Upon local approval
1378	Garcia	1144*	Flynn	Minneapolis parking and traffic control authority delegation	94	4/26/95			Upon local approval
1460*	Grelling	1374	Marty	City budget report date modified, and budget publication requirements eliminated	134	5/8/95			8/1/95
1553	Kelley	1209*	Betzold	Hennepin County Medical Examiner's Office provisions modified	89	4/24/95			Upon local approval
1641*	Macklin	1396	Knutson	Counties, cities, towns to supply copies of adopted ordinances to co. law libraries	105	5/1/95			8/1/95
1678*	Finseth	1472	Stumpf	Red Lake Co. authorized to charge Polk Co. an outlet fee for drainage system use	162	5/11/95			5/12/95

**1995 MINNESOTA LEGISLATURE
FINAL ACTION (as of May 24, 1995)**

KEY

HF — House File	dae — day after enactment	* — bill the governor signed or vetoed
SF — Senate File	we — with exceptions	† — footnote
R — Resolution	wq — with qualifications	liv — line item veto
CH — Chapter	ula — upon local approval	

HF	Author	SF	Author	Bill Title	CH	Governor's signature	Governor's veto	Waiting Governor's action	Effective date
1709*	Workman	1523	Oliver	Chanhausen playground equipment bid specification provisions modified	153	5/10/95			Upon local approval
				REGULATED INDUSTRIES & ENERGY					
164*	Jefferson	65	Kelly	Public utilities area development rate plans modified	9	3/10/95			3/11/95
137*	Jacobs	213	Johnson, D.J.	Electric utility competitive rate sunset provision repealed	6	3/1/95			3/2/95
150*	Jennings	220	Solon	Temporary on-sale intox. liquor license term increase, no. restriction provided	42	4/18/95			4/19/95
248	Solberg	375*	Lessard	Electric Energy Task Force to consider new alternative energy sources	173		5/18/95		
354*	Vickerman	807	Novak	Small gas utility franchise rate regulation exempt. provided for incidental utility serv.	125	5/5/95			8/1/95
435*	Tunheim	275	Novak	Gas utility performance-based gas purchasing regulation authorized	17	3/27/95			3/28/95
528*	Mariani	545	Wiener	TACIP cellular phone user fee imposed; equipment eligibility restricted	201	5/22/95			8/1/95
620	Olson, E.	752*	Novak	Telephone company alternative regulation provided for limited periods	156	5/10/95			8/1/95 wq
957*	Goodno	777	Vickerman	President & Congress memorialized to abandon proposed sale of WAPA.	Res. 2	4/19/95			
1093	Lynch	910*	Morfy	TACIP board eliminated, duties transferred to Depts. of Pub. and Human Svcs.	190	5/19/95			7/1/95
1252	Vickerman	1051*	Frederickson	Cellular phone service providers required to notify users of 911 call procedures	149	5/11/95			8/1/95
1290	Delmont	734*	Chandler	Emergency 911 telephone system regulated	209			x	
1356	Kelley	1173*	Chandler	Telephone company local exchange service territory sales regulated	191	5/19/95			8/1/95
1433	Vickerman	1176*	Frederickson	Sleepy Eye steam heat system discontinuation notice requirement exemption	51	4/18/95			4/19/95
				RULES & LEGISLATIVE ADMINISTRATION					
113	Milbert	74*	Reichgott Junge	Revisor's bill correcting oversights, inconsistencies, ambiguities, tech. errors	185	5/18/95			Various
1920	Skoglund	1705*	Flynn	Revisor's bill	263			x	
				TAXES					
45*	Rest	87	Price	Technical tax corrections bill, providing clarification and administrative changes	1	2/14/95			Various
47*	Wagenius	94	Morse	Solid waste generator assessment provisions modified, terminology clarified	111	5/3/95			1/1/96
431*	Orfield	277	Novak	Homestead property incl. in areawide tax base; areawide tax rate application prov.	197		5/19/95		
567*	Dawkins	983	Kiscaden	Hosp., health care provider tax data disclosure to state, federal departments	38	4/12/95			4/13/95
1808	Rest	1543*	Pogemiller	Bonding authority allocation procedures modified	167	5/15/95			Various
				TRANSPORTATION & TRANSIT					
6	Anderson, B.	50*	Ourada	Betty Adkins Bridge designated in Elk River, connecting Wright and Sherburne cos.	19	3/27/95			8/1/95
29*	Tunheim	42	Vickerman	Recreational vehicle combination sunset provision repealed	3	2/22/95			2/23/95
52	Bertram	33*	Bertram	Drivers' license, state ID card holders allowed headwear in photos in some cases	7	3/1/95			8/1/95
95*	Lieder	132	Bertram	Driveway headwalls in highway rights-of-way prohibited, penalty provided	23	3/27/95			8/1/95
153	Tompkins	145*	Hanson	Motor vehicle registration tax overpayment refund time limit established	28	3/29/95			8/1/95 wq
175	Knoblach	194*	Bertram	Bridge of Hope designated on trunk hwy. 15 crossing Miss. River near St. Cloud	50	4/18/95			8/1/95
216*	Huntley	426	Janezich	Motor vehicle registration fleet definition modified	46	4/18/95			8/1/95
273*	Pellow	455	Runbeck	Collector motor vehicle license plate transfer, reissue auth.; fees imposed	132	5/8/95			8/1/95
383*	Marko	340	Ourada	Motor vehicle head, tail lamp violations, trailer brake, inspection report, lic. plate	120	5/5/95			8/1/95
416	Skoglund	308*	Morfy	License plate issuance provided to certain persons subject to an impoundment order	157		5/10/95		
464*	Mahon	341	Ourada	License plate impoundment limited to self-propelled motor vehicles	99	4/28/95			8/1/95
568*	Frerichs	528	Johnston	Eye protection required for motorcycle riders	40	4/19/95			8/1/95
586*	Bertram	553	Bertram	Impound lots authorized to sell, dispose of unauthorized, abandoned, junk vehicles	137	5/8/95			8/1/95
654*	Lieder	534	Murphy	Town board authority clarified to alter or vacate town roads dedicated by plat	25	3/29/95			8/1/95
821*	Mahon	700	Murphy	Amtrak; Congress memorialized to fund Amtrack railroad system to assure MN serv.	Res. 3	4/28/95			
831	Perlt	348*	Johnston	Motor vehicle deputy registrar appointment authority clarified	71	4/19/95			8/1/95
901*	Swenson, D.	1129	Runbeck	DWI laws included in drivers' ed programs, license exams and driver's manual	104	5/1/95			7/1/95
971	Tunheim	172*	Lessard	Manufacturer motor vehicle test license plate reg. fee and tax provided.	74	4/19/95			4/20/95
1011*	McElroy	1015	Neuville	Radar speed measuring equip. jamming device sale, use and possession prohibited	118	5/3/95			8/1/95
1065*	Rukavina	859	Chmielewski	St. Louis Co. road & bridge fund accounting & expenditure requirements modified	47	4/18/95			Upon local approval
1134	Schumacher	687*	Krentz	Relating to bicycles and pedestrians on roadways	72	4/20/95			8/1/95 wq
1153*	Schumacher	1097	Bertram	Paratransit operation outside of service area authorized for cities and counties	101	4/28/95			4/29/95
1174*	Marko	1091	Kramer	Regulation of special transportation providers	155	5/10/95			8/1/95
1207*	Winter	571	Murphy	Vehicle combination authorized length increase provided	223	5/24/95			5/25/95
1342	Wagenius	979*	Johnston	Hazardous material transporters regulated	260			x	
1390	Broecker	264*	Lesewski	Commercial drivers license disqualification contested case hearing process repeal	56	4/19/95			8/1/95
1402*	Seagren	1163	Belanger	Original license plate issuance provided for certain motor vehicles	145	5/10/95			8/1/95
1434	Dauner	965*	Langseth	Straw wide load transportation permit issuance provided	174	5/16/95			8/1/95 wq
1485*	Mariani	1171	Vickerman	Protective agent security guards permitted to perform certain traffic control duties	117		5/4/95		

1995 MINNESOTA LEGISLATURE

KEY

HF—House File

dae — day after enactment

*—bill the governor signed or vetoed

SF—Senate File

we — with exceptions

† — footnote

R — Resolution

wq — with qualifications

liv—line item veto

CH — Chapter

ula — upon local approval

[illegible]

Bill Introductions

SS: HF1-HF5

HF1939-HF1999

Friday, May 19

HF1939—Trimble (DFL) Environment & Natural Resources

Motor vehicle paint, thinner, and reducer sale regulation provided, and penalties and remedies provided.

HF1940—Brown (DFL)
Local Government & Metropolitan Affairs
Property annexation election by local governments provided, orderly annexation procedures modified, ordinance annexation conditions modified, and local government joint planning board creation authorized.

HF1941—Jennings (DFL)
Health & Human Services
Preferred provider arrangements act; health insurance preferred provider arrangements regulation provided and rulemaking authorized.

HF1942—Pelowski (DFL)
Regulated Industries & Energy
InterLATA telecommunications; president and Congress memorialized to remove barriers to competitive interLATA telecommunications services.

HF1943—Olson, M. (IR)
Governmental Operations
Laws appropriating sums greater than a certain amount prohibited, and constitutional amendment proposed.

HF1944—Olson, M. (IR)
Rules & Legislative Administration
State equal representation rules of procedure required, and constitutional amendment proposed.

HF1945—Olson, M. (IR)
Judiciary
Alcohol consumption in licensed drinking establishment prohibited for 5 years following DWI violation, driver's license identifying code provided, and penalties provided.

HF1946—Knoblach (IR)
Commerce, Tourism & Consumer Affairs
State agencies required to publish solicitation notice within 60 days of new rulemaking authority effective date.

HF1947—Knoblach (IR)
Health & Human Services
Work readiness and general assistance 60 day state residency for eligibility requirement provided.

HF1948—Perlt (DFL)
Commerce, Tourism & Consumer Affairs
Tenant compensation paid by real estate licensees for referrals regulation provided.

HF1949—Goodno (IR)
Regulated Industries & Energy
Electric utilities authorized to provide electric service to its own property and facilities.

HF1950—Stanek (IR)
Health & Human Services
Newborn infant hearing loss screening test requirement provided and advisory committee created.

HF1951—Dempsey (IR)
Economic Development, Infrastructure, & Regulation Finance
Le Duc mansion in Hastings refurbishment provided, and bond issuance authorized.

HF1952—Marko (DFL)
Judiciary
Crime victim submission of reparation claim under revenue recapture act authorized, and consumer credit agency restitution orders reports provided.

Monday, May 22

HF1953—Pellow (IR)
Commerce, Tourism & Consumer Affairs
New motor vehicle warranty regulation provided, and salvage and rebuilt motor vehicles warranty termination and cancellation restricted.

HF1954—Johnson, V. (IR)
General Legislation, Veterans Affairs, & Elections
Animal seizure and disposition procedure clarified.

HF1955—Skoglund (DFL)
Judiciary
Uniform Victims of Crime Act reparation article enacted.

HF1956—McGuire (DFL)
Judiciary
Uniform criminal history records act adopted.

HF1957—Knoblach (IR)
Governmental Operations
Early retirement and voluntary terminations savings obtained by finance commissioner.

HF1958—Knoblach (IR)
Governmental Operations
State-owned lands study by administration commissioner required.

HF1959—Knoblach (IR)
Taxes
Apartment, commercial industrial, and certain other property tax class rates reduced.

HF1960—Clark (DFL)
Health & Human Services
Alternative, cost-effective, and insured treatments for illness and disease promotion methods study required by health and commerce commissioners.

HF1961—Haas (IR)
Local Government & Metropolitan Affairs
Fiscal year for cities, counties, and towns designated.

HF1962—Bishop (IR)
Regulated Industries & Energy
Municipality acquisition of right to furnish electric service by power of eminent domain restriction removed.

HF1963—Bertram (DFL)
Governmental Operations
Annuity contract investments for state university and community college board employees' retirement funds provided.

HF1964—Hackbarth (IR)
Environment & Natural Resources
Turkey stamp required for hunting and fee established.

HF1965—Leighton (DFL)
Commerce, Tourism & Consumer Affairs
Real estate companies and agents certificates of mortgage release execution permanency provided.

HF1966—Brown (DFL)
Regulated Industries & Energy
Public utilities commission environmental cost determination requirement repealed.

HF1967—Knoblach (IR)
Governmental Operations
Gambling activities by persons under age 21 prohibited.

HF1968—Macklin (IR)
Judiciary
Uniform health care information act adopted.

HF1969—Olson, M. (IR)
Health & Human Services
Medical care savings account act adopted and MinnesotaCare program abolished.

HF1970—Olson, M. (IR)
Financial Institutions & Insurance
Non-economic detriment automobile insurance claims amount limited to claimant's liability coverage limits.

HF1971—Rostberg (IR)
Rules & Legislative Administration
Non-partisan legislature study required by the Legislative Coordinating Commission.

HF1972—Knoblach (IR)
Rules & Legislative Administration
Non-partisan legislature study required by the Legislative Coordinating Commission.

HF1973—Sykora (IR)
Rules & Legislative Administration
Non-partisan Legislature study required by the Legislative Coordinating Commission.

HF1974—Anderson, B. (IR)
Governmental Operations
Legislature bound by the same bidding, contract, and accounting laws imposed on state executive agencies.

HF1975—Van Engen (IR)
Judiciary
Consent of both husband and wife required for marriage dissolution except in cases of domestic abuse.

HF1976—Warkentin (IR)
Governmental Operations
Lottery publications, prize announcement signs, electronic messages, and on-line lottery tickets inclusion of certain information required.

HF1977—Krinkie (IR)
Taxes
Property tax class rates reduced.

HF1978—Olson, M. (IR)
Education
School district noncompliance with unfunded state mandates permitted.

HF1979—Schumacher (DFL)
Rules & Legislative Administration
Non-partisan Legislature study required by the Legislative Coordinating Commission.

HF1980—Olson, M. (IR)
Judiciary
Death penalty authorized for first degree murder, and constitutional amendment proposed.

HF1981—Huntley (DFL)
Governmental Operations
Lake Superior Center Authority bond issuance authorized for facility construction, and money appropriated.

HF1982—Pugh (DFL)
Commerce, Tourism & Consumer Affairs
Trust funds established for certain funds received by contractors for construction labor, services, and materials.

HF1983—Simoneau (DFL)
Financial Institutions & Insurance
Credit union word use regulated and penalties prescribed.

HF1984—Leighton (DFL)
Environment & Natural Resources
Corrugated paper product disposal prohibited.

HF1985—Simoneau (DFL)
Governmental Operations
Horse racing additional wagering provided.

HF1986—Simoneau (DFL)
Judiciary
Court transmission of minor child settlement funds to state board of investment authorized.

HF1987—Jaros (DFL)
Education
University of Minnesota constitutional autonomy repealed, and constitutional amendment proposed.

HF1988—Dawkins (DFL)
Judiciary
Uniform disposition of community property rights at death act adopted.

HF1989—Goodno (IR)
Commerce, Tourism & Consumer Affairs
Economic impact statements provided on legislative bills regulating business activities.

HF1990—Orfield (DFL)
Judiciary
Uniform Statutory Will Act adopted.

HF1991—Van Engen (IR)
Judiciary
Uniform information practices code adopted, government data practices act repealed, and penalties prescribed.

HF1992—Johnson, R. (DFL)
Health & Human Services
Nursing facility operating cost limits with geographic location nonvariance established.

HF1993—Wenzel (DFL)
Taxes
Rural city revitalization aid provided and city aid distribution modified.

HF1994—Entenza (DFL)
Commerce, Tourism & Consumer Affairs
Corporation net earnings regulated and private inurement prohibited.

HF1995—Leighton (DFL)
Health & Human Services
Uniform Status of Children of Assisted Conception Act adopted.

HF1996—Seagren (IR)
Health & Human Services
Medical care Savings Account Act adopted.

HF1997—Seagren (IR)
Health & Human Services
Medical insurance savings accounts study required by commerce commissioner.

HF1998—Bishop (IR)
Commerce, Tourism & Consumer Affairs
Uniform prudent investor act adopted as proposed by the National Conference of Commissioners on Uniform State Laws.

HF1999—Mahon (DFL)
Commerce, Tourism & Consumer Affairs
Charitable and endorsement solicitors disclosure of volunteer or paid status and other certain information required, solicited party cancellation right provided, and penalties prescribed.

Special Session Bills

Thursday, May 25

SSHf1 Kalis (DFL)
Omnibus bonding bill and money appropriated.

SSHf2 Tunheim (DFL)
Environment & Natural Resources
Public waters and wetlands provisions modified.

SSHf3 Munger (DFL)
Environment & Natural Resources
Wetland replacement, protection, and management provisions modified.

SSHf4 Johnson A. (DFL)
Omnibus K-12 education finance appropriations bill.

SSHf5 Tunheim (DFL)
Public waters and wetlands provisions modified.

Minnesota House of Representatives 1995-96

Unofficial list as of April 12, 1995

District/Member/Party			Phone (612) 296-	District/Member/Party			Phone (612) 296-
		Room*				Room*	
45A	Abrams, Ron (IR)	209	9934	50B	Lynch, Teresa (IR)	295	5369
10A	Anderson, Bob (DFL)	437	4946	37B	Macklin, Bill (IR)	349	6926
19B	Anderson, Bruce (IR)	281	5063	40A	Mahon, Mark P. (DFL)	401	7158
3A	Anderson, Irv (DFL)	463	4936	55A	Mares, Harry (IR)	239	5363
6A	Bakk, Thomas (DFL)	429	2190	65B	Mariani, Carlos (DFL)	403	9714
14B	Bertram, Jeff (DFL)	571	4373	57B	Marko, Sharon (DFL)	507	3135
10B	Bettermann, Hilda (IR)	243	4317	55B	McCullum, Betty (DFL)	501	1188
30B	Bishop, Dave (IR)	343	0573	36B	McElroy, Dan (IR)	259	4212
25B	Boudreau, Lynda (IR)	327	8237	54A	McGuire, Mary Jo (DFL)	567	4342
30A	Bradley, Fran (IR)	241	9249	39B	Milbert, Bob (DFL)	579	4192
53B	Broecker, Sherry (IR)	321	7153	35A	Molnau, Carol (IR)	287	8872
13A	Brown, Chuck (DFL)	597	4929	21B	Mulder, Richard (IR)	387	4336
46B	Carlson, Lyndon R. (DFL)	379	4255	7A	Munger, Willard (DFL)	479	4282
47B	Carruthers, Phil (DFL)	459	3709	8A	Murphy, Mary (DFL)	557	2676
61A	Clark, Karen (DFL)	503	0294	20A	Ness, Robert "Bob" (IR)	335	4344
38A	Commers, Tim (IR)	217	3533	2B	Olson, Edgar (DFL)	565	4265
15B	Cooper, Roger (DFL)	549	4346	19A	Olson, Mark (IR)	223	4237
11A	Daggett, Roxann (IR)	225	4293	20B	Onnen, Tony (IR)	273	1534
9B	Dauner, Marvin (DFL)	581	6829	16A	Opatz, Joe (DFL)	423	6612
31B	Davids, Gregory M. (IR)	371	9278	64B	Orenstein, Howard (DFL)	529	4199
65A	Dawkins, Andy (DFL)	409	5158	60B	Orfield, Myron (DFL)	521	9281
14A	Dehler, Steve (IR)	203	7808	29B	Osskopp, Mike (IR)	329	9236
51A	Delmont, Mike (DFL)	575	4226	66A	Osthoff, Tom (DFL)	585	4224
29A	Dempsey, Jerry (IR)	251	8635	24B	Ostrom, Don (DFL)	433	7065
24A	Dorn, John (DFL)	533	3248	11B	Otremba, Ken (DFL)	545	3201
64A	Entenza, Matt (DFL)	531	8799	37A	Ozment, Dennis (IR)	283	4306
42A	Erhardt, Ron (IR)	237	4363	42B	Paulsen, Erik (IR)	221	7449
67A	Farrell, Jim (DFL)	491	4277	38B	Pawlenty, Tim (IR)	231	4128
1B	Finseth, Tim (IR)	377	9918	52B	Pellow, Richard (IR)	233	0141
31A	Frerichs, Don L. (IR)	247	4378	32A	Pelowski Jr., Gene (DFL)	517	8637
63B	Garcia, Edwina (DFL)	411	5375	57A	Perlt, Walter E. (DFL)	473	7807
21A	Girard, Jim (IR)	213	5374	13B	Peterson, Doug (DFL)	523	4228
9A	Goodno, Kevin (IR)	369	5515	39A	Pugh, Thomas (DFL)	583	6828
62A	Greenfield, Lee (DFL)	375	0173	46A	Rest, Ann H. (DFL)	443	4176
54B	Greiling, Mindy (DFL)	553	5387	44B	Rhodes, Jim (IR)	309	9889
48A	Haas, Bill (IR)	201	5513	58A	Rice, James I. (DFL)	381	4262
50A	Hackbarth, Tom (IR)	313	2439	18A	Rostberg, Jim (IR)	323	5364
22B	Harder, Elaine (IR)	277	5373	5A	Rukavina, Tom (DFL)	471	0170
12A	Hasskamp, Kris (DFL)	451	4333	59A	Sarna, John J. (DFL)	563	4219
66B	Hausman, Alice (DFL)	449	3824	17B	Schumacher, Leslie (DFL)	413	5377
56A	Holsten, Mark (IR)	345	3018	41A	Seagren, Alice (IR)	315	7803
26A	Hugoson, Gene (IR)	289	3240	52A	Simoneau, Wayne (DFL)	365	4331
6B	Huntley, Thomas (DFL)	569	2228	62B	Skoglund, Wesley J. "Wes" (DFL)	477	4330
7B	Jaros, Mike (DFL)	559	4246	34A	Smith, Steve (IR)	353	9188
58B	Jefferson, Richard H. (DFL)	577	8659	3B	Solberg, Loren (DFL)	445	2365
18B	Jennings, Loren (DFL)	537	0518	33B	Stanek, Rich (IR)	351	5502
48B	Johnson, Alice M. (DFL)	539	5510	28B	Sviggum, Steven A. (IR)	267	2273
4A	Johnson, Bob (DFL)	551	5516	51B	Swenson, Doug (IR)	255	4124
32B	Johnson, Virgil J. (IR)	207	1069	23B	Swenson, Howard (IR)	331	8634
59B	Kahn, Phyllis (DFL)	367	4257	43B	Sykora, Barbara (IR)	357	4315
26B	Kalis, Henry J. (DFL)	543	4240	5B	Tomassoni, David (DFL)	593	0172
44A	Kelley, Steve (DFL)	417	3964	36A	Tompkins, Eileen (IR)	245	5506
35B	Kelso, Becky (DFL)	415	1072	67B	Trimble, Steve (DFL)	485	4201
4B	Kinkel, Anthony G. "Tony" (DFL)	453	2451	25A	Tuma, John (IR)	301	4229
40B	Knight, Kevin (IR)	307	4218	1A	Tunheim, Jim (DFL)	509	9635
16B	Knoblach, Jim (IR)	215	6316	34B	Van Dellen, H. Todd (IR)	291	5511
17A	Koppendrayner, LeRoy (IR)	389	6746	15A	Van Engen, Tom (IR)	359	6206
27A	Kraus, Ron (IR)	279	8216	23A	Vickerman, Barb (IR)	211	9303
53A	Krinkie, Phil (IR)	303	2907	63A	Wagenius, Jean (DFL)	439	4200
56B	Larsen, Peg (IR)	311	4244	49B	Warkentin, Eldon H. (IR)	253	4231
27B	Leighton, Robert (DFL)	527	4193	49A	Weaver, Charlie (IR)	261	1729
45B	Leppik, Peggy (IR)	393	7026	61B	Wejcman, Linda (DFL)	431	7152
2A	Lieder, Bernie (DFL)	515	5091	12B	Wenzel, Stephen G. (DFL)	487	4247
33A	Lindner, Arlon (IR)	227	7806	22A	Winter, Ted (DFL)	407	5505
60A	Long, Dee (DFL)	591	0171	41B	Wolf, Ken (IR)	317	5185
8B	Lourey, Becky (DFL)	421	4308	28A	Worke, Gary D. (IR)	229	5368
47A	Luther, Darlene (DFL)	525	3751	43A	Workman, Tom (IR)	337	5066

Note: Room numbers are still subject to change.

*All rooms are in the State Office Building, St. Paul, MN 55155

Minnesota Senate 1995-96

District/Member/Party	Room*	Phone (612) 296-	District/Member/Party	Room*	Phone (612) 296-
66 Anderson, Ellen R. (DFL)	G-27 Cap.	5537	33 Limmer, Warren (IR)	132D SOB	2159
26 Beckman, Tracy L. (DFL)	306 Cap.	5713	54 Marty, John (DFL)	G-9 Cap.	5645
41 Belanger, William V., Jr. (IR)	113 SOB	5975	49 Merriam, Gene (DFL)	122 Cap.	4154
13 Berg, Charles A. (DFL)	328 Cap.	5094	39 Metzzen, James P. (DFL)	303 Cap.	4370
61 Berglin, Linda (DFL)	G-9 Cap.	4261	2 Moe, Roger D. (DFL)	208 Cap.	2577
14 Bertram Sr., Joe (DFL)	323 Cap.	2084	44 Mondale, Ted A. (DFL)	226 Cap.	7-8065
48 Betzold, Don (DFL)	G-24 Cap.	2556	32 Morse, Steven (DFL)	G-24 Cap.	5649
55 Chandler, Kevin M. (DFL)	111 Cap.	9307	29 Murphy, Steve L. (DFL)	301 Cap.	4264
8 Chmielewski, Florian W. (DFL)	325 Cap.	4182	25 Neuville, Thomas M. (IR)	123 SOB	1279
64 Cohen, Richard J. (DFL)	317 Cap.	5931	52 Novak, Steven G. (DFL)	322 Cap.	4334
28 Day, Dick (IR)	105 SOB	9457	43 Oliver, Edward C. (IR)	121 SOB	4837
20 Dille, Steve (IR)	103 SOB	4131	34 Olson, Gen (IR)	119 SOB	1282
4 Finn, Harold R. "Skip" (DFL)	306 Cap.	6128	19 Ourada, Mark (IR)	145 SOB	5981
62 Flynn, Carol (DFL)	G-29 Cap.	4274	65 Pappas, Sandra L. (DFL)	G-27 Cap.	1802
23 Frederickson, Dennis R. (IR)	139 SOB	8138	37 Pariseau, Pat (IR)	109 SOB	5252
50 Hanson, Paula E. (DFL)	328 Cap.	3219	27 Piper, Pat (DFL)	G-9 Cap.	9248
24 Hottinger, John C. (DFL)	G-29 Cap.	6153	59 Pogemiller, Lawrence J. (DFL)	235 Cap.	7809
5 Janezich, Jerry R. (DFL)	328 Cap.	8017	57 Price, Leonard R. (DFL)	235 Cap.	7-8060
15 Johnson, Dean E. (IR)	147 SOB	3826	63 Ranum, Jane B. (DFL)	325 Cap.	7-8061
6 Johnson, Douglas J. (DFL)	205 Cap.	8881	46 Reichgott Junge, Ember D. (DFL)	205 Cap.	2889
18 Johnson, Janet B. (DFL)	322 Cap.	5419	40 Riveness, Phil J. (DFL)	317 Cap.	7-8062
35 Johnston, Terry D. (IR)	117 SOB	4123	45 Robertson, Martha R. (IR)	125 SOB	4314
67 Kelly, Randy C. (DFL)	122 Cap.	5285	53 Runbeck, Linda (IR)	107 SOB	1253
30 Kiscaden, Sheila M. (IR)	143 SOB	4848	11 Sams, Dallas C. (DFL)	G-9 Cap.	7-8063
16 Kleis, David (IR)	151 SOB	6455	12 Samuelson, Don (DFL)	124 Cap.	4875
36 Knutson, David L. (IR)	133 SOB	4120	31 Scheevel, Kenric J. (IR)	129 SOB	3903
47 Kramer, Don (IR)	131 SOB	8869	7 Solon, Sam G. (DFL)	303 Cap.	4188
51 Krentz, Jane (DFL)	235 Cap.	7061	60 Spear, Allan H. (DFL)	G-27 Cap.	4191
58 Kroening, Carl W. (DFL)	124 Cap.	4302	17 Stevens, Dan (IR)	127 SOB	8075
56 Laidig, Gary W. (IR)	141 SOB	4351	1 Stumpf, LeRoy A. (DFL)	G-24 Cap.	8660
9 Langseth, Keith (DFL)	G-24 Cap.	3205	42 Terwilliger, Roy W. (IR)	115 SOB	6238
10 Larson, Cal (IR)	153 SOB	5655	22 Vickerman, Jim (DFL)	226 Cap.	5650
21 Lesewski, Arlene J. (IR)	135 SOB	4125	38 Wiener, Deanna (DFL)	303 Cap.	7-8073
3 Lessard, Bob (DFL)	111 Cap.	4136			

*Capitol or State Office Building, St. Paul, MN 55155

Minnesota House and Senate Membership

1 A • Jim Tunheim-DFL B • Tim Finseth-IR Sen. LeRoy A. Stumpf-DFL	15 A • Tom Van Engen B • Roger Cooper-DFL Sen. Dean E. Johnson-IR	29 A • Jerry Dempsey-IR B • Mike Osskopp-IR Sen. Steve L. Murphy-DFL	43 A • Tom Workman-IR B • Barbara Sykora-IR Sen. Edward C. Oliver-IR	57 A • Walter E. Perit-DFL B • Sharon Marko-DFL Sen. Leonard R. Price-DFL
2 A • Bernie Lieder-DFL B • Edgar Olson-DFL Sen. Roger D. Moe-DFL	16 A • Joe Opatz-DFL B • Jim Knoblach-IR Sen. David Kleis-IR	30 A • Fran Bradley-IR B • Dave Bishop-IR Sen. Sheila M. Kiscaden-IR	44 A • Steve Kelley-DFL B • Jim Rhodes-IR Sen. Ted A. Mondale-DFL	58 A • James I. Rice-DFL B • Richard H. Jefferson-DFL Sen. Carl W. Kroening-DFL
3 A • Irv Anderson-DFL B • Loren Solberg-DFL Sen. Bob Lessard-DFL	17 A • LeRoy Koppendrayner-IR B • Leslie Schumacher-DFL Sen. Dan Stevens-IR	31 A • Don L. Frerichs-IR B • Gregory M. Davids-IR Sen. Kenric J. Scheevel-IR	45 A • Ron Abrams-IR B • Peggy Leppik-IR Sen. Martha R. Robertson-IR	59 A • John J. Sarna-DFL B • Phyllis Kahn-DFL Sen. Lawrence J. Pogemiller-DFL
4 A • Bob Johnson-DFL B • Anthony G. "Tony" Kinkel-DFL Sen. Harold R. "Skip" Finn-DFL	18 A • Jim Rostberg-IR B • Loren Jennings-DFL Sen. Janet B. Johnson-DFL	32 A • Gene Pelowski Jr.-DFL B • Virgil J. Johnson-IR Sen. Steven Morse-DFL	46 A • Ann H. Rest-DFL B • Lyndon R. Carlson-DFL Sen. Ember D. Reichgott Junge-DFL	60 A • Dee Long-DFL B • Myron Orfield-DFL Sen. Allan H. Spear-DFL
5 A • Tom Rukavina-DFL B • David Tomassoni-DFL Sen. Jerry R. Janezich-DFL	19 A • Mark Olson-IR B • Bruce Anderson-IR Sen. Mark Ourada-IR	33 A • Arlon Lindner-IR B • Rich Stanek-IR Sen. Warren Limmer-IR	47 A • Darlene Luther-DFL B • Phil Carruthers-DFL Sen. Don Kramer-IR	61 A • Karen Clark-DFL B • Linda Wejman-DFL Sen. Linda Berglin-DFL
6 A • Thomas Bakke-DFL B • Thomas Huntley-DFL Sen. Douglas J. Johnson-DFL	20 A • Robert Ness-IR B • Tony Onnen-IR Sen. Steve Dille-IR	34 A • Steven Smith-IR B • H. Todd Van Dellen-IR Sen. Gen Olson-IR	48 A • Bill Haas-IR B • Alice M. Johnson-DFL Sen. Don Betzold-DFL	62 A • Lee Greenfield-DFL B • Wesley J. "Wes" Skoglund-DFL Sen. Carol Flynn-DFL
7 A • Willard Munger-DFL B • Mike Jaros-DFL Sen. Sam G. Solon-DFL	21 A • Jim Girard-IR B • Richard Mulder-IR Sen. Arlene J. Lesewski-IR	35 A • Carol Molnar-IR B • Becky Kelso-DFL Sen. Terry D. Johnston-IR	49 A • Charlie Weaver-IR B • Eldon H. Warkentin-IR Sen. Gene Merriam-DFL	63 A • Jean Wagenius-DFL B • Edwina Garcia-DFL Sen. Jane B. Ranum-DFL
8 A • Mary Murphy-DFL B • Becky Louray-DFL Sen. Florian W. Chmielewski-DFL	22 A • Ted Winter-DFL B • Elaine Harder-IR Sen. Jim Vickerman-DFL	36 A • Eileen Tompkins-IR B • Dan McElroy-IR Sen. David L. Knutson-IR	50 A • Tom Hackbarth-IR B • Teresa Lynch-IR Sen. Paula E. Hanson-DFL	64 A • Matt Entenza-DFL B • Howard Orenstein-DFL Sen. Richard J. Cohen-DFL
9 A • Kevin Goodno-IR B • Marvin Dauner-DFL Sen. Keith Langseth-DFL	23 A • Barb Vickerman-IR B • Howard Swenson-IR Sen. Dennis R. Frederickson-IR	37 A • Dennis Ozment-IR B • Bill MacKlin-IR Sen. Pat Pariseau-IR	51 A • Mike Delmont-DFL B • Doug Swenson-IR Sen. Jane Krentz-DFL	65 A • Andy Dawkins-DFL B • Carlos Mariani-DFL Sen. Sandra L. Pappas-DFL
10 A • Bob Anderson-DFL B • Hilda Bettermann-IR Sen. Cal Larson-IR	24 A • John Dorn-DFL B • Don Ostrom-DFL Sen. John C. Hottinger-DFL	38 A • Tim Commers-IR B • Tim Pawlenty-IR Sen. Deanna Wiener-DFL	52 A • Wayne Simoneau-DFL B • Richard Pellow-IR Sen. Steven G. Novak-DFL	66 A • Tom Osthoff-DFL B • Alice Hausman-DFL Sen. Ellen R. Anderson-DFL
11 A • Roxann Daggett-IR B • Ken Otrema-DFL Sen. Dallas C. Sams-DFL	25 A • John Tuma-IR B • Lynda Boudreaux-IR Sen. Thomas M. Neuville-IR	39 A • Thomas Pugh-DFL B • Bob Milbert-DFL Sen. James P. Metzzen-DFL	53 A • Phil Krinkie-IR B • Sherry Broecker-IR Sen. Linda Runbeck-IR	67 A • Jim Farrell-DFL B • Steve Trimble-DFL Sen. Randy C. Kelly-DFL
12 A • Kris Hasskamp-DFL B • Stephen G. Wenzel-DFL Sen. Don Samuelson-DFL	26 A • Gene Hugoson-IR B • Henry J. Kalis-DFL Sen. Tracy L. Beckman-DFL	40 A • Mark P. Mahon-DFL B • Kevin Knight-DFL Sen. Phil J. Riveness-DFL	54 A • Mary Jo McGuire-DFL B • Mindy Greiling-DFL Sen. John Marty-DFL	
13 A • Chuck Brown-DFL B • Doug Peterson-DFL Sen. Charles A. Berg-DFL	27 A • Ron Kraus-IR B • Robert Leighton Jr.-DFL Sen. Pat Piper-DFL	41 A • Alice Seagren-IR B • Ken Wolf-IR Sen. William V. Belanger Jr.-IR	55 A • Harry Mares-IR B • Betty McCollum-DFL Sen. Kevin M. Chandler-DFL	
14 A • Steve Dehler-IR B • Jeff Bertram-DFL Sen. Joe Bertram Sr.-DFL	28 A • Gary D. Worke-IR B • Steven A. Sviggum-IR Sen. Dick Day-IR	42 A • Ron Erhardt-IR B • Erik Paulsen-IR Sen. Roy W. Terwilliger-IR	56 A • Mark Holsten-IR B • Peg Larsen-IR Sen. Gary W. Laidig-IR	

Unofficial list as of April 11, 1995

Order Form

A publication summarizing the new laws of 1995 will provide brief summaries of the bills that were passed by both the House and the Senate and signed by the governor during the current legislative session. The publication will be ready soon after the session ends. Copies will be mailed to those who order them.

Do you want to receive a copy of the 1995 new laws publication? ☐ Yes ☐ No

Please place this form (with the mailing label on the back) in an envelope. Mail it by June 10, 1995, to: *Session Weekly*, House Public Information Office, 175 State Office Building, 100 Constitution Ave., St. Paul, MN 55155-1298.

1995 *Session Weekly* Readership Survey

Please take a moment to tell us what you think about the *Session Weekly*. Your opinions will help us plan for next year.

1. How often do you read the *Session Weekly*? (Please check one)

☐ Once a month ☐ Twice a month ☐ Three times a month ☐ Every week

2. On which day of the week does the *Session Weekly* usually reach your mailbox? _____

3. Which parts of the *Session Weekly* do you most often read? (Please check all that apply.)

☐ Highlights ☐ Informational material (lists, etc.) ☐ Features ☐ Minnesota Index
☐ Bill Introductions ☐ Committee Schedule ☐ Do You Know? It's a Fact! ☐ Member profiles

4. Due to a staff reduction, we were unable to provide you with bill tracking sections this year. Would you like to see them restored next year?



Committee, Floor
& Final Action

☐ Yes ☐ No



Cumulative listing of
latest action on bills

☐ Yes ☐ No

Comments:

5. In the last few issues of *Session Weekly*, we have printed unofficial listings of 1995 House files that have been incorporated into other bills. Do you find this information useful? ☐ Yes ☐ No

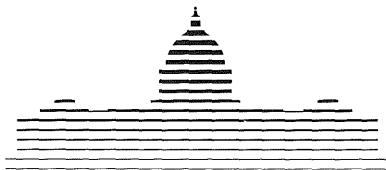
6. On a scale from 1 (low) to 5 (high), rate the following aspects of the *Session Weekly*? (Circle one number in each set)

Writing	Difficult to understand 1	2	OK 3	4	Easy to understand 5
Story Length	Too short 1	2	Too long 3	4	Just right 5
Readability (type size)	Too small 1	2	Too large 3	4	Just right 5
Photographs	Poor 1	2	Average 3	4	Excellent 5
Layout	Poor 1	2	Average 3	4	Excellent 5

7. What do you like about the *Session Weekly*? _____

8. Do you have any suggestions for improving the *Session Weekly*? _____

9. We plan to include a Q & A column next year when space allows. If you have a question about the Minnesota House of Representatives or the legislative process, please write it here. _____



MINNESOTA HOUSE OF REPRESENTATIVES
PUBLIC INFORMATION OFFICE
175 STATE OFFICE BUILDING
ST. PAUL, MN 55155-1298

Speaker of the House: Irv Anderson
Majority Leader: Phil Carruthers
Minority Leader: Steven A. Sviggum

MINNESOTA INDEX

1995 Legislative Session

Number of legislative days used	65
Maximum number of days Legislature can meet in regular session every two years	120
Number of House Files introduced	1,999
in 1993	1,801
Number of Senate Files introduced	1,788
in 1993	1,675
Number of bills that reached the governor's desk, regular session	265
Resolutions adopted	3
Number of pages in the Health and Human Services appropriations bill, 1995	499
In 1991	532
House bills incorporated into the 1995 judiciary finance bill, as passed by the House	55
Special sessions called by governors since statehood	35
Number called by Gov. Arne Carlson	3
Number called by former Gov. Al Quie, most of any governor	7
Longest special session, in number of calendar days, 1971	159
Special sessions that have lasted only one day	12
Greatest time span between special sessions, in years (1881-1902)	21
Special sessions called to address taxes	10
Number called due to hostilities between settlers and Indians	1
Total Gov. Arne Carlson vetoes, 1991-May 24, 1995	109
Vetoes by Gov. Al Quie, second-most prolific vetoing governor	31
Full bills passed by the 1995 Legislature and vetoed by the governor, through May 24, 1995	8
Number of additional bills that were line-item vetoed, through May 24, 1995	2
Total dollar amount of those line-item vetoed appropriations, in millions	\$7.04
Veto override attempts since 1939	22
Successful veto override attempts since 1939	4
Number of House attempts, 1995	0
Number of vetoes, all governors, 1939-1990	206
Date the Legislature will reconvene in 1996	Jan. 16

Sources: Legislative Reference Library; House of Representatives Public Information Office.



For more information . . .

For general information, call:
House Information Office
(612) 296-2146 or
1-800-657-3550

To obtain a copy of a bill, call:
Chief Clerk's Office
(612) 296-2314

To find out about bill introductions or
the status of a specific bill, call:
House Index Office
(612) 296-6646

For up-to-date recorded message
giving committee meeting times and
agendas, call:
House Calls (612) 296-9283



Telecommunications
Device for the Deaf (TDD)

Telecommunications device for the deaf.
To ask questions or leave messages, call:
TDD Line (612) 296-9896 or
1-800-657-3550