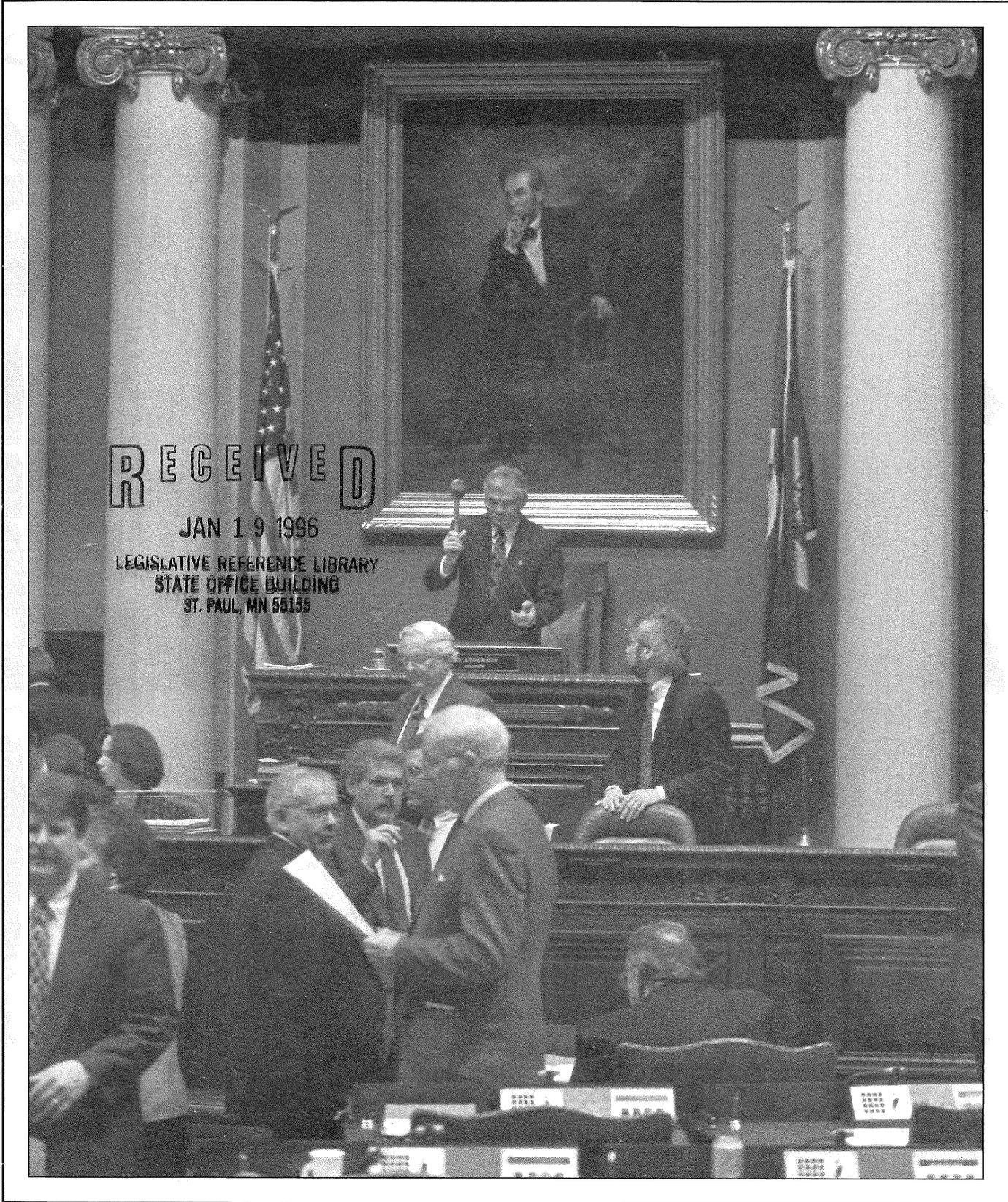


# SESSION WEEKLY

A Non-Partisan Publication of the Minnesota House of Representatives ♦ January 19, 1996 ♦ Volume 13, Number 1



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Minnesota House of Representatives • January 19, 1996 • Volume 13, Number 1

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On the cover: House Speaker Irv Anderson called the House of Representatives to order Jan. 16, the opening day of the 1996 Legislative Session at the State Capitol in St. Paul.

— Photo by Andrew Von Bank

# Highlights

State of the State . . .

## Carlson wants legislative and education reform

**W**ith three years remaining in his second term, Gov. Arne Carlson is pursuing aggressive changes that would significantly alter Minnesota's political landscape.

Carlson, in his State of the State Address, called for new efforts to fight crime and new solutions to problems in public education. And he demanded sweeping reforms of the Minnesota Legislature.

Public confidence in state government has been shaken by recent "headline stories of unethical conduct," Carlson said in a Jan. 16 speech delivered at a Minnesota Chamber of Commerce event in Bloomington. "In order for us to be credible reformers, we must first fix our own system."

To do that, the governor is calling for the creation of a smaller, less-costly unicameral Legislature to replace a two-house body that is the fifth largest in the country, and for limits on the number of terms legislators can serve.

"Term limits will inject new blood, new vitality into a system that is too often controlled by the vested and the entrenched," Carlson said. Currently, 21 states have some form of term limits for state elected officials.

Carlson wants per diem payments to be limited to only the days when the Legislature is in session. He wants voters to get the chance to approve a proposed initiative and referendum amendment, which would let the public propose new laws and decide issues at the polls. And he wants to end the practice of exempting the Legislature from various laws including Affirmative Action and pay-equity requirements.

While the image of the Legislature may need repair, in Carlson's eyes, the public remains confident in the state's fiscal management practices. An estimated \$824 million budget surplus — and the promise to conserve those funds — only serves to bolster that confidence, according to the governor.

Carlson's proposals would spend \$160 million of the surplus funds on his priority projects, including crime prevention, youth programs, and education reform.

Of the remaining funds, the governor aims to add to the budget reserve created in 1995 to deal with expected federal cutbacks and to save about \$500 million in a special account.

Carlson's plans for reforming the state's education system reach far beyond a simple boost with surplus funds. The centerpiece of

his education proposals is a plan to allow parents to use public money to send their children to private schools.

In his speech, Carlson called for the Legislature to set up pilot projects in Minneapolis, St. Paul, Brooklyn Center, and a rural city to test the school voucher system.

"With choice, we not only get more freedom, we get more competition," Carlson said. "And we want to promote competition between schools. The truth is that competition spurs excellence."

Carlson also will seek the Legislature's approval of a plan that would reward parents for saving for their children's college education. The proposal would allow parents to deposit up to \$4,000 each year into tax-free savings accounts.

And the governor said he will push to initiate merit pay for teachers and to loosen teacher tenure — measures he argues will spur better teacher performance and help keep the best teachers in the classroom.

To fight crime, Carlson is offering his "Safe Streets Initiative," a program that would send police on neighborhood sweeps to strictly enforce all laws, including truancy and traffic violations.

The sweeps, he said, will allow police to check for outstanding warrants and generate intelligence on suspected criminals.

"To the criminals who prey on our citizens we say this: Get out of Minnesota now or you will pay the price," Carlson said. "Stay and you will do time."

Carlson also wants to devote more resources to crime prevention, including some \$20 million he is proposing be spent on after-school enrichment programs.

The governor's speech drew mixed reactions from House caucus leaders.

House Majority Leader Phil Carruthers (DFL-Brooklyn Center) took issue with several remarks, particularly the school vouchers proposal.

"I think the idea of education reform should be focused on our public schools, not on taking from our public schools and giving it to private schools," Carruthers said.



Gov. Arne Carlson presented his State of the State Address as part of the annual Minnesota Chamber of Commerce fundraiser Jan. 16. Carlson called for new efforts to fight crime and new solutions to problems in public education. He also detailed sweeping reforms for the Minnesota Legislature.

But House Minority Leader Steve Sviggum (R-Kenyon) said he sensed a toughness in Carlson that will be needed to effect significant change.

"He was tough on the Legislature and rightfully so," he said.

— Nick Healy



## BUDGET

### Carlson's budget proposal

Gov. Arne Carlson's proposal to use \$500 million of the budget surplus for a school cash flow account raised some concerns among members of the House Taxes Committee Jan. 17.

In its November 1995 revenue forecast, the Department of Finance projected there will be \$824 million more in state coffers at the end of fiscal year 1997 than was projected at the end of last session.

Commissioner of Finance Laura King outlined for the committee the governor's plan for the surplus. That plan, as outlined in Gov. Carlson's State of the State address Jan. 16, includes:

- \$24 million in tax cuts;
- \$140 million for state budget reserves;
- \$160 million for youth, public safety, higher education, technology, and economic development projects; and
- \$500 million for a school cash flow account.

The school account would eliminate the short-term borrowing that school districts often engage in to cover low cash points while they await state aid payments. In a budget-saving strategy known as the K-12 property tax levy recognition shift, the state began delaying some state aid payments to schools in the 1980s.

Currently, interest and issuance costs of short-term borrowing costs schools — and thus, taxpayers — at least \$3 million annually. The school cash flow account would allow schools speedy access to state cash advances free of most interest and issuance charges. King said the plan would save taxpayers at least \$3 million and earn an estimated \$20 million in interest over the biennium. That money would be earmarked for science, math, library, and technology grants in public schools, she said.

But several committee members said they feared the provision would encourage overspending by some districts.

"The school districts are being relieved of paying some portion of debt . . . this proposal

basically eliminates that concern for them," Rep. Ron Abrams (IR-Minnetonka) told King. "Doesn't it seem to you that you're establishing an incentive for districts to run a deficit?"

Rep. Steve Kelley (DFL-Hopkins) said the cash account proposal could invite financial troubles at the district level by keeping school boards from holding discussions with taxpayers on short-term borrowing.

He also suggested one district's fiscal mismanagement could have a negative impact on another district that had a surplus.

King said the plan encourages — not discourages — sound fiscal management and taxpayer savings.

"The school district that has built a budget it can't afford will not be advantaged by this because we would be able to see whether they are borrowing for cash or whether they are borrowing because they built a budget they can't afford," she said. "We're allowing [districts] to avoid issuance costs and that's a real public expense savings."

King also said districts will only be able to get the level of aid they are currently entitled to under state guidelines.

Rep. Ann Rest (DFL-New Hope), who chairs the Taxes Committee, asked King if anyone has studied short-term borrowing habits of school districts in depth under the current system or the governor's proposed cash flow account.

"The question is does either one of these particular policies encourage [short-term borrowing]. If they do, we should be concerned about that," she said.



## BUSINESS

### Boosting Minnesota business

The new Commissioner of the Minnesota Department of Trade and Economic Development introduced himself and a plan to spark statewide economic growth to members of the House International Trade and Economic Development Committee Jan. 17.

Jay Novak, a former Twin Cities business journalist, laid out the following proposals for committee members:

- phase out the 4.5 percent sales tax on replacement equipment for businesses;
- establish a one-stop site for businesses to obtain permits, licenses, and other information;
- remove barriers to tourism, such as stricter requirements on outstate motor coaches; and
- continue funding the Economic Recovery Fund at \$6 million for 1996-97. The fund is the chief tool used for relocating busi-

nesses to Minnesota through economic incentives.

"Our legislative agenda is not large, but it certainly is important to us," said Novak.

Important to helping Minnesota companies get ahead is scrapping the tax on equipment purchased to replace aging equipment, he said. Gov. Arne Carlson said, during his State of the State address, that he supports phasing out the replacement tax.

Currently, Minnesota businesses are not taxed when they initially purchase equipment. They are taxed 4.5 percent on any new or used replacement equipment, however.

"We think it's a bad tax because it puts an unnecessary expense on companies . . . to determine what is new equipment and what is old equipment," he said. "It also penalizes capital-intensive industries and those are the kind that do well even when the economy is not doing so well."

Phasing out the replacement equipment tax would cost the state around \$54 million over the next three years, Novak estimated.

A one-stop permitting site would allow businesses and potential businesses to gather licenses, permits, and information on environmental or construction rules without getting sent to a handful of departments or agencies, Novak said.

Breaking down barriers to tourism, a \$6.8 billion state industry, is also a must for an economically thriving state, he said. Specifically, that means equalizing weight limits for motor coaches and buses based both in and out of Minnesota, Novak said. Currently, motor coaches that enter Minnesota from other states face stricter weight limits than those based in Minnesota, he told the committee.

"We have some evidence that tour buses are routing around our state," he said.

Committee members, expressing concern over the motor coach issue, raised questions about whether certain airline pricing strategies are also barriers to Minnesota tourism.

Reps. Alice Hausman (DFL-St. Paul) and Jean Wagenius (DFL-Mpls) said some of their constituents, including several travel agents, have said it's often cheaper to fly into or out of the Eau Claire airport than Minneapolis-St. Paul International Airport.

"If access to and from Minnesota is in some way restricted by pricing, that could be an economic development issue," said Wagenius, who asked Novak to look into the issue.

Novak and Steve Markuson, director of the Minnesota Office of Tourism, said they didn't think there was a need to investigate the issue because they have not seen a pattern of widely varying prices between the two air-

ports. Novak suggested contacting local airlines to look into the matter.

But he and Markuson emphasized the need to deal with the motor coach issue, especially in light of their plan to greatly expand efforts to market Minnesota domestically and internationally.

Markuson said there are plans under way to lure Japanese, European, and other international travelers to Minnesota. He said Northwest Airlines recent announcement of a non-stop flight from the Twin Cities to Beijing is one big step in the right direction.

"Our single biggest impediment to our ability to grow international tourism is the lack of non-stop air service to those markets," he said.



## CRIME

### Expunging criminal records

A bill to make it more difficult for people to conceal an arrest or conviction record is moving through the House.

People petition the courts to have their records expunged for a variety of reasons — some were arrested but never charged, others were charged but found not guilty. There are also cases where an individual who was found guilty wants the record sealed for personal or employment reasons.

Law enforcement agencies and prosecutors generally oppose the practice because it takes records and information out of the system that could provide leads in current and future criminal investigations.

Under the bill (HF2215) expungement would be defined as sealing a record and opening it only under a court order or statutory authority. It would not include the complete destruction of arrest or conviction records or their return to the defendant.

Currently, there is no definition on the books and the bill tries to address some existing case law that allows judges to return records to defendants or have them destroyed.

The bill, sponsored by Rep. Phil Carruthers (DFL-Brooklyn Center), was heard in the House Judiciary Committee Jan. 17 and was held over for further discussion.

Carruthers, a prosecutor, called himself a "conservative" on expungements and said that while it may not be constitutionally possible to prohibit expungements, it is possible to limit them.

His bill would set out a uniform procedure for people who petition to have their records sealed. Currently, procedures differ depending on the judicial district.



Forty-year House veteran Rep. Willard Munger blows out the candles at a Jan. 18 gathering in the House chamber celebrating his 85th birthday. The event was attended by Munger's friends, colleagues, and politicians past and present. At right is Diane Jensen of Clean Water Action Alliance, who served as emcee for the salute. Behind is Speaker Irv Anderson.

## Friends, colleagues honor Munger

A collection of Minnesota political figures, including congressmen, former governors, high-ranking state officials, and members of the Legislature gathered in the House chamber Jan. 18 to celebrate Rep. Willard Munger's 85th birthday.

Munger, a Duluth DFLer serving his 40th year in the House, was praised for his legislative record, which shows him to be a leader in environmental protection.

"Willard Munger is certainly a Minnesota original, a natural resource himself," said U.S. Rep. Bruce Vento. ". . . He reminds us again and again of our stewardship responsibilities."

Munger was first elected to the House in 1954 and has been re-elected 19 times since then. His only absence came for two years after he lost a bid for the state Senate in the 1960s.

For 21 years he has served as chair of the House Environment and Natural Resources Committee, and he has played a major role in the development of landmark environmental legislation.

Vento, Sen. Paul Wellstone, Senate Majority Leader Roger Moe, and House Speaker Irv Anderson were among the DFLers who recalled Munger's accomplishments and feisty character.

House Minority Leader Steve Sviggum and Senate Minority Leader Dean Johnson offered praise from the other side of the aisle.

"When all is said and done, it is not how we cast our votes but how our colleagues respect us," Johnson said. ". . . We respect you greatly."

Lt. Gov. Joanne Benson read a proclamation from Gov. Arne Carlson declaring Jan. 18 Willard Munger Day in the state and announced that the Minnesota Natural Resources Coalition has created a new honor called the Willard M. Munger Environmentalist of the Year Award.

Munger accepted the honors with characteristic wit.

"I feel a little bit guilty for receiving all this praise for what little I've done," he said humbly. "But let me tell you something — I like it."

Under the bill, an individual would have to:

- file a petition under oath and pay the regular civil filing fee;
- provide not only their full legal name but aliases as well;

- provide all addresses from the date of the offense or alleged offense to the date of the petition;
- explain why they want their records expunged and specifically if it is to help them obtain a job or a license. Many professions



## Wetlands revisited

The House Environment and Natural Resources Committee jumped back into last year's wetlands debate at their Jan. 17 meeting, hearing both support for and opposition to changes in current law.

**HF787**, which would have given counties more authority to develop wetlands, came close but failed to become law last year. House and Senate conferees have been reappointed to reach an agreement on the proposal, sponsored by Rep. Willard Munger (DFL-Duluth), to present to both legislative chambers.

Reps. Jim Girard (R-Lynd) and Munger also have introduced new bills this session that would amend the current Wetlands Conservation Act (**HF2166** and **HF2006**, respectively).

The two camps that have emerged in the wetlands debate were evident at the Jan. 17 meeting, echoing many of the same sentiments expressed last session.

Many in wetland-rich counties argue restrictions impede even minimal development and road repair — factors vital to tax rates and revenue. Others, including several members of the Environment and Natural Resources Committee, say easing restrictions to help wetland-rich counties could doom metro-area wetlands to extinction.

Lake County Commissioner Sharon Hahn showed committee members a map of her county, where wetlands comprise much of the land. She said current law hurts her area.

"We do acknowledge the importance of wetlands," she said. "But the impact of this bill on our county is detrimental. . . . I am one of the people who will not be able to afford to live in our county if the taxes go much higher."

Hahn said the restrictions on development have forced taxes to go up. Under current law, wetlands 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. Those areas are allowed to replace wetlands on a one-for-one basis.

Because Lake County's presettlement wetland composition was 98 percent, the current law requires it to maintain a level of wetland composition that hurts development, Hahn said.

The committee also was updated by Gov. Arne Carlson's staff, the Board of Water and Soil Resources, and the Department of Natural Resources on a roundtable conference on

rely on criminal history checks such as teachers, child care workers, and police officers. And, those checks also are necessary when applying for some licenses such as gambling, insurance sales, and liquor licenses;

- explain, in the case of a conviction, what steps he or she has taken toward rehabilitation since the crime;
- provide a complete criminal conviction record including all convictions for misdemeanors, gross misdemeanors, and felonies in Minnesota as well as all comparable convictions across the country and the world; and
- include information on all prior requests for expungement in Minnesota, the United States, or the world; whether granted or not.

The bill goes on to set a new standard that expungement would be granted "only upon clear and convincing evidence that it would yield a benefit to the petitioner commensurate with the disadvantages to the public . . ."

Sealed records would only be opened by court order or with statutory authority and the bill spells out several specific circumstances. For instance, records could be opened for a criminal investigation, prosecution, and to evaluate a police officer job applicant or other public safety employee.

In addition, the bill would repeal a law that states a person convicted of a felony, gross misdemeanor, or misdemeanor before they were 21 may have their record sealed under certain circumstances.

Nancy McLean, an assistant Hennepin County attorney, told the Judiciary Committee that her office sees about 100 motions for expungement each year.

"Some we agree with. Some we disagree with," McLean said, adding that her office always challenges a motion to expunge a record if it involves a conviction.

It is important for various law enforcement and other agencies to have access to criminal records to do their jobs, she said, adding that expungement can unfairly leave the appearance that nothing ever happened.

"The Carruthers bill puts all the information out front. . . . It is only fair to look at the whole picture" before a record is sealed.

The bill also would change current law which allows an arrested person who is not convicted the absolute right to have their records, fingerprints, mug shots, and other physical evidence, such as DNA samples, returned to them.

Under the legislation, judges would have the discretion on whether or not to return the record and, in the case of fingerprints and

DNA samples, there would be no discretion. They would automatically stay in the criminal justice system.

Originally, the bill did not specify DNA samples. Rep. Dave Bishop (R-Rochester) raised the issue pointing out that DNA samples are important to law enforcement agencies across the United States in catching criminals.

"I want that DNA database accessible to the whole country . . . our borders are wide open," Bishop said. The bill was amended to address his concern.

## Proof of insurance

Currently, Minnesota motorists cited for failing to provide proof of insurance when stopped by police have 10 days to come up with the proof or face a minimum 30-day license suspension and a misdemeanor conviction.

Under a bill approved Jan. 17 by the House Judiciary Committee, citizens in this predicament would have until the day of their first court appearance to provide proof. Often, a first court appearance is scheduled 10 to 21 days after a ticket is issued.

Proof of insurance usually consists of a letter or policy card provided by an insurance agent.

House sponsor Rep. Tom Pugh (DFL-South St. Paul) explained that the law, as currently written, confuses drivers because their tickets record both the date of the offense and the date of their court appearance. Trouble is, they wait until the court hearing to present proof and miss the 10-day deadline.

Pugh said there are more than 1,000 cases each year that result in license suspensions when the drivers actually have proof of insurance but present it too late.

Currently, some judges dismiss a license suspension if a driver shows up to the first court appearance with proof of insurance. Others, however, will follow the letter of the law and stand by the minimum 30-day suspension simply because drivers missed the 10-day deadline.

Under the law, if a person is stopped without proof of insurance and indeed has none, the license suspension will stay in effect for 30 days and at least until they can prove they have purchased insurance.

The bill **HF1224** is expected to be incorporated into the 1996 omnibus crime bill.

wetlands law held two weeks ago in St. Cloud.

That conference was sponsored by the Department of Administration and attended by the above groups and members of local governments and the public. Some concerns raised at the conference included:

- streamlining the process of getting approval for altering a wetland;
- follow-up to ensure accountability should local governments be granted the authority to develop their own wetland conservation plans; and
- making it easier for local communities to circumvent current restrictions under some circumstances when repairing public roads.

Several committee members said easing restrictions to help wetland-rich counties could hurt urban counties where wetlands are more scarce.

"I've watched one of the last wetlands in St. Paul be destroyed so that six houses could be built up on the east side of Phalen Lake," said Rep. Steve Trimble (DFL-St. Paul). "And I watched my city government, my county government, the Board of Water and Soil Resources and DNR and the Army Corps of Engineers say, 'Oh well, it's only half of an acre.' So quite frankly I don't trust either the state or the local government to protect the wetlands."

Reps. Trimble and Jean Wagenius (DFL-Mpls) said any proposal to change the Wetlands Conservation Act should include a requirement that state agencies like the Department of Transportation replace wetlands they drain within the same geographic area — not elsewhere. Current statute says replacement must occur, but does not say where the wetlands must be replaced.

"In the metro area when a state agency takes wetlands, I want those wetlands replaced not in northern Minnesota but in the watershed in which they were taken," Wagenius said.

Both sides agreed whatever bill emerges this session should not be a one-size-fits-all plan and should take into account different values for wetlands in different regions.



## ETHICS

### Decision to censure

Despite calls for his resignation and a resolution to expel him from the Minnesota House of Representatives, Rep. Bob Johnson (DFL-Bemidji) will retain his seat representing District 4A.

The 50-year-old lawmaker's fate was among the first orders of business during the opening day of the 1996 Legislative Session, Jan. 16.

Johnson, a lawmaker since 1986, was convicted of three drunken-driving arrests that occurred within a six-week period during the fall of 1995.

House members voted 82-50 to censure Johnson, requiring that he publicly apologize on the House floor, perform 120 hours of community service, submit to weekly random tests for alcohol and other addictive substances, and reimburse the state for salary paid to him while he was in jail or under house arrest for his drunken-driving convictions.

If a random test result is positive, Johnson would automatically face a full House vote on his expulsion.

Part of the censure resolution also recommended Johnson resign by 11:59 p.m. Jan. 16. The lawmaker, who previously had been removed as chair of the House Labor-Management Relations Committee and relieved of his duties as assistant majority leader, refused.

An earlier vote to expel him failed 76-56. Under Minnesota's constitution, a two-thirds majority vote (90 members) is needed to expel a representative.

Johnson, who has said he will not seek reelection, apologized on the House floor. "... I am deeply sorry for what my actions have done in terms of the institution of the House of Representatives. To citizens of this state, I again say I am sorry. I will, by my actions, continue to work very hard at being the person that I am today. ..."

Those asking for Johnson's expulsion argued that even though he suffers from the disease of alcoholism, he still is responsible for his conduct. Conduct, they said, that includes breaking the law, endangering lives while driving drunk, and abusing the power of his office.

Censuring, said Rep. Steve Sviggum (R-Kenyon) "looks to me to be a slap on the hand. ... The entire state is looking at us right now."

Those against expulsion argued that while

Johnson's conduct was both illegal and outrageous, it was the result of a three-month relapse after many years of sobriety. Expulsion, they said, was unnecessary because he already has been justly punished by the criminal justice system and has sought treatment for his problem.

"Whichever one of you is without sin, you throw the first stone," said Rep. Tony Kinkel (DFL-Park Rapids), whose district neighbors Johnson's.

No member of either the House or Senate has ever been expelled.



## HEALTH

### Is MinnesotaCare working?

MinnesotaCare, a state program to provide subsidized health coverage to uninsured Minnesotans, appears to be reaching the people it was intended to reach.

Members of the House Health and Human Services Committee's MinnesotaCare Finance Division received the results of a MinnesotaCare survey conducted by the University of Minnesota's School of Public Health Institute for Health Services Research.

Uninsured Minnesotans who have incomes up to about 275 percent of the federal poverty level are eligible for MinnesotaCare. Premiums for most participants are based on a sliding scale and vary with family size and income.

Initially, when MinnesotaCare was launched in 1992, enrollment was restricted to children and families with children. Beginning in October 1994, eligibility was expanded to include single adults and families without children.

The main finding of the survey, according to Dr. Nicole Lurie, the report's author: It looks like MinnesotaCare is "hitting its target."

"The bottom line is that this is all very positive news," Lurie told a Jan. 16 meeting of the MinnesotaCare Finance Division.

The report, requested by the Minnesota Health Care Commission and the Minnesota Department of Health, surveyed 800 people enrolled in MinnesotaCare, half from the seven-county Twin Cities metropolitan area and half from greater Minnesota. Only families with children were surveyed.

Among the report's findings:

- A majority of respondents believed that MinnesotaCare charges a fair price for its benefits (97 percent either agreed or strongly agreed); that being on the program is as good as having private insurance

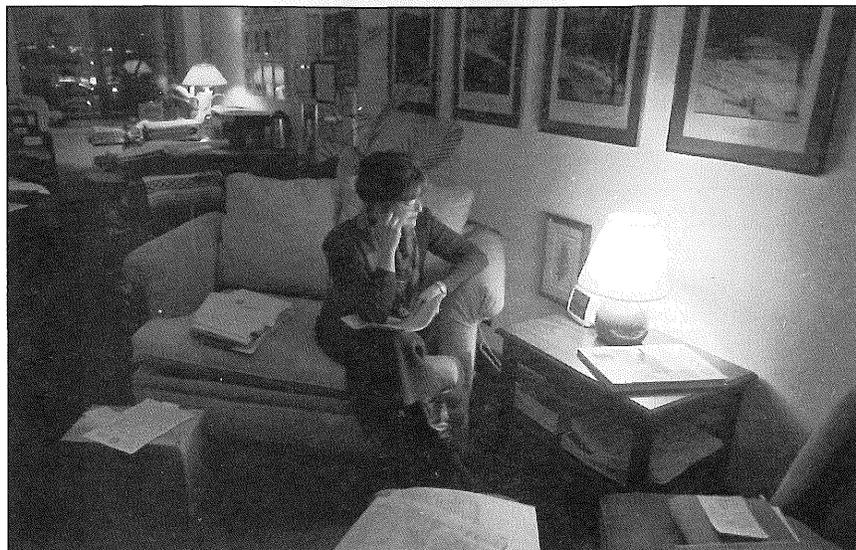
(77 percent); and that MinnesotaCare covers everything they need (80 percent).

- Only 19 percent of respondents said they felt embarrassed to be on MinnesotaCare. In contrast, 96 percent said they felt good about contributing to the cost of their health insurance, and 86 percent believed they were treated "just like anyone else" as MinnesotaCare clients.
- Eighty-one percent of respondents reported that it was "very easy" for them to find physicians who accepted MinnesotaCare clients. Forty-nine percent said it was very easy to find dentists, and 84 percent said it was very easy to find pharmacists to participate in the program.
- Forty-seven percent of those participating in the survey believed that MinnesotaCare had no effect on their health. However, 62 percent believed that they were in better health because of MinnesotaCare; 66 percent believed that if MinnesotaCare were abolished, their health would suffer; and 84 percent said they were able to get health care as MinnesotaCare clients that they would not otherwise have gotten.

• A surprising finding of the survey, according to Lurie, was the number of transitions to and from MinnesotaCare over an 18-month period. The survey found that 36 percent of respondents made at least one switch from MinnesotaCare to either medical assistance, a private insurer, or no insurance at all; another 21 percent made two transitions during that period.

"My guess is that the administrative costs of doing this are fairly substantial," Lurie told the committee. She recommended that the state look into ways to avoid such transitions, possibly requiring MinnesotaCare participants to stay in the program for a fixed period of time.

The survey also found that, contrary to the fears of some MinnesotaCare opponents, most participants did not have other health care options when they enrolled in MinnesotaCare. More than 88 percent said they had no access to employment-based health insurance, and most of those with access to such benefits couldn't afford it.



Rep. Becky Lourey listened to Gov. Arne Carlson's State of the State address on the radio in her office instead of attending the speech delivered at a Minnesota Chamber of Commerce event in Bloomington Jan. 16.

## HIGHER EDUCATION

### Higher education bonding

Minnesota State Colleges and Universities (MnSCU) will ask the Legislature to approve more than \$140 million in bonding requests this session.

In a presentation Jan. 17 before the House Education Committee's Higher Education Finance Division, John Mulder, chair of the facilities committee of the MnSCU Board of Trustees, outlined MnSCU's intended uses for the money and its priorities if lawmakers don't provide full funding of its requests.

MnSCU is seeking \$70 million in bonds intended for Higher Education Asset Preservation (HEAPR) projects and another \$71 million for capital projects.

MnSCU classifies HEAPR projects as those that involve "life safety issues," infrastructure repairs and upgrades, hazardous waste abatement, and some remodeling in preparation for upgrading of buildings or facilities.

Gov. Arne Carlson is recommending that \$24 million be approved for HEAPR projects and \$30 million for capital projects.

In 1994, before Minnesota's three college systems were combined into MnSCU, higher education requested \$283 million in bonds and received \$140 million. The merger of the three systems took effect last July.

MnSCU's first priority is \$35.6 million in individual HEAPR projects that individually cost less than \$1 million, according to Elaine Bellew, associate vice chancellor of MnSCU.

MnSCU assigned second-priority status to

15 HEAPR projects including:

- \$7 million for upgrading the high-voltage system and expansion of utility tunnels at St. Cloud State University;
- \$4.5 million for relocation of the energy plant and loading dock at Anoka-Ramsey Community College;
- \$4.33 million for replacement of the energy plant at Minneapolis Community College; and
- \$3.4 million for land acquisition at the Minneapolis and St. Paul campuses of Metro State University.

Eight other capital projects were assigned third-priority status by MnSCU including:

- \$30 million for construction of a new library at St. Cloud State University, the only capital project included in the governor's higher education bonding recommendation;
- \$10.43 million for remodeling and construction of student services, food service, additional instructional space and a new science building and remodeling of the business and technology building at Anoka-Ramsey Community College;
- \$9.75 million for construction of a new classroom and laboratory building at Inver Hills Community College.
- \$4.5 million for construction of new student housing at Fond du Lac Community Technical College.

MnSCU assigned fourth-priority status to \$2 million for predesign work throughout its entire system, which includes 62 campuses around the state.

The committee took no action on MnSCU's requests.

## Replacing life insurance

Consumers would see new protection from unscrupulous insurance sales tactics under a bill approved Jan. 17 by a House panel.

Predatory sales agents target consumers — in many cases senior citizens — in a practice called churning, which sometimes leaves individuals stripped of their savings and life insurance.

Here's one way it works: A person with a policy of small cash-value is approached by an agent who promises additional life insurance coverage at little or no cost.

What the consumer doesn't know is that the new policy, in some cases, will be paid for by borrowing against the value of the old policy. That eats away at the policy's cash value and the death benefit.

When the cash value of the older policy runs dry, the consumer may be forced to pay large premiums or risk having the coverage lapse. In the end, the consumer can lose his or her savings and the insurance as well.

The bill (HF623) aims to provide consumers with information about the potential risks involved in replacing an existing life insurance policy or annuity contract.

The measure, sponsored by Rep. David Tomassoni (DFL-Chisholm), would require life insurers to find out, before selling a new policy, if it would replace existing coverage.

If so, the insurance agent or company would be required to give the consumer a form discussing the possible disadvantages of replacing existing coverage.

Both the customer and the agent would be required to sign the form. The agent also would have to send the company holding the

existing policy notice of the proposed replacement.

Replacing existing insurance can be beneficial to consumers in some cases, according to Tomassoni.

But "every now and then, an insurance agent does something he shouldn't do," he added. "... I really and truly think [the bill] is good consumer protection."

After stalling on the House floor during the 1995 session, Tomassoni's bill was revived in the House Insurance Subcommittee. The measure now heads to the full Financial Institutions and Insurance Committee.

## Positive contributions

While consumers may consider insurance a necessary burden on their personal budgets, industry insiders say insurance makes a positive contribution to the economic health of the state.

And there's no denying insurance is big business in Minnesota.

During a Jan. 17 meeting of the House Financial Institutions and Insurance Committee, officials from the Insurance Federation of Minnesota detailed the industry's impact on the state economy.

More than 64,000 Minnesotans are employed in some capacity in the insurance industry, according to Pam Weisenberger, manager of marketing research for Minnesota Mutual Life Insurance Company.

That includes employees in every county of the state and a combined total of nearly 50,000 insurance employees in Hennepin and Ramsey counties.

The statewide industry 1994 payroll was \$2.1 billion. Insurance employees earned an

average salary of \$35,225 in 1993, well above the state average income of \$25,711.

The insurance industry also pours big money into state coffers, according to Weisenberger. For example, the industry paid \$143 million in premium taxes during fiscal year 1995 and \$26 million in 1994 property taxes.

Also, the state's industry doled out \$6.4 billion in insurance benefits during 1994.

And there's no denying insurance is big business in Minnesota. More than 64,000 Minnesotans are employed in some capacity in the insurance industry, according to Pam Weisenberger, manager of marketing research for Minnesota Mutual Life Insurance Company.

## Dates and deadlines

**Jan. 16** — Opening day of the 1996 Legislative Session. Both House and Senate convene at noon.

**Feb. 9** — First committee deadline. For continued consideration, a bill must clear all policy committees in its house of origin by this date.

**Feb. 16** — Second committee deadline. For continued consideration, a bill must clear all policy committees in the other legislative body by this date.

**Feb. 23** — Third committee deadline. For continued consideration in the House and Senate, all bills with a fiscal impact and omnibus appropriation bills must clear their policy committees and be sent to the Ways and Means Committee (the Finance Committee in the Senate), the Taxes Committee, or the Floor.

**May 20** — Mandated date to adjourn. Minnesota's constitution prescribes that the Legislature shall not meet after the Monday following the third Saturday in May. But, since the 1996 Legislative Session is convening about a month and a half earlier than a typical second-year-of-the-biennium session, some expect adjournment before the Passover/Easter holiday the first week of April.



Cal Tuma, 2, and his dad, Rep. John Tuma, read a book at his chamber desk on the opening day of the 1996 Legislative Session.

A closer look . . .

# How long should mom and baby be hospitalized?

After 16 hours of labor and only three hours of sleep in two days, all Amy Klobuchar wanted to do was rest.

She and her husband, John, had prepared themselves well for the birth of their first child, Abigail. They attended every baby class available at Abbott Northwestern Hospital before the big day: a 20-hour birthing class, an infant care class, and a breast feeding class.

Nothing, however, prepared them for the insurance industry.

"When you've had three hours sleep, your baby is sick, and you're supposed to return [to the hospital] to give breast milk for the baby's health every three hours, insurance should not be dictating a departure 24 hours after birth," said Amy Klobuchar.

It wasn't too long ago that a mother and her newborn remained hospitalized for a week after delivery. As the years have gone by, however, the hospital stay has shortened. Today, 24 hours is often considered sufficient.

That has some new parents, doctors, and now lawmakers worried about the health of both newborns and their mothers.

The shortened recovery time has little to do with today's mothers and babies rebounding more quickly and more to do with today's insurance companies cutting costs, medical professionals tell lawmakers.

Rep. Joe Opatz (DFL-St. Cloud) agrees.

Continuing a national trend, he is sponsoring a bill to mandate that Minnesota insurance companies give mothers and their newborns the option of staying in the hospital a little longer.

It narrowly passed the House Health and Human Services Committee Jan. 18 by a 10-8 vote. It now travels to the Financial Institutions and Insurance Committee.

**HF2008** would require insurance companies to cover a minimum of 48 hours of inpatient care following an uncomplicated vaginal delivery and at least 96 hours of inpatient care following an uncomplicated cesarean section. Under both scenarios the extended time would apply to both the mother and the newborn if the physician, in consultation with the mother, determines it to be medically necessary. The bill doesn't require a mother to stay two days or four days, but gives her the option to do so depending on the method and difficulty of the delivery.

Should a mother leave the hospital before 48 hours have elapsed, the bill says her insurance company must provide coverage for the option of one home visit by a registered nurse. Services provided by the nurse would include parent education, training in breast and bottle feeding, and conducting any necessary and appropriate clinical tests.

The bill is opposed by some lawmakers and insurance officials who call it a mandate.

They argue the Legislature has no business mandating what health plans must cover.

Insurance company officials, for their part, maintain the question of "how long" is a misunderstanding between themselves and doctors. Mothers and babies, they say, already are free to stay longer than 24 hours if the doctor maintains it is medically necessary and the patient meets certain criteria.

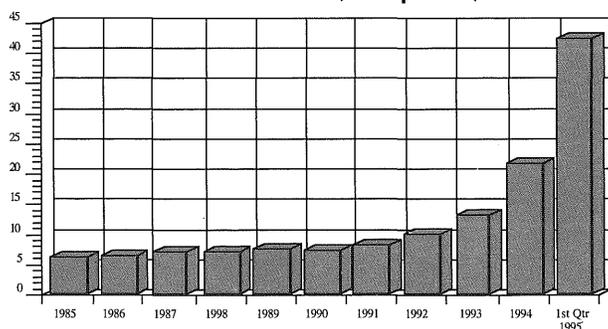
But as testimony before a joint House panel in November indicates, doctors are aware of unwritten rules and hidden pressures. If a physician too often has a mother and newborn stay hospitalized an extra day, he or she could face elimination from the health plan's list of approved health care providers.

And, if an insurance company disagrees with a doctor who allows a mother or infant to stay an extra day, the company could refuse to reimburse the hospital and doctors, leaving the birth mother to pay the bill.

## A national trend

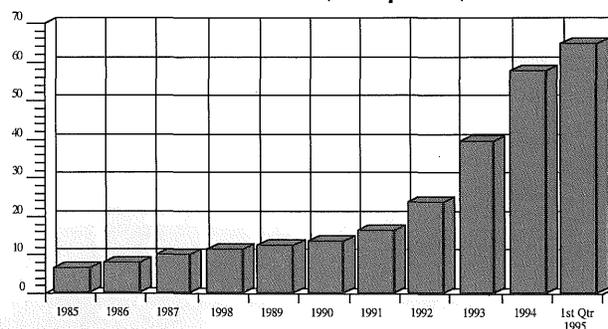
Minnesota is one of about 25 states with pending legislation on maternity stays, according to the American College of Obstetricians and Gynecologists. The organization, along with the American Academy of Pediatrics, recommends a hospital stay of 48 hours for uncomplicated vaginal deliveries and 96 hours for uncomplicated cesarean deliveries, excluding the day of delivery.

**Percent of maternal one-day hospital stays uncomplicated vaginal deliveries 1985 to 1995 (first quarter)**



For the past decade, mothers and their newborn babies have been spending less and less time in the hospital after delivery. In 1985 only 6.2 percent of women using a Twin Cities metropolitan hospital stayed one day after an uncomplicated vaginal delivery. During the first quarter of 1995 that number had jumped to 42.5 percent, according to a recently released study by the Minnesota Hospital and Healthcare Partnership.

**Percent of maternal three-day hospital stays uncomplicated cesarean-section deliveries 1985 to 1995 (first quarter)**



Currently, the American College of Obstetricians and Gynecologists recommends four days of hospital recovery after a mother gives birth by an uncomplicated cesarean section. But, many Twin Cities women are leaving the hospital earlier. In 1985 only 6.6 percent of women using a Twin Cities metropolitan hospital stayed three days after a cesarean section. During the first quarter of 1995 that number jumped to 64.7 percent.

Source: Minnesota Hospital and Healthcare Partnership.



Following a national trend, Rep. Joe Opatz is sponsoring a bill to mandate that Minnesota insurance companies give mothers and their newborns the option of staying in the hospital a little longer. It narrowly passed the House Health and Human Services Committee Jan. 18 by a 10-8 vote.

Maryland, Massachusetts, New Jersey, and North Carolina all passed laws in 1995 requiring some version of the 48/96-hour hospital stay and New Mexico's insurance commissioner instituted new regulations to accomplish the same goal. There also is a bill in Congress to enact a similar federal law.

Despite the trauma and stress the Klobuchars faced after the birth of their child, they believe their situation was not "one of the bad ones."

"The bad ones are the cases where the baby goes home sick. The bad ones are where the parents didn't have the time or money to learn parenting skills before they left. The bad ones are the ones where the parents can't afford \$50 a night for a room just so they can keep the baby supplied with breast milk. Those are the bad ones," the mother told lawmakers earlier this winter during a hearing on the Opatz bill.

Klobuchar, like many women across the state, could not stay in the hospital more than 24 hours after delivery unless she had complications. Exhaustion and pain are not necessarily considered complications in the mother. And in a newborn, some common problems, such as jaundice and dehydration, often don't show up until after the second or third day, according to medical professionals.

In the Klobuchars' case, their baby could not swallow, and therefore, could not eat normally, causing her doctors concern. The baby was allowed to stay hospitalized for several days of tests. The birth mother, however, had to check out.

Klobuchar had to find a rental room nearby and forgo sleep so her husband could wheel her back to the hospital every three hours to provide Abigail the breast milk doctors said

was important.

Last spring, Opatz's wife, Pamela, and newborn son, Simon, were released 24 hours after delivery. Less than a day later, Simon was taken to the emergency room for dehydration and jaundice.

Simon would have greatly benefited from another day in the hospital, Opatz told a joint hearing of the House Health and Human Services Committee and the Financial Institutions and Insurance Committee's Subcommittee on Insurance Nov. 16, 1995.

The pendulum has swung away from the health of the baby and mother to insurance company concerns, Opatz said.

### "Confusion"

Lois Wattman of Allina Health System, which operates the Medica health plan, said Medica does not have a 24-hour policy but acknowledged there is a great deal of confusion concerning hospital stays for mothers and newborns.

"This is a physician's decision to make," she said.

In an effort to clear up continued confusion, her company sent out a letter to its providers noting that "if you determine that a patient meeting these criteria is not ready to be discharged, simply document the reason for continued inpatient care in the chart."

Medica, Wattman said, does compile information about its doctors, but the company does not keep track of which doctors increase the length of stay for new mothers and their babies.

"We're not counting" she said.

And patients won't necessarily be left with unreimbursed medical expenses. Providers are reimbursed for second, third, and even

more days of inpatient care when a physician deems them necessary. And, Wattman added, home visits are covered.

Opatz asked Wattman where the confusion comes from because his wife and son used Medica insurance and were in an Allina hospital.

The people who are confused are your own employees, Opatz said. "Your written policy may be one thing but the de facto policy may be another."

### Legislating medical care?

While lawmakers agree the issue is important, some say it's simply legislating medical coverage.

Rep. Bill Haas (R-Champlin) said any problem on hospital stays should be worked out voluntarily between doctors and insurance companies.

"Mandates . . . will relate to a direct cost for you and I," Haas told committee members Jan. 18. Once the state begins mandating certain coverage, where does it stop? he asked.

Rep. Roger Cooper (DFL-Bird Island) said the bill wasn't a mandate but a "physician-patient decision" that puts the health of the patient before the cost concerns of a health plan.

Rep. Richard Mulder (R-Ivanhoe), the only doctor in the House, said "I don't think there is a problem." He said he has delivered 1,500 babies and never had a problem with an insurance company not paying for an additional day.

Some argue Mulder may be the exception.

Rep. Betty McCollum (DFL-North St. Paul) concurred with testimony by some physicians who maintained that health plans eliminate doctors who cost them too much money. She said she knows of doctors who have been eliminated.

Other medical professionals disagreed the bill imposed a mandate.

"This isn't legislating medical care," said Kathryn Moore, managing director for government relations with the American College of Obstetricians and Gynecologists.

"The legislation is a valid response by government to a problem that couldn't be resolved," she said, adding that her organization tried to meet with insurance officials and called for a time-out last year on early hospital discharges for moms and babies. "We got nowhere. . . . Insurance companies have refused to abide by established medical guidelines and physician decisions."

Some doctors have argued that going to the Legislature is better than going to the courts. Still others say the legislation is only making a tiny dent because it doesn't deal with the

real problem of how cost-cutting affects the physician/patient relationship. Insurance companies will continue to profile doctors to keep track of their costs, they say. Doctors know they're being profiled and fear being eliminated from health plans as providers.

"It's a sad state of affairs that we find ourselves coming to the Legislature," said Dr. Janette H. Strathy of Park Nicollet Clinic.

Hospital stays used to be four days. Doctors grumbled when it went to three and two, but "it's this leap from 48 to 24 hours [without any data] that has made us nervous," Strathy told lawmakers.

Early discharge can inhibit doctors from detecting health problems in newborns and contributes to re-admitting them a day or two after discharge with jaundice, infections, respiratory difficulty, and dehydration.

And, Strathy said, new mothers need an adequate education and time to rest, espe-

cially if there are more children and no support at home.

Many doctors, she said, are concerned about being dropped as providers by health plans and are encouraged to discharge after 24 hours.

The state needs legislation to encourage uniform standards on the length of hospital stays and the coverage of home visits, she said. That would help alleviate the problem of doctors pressured to discharge after 24 hours.

The trend to shorten hospital stays for moms and newborns began in the 1970s. It was done to provide a more family-centered, home-like birth experience. But now, things have gone too far, she said.

In California, some mothers and newborns are sent home eight to 18 hours after delivery and it's not driven by health data but by insurance costs, Strathy said.

In a statement by the American College of Obstetricians and Gynecologists, doctors said their concerns are "heightened by reports of insurers proposing 12 hour stays following uncomplicated vaginal delivery and 48 hour stays following uncomplicated cesarean delivery, and by indications that some insurers are considering six-hour stays for routine deliveries."

Doctors, Strathy said, need the ability to implement the American College of Obstetricians and Gynecologists and the American Academy of Pediatrics guidelines.

One of the guidelines states: "Family members or other support person(s) should be available to the mother for the first few days following discharge."

That, however, lawmakers noted, is not something they can legislate.

— K. Darcy Hanzlik

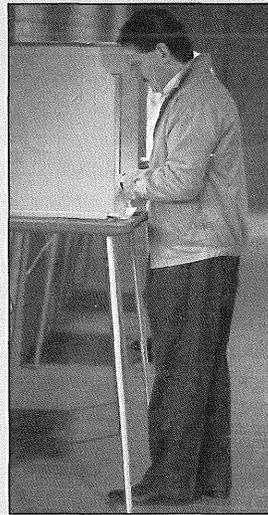
Republican hopefuls eyeing the White House are preparing for Feb. 12, when the Iowa caucuses will kick off the tallying of delegates leading to the endorsement of a challenger to President Clinton. On Feb. 20, voters in New Hampshire will go to the polls. Candidates have been campaigning vigorously in both states, hoping for an early leg up in the primary season.

Minnesota, however, will have no such primary.

Lawmakers put the kibosh on the 1996 presidential primary last session, saying that it would have been an unfunded mandate on local municipalities, since the Office of the Secretary of State didn't receive funds to reimburse cities and towns for local election costs. The primary was estimated to have cost \$3.1 million.

Minnesota's last presidential primary was in 1992 (the first since 1956) and attracted 10 percent of the state's eligible

## It's a fact!



Lawmakers put the kibosh on the 1996 presidential primary last session, saying that it would have been an unfunded mandate on local municipalities.

voters. Among Democrats, Clinton edged former California Gov. Jerry Brown by a 33-32 percent margin. In the Republican primary, President Bush trounced Pat Buchanan 67-25 percent.

Lawmakers tried to quash that election as well, passing a bill in 1992 that would have delayed the presidential primary until 1996. Local governments objected to the cost and the fact that voters had to declare a party preference before voting.

Gov. Arne Carlson promptly vetoed the bill, saying an election would attract more Minnesotans than the caucus system, in which only 1 to 3 percent of voters typically participate. The state Senate later voted to override the veto, but the House fell 13 votes short, and the primary went on as scheduled.

Barring any future legislative action, the next presidential primary in Minnesota is scheduled for the year 2000.

# High school students learn the legislative process

Ten years ago, a representative from Warren, Minn., proposed legislation that would have required all Minnesota public officials to confess their "sins and iniquities" to a Catholic priest.

"The purpose of this act is to make aware to public officials all of their sins and iniquities deemed inappropriate by the appropriate board," the bill read.

For those unschooled in determining "inappropriate" behavior, the bill offered this elaboration: "Sins and iniquities shall be defined as those acts contrary to the original Ten Commandments as defined by the presiding pope of the Catholic Church."

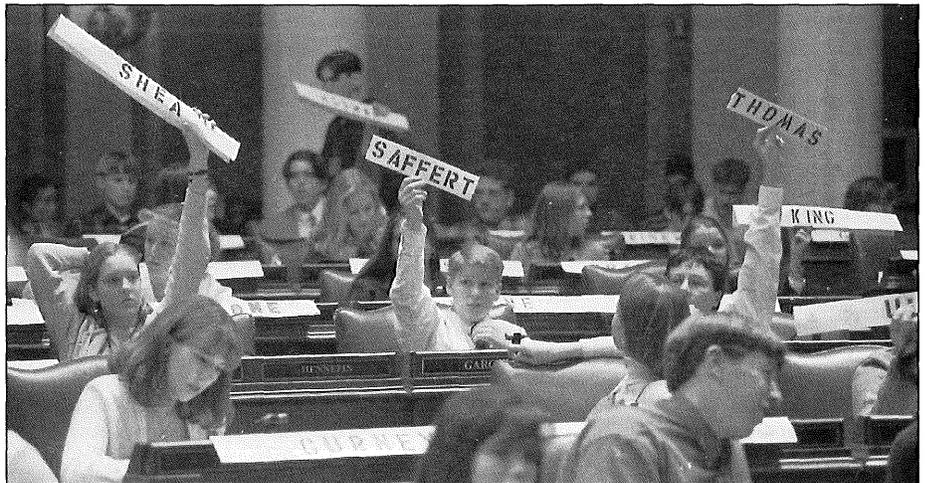
If you don't remember that particular bill, and the controversy it undoubtedly generated, it's because you weren't following the workings of the Minnesota YMCA Youth in Government Model Legislature, where the "bill" was actually offered.

The Model Legislature completed its 42nd session earlier this month, with more than 1,000 high school students from across the state participating.

"It's such a growth experience for these students," said Teresa Kittridge, who serves on the Model Legislature's Board of Management. "The exciting thing is that it's not only about the legislative process — there's a little bit of everything."

This year, Kittridge said, the program's judicial arm was greatly expanded; in addition to filling roles from all three branches of government, students also act as lobbyists and journalists during the "session," which lasts for a weekend each January.

When the Youth in Government program first began in Minnesota 50 years ago, it was



Members of a mock House of Representatives participating in the 1996 YMCA Youth in Government program held up their name plates in hopes of being recognized for debate. More than 1,000 high school students from across the state gathered Jan. 4-7 to learn about the three branches of Minnesota government.

simply a model legislature. A youth governor also was chosen to represent the executive branch. The program, then known as Youth and Government, was held every two years. In 1965, it became an annual event.

A Youth in Law program, begun in 1975, added a model Supreme Court. A year later, the first full Executive Cabinet Program came along. Eventually, the Secretary of State and Attorney General programs were added.

Here's a sampling of some of the other mock legislation debated a decade ago by the youthful lawmakers:

- A bill that would have made it illegal to appear on any public walkway in Minnesota with untied shoelaces. (A shoelace was defined as "the string that holds a shoe on your foot"; Velcro straps and buckles were exempt.)

- Legislation that would have directed state officials to pay Hibbing, Minn., native Bob Dylan \$5,000 to write a new state song. (The bill didn't discuss what would happen if Dylan declined the state's munificent offer.)
- In a foreshadowing of the Minnesota North Stars' departure, a bill that would have allowed a professional sports team to leave Minnesota only if attendance and income fell below pre-determined levels, or if two-thirds of the state Senate voted to allow it.
- And, in a graphic demonstration of democracy in action, the same Model Legislature that discussed mandatory Catholic confessions for public officials also debated whether to legalize prostitution in Minnesota.

—Betsy Gerboth

## Frequently called numbers

<b>Secretary of the Senate</b>	
231 Capitol .....	296-2344
Voice mail/order bills .....	296-2343
<b>Chief Clerk of the House</b>	
211 Capitol .....	296-2314
<b>Index, Senate</b>	
110 Capitol .....	296-2887
<b>Index, House</b>	
211 Capitol .....	296-6646
<b>Information, Senate</b>	
231 Capitol .....	296-0504
<b>Information, House</b>	
175 State Office Building .....	296-2146
<b>Committee Hotline, Senate</b> .....	296-8088

<b>Committee Hotline, House</b> .....	296-9283
<b>Sergeant at Arms, Senate</b>	
Senate Chamber .....	296-7159
<b>Sergeant at Arms, House</b>	
45 State Office Building .....	296-4860
<b>Counsel and Research, Senate</b>	
G-17 Capitol .....	296-4791
<b>Research, House</b>	
600 State Office Building .....	296-6753
<b>Legislative Reference Library</b>	
645 State Office Building .....	296-3398

<b>Revisor of Statutes</b>	
700 State Office Building .....	296-2868
<b>Governor's Office</b>	
130 Capitol .....	296-3391
<b>Attorney General's Office</b>	
102 Capitol .....	296-6196
<b>Secretary of State's Office</b>	
180 State Office Building .....	296-2803
<b>Capitol Security</b>	
B-4 Capitol .....	296-6741
<b>Emergency</b> .....	296-2100
<b>TDD* Senate</b> .....	296-0250
<b>TDD* House</b> ..	296-9896 or 1-800-657-3550

# Minnesota House of Representatives 1995-96

Unofficial list as of January 17, 1996

District/Member/Party	Room*	Phone (612) 296-	District/Member/Party	Room*	Phone (612) 296-
45A Abrams, Ron (R)	209	9934	47A Luther, Darlene (DFL)	525	3751
10A Anderson, Bob (DFL)	437	4946	50B Lynch, Teresa (R)	295	5369
19B Anderson, Bruce (R)	281	5063	37B Macklin, Bill (R)	349	6926
3A Anderson, Irv (DFL)	463	4936	40A Mahon, Mark P. (DFL)	401	7158
6A Bakk, Thomas (DFL)	429	2190	55A Mares, Harry (R)	239	5363
14B Bertram, Jeff (DFL)	571	4373	65B Mariani, Carlos (DFL)	403	9714
10B Bettermann, Hilda (R)	243	4317	57B Marko, Sharon (DFL)	507	3135
30B Bishop, Dave (R)	343	0573	55B McCollum, Betty (DFL)	501	1188
25B Boudreau, Lynda (R)	327	8237	36B McElroy, Dan (R)	259	4212
30A Bradley, Fran (R)	241	9249	54A McGuire, Mary Jo (DFL)	567	4342
53B Broecker, Sherry (R)	321	7153	39B Milbert, Bob (DFL)	579	4192
13A Brown, Chuck (DFL)	597	4929	35A Molnau, Carol (R)	287	8872
46B Carlson, Lyndon R. (DFL)	365	4255	21B Mulder, Richard (R)	387	4336
52A Carlson, Skip (R)	289	4331	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" (R)	379	4344
38A Commers, Tim (R)	217	3533	2B Olson, Edgar (DFL)	565	4265
15B Cooper, Roger (DFL)	549	4346	19A Olson, Mark (R)	223	4237
11A Daggett, Roxann (R)	225	4293	20B Onnen, Tony (R)	273	1534
9B Dauner, Marvin (DFL)	581	6829	16A Opatz, Joe (DFL)	423	6612
31B Davids, Gregory M. (R)	371	9278	64B Orenstein, Howard (DFL)	529	4199
65A Dawkins, Andy (DFL)	409	5158	60B Orfield, Myron (DFL)	521	9281
14A Dehler, Steve (R)	203	7808	29B Osskopp, Mike (R)	329	9236
51A Delmont, Mike (DFL)	575	4226	66A Osthoff, Tom (DFL)	585	4224
29A Dempsey, Jerry (R)	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 (R)	283	4306
42A Erhardt, Ron (R)	237	4363	42B Paulsen, Erik (R)	221	7449
67A Farrell, Jim (DFL)	491	4277	38B Pawlenty, Tim (R)	231	4128
1B Finseth, Tim (R)	377	9918	52B Pellow, Richard (R)	233	0141
31A Frerichs, Don L. (R)	247	4378	32A Pelowski Jr., Gene (DFL)	517	8637
63B Garcia, Edwina (DFL)	411	5375	57A Perl, Walter E. (DFL)	473	7807
21A Girard, Jim (R)	213	5374	13B Peterson, Doug (DFL)	523	4228
9A Goodno, Kevin (R)	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 (R)	309	9889
26A Gunther, Bob (R)	337	3240	58A Rice, James I. (DFL)	381	4262
48A Haas, Bill (R)	201	5513	18A Rostberg, Jim (R)	323	5364
50A Hackbarth, Tom (R)	313	2439	5A Rukavina, Tom (DFL)	471	0170
22B Harder, Elaine (R)	277	5373	59A Sarna, John J. (DFL)	563	4219
12A Hasskamp, Kris (DFL)	451	4333	17B Schumacher, Leslie (DFL)	413	5377
66B Hausman, Alice (DFL)	449	3824	41A Seagren, Alice (R)	315	7803
56A Holsten, Mark (R)	345	3018	62B Skoglund, Wes (DFL)	477	4330
6B Huntley, Thomas (DFL)	569	2228	34A Smith, Steve (R)	353	9188
7B Jaros, Mike (DFL)	559	4246	3B Solberg, Loren (DFL)	445	2365
58B Jefferson, Richard H. (DFL)	577	8659	33B Stanek, Rich (R)	351	5502
18B Jennings, Loren (DFL)	537	0518	28B Sviggum, Steven A. (R)	267	2273
48B Johnson, Alice M. (DFL)	539	5510	51B Swenson, Doug (R)	255	4124
4A Johnson, Bob (DFL)	551	5516	23B Swenson, Howard (R)	331	8634
32B Johnson, Virgil J. (R)	207	1069	43B Sykora, Barbara (R)	357	4315
59B Kahn, Phyllis (DFL)	367	4257	5B Tomassoni, David (DFL)	593	0172
26B Kalis, Henry J. (DFL)	543	4240	36A Tompkins, Eileen (R)	245	5506
44A Kelley, Steve (DFL)	417	3964	67B Trimble, Steve (DFL)	485	4201
35B Kelso, Becky (DFL)	415	1072	25A Tuma, John (R)	301	4229
4B Kinkel, Anthony G. "Tony" (DFL)	453	2451	1A Tunheim, Jim (DFL)	509	9635
40B Knight, Kevin (R)	307	4218	34B Van Dellen, H. Todd (R)	291	5511
16B Knoblach, Jim (R)	215	6316	15A Van Engen, Tom (R)	359	6206
17A Koppendrayner, LeRoy (R)	389	6746	23A Vickerman, Barb (R)	211	9303
27A Kraus, Ron (R)	279	8216	63A Wagenius, Jean (DFL)	439	4200
53A Krinkie, Phil (R)	303	2907	49B Warkentin, Eldon H. (R)	253	4231
56B Larsen, Peg (R)	311	4244	49A Weaver, Charlie (R)	261	1729
27B Leighton, Robert (DFL)	527	4193	61B Wejcman, Linda (DFL)	431	7152
45B Leppik, Peggy (R)	393	7026	12B Wenzel, Stephen G. (DFL)	487	4247
2A Lieder, Bernie (DFL)	515	5091	22A Winter, Ted (DFL)	407	5505
33A Lindner, Arlon (R)	227	7806	41B Wolf, Ken (R)	317	5185
60A Long, Dee (DFL)	591	0171	28A Worke, Gary D. (R)	229	5368
8B Lourey, Becky (DFL)	421	4308	43A Workman, Tom (R)	335	5066

Note: Room numbers are subject to change.

\*All rooms are in the State Office Building, St. Paul, MN 55155

# Bill Introductions

HF2000-HF2429

## Tuesday, January 16

**HF2000—Luther (DFL)**  
**Judiciary**

Custodial parents authorized to name designated parents, and forms and procedures provided.

**HF2001—Wenzel (DFL)**  
**Health & Human Services**

Partial-birth abortions prohibited, and definitions and penalties provided.

**HF2002—Solberg (DFL)**  
**Transportation & Transit**

Trunk Highway No. 210 in Aitkin county designated as Dale Wayrynen Memorial Highway.

**HF2003—Broecker (R)**  
**Health & Human Services**

Minors prohibited from receiving a tattoo, and consent requirement provided.

**HF2004—McGuire (DFL)**  
**Judiciary**

Seatbelt use evidence deemed admissible in civil action litigation.

**HF2005—Broecker (R)**  
**Taxes**

Property tax penalty distribution provided.

**HF2006—Munger (DFL)**  
**Environment & Natural Resources**

Wetland replacement, protection, and management provisions modified.

**HF2007—Delmont (DFL)**  
**Health & Human Services**

Detoxification transportation funding grant restriction removed.

**HF2008—Opatz (DFL)**  
**Health & Human Services**

Childbirth and postpartum care health insurance benefits regulated providing a minimum of 48 to 96 hours of inpatient care following delivery.

**HF2009—Van Engen (R)**  
**Judiciary**

Convicted offenders ordered to pay restitution as a condition of probation to remain on probation until restitution has been fully paid.

**HF2010—Luther (DFL)**  
**General Legislation, Veterans Affairs & Elections**

Initiative and referendum implementation act adopted, and constitutional amendment proposed.

**HF2011—Skoglund (DFL)**  
**Judiciary**

DWI; qualifying conditions of impairment extended for snowmobiling, motorboating, hunting, driving, and flying while intoxicated to include being under the influence of noncontrolled drugs.

**HF2012—Leppik (R)**  
**Transportation & Transit**

Drivers' license suspension effective date provisions modified, and authority restricted to suspend drivers' license for petty misdemeanor traffic violations.

**HF2013—Delmont (DFL)**  
**Health & Human Services**

Medical assistance recipient screening requirements modified.

**HF2014—Workman (R)**  
**Environment & Natural Resources**

Toxics in products law repealed.

**HF2015—McGuire (DFL)**  
**Judiciary**

Data access regulated related to state agency litigation.

**HF2016—McGuire (DFL)**  
**Judiciary**

Birth information provided to adopted persons.

**HF2017—Farrell (DFL)**  
**General Legislation, Veterans Affairs & Elections**

Nonbinding ballot questions placed on ballots.

**HF2018—Clark (DFL)**  
**Health & Human Services**

Health coverage board and health coverage program created, health care trust fund established, statewide and regional health care budgets established, health care commission abolished, and money appropriated.

**HF2019—Sykora (R)**  
**Education**

University of Minnesota Board of Regents student member term limits set.

**HF2020—Vickerman (R)**  
**Governmental Operations**

Unicameral legislature provided, and constitutional amendment proposed.

**HF2021—Broecker (R)**  
**Governmental Operations**

Teacher retirement association retired member authorized delayed application for disability benefits.

**HF2022—Cooper (DFL)**  
**Taxes**

Hospital and health care provider tax rates reduced.

**HF2023—Clark (DFL)**  
**Environment & Natural Resources**

Toxic waste reduction provided in environmental high impact areas, risk assessments required, technical assistance provided, and rule-making authorized.

**HF2024—Koppendrayner (R)**  
**Education**

University of Minnesota constitutional autonomy repealed, and constitutional amendment proposed.

**HF2025—Lourey (DFL)**  
**Education**

School transportation state aid provided.

**HF2026—Macklin (R)**  
**Taxes**

Property tax classifications and class rates modified, income-adjusted homestead credit provided, state aids restructured, local government aid formula modified, and money appropriated.

**HF2027—Warkentin (R)**  
**Taxes**

Senior citizens provided reduced property tax class rate for certain housing.

**HF2028—Koppendrayner (R)**  
**Governmental Operations**

Asian-Pacific Minnesotans council membership increased to include a Taiwanese-American member.

**HF2029—Skoglund (DFL)**  
**Judiciary**

Sex offender Registration Act expanded to include child pornography offenses.

**HF2030—Seagren (R)**

**Education**

Integration; state education transportation aid provided for metropolitan area school districts, and money appropriated.

**HF2031—Ness (R)**

**Agriculture**

Food sales license exemption provided for sales at county or community fairs, and farmers' markets.

**HF2032—Koppendrayner (R)**

**General Legislation, Veterans Affairs & Elections**

Closed armory disposition procedures established, and report required.

**HF2033—Wenzel (DFL)**

**Health & Human Services**

Constitutional standard established relating to abortion, and constitutional amendment proposed.

**HF2034—Luther (DFL)**

**Judiciary**

Intentional discharge of a firearm under dangerous circumstances penalty increased, and transit vehicle crime scope expanded.

**HF2035—Dempsey (R)**

**Environment & Natural Resources**

Red Wing sewer overflow grants provided, bonds issued, and money appropriated.

**HF2036—Kahn (DFL)**

**Governmental Operations**

Public assistance benefits reduced related to use of funds at gambling establishments.

**HF2037—Kelley (DFL)**

**Economic Development, Infrastructure, & Regulation Finance**

Metropolitan regionwide public safety radio communication system construction initiated, bonds issued, and money appropriated.

**HF2038—Clark (DFL)**

**Health & Human Services**

Peace or health officer authority clarified related to transportation of intoxicated persons to treatment facilities.

**HF2039—Clark (DFL)**

**Housing**

Cities required to notify mortgage holders and neighborhood associations of intent to secure vacant buildings, and definitions provided.

**HF2040—Clark (DFL)**

**Housing**

Eviction of tenants authorized for unlawful purchase of controlled substances on leased premises, motor vehicle registration data re-

quest fees waived, and eviction proceeding standard of proof provisions modified.

**HF2041—Wejzman (DFL)**

**Judiciary**

Peace officer community policing training required.

**HF2042—Kahn (DFL)**

**Judiciary**

Human Rights Act modified related to athletic programs.

**HF2043—Kahn (DFL)**

**Governmental Operations**

Public pension plan economic interest statements filed with the ethical practices board.

**HF2044—Skoglund (DFL)**

**Financial Institutions & Insurance**

Group life and health insurance retroactive termination restricted.

**HF2045—Skoglund (DFL)**

**Judiciary**

Sex offender Registration Act expanded to include child pornography offenses, sex offender release notification required, and sex offender end-of-confinement review committee established.

**HF2046—Anderson, R. (DFL)**

**Health & Human Services**

Children's safe house programs similar to the McGruff program allowed.

**HF2047—Anderson, R. (DFL)**

**General Legislation, Veterans Affairs & Elections**

Fair campaign practices code established, and penalties provided.

**HF2048—Skoglund (DFL)**

**Judiciary Finance**

Community crime prevention block club programs appropriated money.

**HF2049—Kelley (DFL)**

**Health & Human Services**

Residential human service program location requirement exceptions eliminated.

**HF2050—Johnson, A. (DFL)**

**Governmental Operations**

Spring Lake Park fire department fire-prevention personnel employment and pension benefits provided.

**HF2051—Johnson, A. (DFL)**

**Environment & Natural Resources**

Motor vehicle emission inspections reduced and methods provided.

**HF2052—Daggett (R)**

**Environment & Natural Resources**

Youth small game license reciprocity provided with North Dakota, and license provisions modified.

**HF2053—Solberg (DFL)**

**Education**

Independent School District No. 1, Aitkin, fund transfer provided.

**HF2054—Bettermann (R)**

**Labor-Management Relations**

Prevailing wage hours of labor, wage rate, contract requirement, and minimum labor standard provisions modified.

**HF2055—Delmont (DFL)**

**Regulated Industries & Energy**

Intrastate telecommunications carrier and local telephone company customer notification provided prior to carrier change.

**HF2056—Skoglund (DFL)**

**Judiciary**

DWI; qualifying conditions of impairment extended for snowmobiling, motorboating, hunting, and flying while intoxicated to include being under the influence of noncontrolled drugs.

**HF2057—Carlson, L. (DFL)**

**Education**

Alternative education program learning year pupil unit funding provided.

**HF2058—Carlson, L. (DFL)**

**Education**

College savings bond program established.

**HF2059—Kelley (DFL)**

**General Legislation, Veterans Affairs & Elections**

Veterinary practice act provisions modified.

**HF2060—Huntley (DFL)**

**Health & Human Services**

Contact lens prescription and dispensing requirements established, and penalties provided.

**HF2061—Weaver (R)**

**Judiciary**

Burglary crime sentencing provisions clarified related to first-time burglary of a dwelling.

**HF2062—Weaver (R)**

**Judiciary**

Welfare fraud law expanded to include reporting violations while receiving assistance greater than lawfully allowed, and penalties provided.

**HF2063—Opatz (DFL)**

**Education**

State college and university rulemaking and administrative procedures modified.

**HF2064—Weaver (R)**

**Judiciary**

Controlled substance crime restitution awards provided to government entities.

**HF2065—Hackbarth (R)**

**Environment & Natural Resources**

Used motor oil and filter law repealed.

**HF2066—Wejzman (DFL)**

**Judiciary**

Juvenile delinquency petition filing provisions modified.

**HF2067—Cooper (DFL)**

**Health & Human Services**

State-funded abortion right prohibited, and constitutional amendment proposed.

**HF2068—Hackbarth (R)**

**Transportation & Transit**

County Road No. 7 in Anoka county designated as the POW/MIA Memorial Highway.

**HF2069—Wejzman (DFL)**

**Judiciary**

Adoption placement notification provided to parents, adoption background checks required, and adoption record provisions modified.

**HF2070—Lieder (DFL)**

**Transportation & Transit**

County state-aid highway fund distribution formula modified, gasoline and special fuel tax rate increased, and motor vehicle sales tax allocation provided to the transit assistance fund.

**HF2071—Sykora (R)**

**Governmental Operations**

State lottery prohibited from using any obscene, indecent, or immoral materials.

**HF2072—Workman (R)**

**Transportation & Transit**

Southwest metro transit commission established and granted public transit powers.

**HF2073—Sykora (R)**

**Education**

Compensatory education revenue program modified.

**HF2074—Seagren (R)**

**Education**

Interracial contact and disadvantaged student grant program established, and money appropriated.

**HF2075—Sykora (R)**

**Education**

Desegregation and integration direction provided to state board of education.

**HF2076—Greenfield (DFL)**

**Health & Human Services**

Health facility complaints office responsibilities modified and guidelines established.

**HF2077—Carlson, L. (DFL)**

**Education**

Magnet school facility approved cost provisions modified.

**HF2078—Greenfield (DFL)**

**Judiciary**

Health care provider identification number requirements modified, group purchaser nonpublic data provisions modified, and Office of Mental Health Practice information exchange procedures established.

**HF2079—Macklin (R)**

**Local Government & Metropolitan Affairs**

New Market bond issuance authorized pending local approval.

**HF2080—Frerichs (R)**

**Environment & Natural Resources**

Trout and salmon, migratory waterfowl, and pheasant stamp issuance fees modified.

**HF2081—Greiling (DFL)**

**Local Government & Metropolitan Affairs**

School superintendents exempted from compensation limits.

**HF2082—Osskopp (R)**

**Local Government & Metropolitan Affairs**

Lake City and Plainview motor vehicle deputy registrar offices established.

**HF2083—Koppendrayner (R)**

**Education**

School voucher program established, charter school provisions modified, open enrollment provisions modified, graduation option accelerated, site management provided, and money appropriated.

**HF2084—Koppendrayner (R)**

**Education**

School voucher program established, and money appropriated.

**HF2085—Rhodes (R)**

**Local Government & Metropolitan Affairs**

St. Louis Park fire and police department employees excluded from civil service.

**HF2086—Skoglund (DFL)**

**Judiciary**

Code grabbing device possession provided criminal penalty.

**HF2087—Winter (DFL)**

**Education**

Southwest Technical College wind power generating facility construction authorized, bonds issued, and money appropriated.

**HF2088—Winter (DFL)**

**Transportation & Transit**

Speed limits raised on highways, speed violation penalty provisions modified, and speed limits designated for fuel conservation purposes.

**HF2089—Davids (R)**

**Financial Institutions & Insurance**

Automobile glass companies prohibited from waiving insurance deductibles, or providing rebates or other incentives.

**HF2090—Davids (R)**

**Education**

Elementary school construction debt service aid provided.

**HF2091—Davids (R)**

**Education**

Independent School District No. 238, Mabel-Canton, provided debt service aid.

**HF2092—Davids (R)**

**Transportation & Transit**

Trunk Highway No. 52 in Fillmore county designated as the Amish Buggy Byway.

**HF2093—Davids (R)**

**Education**

Independent School District Nos. 228, Harmony, and 233, Preston-Fountain, debt service aid grant extended.

**HF2094—Koppendrayner (R)**

**Education**

Education board graduation rule single statewide assessment provided.

**HF2095—Rest (DFL)**

**Taxes**

Revenue department administrative and policy tax and fee provisions modified.

**HF2096—Greenfield (DFL)**

**Health & Human Services**

Nursing facility reimbursement rates modified.

**HF2097—Greiling (DFL)**

**Governmental Operations**

St. Paul Teachers Retirement Fund Association pension service credit purchase deadline modified.

**HF2098—Pellow (R)**

**Transportation & Transit**

Single license plate display authorized on certain collector vehicles.

**HF2099—Tompkins (R)**  
**Transportation & Transit**  
Motor vehicle sales tax revenue allocation provided, and constitutional amendment proposed.

**HF2100—Haas (R)**  
**Health & Human Services**  
Medical savings accounts established for medical assistance recipients.

**HF2101—Jefferson (DFL)**  
**General Legislation, Veterans Affairs & Elections**  
Mail balloting allowed in additional cities and towns.

**HF2102—Rest (DFL)**  
**Taxes**  
Revenue department technical tax bill providing administrative changes, corrections and clarifications.

**HF2103—Bertram (DFL)**  
**Governmental Operations**  
Firefighter relief association consolidation and defined benefit relief association conversion authorized.

**HF2104—Bertram (DFL)**  
**Taxes**  
Used farm machinery sales tax exemption extended permanently.

**HF2105—Swenson, H. (R)**  
**Economic Development, Infrastructure, & Regulation Finance**  
Sibley County Courthouse restoration provided, bonds issued, and money appropriated.

**HF2106—Wejcman (DFL)**  
**Health & Human Services**  
Uncertified boarding care facility rate increases authorized.

**HF2107—Davids (R)**  
**Governmental Operations**  
Legislative Coordinating Commission duties modified, and state agency head and state employee salaries modified.

**HF2108—Van Engen (R)**  
**Health & Human Services**  
Tuberculosis; isolation and detention provided for persons with active tuberculosis, standards and procedures provided, and reporting required.

**HF2109—Bradley (R)**  
**Health & Human Services**  
Nursing home receivership provisions modified.

**HF2110—Haas (R)**  
**Health & Human Services**  
Health department disease prevention division authorized to use unmarked vehicles.

**HF2111—Boudreau (R)**  
**Health & Human Services**  
Managed care organization provisions modified, children's camp health provisions modified, alcohol and drug counselor licensing provisions modified, and hotel, motel, and food and beverage establishment regulatory provisions modified.

**HF2112—Bishop (R)**  
**Environment & Natural Resources**  
Sewage treatment system license regulation provisions modified, and municipal individual sewage treatment system loan program established.

**HF2113—Girard (R)**  
**International Trade & Economic Development**  
Businesses receiving state or local government assistance job increase provisions repealed.

**HF2114—McElroy (R)**  
**Transportation & Transit**  
Driver's license coding provisions modified.

**HF2115—Harder (R)**  
**Agriculture**  
Rural finance agency program net worth definitions modified.

**HF2116—Harder (R)**  
**Agriculture**  
Plant pest, fertilizer, and lime provisions modified, and aquatic pest control applicator license requirement provisions modified.

**HF2117—Koppendrayner (R)**  
**Education**  
Charter school law expanded, school board contracting authorized, statewide education information system established, school year defined, teacher contract provisions modified, and performance-based compensation aid provided.

**HF2118—Ness (R)**  
**Education**  
Education technology clearinghouse and upgrade system provided, and money appropriated.

**HF2119—Boudreau (R)**  
**Health & Human Services**  
Rice County hospital district reorganization, administration, and operation provided.

**HF2120—Boudreau (R)**  
**Transportation & Transit**  
Intrastate motor vehicle operators with hearing disabilities granted waiver for vehicle operation.

**HF2121—Schumacher (DFL)**  
**Education**  
Independent School District No. 485, Royalton, debt service equalization aid provided, and money appropriated.

**HF2122—Dawkins (DFL)**  
**Judiciary**  
Previous revisor instruction scope limited.

**HF2123—Van Engen (R)**  
**Governmental Operations**  
Willmar Regional Treatment Center employee authorized retirement service credit purchase.

**HF2124—Swenson, D. (R)**  
**Health & Human Services**  
Child support enforcement welfare reform provisions modified.

**HF2125—Boudreau (R)**  
**Environment & Natural Resources**  
Obsolete air quality and wastewater treatment rules repealed.

**HF2126—Gunther (R)**  
**Agriculture**  
Consolidated food licensing law provisions modified.

**HF2127—Lynch (R)**  
**Health & Human Services**  
Deaf and hard of hearing services act provisions modified and repealed.

**HF2128—Murphy (DFL)**  
**Judiciary**  
Juvenile detention in jails and lockups beyond 24 hours authorized in certain cases.

**HF2129—Clark (DFL)**  
**Housing**  
Housing Finance Agency single family housing requirement technical changes provided.

**HF2130—Rhodes (R)**  
**Judiciary**  
Bias offense victim civil cause of action provided, and parental liability imposed.

**HF2131—Seagren (R)**  
**Governmental Operations**  
Handicapped accessible parking space location requirements prescribed.

**HF2132—Anderson, B. (R)**  
**Education**  
Independent School District No. 877, Buffalo, authorized to begin school year before Labor Day.

**HF2133—Seagren (R)**

**Education**

Education provisions modified related to endowment earnings payment, aid adjustment, open enrollment, charter schools, transportation, alternative attendance programs, bonding, and libraries.

**HF2134—Osskopp (R)**

**Labor-Management Relations**

Teachers and public school bus drivers deemed essential employees.

**HF2135—Kelso (DFL)**

**Governmental Operations**

Teachers retirement association service credit provided for leaves of absence.

**HF2136—Brown (DFL)**

**Judiciary**

Firefighter and emergency medical personnel assault crime provided felony penalty.

**HF2137—Jennings (DFL)**

**General Legislation, Veterans Affairs & Elections**

Women veterans honorary plaque placement authorized on capitol grounds.

**HF2138—Pellow (R)**

**Local Government & Metropolitan Affairs**

Metropolitan Council abolished.

**HF2139—Luther (DFL)**

**Taxes**

Motor vehicle sales tax exemption provided for transfer of vehicles to foster children.

**HF2140—Pellow (R)**

**Transportation & Transit**

Highway Helper program abolished and prohibited.

**HF2141—Johnson, A. (DFL)**

**Environment & Natural Resources**

Motorboat operation age requirement established and exception provided.

**HF2142—Rhodes (R)**

**Labor-Management Relations**

Workers' compensation mandatory coverage requirement ownership interest provisions modified.

**HF2143—Lieder (DFL)**

**Economic Development, Infrastructure, & Regulation Finance**

Trunk highway and local bridge replacement, rehabilitation, and repair provided, and bond issuance authorized.

**HF2144—Jennings (DFL)**

**Taxes**

Property tax valuation notice mailing required 30 days prior to local board of review meetings.

**HF2145—Jennings (DFL)**

**General Legislation, Veterans Affairs & Elections**

Persian gulf war veterans honorary plaque placement authorized on capitol grounds.

**HF2146—Bettermann (R)**

**Local Government & Metropolitan Affairs**

Local government employee compensation regulated, and reporting requirements provided.

**HF2147—Wagenius (DFL)**

**Education**

Full-day kindergarten authorized and funded, first-grade preparedness program established, and money appropriated.

**HF2148—Bishop (R)**

**Judiciary**

Community criminal justice intervention development grant program established, and money appropriated.

**HF2149—Perlt (DFL)**

**Environment & Natural Resources**

Pollution Control Agency board membership to include a representative of organized labor.

**HF2150—Holsten (R)**

**Commerce, Tourism & Consumer Affairs**

Stillwater authorized to issue an on-sale intoxicating liquor license.

**HF2151—Girard (R)**

**Labor-Management Relations**

Prevailing wage payment requirements eliminated related to public employment contracts.

**HF2152—Lieder (DFL)**

**Transportation & Transit**

Highway service sign program provisions modified, county state-aid highway funding provisions modified, and traffic regulations modified related to turns at intersections with red arrows

**HF2153—Delmont (DFL)**

**Education**

Education record transmission from nonpublic schools provided.

**HF2154—Delmont (DFL)**

**Housing**

Manufactured home park owner land possession recovery provisions modified.

**HF2155—Macklin (R)**

**Judiciary**

Registered property application and record conditions provided, probate and trust provisions modified, and curative provisions applied.

**HF2156—Johnson, A. (DFL)**

**Education**

Education bill providing clarification of education finance and school transportation statutes, and revenue calculation, and technical college and school district relationship provisions repealed.

**HF2157—Orfield (DFL)**

**Housing**

Comprehensive choice housing system provided in the metropolitan area.

**HF2158—Sykora (R)**

**Health & Human Services**

Foster care payment and placement provisions clarified, and adoption assistance provisions modified.

**HF2159—Bettermann (R)**

**Judiciary**

Attorney fees and damage awards limited related to harassment claims against the state.

**HF2160—Bertram (DFL)**

**Judiciary**

Nonprofit firefighting corporations provided municipal tort claim protection.

**HF2161—Skoglund (DFL)**

**Judiciary**

Sentencing Guidelines Commission duties clarified.

**HF2162—Davids (R)**

**Local Government & Metropolitan Affairs**

Local government employee salary limit provisions modified.

**HF2163—Cooper (DFL)**

**Transportation & Transit**

Motor carrier driver medical waiver provisions modified, and electronic filing of financial responsibility forms authorized.

**HF2164—Clark (DFL)**

**Transportation & Transit**

Special transportation services coordination task force established.

**HF2165—Murphy (DFL)**

**Judiciary**

Term employee defined for workers' compensation purposes.

**HF2166—Girard (R)**

**Environment & Natural Resources**

Wetland protection and management provisions modified.

**HF2167—Johnson, V. (R)**

**Environment & Natural Resources**

State boundary line correction provisions modified, trust land sale provisions modified, natural resources commissioner authorized to pay

certain real estate taxes and transfer improvements on state-owned land, and money appropriated.

**HF2168—Knight (R)**  
**Governmental Operations**

Public pension coverage exclusion provided for certain local government associations.

**HF2169—Koppendrayner (R)**  
**Education**

Graduation rule adoption process clarified.

**HF2170—Koppendrayner (R)**  
**Education**

Education board eliminated, state education advisory council established, and duties transferred.

**HF2171—Ozment (R)**  
**Environment & Natural Resources**

Pollution Control Agency board and commissioner powers clarified.

**HF2172—Peterson (DFL)**  
**Education**

Learning year program pupil units established.

**HF2173—Greiling (DFL)**  
**Judiciary**

Child support obligor to file for termination of child support order when granted child custody, and court notification required.

**HF2174—Bettermann (R)**  
**Education**

Education investment fund established, and income tax incentives provided for education savings.

**HF2175—Bettermann (R)**  
**Education**

Minnesota school-to-work student organization act adopted, and money appropriated.

**HF2176—Brown (DFL)**  
**Governmental Operations**

Horse racing card club operation authorized.

**HF2177—Bradley (R)**  
**Health & Human Services**

Health care medical aid program consolidation provided.

**HF2178—Bishop (R)**  
**Transportation & Transit**

Speed limits raised, fines provided for certain speeding violations, and lane use provisions specified.

**HF2179—Rostberg (R)**  
**Taxes**

Property tax valuation exclusion provided for certain improvements to homestead property.

**HF2180—Rostberg (R)**  
**Taxes**

Municipal property tax abatement authorized for certain improvements made to commercial property.

**HF2181—Rostberg (R)**  
**Health & Human Services**

Vital record issuance fees modified.

**HF2182—Rostberg (R)**  
**Judiciary**

Juvenile court delinquency jurisdiction expanded to include juveniles accused of certain misdemeanor offenses.

**HF2183—Holsten (R)**  
**Environment & Natural Resources**

Deer taking permitted with certain handguns.

**HF2184—Holsten (R)**  
**Environment & Natural Resources Fin**

Stillwater flood/retaining wall project funding provided, bonds issued, and money appropriated.

**HF2185—Luther (DFL)**  
**Judiciary**

Community crime prevention block club programs appropriated money.

**HF2186—Sviggum (R)**  
**General Legislation, Veterans Affairs & Elections**

Term limits imposed on legislative and executive offices, biennial legislative sessions, unicameral legislature, and initiative and referendum provided, legislative procedures modified, and constitutional amendments proposed.

**HF2187—Van Engen (R)**  
**Health & Human Services**

Publicly funded abortion provisions restricted, and constitutional amendment proposed.

**HF2188—Workman (R)**  
**Transportation & Transit**

Motor carrier truck length and combination provisions modified.

**HF2189—Haas (R)**  
**Health & Human Services**

Minnesota managed care organization act adopted.

**HF2190—Cooper (DFL)**  
**Health & Human Services**

Health plan company regulatory reform provisions repealed.

**HF2191—Haas (R)**  
**Health & Human Services**

Human services benefits denied to persons with prior felony convictions.

**HF2192—Entenza (DFL)**  
**Education**

Assistive technology device purchase from school districts authorized for the purpose of increasing, maintaining, or improving the functional capabilities of children with disabilities.

**HF2193—Entenza (DFL)**  
**Governmental Operations**

Spanish Speaking Affairs Council name changed to council on affairs of Chicano/Latino people, and composition and powers modified.

**HF2194—Weaver (R)**  
**Environment & Natural Resources**

Environmental regulatory innovations act adopted.

**HF2195—Van Dellen (R)**  
**Health & Human Services**

MinnesotaCare, general assistance, and general assistance medical care program eligibility requirements modified.

**HF2196—Van Dellen (R)**  
**Health & Human Services**

Managed health care organization contract requirements provided.

**HF2197—Sviggum (R)**  
**Ethics**

Economic development department permitted to receive donations for economic development training.

**HF2198—Rostberg (R)**  
**Judiciary**

Theft crimes provided mandatory minimum fines.

**HF2199—Sviggum (R)**  
**Judiciary**

Controlled substance importation across state lines punishable by life imprisonment.

**HF2200—Sviggum (R)**  
**Agriculture**

Adulterated dairy products law violation penalties modified, dairy assistance program authorized, milk standards for manufacturing modified, and money appropriated.

**HF2201—Carlson, S. (R)**  
**Regulated Industries & Energy**

Tax reform act provisions repealed.

**HF2202—Sviggum (R)**  
**Governmental Operations**

Legislative commissions on planning and fiscal policy, economic status of women, health care access, and the Electric Energy Task Force abolished, and appropriations reduced.

**HF2203—Bradley (R)**  
**Health & Human Services**  
Human services medical and general assistance technical modifications provided.

**HF2204—Dawkins (DFL)**  
**Judiciary**  
Prostitution nuisance civil cause of action provided.

**HF2205—Johnson, A. (DFL)**  
**Commerce, Tourism & Consumer Affairs**  
Premium gasoline exempted from oxygenation requirement.

**HF2206—Pelowski (DFL)**  
**Education**  
Higher education mandates removed and increased accountability and performance required for funding.

**HF2207—Trimble (DFL)**  
**Environment & Natural Resources**  
Midwest Interstate Compact on Low-Level Radioactive Waste provisions modified.

**HF2208—Pellow (R)**  
**Transportation & Transit**  
Motor vehicles with salvage certificates of title inspection requirement removed.

**HF2209—Wagenius (DFL)**  
**Judiciary**  
Mediated relative care provided in certain child protection cases, child custody provisions modified, and adoption agreement provisions modified.

**HF2210—Bettermann (R)**  
**Labor-Management Relations**  
State employee discharge provided for sex offense conviction.

**HF2211—Rostberg (R)**  
**Health & Human Services**  
Human services facilities serving adults with a history of physical or sexual aggression subject to local zoning restrictions.

**HF2212—Rostberg (R)**  
**Governmental Operations**  
Deceased volunteer firefighter survivor benefits provided to family.

**HF2213—Solberg (DFL)**  
**Governmental Operations**  
Higher education labor agreements ratified and salary provisions modified.

**HF2214—Van Dellen (R)**  
**Transportation & Transit**  
Littering from motor vehicle offenses provided minimum fines, and citizen enforcement authorized.

**HF2215—Carruthers (DFL)**  
**Judiciary**  
Arrest or conviction record expungement process established.

**HF2216—Carlson, L. (DFL)**  
**Education**  
Higher education mandates removed and increased accountability and performance required for funding.

**HF2217—Anderson, R. (DFL)**  
**Health & Human Services**  
Welfare reform provided with work requirements, benefit caps, and fraud penalties.

**HF2218—Kahn (DFL)**  
**Governmental Operations**  
State agency performance report requirements modified, legislative authority required for capital improvements, leased space requirements modified, resource recovery goals increased, and collection requirements modified.

**HF2219—Trimble (DFL)**  
**Regulated Industries & Energy**  
Public Utilities Commission authorized to levy civil penalties for violations by public utilities and telecommunications companies.

**HF2220—Trimble (DFL)**  
**Regulated Industries & Energy**  
Ground voltage task force member provided immunity from a civil action.

**HF2221—Pugh (DFL)**  
**Judiciary**  
Human rights department determination deadline modified.

**HF2222—Delmont (DFL)**  
**Health & Human Services**  
Economic security department technical and administrative changes provided.

**HF2223—Leighton (DFL)**  
**Labor-Management Relations**  
Employment and training service areas established.

**HF2224—Tomassoni (DFL)**  
**Governmental Operations**  
Employee relations department technical corrections bill, civil service position selection process established, department of employee relations data practices modified, and accrued vacation leave donation to sick leave accounts allowed.

**HF2225—Tunheim (DFL)**  
**Education**  
Disabled children provided assistive technology assessments.

**HF2226—Trimble (DFL)**  
**Regulated Industries & Energy**  
Electric utilities required to disclose the components of their resource portfolios to their retail customers.

**HF2227—Trimble (DFL)**  
**Environment & Natural Resources**  
Natural and scenic area acquisition grant limits modified.

**HF2228—Boudreau (R)**  
**Governmental Operations**  
Public officials required to be physically present to vote.

**HF2229—Cooper (DFL)**  
**Governmental Operations**  
Minnesota emergency management act of 1996 adopted modifying the civil defense act.

**HF2230—Jennings (DFL)**  
**Commerce, Tourism & Consumer Affairs**  
Midgrade gasoline defined.

**HF2231—Orfield (DFL)**  
**Environment & Natural Resources**  
Statewide comprehensive land use planning coordination provided, and money appropriated.

**HF2232—Orfield (DFL)**  
**General Legislation, Veterans Affairs & Elections**  
Metropolitan Council made an elective body and provided public campaign financing, and penalties provided.

**HF2233—Entenza (DFL)**  
**Commerce, Tourism & Consumer Affairs**  
Commerce commissioner enforcement authority modified, and cosmetology salon and school inspections, data disclosure, residential building contractors, and abstractor bond requirements regulated, and securities registrations regulated.

**HF2234—Orfield (DFL)**  
**Taxes**  
Homestead property value included in the areawide tax base.

**HF2235—Van Engen (R)**  
**Health & Human Services**  
Abortion informed consent required and civil cause of action provided.

**HF2236—Entenza (DFL)**  
**Commerce, Tourism & Consumer Affairs**  
Commerce commissioner enforcement powers regulated.

**HF2237—Clark (DFL)**  
**Health & Human Services**  
Medical Assistance nursing facility rate reduction exception established for a certain facility.

**HF2238—Rostberg (R)**  
**Governmental Operations**  
Legislature reduced in size to 50 senators and 100 representatives.

**HF2239—Boudreau (R)**  
**Local Government & Metropolitan Affairs**  
Morristown allowed to maintain and pay for certain electrical power outside of the city.

**HF2240—Wejman (DFL)**  
**Health & Human Services**  
Kinship caregiver support program established, report required, and money appropriated.

**HF2241—Wejman (DFL)**  
**Health & Human Services**  
Kinship caregiver support program established, and report required.

**HF2242—Wejman (DFL)**  
**Housing**  
Mortgagee authorized to provide a resident caretaker for a premises.

**HF2243—Ozment (R)**  
**Environment & Natural Resources**  
Animal lots bound by local zoning authorities.

**HF2244—Bettermann (R)**  
**Rules & Legislative Administration**  
Unclassified legislative employees provided salary limits.

**HF2245—Greenfield (DFL)**  
**Housing**  
Housing with services for persons 55 years of age or older provided registration requirement.

**HF2246—Winter (DFL)**  
**Education**  
Independent School District No. 918, Chandler-Lake Wilson, aid and levy adjustment modified.

**HF2247—Pugh (DFL)**  
**Judiciary**  
Human services department lien and claims procedures provided.

**HF2248—Wejman (DFL)**  
**Health & Human Services**  
Human services program licensure provisions modified.

**HF2249—Stanek (R)**  
**Judiciary**  
Fleeing a peace officer in a motor vehicle provided driver's license suspension penalty.

**HF2250—Swenson, D. (R)**  
**Transportation & Transit**  
Automobile theft prevention program established, advisory council created, and funding provided.

**HF2251—Stanek (R)**  
**Education**  
After-school enrichment programs established, grants provided, and money appropriated.

**HF2252—Stanek (R)**  
**Taxes**  
Special homestead classification for the disabled eligibility expanded.

**HF2253—Bettermann (R)**  
**Health & Human Services**  
Chiropractor examiner board membership requirements modified.

**HF2254—Stanek (R)**  
**Judiciary**  
Public safety commissioner required to develop grant programs to fund law enforcement and community crime prevention initiatives.

**HF2255—Stanek (R)**  
**Judiciary**  
Aiding an offender to escape crime inapplicability provision repealed.

**HF2256—Warkentin (R)**  
**International Trade & Economic Development**  
Trade and economic development department bill, tourism director classification modified, business finance program provisions modified, and main street program and rural development board abolished.

**HF2257—Clark (DFL)**  
**Health & Human Services**  
Lead abatement related unfunded mandates removed.

**HF2258—Molnau (R)**  
**Transportation & Transit**  
Vietnam veteran special motorcycle license plate issuance authorized.

**HF2259—Wagenius (DFL)**  
**Environment & Natural Resources**  
Waste Management Act provisions modified.

**HF2260—Ozment (R)**  
**Environment & Natural Resources**  
Human waste discharge into surface waters prohibited.

**HF2261—Ozment (R)**  
**Environment & Natural Resources**  
Antifreeze in wastewater treatment systems prohibition exception provided.

**HF2262—Dempsey (R)**  
**Transportation & Transit**  
Transportation bill providing land acquisition, metropolitan transit policies, highway speed limits, motor carrier regulation, and money appropriated.

**HF2263—Winter (DFL)**  
**Taxes**  
State and local fiscal system study authorized, and money appropriated.

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**HF2264—Peterson (DFL)**  
**Environment & Natural Resources**  
State park additions and deletions provided.

**HF2265—Kinkel (DFL)**  
**Education**  
Extracurricular school activity option provided for non-attending students.

**HF2266—Leppik (R)**  
**Commerce, Tourism & Consumer Affairs**  
Payroll service companies regulated.

**HF2267—Carruthers (DFL)**  
**Transportation & Transit**  
Metropolitan Council right-of-way acquisition loan fund uses modified.

**HF2268—Dawkins (DFL)**  
**Housing**  
Community housing rehabilitation and affordable rental investment programs provided, local project approval required, homeless assistance provided, bonds issued, and money appropriated.

**HF2269—Broecker (R)**  
**Education**  
Assurance of mastery program instruction areas modified.

**HF2270—Broecker (R)**  
**Financial Institutions & Insurance**  
Insurance assigned claim plan participation standards modified.

**HF2271—Mulder (R)**  
**Environment & Natural Resources**  
Gas-fired waste combustor operation authorized and installation date provisions modified.

**HF2272—Dauner (DFL)**  
**Governmental Operations**  
Teacher retirement association reemployed annuitant granted earnings limitation exemption.

**HF2273—Goodno (R)**  
**Governmental Operations**  
Gambling control board bingo rule provisions modified.

**HF2274—Davids (R)**  
**Financial Institutions & Insurance**  
Property-casualty insurance agent termination prohibited due to low premium volume of business.

**HF2275—McCollum (DFL)**  
**General Legislation, Veterans Affairs & Elections**  
Fair campaign practices act violation provisions and candidate requirements modified.

**HF2276—McCollum (DFL)**  
**Environment & Natural Resources**  
Water and soil resources board authority modified related to acceptance and administration of grants, gifts, and donations.

**HF2277—Kinkel (DFL)**  
**Education**  
Independent School District No. 309, Park Rapids, referendum revenue subtraction adjustment provided.

**HF2278—Kinkel (DFL)**  
**Education**  
State College and University Board of Trustees composition modified and responsibilities specified.

**HF2279—Kalis (DFL)**  
**Education**  
Independent School District Nos. 219, Elmore, and 837, Medelia, revenue restoration provided.

**HF2280—McCollum (DFL)**  
**General Legislation, Veterans Affairs & Elections**  
Veterans Homes Board of directors duties eliminated.

**HF2281—Munger (DFL)**  
**Regulated Industries & Energy**  
Electric energy policy task force report due date modified.

**HF2282—Winter (DFL)**  
**Environment & Natural Resources**  
Reinvest in Minnesota (RIM) resources program provisions modified.

**HF2283—Osskopp (R)**  
**International Trade & Economic Development**  
Local economic development authority powers and local conflict of interest provisions modified.

**HF2284—Johnson, A. (DFL)**  
**Judiciary**  
Child support and maintenance overpayment reductions regulated.

**HF2285—Garcia (DFL)**  
**Local Government & Metropolitan Affairs**  
Metropolitan Airports Commission noise mitigation spending requirements clarified and extended.

**HF2286—Koppendrayner (R)**  
**Governmental Operations**  
Casino operation by certain counties authorized, permitted gambling games specified, and penalties provided.

**HF2287—Koppendrayner (R)**  
**Governmental Operations**  
Indian gaming regulatory act compact expiration date provided.

**HF2288—Cooper (DFL)**  
**Health & Human Services**  
Community-based services for persons with mental retardation contractual alternative payment demonstration project provided.

**HF2289—Hackbarth (R)**  
**Transportation & Transit**  
Municipalities allowed to set speed limits on streets and roads without regard to building density.

**HF2290—Jennings (DFL)**  
**Education**  
Independent School District No. 2144, Chisago Lakes, fund transfer authorized.

**HF2291—Marko (DFL)**  
**Taxes**  
Tax increment financing district agricultural or open land limitations modified.

**HF2292—Schumacher (DFL)**  
**Transportation & Transit**  
State patrol authorized to operate white patrol vehicles.

**HF2293—Larsen (R)**  
**Education**  
Education referendum allowance reduction discontinued.

**HF2294—Opatz (DFL)**  
**International Trade & Economic Development**  
Minnesota Business Finance Inc. asset and liability transfer authorized, and money appropriated.

**HF2295—Wagenius (DFL)**  
**Environment & Natural Resources**  
Pollution Control Agency operating budget reduction provided for failing to meet pollution reduction goals.

**HF2296—Kraus (R)**  
**Governmental Operations**  
Compensation council membership requirements modified.

**HF2297—Seagren (R)**  
**Education**  
Parent educator license issuance provided.

**HF2298—Marko (DFL)**  
**Ways & Means**  
Independent School District No. 2134, United South Central, election law waiver granted, and government innovation and cooperation board exemption effective period extended.

**HF2299—Rukavina (DFL)**  
**Taxes**  
Taconite tax relief area commercial-industrial property increased assessment allocation provided.

**HF2300—Winter (DFL)**  
**Agriculture**  
Corporate farm ownership limitations modified for limited liability companies, pension or investment funds, and limited partnerships.

**HF2301—Jefferson (DFL)**  
**Commerce, Tourism & Consumer Affairs**  
Cosmetology school internships authorized.

**HF2302—Marko (DFL)**  
**Environment & Natural Resources**  
Game and fish license sales subagent application requirements modified.

**HF2303—Greenfield (DFL)**  
**Health & Human Services**  
Human services and health care provider criminal background check provisions reconciled.

**HF2304—Onnen (R)**  
**Health & Human Services**  
Health insurance benefit minimum copayment required.

**HF2305—Stanek (R)**  
**Transportation & Transit**  
Driver's license applicant proof of identity required.

**HF2306—Cooper (DFL)**  
**Health & Human Services**  
Ambulance service licensing procedures modified.

**HF2307—Wolf (R)**  
**Commerce, Tourism & Consumer Affairs**  
Precious metal retail sales information disclosure required, and definitions provided.

**HF2308—Perlt (DFL)**  
**Governmental Operations**  
State employee combined charitable campaign participation condition provided.

- HF2309—Cooper (DFL)**  
**Health & Human Services**  
 Emergency medical service regulatory board deemed a health related licensing board.
- HF2310—Cooper (DFL)**  
**Health & Human Services**  
 Emergency medical services regulatory board membership increased.
- HF2311—Carruthers (DFL)**  
**Economic Development, Infrastructure, & Regulation Finance**  
 Brooklyn Center; Brookdale area water ponding project improvements provided, bonds issued, and money appropriated.
- HF2312—Cooper (DFL)**  
**Health & Human Services**  
 MinnesotaCare program eligibility expanded.
- HF2313—Kalis (DFL)**  
**Transportation & Transit**  
 Trunk Highway No. 22 between Mankato and Mapleton designated as Victory Drive.
- HF2314—Leppik (R)**  
**Health & Human Services**  
 Physicians allowed to prescribe and administer controlled substances in cases of intractable pain.
- HF2315—Macklin (R)**  
**Judiciary**  
 Marriage dissolution document acknowledgment requirement eliminated.
- HF2316—Dorn (DFL)**  
**Governmental Operations**  
 Lottery retailers permitted to sell tickets at multiple locations, and bond posting requirement eliminated.
- HF2317—Skoglund (DFL)**  
**Environment & Natural Resources Finance**  
 Metropolitan Council regional park acquisition and betterment provided, bonds issued, and money appropriated.
- HF2318—Dorn (DFL)**  
**Governmental Operations**  
 Lawful gambling expenditure and report provisions modified, enforcement powers provided, and compensation restrictions modified.
- HF2319—Perlt (DFL)**  
**Labor-Management Relations**  
 Re-employment insurance technical and administrative provisions modified.
- HF2320—Kalis (DFL)**  
**Governmental Operations**  
 Cambridge State Bank; payment provided for judgement against the state, and money appropriated.
- HF2321—Orenstein (DFL)**  
**Local Government & Metropolitan Affairs**  
 Minneapolis-St. Paul International Airport free parking privileges prohibited.
- HF2322—Mariani (DFL)**  
**Transportation & Transit**  
 Transportation Regulation Board authorized to issue charter carrier permits for operation within a single city.
- HF2323—Kelley (DFL)**  
**Taxes**  
 Cooperative property used for residential nonhomestead or seasonal residential recreational purposes allowed separate assessment and valuation.
- HF2324—Entenza (DFL)**  
**Judiciary**  
 Child support and maintenance provided by civil contempt, and procedures and enforcement mechanisms provided.
- HF2325—Pawlenty (R)**  
**Judiciary**  
 Repeat domestic assault crime provided mandatory minimum penalty.
- HF2326—Pawlenty (R)**  
**Judiciary**  
 Peace officer child photography authorized circumstances modified.
- HF2327—Brown (DFL)**  
**Taxes**  
 Morris tax increment financing provision corrected.
- HF2328—McCollum (DFL)**  
**General Legislation, Veterans Affairs & Elections**  
 Armory Building Commission fund use for construction authorized, and membership appointment and armory siting provisions modified.
- HF2329—Carruthers (DFL)**  
**Health & Human Services**  
 Public assistance benefit electronic transfer prohibited at terminals in gambling establishments.
- HF2330—Opatz (DFL)**  
**Local Government & Metropolitan Affairs**  
 St. Cloud area planning organization to assess and report on regional land use planning.
- HF2331—Murphy (DFL)**  
**Taxes**  
 Hermantown local sales tax imposed.
- HF2332—Trimble (DFL)**  
**Environment & Natural Resources**  
 Public waters work permit requirements modified.
- HF2333—Knight (R)**  
**Governmental Operations**  
 Public pension plans subject to requirements of the Federal Employee Retirement Income Security Act.
- HF2334—Worke (R)**  
**Transportation & Transit**  
 Single license plate issuance and display required on motor vehicles.
- HF2335—Knoblach (R)**  
**Environment & Natural Resources Finance**  
 Stearns County; Quarry county park development and improvement authorized, and money appropriated.
- HF2336—Cooper (DFL)**  
**Regulated Industries & Energy**  
 Willmar authorized to enter into a joint venture with the Kandiyohi cooperative electric power association for the provision of electric power.
- HF2337—McGuire (DFL)**  
**Judiciary**  
 Health record access provisions modified.
- HF2338—Lourey (DFL)**  
**Education**  
 Sandstone Elementary School renovated for use as a multiagency family services resource and learning center, and money appropriated.
- HF2339—Lourey (DFL)**  
**Health & Human Services**  
 Senior Nutrition Fund use flexibility provided to area aging agencies, and money appropriated.
- HF2340—Lourey (DFL)**  
**Health & Human Services**  
 Speech-language pathologists and audiologists required to register with the Health Department, and penalties provided.
- HF2341—Tunheim (DFL)**  
**Environment & Natural Resources Finance**  
 Lake Bronson State Park Interpretive Center construction authorized, bonds issued, and money appropriated.
- HF2342—Tunheim (DFL)**  
**General Legislation, Veterans Affairs & Elections**  
 Voters allowed to vote for candidates of more than one political party in the state partisan primary election.
- HF2343—Van Engen (R)**  
**Environment & Natural Resources**  
 Kandiyohi County; Prairie Woods environmental learning center construction authorized, bonds issued, and money appropriated.

**HF2344—Long (DFL)**  
**Financial Institutions & Insurance**  
Life and health insurance coverage underwriting regulated for victims of domestic abuse.

**HF2345—Johnson, A. (DFL)**  
**Education**  
Education funding stabilization account established, and education appropriation caps removed.

**HF2346—Johnson, A. (DFL)**  
**Education**  
Referendum allowance reduction provisions modified.

**HF2347—Peterson (DFL)**  
**Education**  
Independent School District No. 129, Montevideo, adult farm management program grant provided, and money appropriated.

**HF2348—Osskopp (R)**  
**Environment & Natural Resources Finance**  
Goodhue Pioneer Trail land acquisition and construction authorized, bonds issued, and money appropriated.

**HF2349—Tunheim (DFL)**  
**Transportation & Transit**  
Speed limits raised on highways, speed violation penalty provisions modified, and speed limits designated for fuel conservation purposes.

**HF2350—Ness (R)**  
**Commerce, Tourism & Consumer Affairs**  
Administrative rule periodic repeal provided.

**HF2351—Kahn (DFL)**  
**Environment & Natural Resources**  
Mississippi River project permit issuance restrictions provided.

**HF2352—Peterson (DFL)**  
**Economic Development, Infrastructure, & Regulation Finance**  
Montevideo; Milwaukee Road train depot restoration provided, bonds issued, and money appropriated.

**HF2353—Cooper (DFL)**  
**Education**  
Independent School District Nos. 631, Belview, 648, Danube, 654, Renville, and 655, Sacred Heart, enhanced pairing agreement modified.

**HF2354—Tomassoni (DFL)**  
**Taxes**  
Senior citizen's property tax deferral program established.

**HF2355—Long (DFL)**  
**Local Government & Metropolitan Affairs**  
Municipalities authorized to determine if property taxes are paid on a parcel of land prior to issuance of permits.

**HF2356—Cooper (DFL)**  
**Agriculture**  
Food sales licensing requirement exemption provided.

**HF2357—Dawkins (DFL)**  
**Judiciary**  
Child visitation order specificity required, visitation dispute resolution programs established, penalties imposed, and money appropriated.

**HF2358—Dawkins (DFL)**  
**Transportation & Transit**  
Peace Corps and VISTA volunteer special license plate issuance authorized and fee disposition provided.

**HF2359—Dawkins (DFL)**  
**Judiciary**  
Medical malpractice action limitations provisions modified.

**HF2360—Skoglund (DFL)**  
**Judiciary**  
Intensive juvenile monitoring pilot program established, juvenile supervision by college students provided, and money appropriated.

**HF2361—Kalis (DFL)**  
**Housing**  
Rental security deposit interest rate maintained at four percent.

**HF2362—Solberg (DFL)**  
**Economic Development, Infrastructure, & Regulation Finance**  
Housing Finance Agency appropriated money for publicly owned housing grants, and bonds issued.

**HF2363—Skoglund (DFL)**  
**Judiciary**  
Criminal justice agencies defined, adult and juvenile criminal history data sharing authorized, juvenile court data transmission required, and Bureau of Criminal Apprehension to administer computerized juvenile criminal record system.

**HF2364—Kalis (DFL)**  
**Transportation & Transit**  
Auction sign 24-hour advance placement authorized on highway right-of-way.

**HF2365—Bakk (DFL)**  
**Environment & Natural Resources**  
Open burning restrictions and timber sales provisions modified, and penalties provided.

**HF2366—Pawlenty (R)**  
**Health & Human Services**  
Jobs opportunity program established for the purpose of employing public assistance recipients.

**HF2367—Knight (R)**  
**Governmental Operations**  
State Board of Investment members and staff investment decision restrictions provided.

**HF2368—Jefferson (DFL)**  
**Health & Human Services**  
Child health and welfare hold procedures modified, shelter care agency responsibilities clarified, adoption waiting period imposed, and advocate participation authorized.

**HF2369—Osthoff (DFL)**  
**Financial Institutions & Insurance**  
Financial institution consumer credit regulation and technical corrections provided.

**HF2370—Jefferson (DFL)**  
**Judiciary**  
Hennepin County board authorized to appoint an employee of the county humane society as a peace officer.

**HF2371—Jefferson (DFL)**  
**Judiciary**  
Martin Luther King nonviolent institutional child development pilot project established, and money appropriated.

**HF2372—Leppik (R)**  
**Judiciary**  
Parental right termination grounds modified.

**HF2373—Jaros (DFL)**  
**Housing**  
Duluth housing replacement districts established.

**HF2374—Gunther (R)**  
**Environment & Natural Resources**  
Watowan River designated as a canoe and boating river.

**HF2375—Rest (DFL)**  
**Local Government & Metropolitan Affairs**  
Municipalities required to show need for local public improvements, and report fee limitation imposed.

**HF2376—Milbert (DFL)**  
**Judiciary**  
Family group conferencing pilot project established in the First Judicial District, and money appropriated.

**HF2377—Delmont (DFL)**  
**Ways & Means**  
Obsolete laws repealed.

**HF2378—Osthoff (DFL)**  
**Financial Institutions & Insurance**  
Omnibus insurance regulation bill.

**HF2379—Jennings (DFL)**  
**Environment & Natural Resources**  
Ecologically harmful exotic plant and animal control and management provisions modified.

**HF2380—Tunheim (DFL)**  
**Transportation & Transit**  
Motorcycle safety fund administration and instruction requirements specified.

**HF2381—Rukavina (DFL)**  
**Environment & Natural Resources Finance**  
Mesabi trail system completion authorized, bonds issued, and money appropriated.

**HF2382—Garcia (DFL)**  
**Taxes**  
Valuation deferral provided for certain improvements to homestead property.

**HF2383—Wenzel (DFL)**  
**Taxes**  
Little Falls authorized to impose a tax on the gross receipts from certain food sales.

**HF2384—Rukavina (DFL)**  
**Regulated Industries & Energy**  
Telecommunications carrier toll charges prohibited for calls made within the same area code.

**HF2385—Carruthers (DFL)**  
**Judiciary**  
Alternative dispute resolution evidentiary privilege established.

**HF2386—McGuire (DFL)**  
**Judiciary**  
Criminal justice agency defined, and detention information system access provisions modified.

**HF2387—Osthoff (DFL)**  
**Transportation & Transit**  
Driver's license application acceptance agent approval required.

**HF2388—Rukavina (DFL)**  
**Labor-Management Relations**  
Employer wage payment requirements modified.

**HF2389—Huntley (DFL)**  
**Health & Human Services**  
Health plan companies required to offer at least one point-of-service product in each market of operation.

**HF2390—Van Engen (R)**  
**Judiciary**  
DWI; prior driving while intoxicated violations involving snowmobiles, all-terrain vehicles, and

motorboats included as prior offenses for purposes of license revocation for a driving while intoxicated offense involving a motor vehicle.

**HF2391—Jennings (DFL)**  
**Commerce, Tourism & Consumer Affairs**  
Petroleum tank release cleanup reimbursement regulated, and commerce commissioner enforcement authority provided.

**HF2392—Finseth (R)**  
**Commerce, Tourism & Consumer Affairs**  
Thief River Falls on-sale intoxicating liquor license provisions repealed.

**HF2393—Ness (R)**  
**Environment & Natural Resources**  
Environmental regulatory innovations act adopted.

**HF2394—Tomassoni (DFL)**  
**Financial Institutions & Insurance**  
Prostate cancer periodic screening health insurance coverage required.

**HF2395—Entenza (DFL)**  
**Commerce, Tourism & Consumer Affairs**  
Commercial heating, ventilating, and cooling system contractor and residential mechanical contractor licensure required, and money appropriated.

**HF2396—Pugh (DFL)**  
**Health & Human Services**  
Dakota County authorized to implement an enhanced automation pilot system to educate recipients on health care options, and money appropriated.

**HF2397—Boudreau (R)**  
**Environment & Natural Resources**  
Wild animal shining restrictions modified.

**HF2398—Pugh (DFL)**  
**Judiciary**  
Marriage dissolution income withholding, visitation expeditors, maintenance, and support provisions modified.

**HF2399—Jefferson (DFL)**  
**General Legislation, Veterans Affairs & Elections**  
Dangerous dog regulation provisions modified.

**HF2400—Solberg (DFL)**  
**Governmental Operations**  
Retired public employee insurance payment provisions modified.

**HF2401—Solberg (DFL)**  
**Local Government & Metropolitan Affairs**  
Itasca County exempted from bidding requirements related to the sale of Itasca County Medical Center.

**HF2402—Osthoff (DFL)**  
**Transportation & Transit**  
Motor vehicle registration tax exemption abolished for representatives of foreign powers, special license plate issuance authorized, disability license plate restrictions removed, fleet registration provisions modified, technical changes.

**HF2403—Kelso (DFL)**  
**Taxes**  
Scott County facility admissions tax repealed.

**HF2404—Swenson, D. (R)**  
**Judiciary**  
Crime of violence designation to include drive-by shootings.

**HF2405—Swenson, D. (R)**  
**Judiciary**  
DWI; driving while intoxicated consecutive sentencing provisions clarified.

**HF2406—Swenson, D. (R)**  
**Judiciary**  
DWI; underage drinking offense provisions modified.

**HF2407—Leppik (R)**  
**Judiciary**  
Child protection open hearing guidelines established by the state court administrator.

**HF2408—McGuire (DFL)**  
**Transportation & Transit**  
Automobile theft prevention program established, and money appropriated.

**HF2409—McGuire (DFL)**  
**Judiciary**  
Victims of violence state goals established.

**HF2410—Hasskamp (DFL)**  
**Transportation & Transit**  
Trunk Highway No. 10 near Elk River designated as POW/MIA Memorial Highway, Trunk Highway No. 115 designated as Veterans Memorial Highway, and a portion of Old County Road 21 designated as John Riley Memorial Drive.

**HF2411—Johnson, V. (R)**  
**Environment & Natural Resources**  
Trespassing on private land for outdoor recreation prohibited.

**HF2412—Huntley (DFL)**  
**Health & Human Services**  
City hospital appropriated money for remodeling, and bonds issued.

**HF2413—Jennings (DFL)**  
**Local Government & Metropolitan Affairs**  
Cemetery account and record examination provisions clarified.

**HF2414—Rest (DFL)**  
**Local Government & Metropolitan Affairs**  
County commissioners removed from municipal boards.

**HF2415—Rest (DFL)**  
**Housing**  
Municipal single-family housing bonding authority procedures modified.

**HF2416—Entenza (DFL)**  
**Financial Institutions & Insurance**  
No-fault automobile insurance benefit calculation provisions modified.

**HF2417—Jefferson (DFL)**  
**Governmental Operations**  
Police and fire amortization aid reallocated to the Minneapolis and St. Paul teachers retirement association funds, and benefit computation provisions modified.

**HF2418—Anderson, R. (DFL)**  
**Health & Human Services**  
Welfare reform bill providing overpayment recovery, family investment plan modifications, employment and training services modifications, and GAMC eligibility modifications.

**HF2419—Brown (DFL)**  
**Regulated Industries & Energy**  
Biomass fuel energy generation mandate provisions clarified.

**HF2420—Huntley (DFL)**  
**Local Government & Metropolitan Affairs**  
Duluth sanitary sewer system inflow and infiltration prevention program authorized.

**HF2421—Opatz (DFL)**  
**Local Government & Metropolitan Affairs**  
Government innovation and cooperation board purchase of development rights pilot program established, and money appropriated.

**HF2422—Johnson, V. (R)**  
**Commerce, Tourism & Consumer Affairs**  
Firefighters exempted from certain requirements related to employment as fireworks operators.

**HF2423—Van Dellen (R)**  
**Ways & Means**  
Local government mandate costs shared by the state, and constitutional amendment proposed.

**HF2424—Huntley (DFL)**  
**Local Government & Metropolitan Affairs**  
Duluth special service districts established.

**HF2425—Carruthers (DFL)**  
**General Legislation, Veterans Affairs & Elections**  
Statutory city elected office vacancy procedures established.

**HF2426—Greiling (DFL)**  
**General Legislation, Veterans Affairs & Elections**  
Ethical practices board fair campaign practices provisions modified.

**HF2427—Tunheim (DFL)**  
**Transportation & Transit**  
Safety cable use authorized on trailers and semi-trailers.

**HF2428—Bakk (DFL)**  
**Labor-Management Relations**  
Occupational safety and health exemptions eliminated.

**HF2429—Perlt (DFL)**  
**Commerce, Tourism & Consumer Affairs**  
Sprinkler system maintenance permitted by licensed plumbers.

Twenty-two years after the U.S. Congress forced American motorists to ease up on their accelerators, Minnesota is one of a number of states this year that will discuss whether to dump the 55 mph speed limit.

Rep. Dave Bishop (R-Rochester) has introduced legislation this session (HF2178) that he says will more realistically reflect the driving habits, and the speed, of most Minnesota drivers. Last week, a state task force recommended raising speed limits in the state in a proposal that was similar to the Bishop plan.

The proposal comes in the wake of the federal government's lifting of the 55 mph cap. States now are free to set their own speed limits, and some already have approved faster speeds. (Among them: Montana, which has dumped speed limits entirely in some rural sections, earning those roads the nickname "Montanabahn.")

Among the provisions of Bishop's legislation:

- Speed limits on rural interstate highways, now at 65 mph, would increase to 70 mph.
- Speed limits on urban interstates, now at 55 mph, would increase to 65 mph.
- On four-lane divided state and county

## Do you know?

highways, speed limits would jump from 55 mph to 65 mph.

- Speed limits on two-lane state highways, now at 55 mph, would increase to 65 mph during the day and 60 mph at night. Drivers on two-lane highways, where the most traffic accidents occur, also would be required to turn on their headlights at all times, day and night.

Bishop also is proposing higher fines for speeding: The minimum fine for violations in excess of 15 mph over the limit would increase to \$100, with a maximum of \$200.

At least two other proposals, **HF2088**



Will the 55 mph speed limit be lifted? There's legislation to do so and a state task force has called for higher limits.

sponsored by Rep. Ted Winter (DFL-Fulda), and **HF2262**, sponsored by Rep. Don Frerichs (R-Rochester), also have been introduced.

The national 55 mph speed limit was enacted during the Arab oil embargo of the early 1970s in an effort to conserve fuel. It became effective on all major highway systems nationwide by March 1974.

As a result, according to a 1984 study by the National Research Council, total U.S. travel declined in 1974 for the first time since 1946.

The study also found that 9,100 fewer people died in U.S. motor vehicle accidents in 1974. Gradually, as the fuel shortage receded, safety became the principal reason to retain the 55 mph limit.

Even though most drivers obediently slowed down when the national limit first went into effect, they gradually increased their speed over the next decade: The average speed on rural interstates climbed from 57.6 mph in 1974 to 59.1 mph in 1983, still far below the 1973 average of 65 mph.

The limit also was found to save energy. In 1984, 167,000 barrels of petroleum per day were saved because of reduced speeds.

# Committee Schedule

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

## MONDAY, Jan. 22

8 a.m.

### Health & Human Services Finance Division/ HEALTH & HUMAN SERVICES

10 State Office Building  
Chr. Rep. Lee Greenfield

**Agenda:** Continuation of Jan. 17th agenda regarding update of 1995 Legislative Session implementation of welfare. TEFRA. Alternate payment system for nursing facilities.

### K-12 Education Finance Division/ EDUCATION

5 State Office Building  
Chr. Rep. Alice Johnson

**Agenda:** HF2156 (Johnson, A.) Department of Children technical bill.

HF2133 (Seagren) Department of Children policy bill.

### Legislative Commission on Pensions & Retirement

15 State Capitol  
Chr. Rep. Richard Jefferson

**Agenda:** Consideration of proposed principles of pension policy. Other business.

### University of Minnesota Finance Division/ EDUCATION

300S State Office Building  
Chr. Rep. Becky Kelso

**Agenda:** To be announced.

8:30 a.m.

### ENVIRONMENT & NATURAL RESOURCES FINANCE

Basement Hearing Room  
State Office Building  
Chr. Rep. Chuck Brown

**Agenda:** Capital budget presentation, Minnesota Department of Agriculture; Lake Superior Center; Science Museum of Minnesota.

10 a.m.

### AGRICULTURE

200 State Office Building  
Chr. Rep. Steve Wenzel

**Agenda:** General overview of departmental initiatives, Gene Hugoson, commissioner, Minnesota Department of Agriculture. Update on manure lagoon and feed lot policy in Minnesota, Dave Nelson, Feed Lot Division, Minnesota Pollution Control Agency.

### JUDICIARY

Basement Hearing Room  
State Office Building

Chr. Rep. Wes Skoglund

**Agenda:** HF2161 (Skoglund) Clarifying the duty of the Sentencing Guidelines Commission.

HF2000 (Luther) Authorizing a parent to name a designated parent.

HF2034 (Luther) Increasing the penalty for intentionally discharging a firearm under dangerous circumstances.

HF2215 (Carruthers) Expungement of criminal records.

HF2155 (Macklin) Real property.

Other bills to be announced.

### REGULATED INDUSTRIES & ENERGY

10 State Office Building  
Chr. Rep. Steve Trimble

**Agenda:** Department of Public Service Report on universal service. Minnesota Public Utilities Commission and Minnesota Department of Public Service Agency reorganization report. Review of Public Service Department interim activities relating to electric industry restructuring. Review of PUC interim activities.

HFXXXX (Kelley) Telecommunications.

HFXXXX (Munger) Extending deadline for Electric Energy Task Force report.

### State Government Finance Division/ GOVERNMENTAL OPERATIONS

400S State Office Building  
Chr. Rep. Tom Rukavina

**Agenda:** Statewide Systems Project. Minnesota Assist review.

12:30 p.m.

### GENERAL LEGISLATION, VETERANS AFFAIRS & ELECTIONS

300N State Office Building  
Chr. Rep. Loren Jennings

**Agenda:** SF381 (Betzold); HF185 (McCollum) Relating to military affairs; providing greater flexibility in appointment of members of the armory building commission, etc.

SF382 (Betzold); HF206 (Osthoff) Relating to military affairs; authorizing the adjutant general to assign certain retired officers to temporary active duty, etc.

SF380 (Betzold); HF208 (Osthoff) Relating to military affairs; clarifying certain powers and duties of the governor; etc.

2:30 p.m.

The House meets in Session.

4 p.m.

### Higher Education Finance Division/ EDUCATION

300S State Office Building  
Chr. Rep. Tony Kinkel

**Agenda:** To be announced.

7 p.m.

### Joint Senate JUDICIARY/House Subcommittee on Civil Law/JUDICIARY

15 State Capitol  
Chrs. Rep. Tom Pugh

Sen. Randy Kelly

**Agenda:** Reporter Shield Law review.

### TRANSPORTATION & TRANSIT

10 State Office Building  
Chr. Rep. Jim Tunheim

**Agenda:** Speed limit bills.

## TUESDAY, Jan. 23

8 a.m.

### EDUCATION

200 State Office Building  
Chr. Rep. Lyndon Carlson

**Agenda:** HF2206 (Pelowski) Higher Education Mandates Reduction bill.

### JUDICIARY FINANCE

500N State Office Building  
Chr. Rep. Mary Murphy

**Agenda:** Supreme court (legal aid). Appeals court. District court. Tax court. Board of Judicial standards. POST Board. Ombudsman for Corrections. Ombudsman for Victim Services. Private Detectives Board. Sentencing Guidelines Commission. Public defense. Public safety. Department of Corrections. Public testimony. Uncompleted agenda items will carry over to Thursday, Jan. 25, 1996. (If any representative or member of the public has an issue or initiative involving an agency listed above, he or she will be afforded time at this hearing.)

8:30 a.m.

**ENVIRONMENT & NATURAL RESOURCES FINANCE**

Basement Hearing Room  
State Office Building  
Chr. Rep. Chuck Brown

**Agenda:** Capital budget presentation, Minnesota Pollution Control Agency; Office of Environmental Assistance; Board of Water & Soil Resources.

10 a.m.

**GOVERNMENTAL OPERATIONS**

Basement Hearing Room  
State Office Building  
Chr. Rep. Phyllis Kahn

**Agenda:** Briefing on pension investment performance analysis, Mike Stolte, Asset Allocation, Inc.

**TAXES**

200 State Office Building  
Chr. Rep. Ann H. Rest

**Agenda:** HFXXXX (Wagenius) SCORE tax.

12:30 p.m.

**CAPITAL INVESTMENT**

Tour  
Chr. Rep. Henry Kalis

**Agenda:** Tour of Children's Museum downtown St. Paul. (Departure in front of the State Office Building. Approximate return 2:45 p.m.)

**COMMERCE, TOURISM & CONSUMER AFFAIRS**

10 State Office Building  
Chr. Rep. John Sarna

**Agenda:** HF1998 (Bishop) Relating to trusts; enacting the Uniform Prudent Investor Act. HF1965 (Leighton) Relating to real estate; making permanent the provision authorizing companies and agents to execute certificates of release of mortgage.

HF2150 (Holsten) Relating to liquor; authorizing the city of Stillwater to issue one additional on-sale license.

**LOCAL GOVERNMENT & METROPOLITAN AFFAIRS**

200 State Office Building  
Chr. Rep. Dee Long

**Agenda:** To be announced.

1:30 p.m.

**Health & Human Services Finance Division/ HEALTH & HUMAN SERVICES**

118 State Capitol  
Chr. Rep. Lee Greenfield

**Agenda:** Public testimony on TEFRA and PCA programs.

2:30 p.m.

**Subcommittee on Data Practices/JUDICIARY**

400S State Office Building  
Chr. Rep. Mary Jo McGuire

**Agenda:** HFXXXX (Skoglund) Law enforcement data on pawnshops. HF1907 (Mares) Limiting the designation and release of education data as directory information.

3 p.m.

**RULES & LEGISLATIVE ADMINISTRATION**

5 State Office Building  
Chr. Rep. Phil Carruthers

**Agenda:** To be announced.

6 p.m.

**EDUCATION**

200 State Office Building  
Chr. Rep. Lyndon Carlson

**Agenda:** HF2206 (Pelowski) Higher Education Mandates Reduction bill.

**WEDNESDAY, Jan. 24**

8 a.m.

**Health & Human Services Finance Division/ HEALTH & HUMAN SERVICES**

10 State Office Building  
Chr. Rep. Lee Greenfield

**Agenda:** Continuation of briefing on Department of Human Services. Capital bonding request from Department of Human Services.

**Higher Education Finance Division/ EDUCATION**

300S State Office Building  
Chr. Rep. Tony Kinkel

**Agenda:** To be announced.

**K-12 Education Finance Division/ EDUCATION**

5 State Office Building  
Chr. Rep. Alice Johnson

**Agenda:** Review governor's bonding recommendations.

8:30 a.m.

**ENVIRONMENT & NATURAL RESOURCES FINANCE**

Basement Hearing Room  
State Office Building  
Chr. Rep. Chuck Brown

**Agenda:** Capital budget presentation, Department of Natural Resources.

10 a.m.

**ENVIRONMENT & NATURAL RESOURCES**

200 State Office Building  
Chr. Rep. Willard Munger

**Agenda:** HF2112 (Bishop) Waste water treatment.

HF2149 (Perlt) PCA Board member.

HFXXXX (Jennings) Exotic species recodification.

HF2260 (Ozment) Human waste.

HF2261 (Ozment) Antifreeze.

**FINANCIAL INSTITUTIONS & INSURANCE**

10 State Office Building  
Chr. Rep. Tom Osthoff

**Agenda:** Minnesota bankers.

HF2008 (Opatz) 24-hour maternity stay.

(This bill will be heard if referred from Health & Human Services.)

**JUDICIARY**

Basement Hearing Room  
State Office Building

Chr. Rep. Wes Skoglund

**Agenda:** HF2029 (Skoglund) Sex offender registration.

HFXXXX (Skoglund) Indecent exposure.

HFXXXX (Skoglund) Juvenile monitoring pilot program.

Other bills to be announced.

**State Government Finance Division/ GOVERNMENTAL OPERATIONS**

400S State Office Building  
Chr. Rep. Tom Rukavina

**Agenda:** General budget overview. Information Policy Office mandated report. Year 2000 report.

11 a.m.

**Subcommittee on Financial Institutions/ FINANCIAL INSTITUTIONS & INSURANCE**

500S State Office Building  
Chr. Rep. Don Ostrom

**Agenda:** HFXXXX (Osthoff) Financial Institutions Department Bill.

**Subcommittee on Insurance/ FINANCIAL INSTITUTIONS & INSURANCE**

10 State Office Building  
Chr. Rep. Becky Lourey

**Agenda:** HF872 (Huntley) Long-term care insurance sales regulated, and technical modifications provided.

12:30 p.m.

**TRANSPORTATION & TRANSIT**

10 State Office Building  
Chr. Rep. Jim Tunheim

**Agenda:** I-35 Corridor Coalition. Transportation funding.

1 p.m.

**INTERNATIONAL TRADE & ECONOMIC DEVELOPMENT**

500S State Office Building  
Chr. Rep. Mike Jaros

**Agenda:** HF2256 (Warkentin) Economic development, Office of Tourism. Other bills may be added.

2:30 p.m.

**Government Efficiency & Oversight Division/WAYS & MEANS**

500S State Office Building  
Chr. Rep. Howard Orenstein

**Agenda:** Victim Services Program oversight.

**LOCAL GOVERNMENT & METROPOLITAN AFFAIRS**

200 State Office Building  
Chr. Rep. Dee Long

**Agenda:** To be announced.

4 p.m.

**University of Minnesota Finance Division/ EDUCATION**

300S State Office Building  
Chr. Rep. Becky Kelso

**Agenda:** To be announced.

**THURSDAY, Jan. 25**

8 a.m.

**JUDICIARY FINANCE**

500N State Office Building  
Chr. Rep. Mary Murphy

**Agenda:** Continuation of Jan. 23 agenda.

**Subcommittee on Higher Education Mandates/EDUCATION**

300S State Office Building  
Chr. Rep. Gene Pelowski

**Agenda:** To be announced.

**Subcommittee on Quality Initiatives/ EDUCATION**

200 State Office Building  
Chrs. Reps. David Tomassoni,  
Matt Entenza

**Agenda:** Teacher licensure issues.

8:30 a.m.

**ENVIRONMENT & NATURAL RESOURCES FINANCE**

Basement Hearing Room  
State Office Building

Chr. Rep. Chuck Brown

**Agenda:** Capital budget presentation, Department of Natural Resources.

10 a.m.

**GOVERNMENTAL OPERATIONS**

Basement Hearing Room  
State Office Building

Chr. Rep. Phyllis Kahn

**Agenda:** HF2213 (Solberg) Ratification of employment contracts.

HF140 (Kahn) State treasurer office eliminated and constitutional amendment proposed.

HF87 (Greiling) State treasurer office eliminated and constitutional amendment proposed.

HF338 (Knoblach) Office of the State Treasurer eliminated and constitutional amendment proposed.

HF1043 (McElroy) Office of the State Treasurer abolished and constitutional amendment proposed.

**TAXES**

200 State Office Building  
Chr. Rep. Ann H. Rest

**Agenda:** HF2095 (Rest) Department of Revenue technical bill.

HF2102 (Rest) Department of Revenue policy bill.

12:30 p.m.

**CAPITAL INVESTMENT**

500N State Office Building  
Chr. Rep. Henry Kalis

**Agenda:** Presentation on debt capacity and debt service, Department of Finance.

**COMMERCE, TOURISM & CONSUMER AFFAIRS**

10 State Office Building  
Chr. Rep. John Sarna

**Agenda:** HF2233 (Entenza) Relating to commerce; changing the enforcement authority to the commissioner.

HF2236 (Entenza) Relating to commerce; regulating the enforcement powers of the commissioner.

HF2391 (Jennings) PETRO fund technical corrections.

**Elections Division/ GENERAL LEGISLATION, VETERANS AFFAIRS & ELECTIONS**

300N State Office Building  
Chr. Rep. Richard Jefferson

**Agenda:** HF343 (McCollum) Recall provided for elected state officers and constitutional amendment proposed.

HF2059 (Kelley) Veterinary Practice Act provision modified.

**LOCAL GOVERNMENT & METROPOLITAN AFFAIRS**

200 State Office Building  
Chr. Rep. Dee Long

**Agenda:** To be announced.

2:30 p.m.

The House meets in Session.

After Session

**AGRICULTURE**

5 State Office Building  
Chr. Rep. Steve Wenzel

**Agenda:** To be announced.

**Government Efficiency & Oversight Division/WAYS & MEANS**

500N State Office Building  
Chr. Rep. Howard Orenstein

**Agenda:** To be announced.

**Subcommittee on DWI/JUDICIARY**

400S State Office Building  
Chr. Rep. Matt Entenza

**Agenda:** HF2056 (Skoglund) Extending the qualifying conditions of impairment for snowmobiling, motorboating, hunting, driving, and flying while intoxicated to include being under the influence of noncontrolled drugs.

Other bills to be announced.

**FRIDAY, Jan. 26**

8 a.m.

**Health & Human Services Finance Division/ HEALTH & HUMAN SERVICES**

10 State Office Building  
Chr. Rep. Lee Greenfield

**Agenda:** Continuation of Department of Human Services budget.

**Joint Higher Education Finance Division and University of Minnesota Finance Division/ EDUCATION**

Basement Hearing Room  
State Office Building

Chrs. Reps. Tony Kinkel,  
Becky Kelso

**Agenda:** To be announced.

**K-12 Education Finance Division/ EDUCATION**

5 State Office Building  
Chr. Rep. Alice Johnson

**Agenda:** To be announced.

10 a.m.

**ENVIRONMENT & NATURAL RESOURCES**

200 State Office Building  
Chr. Rep. Willard Munger  
**Agenda:** HF2207 (Trimble) Low level radioactive waste.  
HFXXXX (Peterson, D.) State parks boundaries.  
HF2243 (Ozment) Animal lots.  
More bills may be added.

**Gambling Division/  
GOVERNMENTAL OPERATIONS**

500N State Office Building  
Chr. Rep. John Dorn  
**Agenda:** Report of Advisory Council on Gambling.  
HFXXXX (Dorn) Lawful Gambling Control Board technical bill.  
HFXXXX (Dorn) Relating to the Minnesota State Lottery; concerning lottery retailer contracts and bonding requirements.

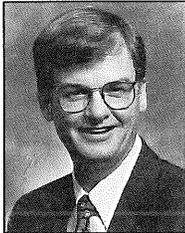
**TRANSPORTATION & TRANSIT**

10 State Office Building  
Chr. Rep. Jim Tunheim  
**Agenda:** To be announced.

**New members . . .**

**Grocer Gunther treats constituents like customers**

Customers are customers whether they're paying state taxes or for a gallon of milk in a grocery store.



**Rep. Bob Gunther**

Rep. Bob Gunther (R-Fairmont) knows that better than most.

The first term lawmaker, elected Aug. 1, 1995, in a special election, owns three grocery stores (with his brothers) and employs 130 people. He knows that

both government and businesses exist to provide a service and a product.

Should a retailer fail, customers take their business to another grocer; politicians are beholden to constituents who could vote someone else into office.

The 52-year-old wasn't prompted by one particular issue to run for the House seat in District 26A, which is the first public office he has held. Active in Republican politics since his youth, Gunther decided last summer that the timing was right: Former Rep. Gene Hugoson (R-Granada), a nine-year legislative veteran, resigned to become commissioner of the state Department of Agriculture; Gunther's only child, Betsy, was away at college; and his brothers decided they could run the stores without him during the legislative session.

Gunther describes himself as a fiscal conservative and he, like many of his constituents, would like to keep more of his income and pay fewer taxes.

"People should have more control over the dollars they send to government. . . They can spend their own money better than the government."

Gunther noted that his father paid 23 percent of his income in state, federal, and local taxes. Gunther now pays 48 percent. He is concerned that his daughter's generation will someday pay as much as 74 percent of their income in taxes.

The grocer, who also operates Fairmont's taxi service, learned the value of a dollar early.

He held his first job at Gunther's grocery store when he was five years old. He sorted refundable pop bottles for a nickel an hour.

Now as a state lawmaker, Gunther lists government reform and improving the state's business climate as his top concerns.

He believes that government should be more decentralized so that the level of government closest to the people, such as the county or city government, would have more say in how services are provided and how the state is run.

For instance, he said, who is better equipped to decide who should be eligible for MinnesotaCare — county social service agency officials who know the people involved or lawmakers in St. Paul?

Promoting jobs and creating a strong economy also are high on his list.

He doesn't favor increasing the minimum wage, believing instead that it should be dictated by the market. This is especially true, he said, since Minnesota adjoins such "business friendly" states as Iowa, the Dakotas, and Wisconsin.

Currently in Fairmont, very few work for minimum wage because the market pays more.

If the state had increased the minimum wage as proposed in recent legislative ses-

sions, Minnesota would have lost jobs to border states because its minimum wage is lower, Gunther said. "Jobs can cross borders very fast."

Gunther represents portions of the counties of Martin, Blue Earth, and Watonwan. Two of those counties are losing population — a total of 6,500 people between 1980 and now. That, he said, decreases the labor force for business and can deter expansion.

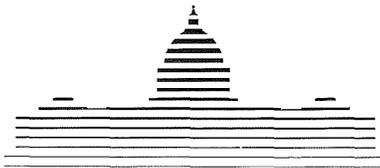
In addition, there are 1,500 people on welfare which hurts the labor force, Gunther said. The state, he believes, needs to keep finding ways to reform welfare to make sure those who can work do so without harming those who truly cannot.

Another way to help Minnesota's business climate would be to lower taxes paid by businesses such as workers' compensation and commercial/industrial property taxes. Minnesota businesses bear the fifth highest tax burden in the country, Gunther said. "That doesn't exactly put up a green light on our borders."

— K. Darcy Hanzlik

**District 26A**

**Population:** 32,676  
**Distribution:** 47.83 percent urban; 52.17 rural  
**County:** Blue Earth, Martin, Watonwan  
**Largest city:** Fairmont  
**Location:** south central Minnesota  
**Unemployment rate:** 4.46 percent  
**Residents living below poverty level:** 11.5 percent  
**1994 gubernatorial election results:**  
Carlson/Benson ..... 57.34 percent  
Marty/Larson ..... 37.28 percent  
Other: ..... 5.38 percent



MINNESOTA HOUSE OF REPRESENTATIVES  
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Speaker of the House: Irv Anderson  
Majority Leader: Phil Carruthers  
Minority Leader: Steven A. Sviggum

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Sources: National Conference of State Legislatures; The Book of the States, 1994-95, Council of State Governments; Legislative Reference Library; House Public Information Office.



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# SESSION WEEKLY

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On the cover: An upward view of the State Capitol dome from the Star of the North on the floor of the Rotunda.

— photo by Tom Olmscheid

# Highlights

## Dollars for roads and transit?

# Gasoline tax increase now under consideration

In 1993, Gov. Arne Carlson said an increase in the state's gasoline tax could wait, that Minnesota's roads and bridges would survive.

Three years later, some are wondering how much longer the state can afford to wait.

Minnesota hasn't increased its gas tax since 1988 when it hit the current 20-cents-per-gallon mark. But at least four proposals to boost the tax are being considered in the House this year.

Talk of raising Minnesota's gas tax by a nickel per gallon has been circulating at the State Capitol for years. Such proposals have failed in each of the last three sessions.

This year, the House Transportation and Transit Committee is considering several proposals to boost the gas tax. One such measure — calling for a 2-cent-per-gallon increase in the tax — won approval from the committee Jan. 24.

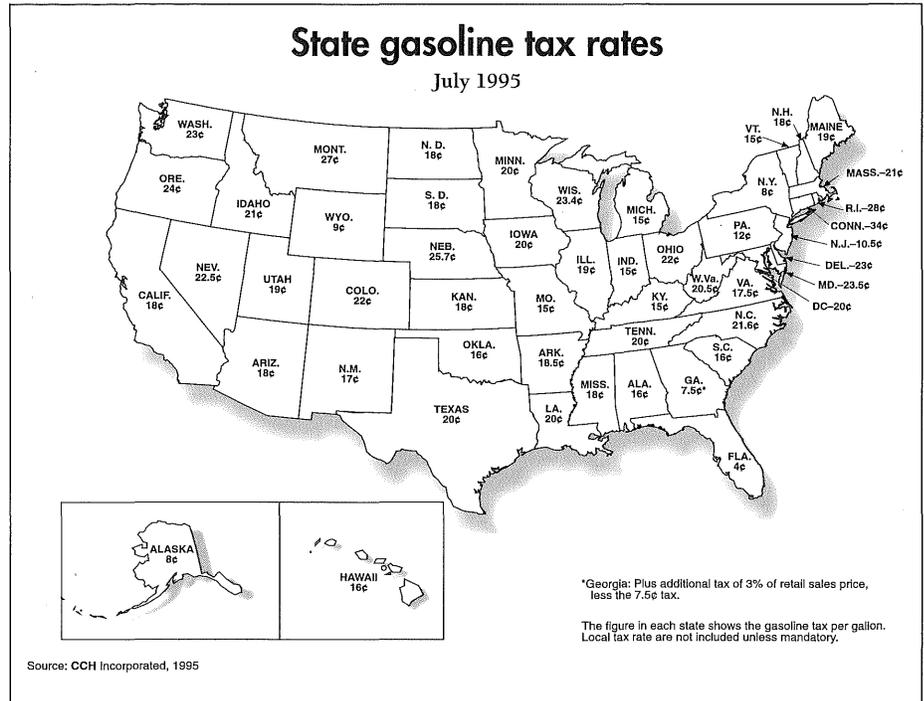
But the bill (HF599), sponsored by Rep. Peggy Leppik (R-Golden Valley), would counter the tax increase with a decrease in automobile license fees.

The "revenue neutral" measure is intended to "return some reason" to the depreciation schedule used to assess license fees, according to Leppik. Currently, the annual license tab renewal fee is tied to the value of the vehicle. Her bill, which would "buy down" those costs, now goes to the Economic Development, Infrastructure and Regulation Finance Committee.

The other current proposals are similar in that they each include a gas tax increase to raise revenue for road and bridge maintenance. They differ, however, when it comes to providing a new revenue source for public transit.

Under the Minnesota Constitution, proceeds from the state gas tax are earmarked for the state's roads and bridges. In fiscal year 1995, the state generated \$546 million from the gas tax. According to state estimates, each penny-per-gallon increase generates \$25 million more revenue per year.

Money for transit must come from other sources, such as the state's general fund. If lawmakers want money raised by the gas tax to go to transit programs, it appears they will



have to get voter approval of a constitutional amendment allowing it.

Right or wrong, the general perception is that money for transit is more beneficial to the metropolitan area and money for highways is better for rural Minnesota.

The major proposals under consideration this year each include provisions to raise money for both transit and roads.

**HF2070**, sponsored by Rep. Bernie Lieder (DFL-Crookston), would increase the gas tax by a nickel per gallon over the next two years and require the tax to be adjusted annually for inflation. The bill also proposes a constitutional amendment to dedicate to public transit an unspecified portion of the sales tax on motor vehicles.

**HF2502**, sponsored by Rep. Jean Wage-nius (DFL-Mpls), would result in a 3-cent-per-gallon hike by 1999 and would require the tax to be adjusted annually according to the change in Minnesota personal income during the previous year. The bill also proposes a constitutional amendment to allow some of the money currently designated for highways to be used for transit as well.

Rep. Dee Long (DFL-Mpls) is sponsoring a

bill (**HF2671**) that would increase the gas tax by 2 cents per gallon this year. But the increase would hinge on voter approval of a constitutional amendment mandating that proceeds from any future gas tax increases be used for both highways and transit.

Those pushing for an increase say Minnesota needs more money to repair roads and bridges and construct new ones. More money is also needed to expand and upgrade mass transit systems such as metropolitan and regional public bus lines as well as launch light rail transit or high speed rail services.

"We don't consider ourselves in a crisis, but we have needs and the needs will grow," said Bob McFarlin, director of public affairs for the Minnesota Department of Transportation (MnDOT).

Since 1993, the department has been in a "maintenance mode" — maintaining roads and bridges so they're passable but going without major repairs or new road-building projects.

In a speech last fall, MnDOT Commissioner James Denn warned that the current situation will result in deferred rebuilding of roads in need, increased congestion on the

highways, and growing concern about the condition of bridges across the state.

"... And, possibly most importantly, we will be pushing forward to the next generation a growing bill for rebuilding an aging system," Denn said.

The governor's position on a gas tax increase hasn't changed, according to his aides. "If the House and Senate pass one he will certainly consider it... but he will not be out front proposing one," said Tim Sullivan of the governor's office.

Although Carlson's administration gave a gas tax increase "strong consideration" in 1993, Carlson eventually opposed it after President Bill Clinton proposed increasing the federal gas tax. The federal government passed a 4.3-cent increase at the pump that began in October 1993.

The current proposals from Lieder, Wagenius, and Long remain in limbo. The committee took no action on any of the three bills.

But the bills provide "pieces that could possibly be put together into something that's good for all of us," Wagenius said. Indeed, most believe any measure that emerges this year will be a hybrid of the current proposals.

"Somehow we have got to find something that works for urban, for suburban, and for rural areas," Wagenius said. "We haven't come to that point yet."

— Nick Healy and K. Darcy Hanzlik



## BONDING

### Environmental bonding

A new science museum for St. Paul and a freshwater aquarium for Duluth were among the governor's bonding requests reviewed last week by the House Environment and Natural Resources Finance Committee.

The panel, which will continue hearing the governor's \$155.8 million in recommended capital budget items Jan. 29, eventually will make a recommendation on funding levels for environmental bonding requests to be included in this year's bonding bill.

Among the governor's capital requests reviewed by the committee:

- \$41 million for the Department of Agriculture's Rural Finance Authority Loan Program;
- \$36.5 million for the Department of Natural Resources;
- \$33.8 million for the new Science Museum of Minnesota;
- \$14 million for the Lake Superior Center freshwater aquarium and environmental center;



James Peterson, president of the Science Museum of Minnesota, told the Environment and Natural Resources Finance Committee Jan. 23 that \$33.8 million in state bonds is needed to help pay for a new museum. The new building would be in downtown St. Paul, south of the St. Paul Civic Center, along the Mississippi River bluffs.

- \$8.25 million for the Board of Water & Soil Resources' (BWSR) RIM reserve and Minnesota River Basin programs;
- \$8 million for the Office of Environmental Assistance's solid waste processing programs; and
- \$3.5 million for the Minnesota Pollution Control Agency.

The committee has not reviewed capital requests from the Department of Trade and Economic Development (\$8 million), the Minnesota Zoological Gardens (\$750,000) and several grants to local political subdivisions (\$2 million).

Officials of the Department of Agriculture told the committee they hoped to revive three farm loan programs that they discontinued in 1994. The Rural Finance Authority Loan Program was established in 1986 and helps farmers get reduced interest rates on loans, among other things.

Jim Boerboom, director of the agriculture department's finance division, said it's vital to Minnesota's economy that farmers do well.

"A 2.5-to 3-percent reduction does make the difference on a farmer's ability to repay a loan," Boerboom told the committee.

St. Paul Mayor Norm Coleman spoke to the committee on behalf of the proposed science museum — a key ingredient to his city's riverfront development plan, he said.

The \$96 million science museum project

— financed by \$33.8 million in state bonds — would replace the current museum which is too small for visitors and some exhibits, supporters said. The museum would be located south of the St. Paul Civic Center along the river bluff.

Coleman said he needs the state's help because St. Paul taxpayers can't — and shouldn't — fund the entire project.

"The city's interests and the state's interests are one and the same here," he said.

The committee also heard from the mayor of Duluth and other supporters of the Lake Superior Center. The proposed environmental center and freshwater aquarium would be one of two such aquariums in the U.S.

Supporters said their \$14 million request is the last they will need from the state to finalize construction plans and finish the project by 1999. The Legislature allocated \$4 million to the project in 1994 and \$2 million in 1992.



## CHILDREN

### Designated parents

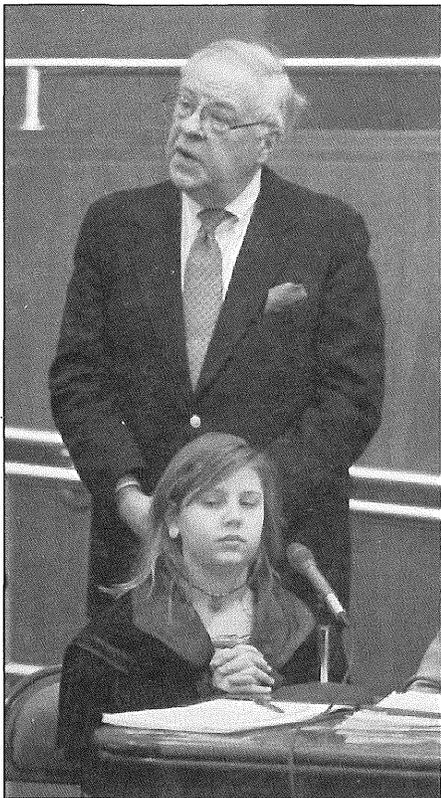
A bill to allow parents to name another individual as a designated parent to care for their children in the case of an emergency is moving through the House.

The bill, sponsored by Rep. Darlene Luther (DFL-Brooklyn Park) and Rep. Barb Sykora (R-Excelsior), hopes to help prevent children from ending up in foster care when a crisis, such as an illness or active military service, suddenly strikes a family. It allows for a designated parent, who does not need a foster care license, to care for children for up to one year.

The House Judiciary Committee heard the bill Jan. 22 and referred it to its Subcommittee on Civil Law.

Both Luther and Sykora said that many parents make informal arrangements with relatives and friends when they travel on vacation or on a business trip. The bill would allow parents to make their wishes known to authorities. It would also help comfort children by having their new caregiver be someone with a familiar face.

**HF2000** would allow parents to pay an as yet undetermined fee to file a designated parent agreement with the Department of Public Safety. The information would be released to law enforcement or health care workers if a parent is unable to communicate and the designated parent information is needed to contact someone to care for the child or children.



Brittany Cook, 11, and her grandfather, Francis Cook of Minnetonka, testified before the House Judiciary Committee Jan. 22 in support of a bill that would help keep kids out of foster care. The bill would allow parents to name another individual as a designated parent to care for their children in the case of an emergency.

Police and health care workers would know a parent has designated someone to care for their children by a symbol placed on a parent's driver's license or Minnesota identification card.

A designated parent agreement would remain effective for four years unless canceled by either party. It must be signed by all parents who have legal custody of the children, the proposed designated parent, non-custodial parents with visitation rights if the designated parent lives in another state, and any child age 14 or older to show they are aware of the agreement.

The bill also allows parents with more than one child to designate different parents for each child and to designate alternates in case their first choice is unable or unwilling to take on the responsibility.

Some committee members, while supporting the intent of the bill, were concerned about potential abuses by natural parents to evade intervention from child protection or other social service agencies.

"We have to think: what if," said Rep. Wes Skoglund (DFL-Mpls), chair of the Judiciary Committee.

Under the bill, the state's social service

agencies could contest a child's placement with a designated parent if, after investigating complaints, officials found it is not in the best interest of the child.

The bill does call for an appropriation, but its price tag is not yet known.



## CRIME

### Aiding juvenile delinquents

A bill to pair up college students with juvenile delinquents in an effort to keep teens on the right track won approval from the House Judiciary Committee Jan. 24.

The bill (HF2360) would establish four separate two-year pilot programs across the state.

College students would work with a juvenile's probation officer and serve as a "big brother" or a "big sister" to a teen who has committed, or is at risk for committing, delinquent acts or crimes.

"Aftercare is not going on with kids who enter the (criminal and court) system," said bill sponsor Rep. Wes Skoglund (DFL-Mpls).

The Department of Corrections would determine the particulars of the monitoring program. In addition, the department would work with colleges and universities to establish the criteria for which college students can participate in the program, what kind of training they should receive, and how they should be compensated.

Skoglund, who is asking for \$250,000 for the four pilots, said he envisioned paying college students \$7 or \$7.50 an hour. Their responsibilities could include checking on the juvenile in the morning, reminding them about homework, checking on them after school to ensure they're not hanging out with the wrong crowd, and helping them with homework several times a week.

The college student would then report back to the probation officer so the officer could determine which juveniles need more help.

It is also possible, he said, that some colleges would offer credit to students who participate in the program, which would be ideal for those majoring in criminal justice, education, psychology, social work, and other fields.

Skoglund asked committee members to think back to their teens. "At 14, who wouldn't like a 21-year-old kid to pay attention to them."

Chief Justice of the Minnesota Supreme Court Alexander "Sandy" Keith told the committee that juvenile crime is on the increase

and he doesn't see its growth diminishing any time soon.

Noting that juveniles need someone to watch over them when they get out of detention or jail, he said, "They need supervision."

Jerry Haley, director of community corrections with Blue Earth County, said many juveniles lack good role models or an adult in their life who is interested.

He added that in addition to helping relieve some case load issues for probation officers, it would help the community.

The time to intervene with troubled juveniles is as soon as they are first arrested and released back into the community, he said.

The bill is expected to be incorporated into an omnibus crime bill.

Other bills approved by the Judiciary Committee Jan. 24 include:

- **HF2506**, also sponsored by Skoglund, would make it a felony to commit a second indecent exposure offense in the presence of a minor under age 16. Under current law, the penalty is a gross misdemeanor regardless of how many times the offense is repeated. The maximum penalty would increase from a one-year prison sentence and a \$3,000 fine to a five-year sentence and a \$10,000 fine.

- **HF2029**, also sponsored by Skoglund, would expand the state's sex offender registration law to include individuals who were convicted of or adjudicated guilty for a "kiddie porn" offense or another offense arising out of the same set of circumstances. Minnesota law requires certain sex offenders to register their address with a probation officer for at least 10 years following release from a Minnesota prison. Individuals convicted of sex offenses in other states who choose to move to Minnesota also are required to register.

### Assessing crime's impact

In addition to considering public safety and the number of available prison beds, the Minnesota Sentencing Guidelines Commission should take into account the "adverse social and economic impacts" crime has on the community when adjusting prison sentence guidelines.

That's the goal of Rep. Wes Skoglund (DFL-Mpls). His bill on the subject (HF2161), approved by the House Judiciary Committee Jan. 22, is expected to become the vehicle for an omnibus crime bill.

Skoglund, chair of the committee, acknowledged that his bill is "not going to make a giant size difference," but said it was important for the commission to look at exactly what crime does to a community.

Many crimes, such as drug dealing, affect



Vi DeMars, a resident of the Phillips neighborhood in Minneapolis, told the House Judiciary Committee Jan. 22, that the Minnesota Sentencing Guidelines Commission should consider the "adverse social and economic impact" crime has on a community when adjusting prison sentence guidelines.

whether children can play in the yard, a worker can safely wait for a bus on a street corner, a business can operate, and even the market value of neighborhood homes.

Skoglund said he isn't necessarily looking for longer sentences. Instead, he'd like the sentences already on the books to be enforced. In addition, he said, he hopes the bill might help prevent the commission from watering down current sentence guidelines.

In 1995, there was a move on the commission to reduce sentences for some drug offenses. It did not succeed.

The commission recommends to the Legislature sentencing guidelines for trial court judges. The guidelines are advisory to the judges, who can (and do) depart upward and downward from the recommendations depending on individual circumstances.

Debra Dailey, director of the Sentencing Guidelines Commission, said commission members have not met on Skoglund's bill but added she thought they probably would support it.

Chris Manos, owner of the Southside Grille on Franklin and Chicago in Minneapolis, said the crack pushers are desperately hurting his business and driving customers away.

"We call 911 probably two times a day" to clear them out, he told the committee. But they are back the next day.

Manos said he's had to contend with crack being sold in his restaurant, cooks being beaten up for kicking out the pushers, and threats.

"It is affecting my business. Put these guys away a little bit longer." He wondered out loud how the drug dealers could continually get away with breaking probation.

Vi DeMars told lawmakers that she's had guns pointed at her just outside her Phillips neighborhood home. The crime has gotten so bad that her family won't allow her grandchildren to come and stay with her any more.

Melanie Sanco told lawmakers that neighborhood watch groups can only do so much. "Why should I have to patrol the streets. . . . That's not my job. I don't have a bulletproof vest."

She said that punishment has to be harsh and judges must enforce it. One way around prison overcrowding is to start enforcing hefty fines, a perfect fit for drug dealers who have lots of cash on them.

"Fine 'em. They're making good money," Sanco said.

## Guns on buses

To combat continued crime on public buses, the House Judiciary Committee approved a bill Jan. 22 to increase the penalty for firing a gun "in" a public transit vehicle or facility.

The bill (HF2034) expands current law, which makes it a crime to recklessly discharge a firearm "at" a public transit vehicle or facility.

Penalties would range from up to a three-year felony and a \$6,000 fine to up to a five-year felony and a \$10,000 fine, depending on whether the vehicle or facility was occupied by individuals other than the offender.

The bill stems from recent incidents of gunfire inside buses and transit stations.

In November 1995, an armed man fired two shots on a bus traveling down Interstate

35W, striking two people. And earlier this year, a man attempted to fire a gun at Mall of America security and other officials while in a transit station there. The gun, although loaded, did not go off, said Tom Sather, general manager of the Metropolitan Council Transit Operations (MCTO).

In addition, the bill, sponsored by Rep. Darlene Luther (DFL-Brooklyn Park), would increase the maximum felony penalty for intentionally discharging a firearm under "dangerous circumstances" to five years imprisonment, up from the current two-year penalty. (Dangerous circumstances are defined by the jury in any given case.)

The bill would add to current law which already makes it a felony, punishable by a maximum of five years imprisonment and a \$10,000 fine, to intentionally discharge a firearm in a school zone, park zone, or public housing project.

Sather said gunfire on MCTO property is "happening with an alarming degree of frequency."

In answer to some lawmakers' questions as to why shooting inside buses and transit stations should be specifically mentioned in law, Sather said that shooting inside a bus represents a great potential for harm.

If a shooter strikes the driver, you're not only endangering the passengers but the other vehicles and pedestrians on the road, he said, adding that the bill would "send a message that crimes against transit are not going to be tolerated."

HF2034 is expected to be incorporated into the committee's omnibus crime bill.



## EMPLOYMENT

### Minimum wage hike

A bill to raise the state's minimum wage by \$1.75 an hour in July 1996 and another \$1 an hour in July 1997 won approval from the House Labor-Management Relations Committee Jan. 22.

The bill, on its way to the House floor, faces opposition from Gov. Arne Carlson and business owners who argue that the bill will cause employers to cut jobs and end Minnesota's job growth.

But House sponsor Rep. Tom Rukavina (DFL-Virginia) said it was time to require business owners to pay a more livable wage.

The state's current minimum wage is \$4.25 an hour for large businesses and \$4 an hour for small businesses. For businesses with gross annual sales exceeding \$500,000, the bill would raise the hourly wage to \$6 on July

1, 1996, and to \$7 on July 1, 1997. For employers with gross annual sales less than \$500,000, the hourly wage would be \$5.75 in July 1996 and \$6.75 in July 1997.

Beginning in 1998, the minimum wage would be adjusted annually based on any change in the per capita personal income of Minnesotans.

Rukavina pointed out that the state has a growing population of "working poor" — people who work fulltime, sometimes two or three jobs, but still need public assistance, such as food stamps, child care subsidies, or other aid.

It is estimated that more than 100,000 workers in Minnesota are earning minimum wage.

Some members argued that raising the minimum wage would mean fewer people on the state's welfare rolls. Others argued that the wage hike would cost the state jobs and exacerbate the problem.

The bill (SF302) also contains a provision that would reward employers who provide their workers with benefits such as health insurance, dental insurance, a pension plan, or assistance with child care.

Under the bill, beginning in July 1996 an employer would get up to a \$1-per-hour credit for each dollar's worth of hourly benefits provided. The credit jumps to \$1.50 per hour in July 1997.

"During the 1960s and 1970s, a full-time minimum wage worker earned enough to lift a family of three out of poverty. In 1995, full-time minimum wage earnings fell 27 percent below the poverty line for a family of three," said Kristine Jacobs, executive director of the JOBS NOW Coalition.

Brian Rusche of the Joint Religious Legislative Coalition said the wage increase represented human dignity.

He said the typical minimum wage worker is female, lives in greater Minnesota, and is an adult. Her wages are not just "extra income" or "frivolous"; they are needed to support the family, he said.

Tom Hesse of the Minnesota Chamber of Commerce opposed the bill and told the committee: "The marketplace is working." Most workers earn more than \$4.25 an hour because the market dictates that.

He estimated that Minnesota would lose 6,000 jobs over the next few years if the Rukavina bill is enacted into law.

Jack Uldrich of the Minnesota Grocers Association said the wage increase would put Minnesota employers at a competitive disadvantage with businesses in bordering states because their minimum wage is lower.

Rep. Hilda Bettermann (R-Brandon) op-

posed the increase not only because she said it would cost employers too much and cause them to cut jobs, but because she thought higher wages could tempt students to quit school to work.

Rep. Tom Bakk (DFL-Cook), however, said the wage increase was overdue, especially in rural Minnesota. Responding to some suburban lawmakers who said their communities already offered jobs starting at \$6 or \$7 an hour — including the fast food industry — Bakk said: "Prosperity hasn't touched all regions of the state."

In 1995, Rukavina also sponsored a wage increase bill. That version would have boosted the hourly minimum wage by a dollar over a two-year period. It won approval from the House Labor-Management Relations Committee but never came up for a vote on the House floor.



## ENVIRONMENT

### No waste in the water

A bill that aims to enforce "zero tolerance" for discharging human wastes into surface waters won approval from the House Environment and Natural Resources Committee Jan. 24.

The bill (HF2260), sponsored by Rep. Dennis Ozment (R-Rosemount), restates current law which makes it a misdemeanor to discharge untreated waste into surface waters. The crime is punishable by up to 90 days in jail and a \$700 fine.

"I'm not really breaking any new ground here," said Ozment. "I'm simply highlighting an area we've got to focus on. We've got to send the message that we have zero tolerance for this kind of thing."

Ozment said he decided to sponsor the bill after he failed to get the Minnesota Pollution Control Agency (MPCA) to stop violators of the human waste law. He said there are over 200 communities statewide where human wastes are being discharged illegally.

This problem is not a priority with the MPCA, according to Ozment, who added that the agency is "overwhelmed with responsibilities."

Patricia Burke, manager of the Water Quality Division for the MPCA, said the problem lies not in the lack of an appropriate law but rather in the lack of resources in communities and in her department to give human waste issues a higher priority.

Burke spoke in favor of the intent of the bill, but acknowledged it doesn't change anything.

"We appreciate Rep. Ozment's effort," said Burke, but "this won't change anything as to how we allocate our resources or run our program because it repeats the current law."

Most critics of the bill said it was repetitious.

"I agree with everything you say about prioritizing — I want to prioritize, too. But this bill doesn't say anything," said Rep. John Tuma (R-Northfield). "We're wasting people's time and money."

Rep. Bill Haas (R-Champlin) suggested working with the MPCA to draft a bill that mandates prioritizing the human waste issue.

Ozment, who has consulted the MPCA about the bill, said passing a law to give legislative direction to the agency is his main intent.

Rep. Betty McCollum (DFL-North St. Paul) was among three members who spoke strongly in support of the bill.

"I'm a little bit ashamed that we're here discussing this bill in 1996 . . . we're not a Third World country," McCollum said, urging members to support the bill and stop debating it. "There are things we should be focusing on in 1996 other than human waste."

Rep. Jean Wagenius (DFL-Mpls) successfully amended the bill to allow the MPCA to permit human waste discharges in emergency situations. Current statute allows the MPCA to make such exceptions to avoid environmental damage in some instances.

While HF2260 largely repeats current law governing human waste disposal, some language in the bill could change the scope of the current law. HF2260 states a person cannot discharge "untreated waste" into waterways, while the current law also encompasses treated waste, which includes waste from a malfunctioning septic tank, for instance.

The proposal, approved on a 12-8 vote, was referred to the Environment and Natural Resources Finance Committee.

### Improving RIM program

A bill that supporters say will allow the state to better target wetlands and other lands for the Reinvest in Minnesota (RIM) program won approval Jan. 19 from the House Environment and Natural Resources Committee.

Under the RIM program, landowners are paid to retire certain lands from agricultural production or place wetlands into conservation.

Not unlike other bills the committee will hear this year, HF2282, sponsored by Rep. Ted Winter (DFL-Fulda), seeks to increase the "flexibility" of current laws governing

water and soil resources. The major provisions of Winter's bill would:

- eliminate minimum acreage requirements on lands included in RIM reserve;
- eliminate maximum acreage caps on land enrolled by individual landowners;
- allow the state to obtain "flowage easements" on lands adjacent to wetlands in the RIM program (which would allow a landowner who does not want to commit land to conservation every year to commit just once every few years. Current law allows only perpetual—or year-to-year—easements); and
- allow the state to exceed current monetary limits on payments to landowners for some land.

"These are issues that have posed some constraints over the last six years in the program," testified Ron Harnack, executive director of the state Board of Water and Soil Resources. "If we are going to continue to take the most critical [lands] within the RIM reserve program, we need to address these particular issues."

Winter said the program needs to treat wetlands on a more individual basis. The recommendation for a case-by-case approach echoed suggestions made to the committee by other state agencies and several outstate residents Jan. 17 when the panel discussed potential changes to the Wetland Conservation Act.

Current law keeps land parcels out of the RIM program if they are less than 5 acres or more than 20 percent of the county's average farm size.

Because some farms with priority wetlands or lands near waterways are very large, the 20 percent cap is easily exceeded, Harnack said. And the minimum acreage requirement has kept both valuable wetlands from being restored and lands near waterways out of the conservation program, he said.

Current law also limits the amount the state can pay a landowner to \$300 per acre. That's an obstacle when dealing with complex wetland projects. The bill would allow the state to exceed the \$300 limit for a single landowner if more than one wetland project was involved and total payments to landowners involved did not exceed the amount payable for the acres involved.

In an Environment and Natural Resources Finance Committee meeting Jan. 24, the focus of the RIM program was questioned by Rep. Tom Osthoff (DFL-St. Paul).

In response to the governor's biennial request for \$7.5 million in RIM funding, Osthoff said he's concerned that targeted lands sometimes hurt area communities because of their decreased tax value.

"Are we getting anything for our money?" he asked Harnack.

Harnack said the RIM program is the state's best shot at fighting harmful soil erosion. He said about 50 percent of RIM lands are assessed at different tax values but some actually increase in value after conservation efforts.

**HF2282** now moves to the House Agriculture Committee.



## GAMBLING

### Gambling on welfare

Minnesota welfare recipients would be penalized for cashing their benefit checks in casinos and bingo parlors under a bill approved Jan. 25 by the House Governmental Operations Committee.

Under the bill (**HF2036**), general assistance and Aid to Families with Dependent Children benefits would be reduced by the amount obtained by a recipient who either cashes a benefit check or uses an automatic teller machine (ATM) card to obtain such funds at any Minnesota casino, racetrack, or bingo parlor that earns more than 50 percent of its gross revenues from gambling.

"This is not an enormous problem, but it's a visible and increasing problem," Rep. Phyllis Kahn (DFL-Mpls), the bill's sponsor, told the committee's Gambling Division at a Jan. 19 hearing.

"We're not trying to solve the problem of compulsive gambling; we're taking a very small step to put a barrier in the way of people who are using public assistance funds for gambling."

Kahn said she and other members of the state's Advisory Council on Gambling learned last summer that some Minnesotans suffer financially because family members gamble away welfare benefits. More ammunition came from a series of *Minneapolis Star Tribune* articles in December, which reported that \$39,000 a month in welfare benefits from Hennepin and Ramsey counties is being withdrawn from ATMs in casinos.

Hennepin and Ramsey are the only two counties in the state where welfare recipients receive their benefits by withdrawing them from special accounts via ATMs.

Kahn decried the "absence of reality" in gambling casinos, many of which eschew clocks and windows. "The fact that there is an outside world is not allowed to be introduced," she said.

Her bill would not prevent welfare recipients from spending their benefits on games of

chance, Kahn said: "We're just insisting there be a small intervention of reality."

Rep. Steve Dehler (R-St. Joseph) asked Kahn if she had considered placing the same kind of restrictions on using welfare benefit checks to purchase alcohol. Such a plan might be feasible, Kahn acknowledged, but "we kind of prefer to take one small step at a time."

Barb Anderson, systems director for the Minnesota Department of Human Services, told committee members that there would be few problems involved in policing the use of ATM cards to withdraw welfare benefits in casinos.

However, identifying welfare checks cashed in casinos for the purpose of penalizing recipients would be much more difficult and "administratively burdensome," Anderson said.

There are 17 casinos, about 20 bingo parlors, and one racetrack in Minnesota that would be affected by such legislation.

Rep. Mark Olson (R-Big Lake) asked whether Kahn had investigated the possibility of preventing AFDC or general assistance recipients from gambling at all. Kahn, who portrayed herself during the hearing as a staunch supporter of the rights of Minnesota welfare recipients, said she would balk at such a constraint as a "large restriction of personal liberty."

She told committee members Jan. 25 that the bill had been mentioned in the *Washington Post* following the earlier division meeting, and she was contacted by a U.S. representative from New Jersey who offered to help clear obstacles in federal law that might prevent the law from being enforced in Minnesota.

Kahn also stressed to the full committee that the intention of the bill is to stop the practice of cashing welfare checks and withdrawing benefits in casinos, rather than police it. "We're trying to stop it, not to catch it or to punish it," she said.

**HF2036** now moves to the House Health and Human Services Committee.



## GOVERNMENT

### Is this office necessary?

Minnesotans would decide whether to abolish the office of Minnesota state treasurer under a bill narrowly approved by the House Governmental Operations Committee.

The bill (**HF87**) was approved 12-7 during an occasionally heated hearing Jan. 25.

Sponsored by Rep. Mindy Greiling (DFL-

Roseville), the proposal was one of four similar bills introduced on the subject. All four bills essentially had the same intent: to abolish the treasurer's office and transfer the treasurer's responsibilities to the commissioner of finance.

"In no way is the idea of abolishing the office a commentary on the performance of the current treasurer," Greiling told the committee, referring to Treasurer Michael McGrath, who attended the hearing and spoke against eliminating the office, calling the post "the sentinel of the taxpayers of Minnesota."

Greiling said legislators first discussed whether to eliminate the office in 1948, and the idea has been introduced numerous times since then. In 1985, lawmakers actually voted to transfer many of the responsibilities of the treasurer to the finance department; although the bill was signed into law by then-Gov. Rudy Perpich, it was declared unconstitutional by the Minnesota Supreme Court, which ruled that the degree of change required by the statute could be accomplished only by a constitutional amendment, which must be voted on by the citizens.

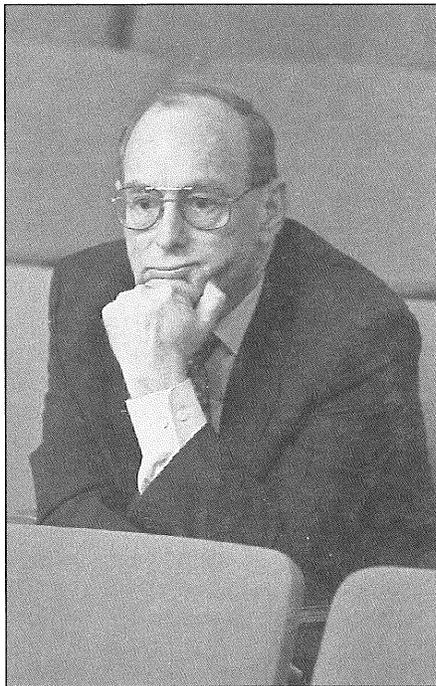
The latest bill would put the question of abolishing the treasurer's job on a statewide ballot in the November 1996 general election, and voters would decide whether to amend the state constitution.

Greiling and her supporters said the move would save the state between \$150,000 and \$2.5 million a year, would improve coordination and efficiency, and would eliminate the possibility of unqualified candidates being elected to the post.

Rep. Jim Knoblach (R-St. Cloud), who offered one of the four treasurer bills and spoke in favor of the plan, reminded committee members that in 1990, more than 30,000 Minnesotans voted for state treasurer candidate and prison inmate Leonard J. Richards, who was convicted in 1987 in the shooting and stabbing death of his tax attorney.

Rep. Dan McElroy (R-Burnsville), sponsor of another bill to abolish the office, said it is long past time to eliminate the office. "We have a responsibility to keep the base document of our state current with the practices of today, not those of 137 years ago," he said. "We must be willing to be a contemporary state and not one that embraces outdated thinking."

An amendment that would delay eliminating the office until January 2007, rather than January 1999, was proposed by Rep. Phyllis Kahn (DFL-Mpls). Kahn said the delay is a good idea because of anticipated problems in moving from the 20th to the 21st century, which she said is likely to cost governments nationwide billions of dollars.



State Treasurer Michael McGrath sat alone as he listened to four separate bills to eliminate his office during a hearing of the House Governmental Operations Committee Jan. 25.

Kahn's amendment was approved, but another amendment offered by Rep. Mark Olson (R-Big Lake), which would have reversed the intent of the bill by transferring the responsibilities of the finance commissioner to the treasurer, was defeated 11-9.

The bill now goes to the Rules and Legislative Administration Committee.

## Recall of elected officials

A bill approved by a House panel would let Minnesota voters decide if they should be able to recall errant lawmakers.

The bill (HF343), sponsored by Rep. Betty McCollum (DFL-North St. Paul), would place on the 1996 ballot a proposed constitutional amendment to allow voter-initiated recall of state officials.

If the constitutional amendment passed, a legislator, governor, other constitutional officer, or judge who demonstrates "malfeasance or nonfeasance" in office could be subject to a recall election.

Voting on a matter despite a conflict of interest or some similar transgression could serve as cause for a recall, according to McCollum.

"It could deal with some of the bizarre incidents both in the House and the Senate during the past year," she said.

To prompt a recall election, a petition would have to be filed with the secretary of

state no sooner than six months into the term of the targeted official.

That petition would have to specifically state the conduct that warrants a recall and must be signed by a number of eligible voters equal to 25 percent of the total who voted in the most recent election for the affected office.

If the Minnesota Supreme Court finds sufficient evidence that the official is guilty of misconduct, a recall election would be scheduled. Such an election would not be allowed within the final six months of the official's term.

A successful bid to amend the state constitution would allow Minnesota to join North Dakota, Wisconsin, and the 15 other states that already have recall for state officials.

Currently, Minnesota law allows only for the recall of county officials. Since that law took effect in 1987, only one recall effort has been mounted — targeting a county attorney. That campaign failed because the recall petition lacked the required number of signatures.

McCollum's bill has the support of legislative and state leaders from both political parties.

"Our party is enthusiastically in support of this bill," said Chris Georgacas, state chair of the Republican Party.

Steve Anderson of the Citizens' Lobby (an offshoot of United We Stand America) said that current lawmakers are left to police themselves, and voters are simply left out.

"We're literally helpless in this process," Anderson said.

The bill was approved Jan. 25 by the Elections Division of the House General Legislation, Veterans Affairs and Elections Committee. The measure now goes to the full committee.



## HOUSING

### Deferring illicit activity

Vacant houses in the inner city could lose their allure to criminals under a bill approved by the Housing Committee Jan. 23.

HF2039 would require that vacant buildings be secured by external lighting, "no trespassing" signs, and a resident caretaker or an alarm system. The cost of securing the building would become a lien against the property if an owner couldn't be found.

One community activist who testified in support of the bill said there are about 400 abandoned houses alone in the Phillips neighborhood of Minneapolis, which is bounded

by Lake Street and Interstate 94 and Hiawatha Avenue and Interstate 35W.

"We have hundreds of different buildings in South Minneapolis," said bill sponsor Rep. Karen Clark (DFL-Mpls), whose district includes the Phillips area. "And when we have a vacant building in our city, it becomes a magnet for illegal activity."

Besides inviting the danger of drug dealing and prostitution, vacant buildings cost tax dollars in frequent police calls, lost homeowners, and increased refurbishing costs due to wire-stripping and plumbing removal, proponents said.

Sgt. Robin Cole of the Minneapolis Police Department said one vacant property alone has required 50 squad car visits in the last 14 months. At \$60 an hour, such visits aren't cheap, he said.

Phillips resident Carol Pass said the bill will help stem neighborhood flight.

"The key thing for me is to not lose existing homeowners to fear," she said. "And that's what's happening right now."

Current city regulations require building owners to secure and sometimes board up property left vacant because it is condemned or foreclosed. But Cole said owners are often hard to find and unwilling to pay — a reality that costs his department. The Minneapolis Police Department spent about \$30,000 last year to board up vacant buildings. Cole said that price is much cheaper than the legal costs of pursuing property owners.

**HF2039** now moves to the House Judiciary Committee.

The committee also heard testimony on Clark's **HF2040**, which aims to empower tenants and landlords to crack down on drug dealers and other criminals. The bill attempts to:

- make it easier for neighborhood groups to get motor vehicle registration information on suspicious drivers in their area. It would waive the \$1.50 fee required for such information;
- make it easier to evict drug dealers; and

- increase the involvement of the county attorney in drug-related eviction cases.

But the committee is planning to make some changes to the bill before voting on it Jan. 29. Rep. Andy Dawkins (DFL-St. Paul), who sponsored legislation passed in 1989 that sought to clean up crime-ridden dwellings, pointed out several areas in the bill that repeat current statutes. Dawkins, an attorney, also said some language in the bill was too broad, noting specifically that the evictions Clark's bill authorizes might be illegal.

Clark said repeating some language from statutes is appropriate given the misunderstandings her constituents have had over the issue. After hearing comments from Dawkins and several others, she said she planned to make some changes to the bill but leave the heart of it intact.

"We're trying to tighten up the law because we're hearing in our communities that there is a general failure in these areas," Clark said.

Luther Youngdahl was not a gambling man.

In fact, Minnesota's 27th governor reviled gambling so much that, during his first term in office, he dispatched sledgehammer-wielding squads to areas of the state where gambling flourished to smash more than 8,000 illegal slot machines.

In doing so, Youngdahl made good on a campaign promise born one summer evening when he and his sons passed a notorious Brainerd nightclub.

"Drunken drivers were tearing up and down the road in their automobiles," he told the *Saturday Evening Post* in 1947, recalling the events that launched his assault on gambling. "The night was made hideous by the shouts of drunken men and the intoxicated screams of women. . . Hundreds were in line to get at the slot machines."

During the first of his three terms in office, Youngdahl convinced the Legislature to pass tough anti-gambling legislation that made it possible for him to send his Carry Nation-style sledgehammer platoon into taverns, gas stations, and resorts around the state.

"Slot machines cannot exist without

## It's a fact!

corruption of public officials or neglect of duty on the part of the officials," declared the man who, in 1955, would title his memoirs "A Christian in Politics."

It was enough to earn Youngdahl, who later became a federal judge in Washington, D.C., the nickname "the governor who's against sin."

(Youngdahl, who died in 1978 at the age of 82, is probably turning over in his grave these days: Slot machines in Minnesota Indian casinos are bigger business



State officials smashed a cache of illegal slots seized from Minnesota businesses in 1938.

now than the illicit ones were when he launched his crusade in 1947.)

Youngdahl's campaign to rid Minnesota of gambling wasn't his only high-profile activity.

In 1951, Youngdahl created a flap by resigning the governorship to accept President Harry S Truman's appointment as a federal judge for the District of Columbia.

Youngdahl found himself in the national spotlight the next year when he dismissed the government's case against Owen J. Lattimore, the Johns Hopkins University professor who was once described by Sen. Joseph McCarthy as "the top Soviet espionage agent in the United States."

In a nation jittery over the prospect of a Communist behind every tree, the decision brought Youngdahl hate mail and death threats.

But the judge was undismayed. "I'm prouder of that case than anything I ever did legally," he told the *Washington Post* in 1977. "Even to mention the word 'Communist' was a terrible thing. It was the toughest case I ever had."

Photo courtesy Minnesota Historical Society



## INSURANCE

### Hospital stays after birth

As more and more mothers and newborn babies are being discharged from hospitals just 24 hours after birth, a bill headed to the House floor would ensure that both patients have the option to stay a little longer.

A move toward 24-hour hospital stays for mothers and newborns after uncomplicated births has picked up steam in recent years. And that has some lawmakers and medical professionals concerned about the health of both mothers and babies.

"Let's slow down this trend a little bit or at least give physicians a little more control," said Rep. Joe Opatz (DFL-St. Cloud), who is sponsoring the maternity stay bill (HF2008).

In 1985, only 6.2 percent of women were

released one day after an uncomplicated vaginal delivery in a Twin Cities hospital. During the first quarter of 1995, that number had jumped to 42.5 percent, according to a study by the Minnesota Hospital and Healthcare Partnership.

Opatz's bill would require insurance companies to cover a minimum of 48 hours of inpatient care following a routine vaginal delivery and a minimum of 96 hours of inpatient care following an uncomplicated cesarean section.

Coverage for the extended time in the hospital for both mother and child would be required if the doctor, after consultation with the mother, deems it necessary.

Should a mother leave the hospital before the 48 hours have elapsed, the bill would require her insurance company to cover one optional home visit by a registered nurse. The

nurse could conduct any necessary clinical tests and provide services such as parent education and breast and bottle feeding training.

The bill easily won approval from the House Financial Institutions and Insurance Committee Jan. 24.

What little controversy that did arise in the committee centered on the role of the Legislature in determining appropriate medical treatment.

Rep. Lee Greenfield (DFL-Mpls) said medical issues — always subject to change — should be resolved before they get to the Legislature.

"I don't think the statutes are the best place to dictate medical practice," Greenfield said. "... It's not the best way to go in the long run — to proceed on a path like this."

Opatz acknowledged the need to find an

## Hospital stays for mothers and babies in other states

Currently, five states have either enacted legislation or adopted agency rules in 1995 to regulate the length of hospital stays for mothers and newborns.

### Maryland

Maryland's law, the first in the country, does not specifically mention 48/96-hour hospital stays for mothers and newborns after delivery, but says health maintenance organizations or HMOs must abide by the American College of Obstetricians and Gynecologists and the American Academy of Pediatrics guidelines, which do call for those time amounts.

However, if the HMO pays for home visits it doesn't have to abide by and cover the 48/96-hour stays in the guidelines.

Maryland is expected to fix the loophole with legislation in 1996.

### New Mexico

Instead of waiting for a new law, the insurance commissioner of New Mexico instituted new regulations requiring insurance companies to cover the same 48/96-hour stay after delivery.

New Mexico's regulations also call on insurance companies to provide truth in advertising, which means that at the time of policy enrollment or renewal, the insurance company must in writing indicate specifically what their policy

covers in terms of length of hospital stay after delivery.

### Massachusetts

The state requires health plans to cover hospital stays of 48 or 96 hours after birth for uncomplicated vaginal or cesarean delivery, respectively.

Also, mothers have the right to appeal any denial of coverage, and clinicians and hospitals cannot be penalized for providing medically appropriate after-delivery care, even if that means extra days in the hospital.

Specifically, the law states that health plans may not terminate clinicians' contracts, delete doctors from medical provider networks, or reduce payments.

The new law also addresses another dilemma facing many states: self-insured businesses. Such plans are regulated by the federal government, and state laws do not apply to them.

Recognizing that, the Massachusetts law calls on the state's Department of Public Health to come up with new rules to prohibit all licensed hospitals in the state from discharging a mother and newborn before the 48/96-hour standard. Early discharges can happen if the mother requests it and certain other criteria are met.

In the case of those with self-insurance coverage, however, the law does not obligate the self-insurance plan to

pay for the entire 48/96-hour after-delivery stay. It makes the mother, doctor, or hospital financially liable.

In Massachusetts, many hospitals have agreed to pick up the tab for the additional day if the mother's self-insurance plan refuses.

Additionally, regardless of the type of insurer, all mothers and newborns in Massachusetts are guaranteed access — not to be confused with insurance coverage — to at least one postpartum home visit.

### New Jersey

New Jersey's law is similar to what HF2008 proposes. It gives women the option of staying 48/96 hours after delivery depending on the method of delivery and requires insurance companies to pay for it. If a mother opts to leave earlier, her insurer is required to cover home follow-up care for both her and the newborn.

However, like Minnesota's bill, the New Jersey law does not deal with women who work for businesses that are self-insured.

### North Carolina

The law in North Carolina applies to all health plans except self-insurance plans. It too requires insurance companies to cover a minimum of 48/96 hours after delivery. It does not address home visits.

alternative method to deal with issues such as maternity stays. But, he added, "This issue came to us because of the problems it has created."



## LAW

### Dropping old laws

Stopping to pick the official state flower would no longer be a crime under a bill that won approval from a House panel Jan. 19.

The bill (HF2377) would repeal a diverse mix of obsolete, and in some cases arcane, laws ranging from outdated directives to state agencies to provisions regarding long-unfunded programs.

Gone would be a prohibition on the gathering of certain wildflowers, including Minnesota's state flower, the showy lady slipper. Current law makes it a misdemeanor to dig, cut, or pull the wildflowers from public land and, except under specific circumstances, from private land. The law, however well-intentioned, has gone unenforced for years.

Rep. Howard Orenstein (DFL-St. Paul), who chairs the House Ways and Means Committee's Government Efficiency and Oversight Division, said the bill was crafted to get rid of "some dead weight" cluttering state law.

Under the bill, more than 250 provisions — largely technical and inconsequential ones — would be deleted from the books.

Also nixed would be a 1937 provision giving the University of Minnesota permission to establish a law enforcement school. The university has yet to set up such a school and wouldn't need statutory permission to do so, anyway.

Eliminated would be a chapter of law regulating the state's ferry boat industry, which apparently disappeared some decades ago.

And dashed would be measures, enacted in 1969, that set requirements for contracts for social skills instruction and contracts for patrons of dance halls or studios.

Bill sponsor Rep. Mike Delmont (DFL-Lexington) and co-sponsor Rep. Ron Abrams (R-Minnetonka) made it clear the bill was drafted to avoid controversy and that they would guard against any change that could be divisive.

"I think we ought to be able to go forward without this becoming a political issue or Christmas tree," Abrams said. He added that the bill is a "part of a long-range process" to tidy up state laws and rules.

The bill now goes to the Ways and Means Committee.

### Regulating veterinarians

The board that oversees Minnesota's veterinarians would be given powers and protections similar to the bodies that oversee other medical practitioners under a bill approved by a House committee.

HF2059, sponsored by Rep. Steve Kelley (DFL-Hopkins), would alter provisions governing the State Board of Veterinary Medicine.

The board issues licenses for veterinarians and can take disciplinary action against license holders who run afoul of proper conduct.

The bill would grant board members and employees immunity from civil or criminal sanctions for actions performed in the course of their jobs. Immunity also would be extended to people who make reports to the board or otherwise help out an investigation.

Roland Olson, executive director of the board, said the immunity provisions are necessary to ensure that investigations of misconduct remain unsullied.

"The threats of countersuits and so on that come up could have a chilling effect on some of our deliberations or attempts to discipline a licensee," Olson said.

Other provisions in the bill:

- Disciplinary options available to the board would be expanded. In addition to existing authority to suspend or revoke licenses, the board would have the new option of placing limits on a veterinarian's license. Additionally, the board would be able to temporarily suspend a person's license without a hearing. The temporary suspension would remain in force for no more than 10 days, during which time a hearing would have to be held.
  - The grounds for disciplinary action would be clarified. Existing law allows action against veterinarians for "conviction of a crime involving moral turpitude or conviction of a felony" and for, among other things, "chronic inebriety."
- The bill would replace those provisions with measures allowing disciplinary action for conviction of a felony or gross misdemeanor or for being unable to properly practice because of illness, use of alcohol or drugs, or as a result of any mental or physical condition.
- The board would be allowed — with probable cause — to order a license holder to submit to a mental or physical examination or a chemical dependency evaluation. Failure to obey such an order would be grounds for disciplinary action.

Olson said the bill would put his board on equal footing with organizations overseeing

medical practitioners such as dentists, chiropractors, and marriage and family counselors.

The bill was approved Jan. 22 by the House General Legislation, Veterans Affairs and Elections Committee. It now goes to the House Governmental Operations Committee.



## LOCAL GOVERNMENT

### Special housing districts

Cities and townships could decide for themselves whether or not to create a special service housing district under a bill approved by the House Local Government and Metropolitan Affairs Committee Jan. 25.

Currently, if town officials want to create a housing improvement — or special service — district, subject to special tax levies, they must get approval from a majority of the affected homeowners and the Legislature.

The purpose of the special districts is to raise funds to improve deteriorating housing stock in a given area.

"Having established this set of hoops which really requires there be a high level of agreement at the town level, we then make the cities come to us to get approval," said bill sponsor Rep. Steve Kelley (DFL-Hopkins). "This bill is a change in philosophy. We at the Legislature ought not to exert the same level of control over local decision-making as we have in the past. . . . we end up micromanaging this stuff to an incredible degree."

Kelley said he developed the bill from his experience creating a housing improvement district for his city of Hopkins in 1994.

Some committee members expressed concern that the bill was an attempt to levy a special tax on local governments.

"Isn't this another tax we're going to be imposing on cities in Minnesota?" asked Rep. Jim Rostberg (R-Isanti).

Kelley said the bill didn't levy a tax on anyone and urged members to view the legislation as "a tool."

"We're giving the cities a tool they can use with the consent of a large number of taxpayers in a specific area to deliver a special service to that area," he said. "It decentralizes power."

Rep. Gary Worke (R-Waseca), who supported the bill, asked why current law requires legislative involvement in creating special services districts at the city level.

Kelley speculated that the Legislature has historically wanted to exercise control over property tax increases.

Under the bill, a residential area can become a housing improvement district if:

- a city ordinance is established and a public hearing is held;
- notices of the special district are mailed to each housing unit within the proposed area at least 10 days prior to the public hearing; and
- a list of proposed improvements to the area are provided at the public hearing.

A property owner in the area can object in writing to the city to being included in the district. He or she can also appeal to the district court.

The bill now moves to the Taxes Committee.

## No change in terms

Minneapolis City Council members can breathe easy.

A proposal to reduce the duration of their terms from the current four years to just two years was nixed Jan. 25 by a House panel.

Rep. Phyllis Kahn (DFL-Mpls) sponsored the bill (HF311) to shorten the city council terms.

Complaints about a lack of responsiveness from city hall prompted Kahn to push for the shorter terms, which she argued might make councillors a bit more attentive to their voters.

Minneapolis council members began serving four-year terms (instead of two-year terms) after voters approved a 1983 ballot proposal to alter the city charter.

That meant the mayor and the entire council would be up for election at the same time every four years. A 1993 vote altered the city charter again to put council members on staggered terms.

Kahn's bill drew opposition from some council members.

"Our voters have already dealt with this issue," said City Council President Jackie Cherryhomes. "By a two-to-one margin [in 1983] they decided that we should have four-year terms."

Rep. Betty McCollum (DFL-North St. Paul) questioned the need for the Legislature to intervene in Minneapolis politics.

"Why should I have a say?" McCollum said.

Other members of the Elections Division of the House General Legislation, Veterans Affairs & Elections Committee apparently agreed. Kahn's bill failed on a voice vote.

## Pay or no permit

Local governments could refuse to issue permits to home and business owners who have outstanding taxes, penalties, or interest on their property, under a bill approved Jan. 25 by a House panel.

HF2355, sponsored by Rep. Dee Long (DFL-Mpls), allows but does not require town boards and counties to require applicants for amendments or permits required under planning and zoning regulations to certify that all property and/or special assessment district taxes, penalties, and interest due are paid.

Under the proposal approved by the Local Government and Metropolitan Affairs Committee, property owners who are appealing a tax levy or penalty would be exempted from the proposal.

"My concern might be for someone who is protesting either the taxes or a penalty," said Long, who drafted the bill in response to the concerns of several local governments. "Say they hadn't paid [the tax or penalty], they had a leaking roof, and because they are protesting the penalty, they have to let their furniture get ruined."

Amendments were added to include special assessment levies among the items that

should be paid in order to obtain a permit, and to allow county boards — which often make planning and zoning decisions at the township level — to exercise the requirement along with town boards.

The bill now moves to the House floor.



## METRO AFFAIRS

### No more free parking?

A House panel is looking into whether some prominent Minnesotans should continue to get free valet parking privileges at Minneapolis-St. Paul International Airport.

The House Ways and Means Committee's Government Efficiency and Oversight Division met Jan. 25 with several members of the Metropolitan Airports Commission (MAC), questioning them on a longstanding policy of allowing about 100 people, including a handful of prominent state politicians, to park free in a heated airport garage whenever they have business that takes them to the airport.

Rep. Howard Orenstein (DFL-St. Paul) has introduced legislation (HF2321) that would prohibit MAC from granting the parking privilege to anyone but MAC employees and members and others who are at the airport specifically to attend MAC meetings. The panel did not act on the proposal.

MAC member Thomas Merickel told division members that he asked the commission to re-examine its policy of providing "parking cards" to a select list of people who are allowed to park in the heated garage even when posted signs indicate that the facility is full.

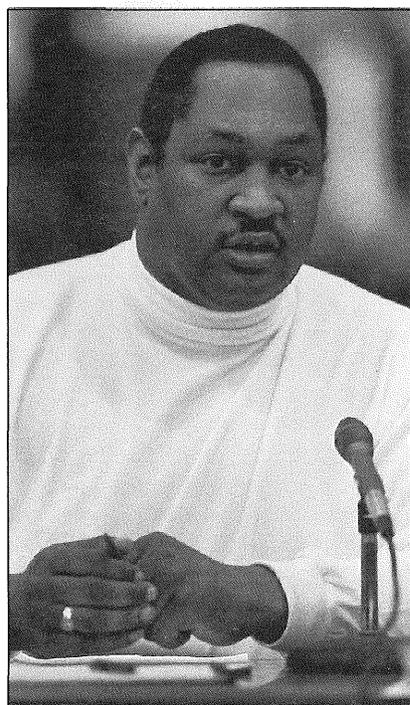
"I felt it was politically sensitive," Merickel said. "I wondered if it was good public policy."

Merickel said he believed the issue was worth raising because parking is the airport's biggest money maker, generating 30 percent of its revenues, compared to 24 percent in landing fees, the second largest revenue generator.

Merickel said that when he joined the commission in 1992, the list of parking card holders numbered between 300 and 400. The list has since been pared down to just over 100, but when questioned by Orenstein, Merickel said any member of the Legislature can park free in the garage by making prior arrangements with an airport official.

"It's clear that MAC spends tens of thousands of dollars on lobbying the Legislature each year, and when they're giving free parking to any legislator who asks for it, there's cause for concern," Orenstein said.

Orenstein and other division members



Michael Jones testified before the House Health and Human Services Committee Jan. 23 in favor of a bill that would authorize the Martin Luther King Nonviolent Institutional Child Development Pilot Program. Under the bill, the Department of Human Services along with the Council on Black Minnesotans would design a community violence prevention program.

saved their most pointed questions for Jeffrey Hamiel, MAC's executive director.

"I have not looked on this as being a problem area," Hamiel said.

Hamiel said parking card use is closely monitored, but admitted that no records are kept on how often the cards are used, or who uses them. He and Orenstein disagreed as to whether or not the garage parking should be considered a "privilege"; Hamiel said he didn't believe it should be defined that way, even though he specifically referred to the practice as a privilege several times in a local opinion piece last year, and dismissed Orenstein's questions as "semantics."

Rep. Ron Abrams (R-Minnetonka) advised Hamiel and Merickel to go through the list of parking card holders and "examine the reason why each person is on the list."

"The problem is there's a perception there," Abrams said. "You have to bring your policies forward so hearings like this aren't necessary."

Hamiel said MAC plans to examine the policy at a meeting in either February or March and discuss adopting new guidelines.



## TAXES

### Fixing waste tax disparities

The House Taxes Committee is scheduled to vote Jan. 30 on a bill that aims to equalize county waste collection and disposal taxes, or SCORE taxes. SCORE stands for the Select Committee on Recycling and the Environment, a bipartisan committee appointed by the governor in 1989.

But the proposal is likely to change based on concerns raised at the committee's Jan. 23 meeting.

The bill (HF2552) seeks to end wide disparities in SCORE taxes, which counties pay on public and private mixed municipal solid waste management programs. A Department of Revenue study found that some counties have reported overpaying or underpaying SCORE taxes by thousands of dollars since 1992.

Bill sponsor Rep. Jean Wagenius (DFL-Mpls) said the wide variety of waste collection programs has, in part, led to the disparities. Some counties charge fees, while others use property taxes and none is mandated to use a uniform method.

"This bill recognizes that there has been underpayment [of SCORE taxes] by some, some have overpaid, and some are right on," Wagenius said.

The bill would both allow overpayers to get credit against future SCORE tax liabilities and allow underpayers to remit back taxes over a five-year period.

Members spent much of the meeting discussing the different ways counties finance — and thus tax — their solid waste programs.

Several members noted the testimony of Brian Asleson, a Wright County assistant county attorney to support their concern over the wide variety of county programs.

After questioning by Rep. Steve Kelley (DFL-Hopkins), Asleson, who supports the bill, acknowledged his county might not have reported a substantial amount of waste tax revenue because officials didn't consult the state to learn the law.

While at least one member accused Wright County of deliberately hiding tax revenue, others said the testimony showed the need to strengthen rules at the county level before enacting them at the state level.

"It seems to me unreasonable for us to distribute the money we collected from counties without imposing a much greater burden on those who are collecting it," said Bob Milbert (DFL-South St. Paul).

Rep. Ron Abrams (R-Minnetonka) said the problems being discussed were created when the SCORE tax was passed in a special session in 1989.

"We have created an absolute administrative nightmare and made lawbreakers out of people who do not intend to be lawbreakers and made others overpay," said Abrams. "We're the ones [who] made it complex."

Abrams also said "the debate in 1989 was about what's Hennepin County trying to gain here? And at the end of the day, Hennepin County is an overpayer."

Hennepin County Commissioner Mike Opat, who spoke in support of the bill, said his county has overpaid \$1.2 million since 1992. He said the overpayment occurred despite his county's adherence to instructions it got from the state on how much money it owed in SCORE taxes.

Rep. Dee Long (DFL-Mpls) objected to the bill's allowance for interest-free repayment of back taxes.

"It's interesting that we throw the book at citizens, but if counties haven't paid taxes, whether deliberate or not, there is no underpayment," she said, suggesting penalties if counties haven't paid "egregious" amounts.

Wagenius plans to bring the bill before the committee after consulting with the Department of Revenue.



## TRANSPORTATION

### Free trade corridor

Free trade has created a major international trucking route cutting right through Minnesota, and that, some claim, requires new strategies to bolster commerce.

The trade route, Interstate Highway 35, is the scene of "huge congestion" as a result of the North American Free Trade Agreement, according to a Dallas-based consultant hired by the I-35 Corridor Coalition.

The coalition, a joint effort of business and government officials from Texas, Oklahoma, and Kansas, is hoping to get other I-35 states to back proposals aimed to make international trucking more efficient.

Coalition officials pitched their plan to the House Transportation and Transit Committee Jan. 24.

The group aims to improve commercial traffic flow on I-35, which runs from Duluth, Minn., to Laredo, Texas, and to ease congestion at border crossings, especially between the U.S. and Mexico.

Supporters envision inland customs stations to allow agents to check trucks long before they arrive at the border. Once checked, the trucks would be sealed and electronically tracked as they travel to Mexico or Canada.

All of this would greatly reduce time spent waiting for approval to cross the border — often as much as a 20-hour delay.

"Our objective is to drastically reduce the cost of transportation between the countries," said consultant Francisco Conde.

The committee took no action on the matter.

## Feedback

The House of Representatives Public Information Office has established an e-mail address to welcome comments or ideas on the *Session Weekly* and its contents.

### Send messages to:

[session@house.leg.state.mn.us](mailto:session@house.leg.state.mn.us)

We thank you for your input.

The editors

# Speed limits and highway safety

Speed limits on some Minnesota highways should be increased, but only if measures to better promote compliance and safety are approved, according to a state task force report on the issue.

Supporters of a speed limit change argue it would have little real effect on the flow of traffic and the safety on the roads.

"I'm not convinced we're increasing the speeds," said Fred Corrigan, a member of the Joint Agency Task Force on Speed Limits and Highway Safety.

"People are driving those speeds already."

Indeed, most Minnesota motorists drive at speeds well in excess of the posted limits.

Law enforcement officials consider the 85th percentile speed — roughly the point at which 85 percent of vehicles travel — as a good indicator of the comfort level of most drivers and as a guide for setting appropriate speed limits.

Currently, the 85th percentile speed is 73 mph on rural interstates in Minnesota, where the posted limit is 65 mph. On rural divided highways and urban freeways (posted at 55 mph), the 85th percentile speeds are in the ballpark of 68 mph, according to the Minnesota Department of Transportation.

Task force members, in Jan. 22 testimony before the House Transportation and Transit Committee, said speed limits on some highways should be increased to better reflect current driving habits. The committee took no action to raise limits on Minnesota roads.

The task force, formed by the state transportation and public safety departments, is calling for the speed limit on rural interstates to be increased to 70 mph, and for the limit to be 65 mph on urban interstates and on all four-lane divided highways.

But the limit should remain 55 mph on all rural, two-lane highways, according to task force recommendations.

"We couldn't find anyone to tell us those roads are designed for more than 55 mph,"

Corrigan said. "Significant portions of those roads have design limits of less than 55 mph."

To better ensure compliance with limits, the task force suggests getting rid of the Dimler Amendment, a provision in state law that prevents speeding tickets for violations of less than 10 mph over the highway limit from being placed on a driver's record (and thus affecting insurance rates).

And to enhance highway safety, task force recommendations include a call for Minnesota's mandatory seat belt law be changed to a primary offense.

The switch would mean law enforcement officers could stop a motorist for failure to wear a seat belt. Currently, motorists can be tagged for a seat belt violation only when pulled over for a separate offense. Bills in past years addressing the issue of making failure to buckle up a primary offense have met with little success before the full House.

It remains unclear if any or all of the task force recommendations will make it into state law. Minnesota is one of many states considering speed limit increases in the wake of the 1995 lifting of federal speed limit stipulations.

Three bills offering varied speed limit changes are expected to be considered by the House transportation panel during a Jan. 26 meeting. The bills are **HF2349**, sponsored by Rep. Jim Tunheim (DFL-Kennedy), **HF2178**, sponsored by Rep. Dave Bishop (R-Rochester), and **HF2088**, sponsored by Rep. Ted Winter (DFL-Fulda).

A top state law enforcement official warned committee members that any increase in speed limits could make the highways more dangerous.

"We are concerned that motorists will exceed the new posted speed as they exceed the speed limits posted today," said Chief Mike Chabries of the Minnesota State Patrol.



Chief Mike Chabries of the Minnesota State Patrol cautioned members of the House Transportation and Transit Committee Jan. 22, that any increase in speed limits could make the highways more dangerous.



**Metro-area job growth** for the next quarter century will be only half what it was over the past 25 years, the Metropolitan Council told members of the Local Government and Metropolitan Affairs Committee Jan. 18.

Between 1970 and 1995, approximately 640,000 jobs were created in the metro area. From 1995 to 2020, approximately 380,000 jobs will be created in the region, according to the Metropolitan Council.

That decreased job growth will occur while the population in the Twin Cities is growing faster than it has in the past. The Metro-area population increased about 575,000 from 1970 to 1995. The projected increase is 650,000 between now and 2020, according to new figures obtained by the Metropolitan Council.

"It presents some very challenging things to the region," said Craig Rapp of the Metropolitan Council.

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**Joking about Rep. Willard Munger's record** tenure could cost you a bite of lemon-filled cake.

While discussing the definition of "perpetual easements" Jan. 19 as contained in a bill (**HF2282**) sponsored by Rep. Ted Winter (DFL-Fulda), Winter quipped, "Mr. Chair, is perpetual easement longer than the time you've served in the house?"

After hearty laughs rippled through the Environment and Natural Resources Committee, Munger (DFL-Duluth), who celebrated his 85th birthday in the House chamber last week, retorted, "Members, remember after the meeting there's lots of cake and cookies upstairs — except for Winter."

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**Woe to the lawmaker** who fails to follow one House panel's unofficial "cookie rule."

Rep. Peggy Leppik (R-Golden Valley) took Rep. Walter Perl (DFL-Woodbury) to task during the House Environment and Natural Resources Committee's Jan. 24 hearing. She advised her colleague that he was required to bring cookies for all present, since he was making his debut at seeking the panel's approval for a bill.

Perl's response? "Mr. Chairman and Rep. Leppik, that's an oversight on my part and I will certainly see to it that it gets taken care of — after I get a favorable vote on my bill."

Leppik quickly corrected her colleague: "Rep. Perl, I think it's the cookies that you bring to get the favorable vote."

# Minnesota House of Representatives 1995-96

Unofficial list as of January 17, 1996

District/Member/Party	Room*	Phone (612) 296-	District/Member/Party	Room*	Phone (612) 296-		
45A	Abrams, Ron (R)	209	9934	47A	Luther, Darlene (DFL)	525	3751
10A	Anderson, Bob (DFL)	437	4946	50B	Lynch, Teresa (R)	295	5369
19B	Anderson, Bruce (R)	281	5063	37B	Macklin, Bill (R)	349	6926
3A	Anderson, Irv (DFL)	463	4936	40A	Mahon, Mark P. (DFL)	401	7158
6A	Bakk, Thomas (DFL)	429	2190	55A	Mares, Harry (R)	239	5363
14B	Bertram, Jeff (DFL)	571	4373	65B	Mariani, Carlos (DFL)	403	9714
10B	Bettermann, Hilda (R)	243	4317	57B	Marko, Sharon (DFL)	507	3135
30B	Bishop, Dave (R)	343	0573	55B	McCollum, Betty (DFL)	501	1188
25B	Boudreau, Lynda (R)	327	8237	36B	McElroy, Dan (R)	259	4212
30A	Bradley, Fran (R)	241	9249	54A	McGuire, Mary Jo (DFL)	567	4342
53B	Broecker, Sherry (R)	321	7153	39B	Milbert, Bob (DFL)	579	4192
13A	Brown, Chuck (DFL)	597	4929	35A	Molnau, Carol (R)	287	8872
46B	Carlson, Lyndon R. (DFL)	365	4255	21B	Mulder, Richard (R)	387	4336
52A	Carlson, Skip (R)	289	4331	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" (R)	379	4344
38A	Commers, Tim (R)	217	3533	2B	Olson, Edgar (DFL)	565	4265
15B	Cooper, Roger (DFL)	549	4346	19A	Olson, Mark (R)	223	4237
11A	Daggett, Roxann (R)	225	4293	20B	Onnen, Tony (R)	273	1534
9B	Dauner, Marvin (DFL)	581	6829	16A	Opatz, Joe (DFL)	423	6612
31B	Davids, Gregory M. (R)	371	9278	64B	Orenstein, Howard (DFL)	529	4199
65A	Dawkins, Andy (DFL)	409	5158	60B	Orfield, Myron (DFL)	521	9281
14A	Dehler, Steve (R)	203	7808	29B	Osskopp, Mike (R)	329	9236
51A	Delmont, Mike (DFL)	575	4226	66A	Osthoff, Tom (DFL)	585	4224
29A	Dempsey, Jerry (R)	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 (R)	283	4306
42A	Erhardt, Ron (R)	237	4363	42B	Paulsen, Erik (R)	221	7449
67A	Farrell, Jim (DFL)	491	4277	38B	Pawlenty, Tim (R)	231	4128
1B	Finseth, Tim (R)	377	9918	52B	Pellow, Richard (R)	233	0141
31A	Frerichs, Don L. (R)	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 (R)	213	5374	13B	Peterson, Doug (DFL)	523	4228
9A	Goodno, Kevin (R)	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 (R)	309	9889
26A	Gunther, Bob (R)	337	3240	58A	Rice, James I. (DFL)	381	4262
48A	Haas, Bill (R)	201	5513	18A	Rostberg, Jim (R)	323	5364
50A	Hackbarth, Tom (R)	313	2439	5A	Rukavina, Tom (DFL)	471	0170
22B	Harder, Elaine (R)	277	5373	59A	Sarna, John J. (DFL)	563	4219
12A	Hasskamp, Kris (DFL)	451	4333	17B	Schumacher, Leslie (DFL)	413	5377
66B	Hausman, Alice (DFL)	449	3824	41A	Seagren, Alice (R)	315	7803
56A	Holsten, Mark (R)	345	3018	62B	Skoglund, Wes (DFL)	477	4330
6B	Huntley, Thomas (DFL)	569	2228	34A	Smith, Steve (R)	353	9188
7B	Jaros, Mike (DFL)	559	4246	3B	Solberg, Loren (DFL)	445	2365
58B	Jefferson, Richard H. (DFL)	577	8659	33B	Stanek, Rich (R)	351	5502
18B	Jennings, Loren (DFL)	537	0518	28B	Sviggum, Steven A. (R)	267	2273
48B	Johnson, Alice M. (DFL)	539	5510	51B	Swenson, Doug (R)	255	4124
4A	Johnson, Bob (DFL)	551	5516	23B	Swenson, Howard (R)	331	8634
32B	Johnson, Virgil J. (R)	207	1069	43B	Sykora, Barbara (R)	357	4315
59B	Kahn, Phyllis (DFL)	367	4257	5B	Tomassoni, David (DFL)	593	0172
26B	Kalis, Henry J. (DFL)	543	4240	36A	Tompkins, Eileen (R)	245	5506
44A	Kelley, Steve (DFL)	417	3964	67B	Trimble, Steve (DFL)	485	4201
35B	Kelso, Becky (DFL)	415	1072	25A	Tuma, John (R)	301	4229
4B	Kinkel, Anthony G. "Tony" (DFL)	453	2451	1A	Tunheim, Jim (DFL)	509	9635
40B	Knight, Kevin (R)	307	4218	34B	Van Dellen, H. Todd (R)	291	5511
16B	Knoblach, Jim (R)	215	6316	15A	Van Engen, Tom (R)	359	6206
17A	Koppendrayner, LeRoy (R)	389	6746	23A	Vickerman, Barb (R)	211	9303
27A	Kraus, Ron (R)	279	8216	63A	Wagenius, Jean (DFL)	439	4200
53A	Krinkie, Phil (R)	303	2907	49B	Warkentin, Eldon H. (R)	253	4231
56B	Larsen, Peg (R)	311	4244	49A	Weaver, Charlie (R)	261	1729
27B	Leighton, Robert (DFL)	527	4193	61B	Wejzman, Linda (DFL)	431	7152
45B	Leppik, Peggy (R)	393	7026	12B	Wenzel, Stephen G. (DFL)	487	4247
2A	Lieder, Bernie (DFL)	515	5091	22A	Winter, Ted (DFL)	407	5505
33A	Lindner, Arlon (R)	227	7806	41B	Wolf, Ken (R)	317	5185
60A	Long, Dee (DFL)	591	0171	28A	Worke, Gary D. (R)	229	5368
8B	Lourey, Becky (DFL)	421	4308	43A	Workman, Tom (R)	335	5066

Note: Room numbers are subject to change.

\*All rooms are in the State Office Building, St. Paul, MN 55155

# COMMITTEE INFORMATION

1995-96 Minnesota House of Representatives

## Agriculture

487 State Office Building ..... 296-4247

**Meets:** Mon., 10 a.m. in Room 200\*

**Members:** 18

**Chair:** Wenzel-DFL

**Vice Chair:** Peterson-DFL

Cooper-DFL	Kraus-R
Dauner-DFL	Lourey-DFL
Dauids-R	Molnau-R
Finseth-R	Otremba-DFL
Gunther-R	Sarna-DFL
Harder-R	Schumacher-DFL
Jaros-DFL	Swenson, H.-R
Koppendraye-R	Winter-DFL

### Staff

#### Committee Administrator

Patrick J. Plonski ..... 296-4172

#### Committee Legislative Assistant

Laura Offerdahl ..... 296-6860

## Agriculture Subcommittees

### Agriculture Finance & Rural Development

407 State Office Building ..... 296-5505

**Members:** 13

**Chair:** Winter-DFL

**Vice Chair:** Schumacher-DFL

Cooper-DFL	Molnau-R
Dauner-DFL	Otremba-DFL
Finseth-R	Peterson-DFL
Harder-R	Sarna-DFL
Koppendraye-R	Wenzel-DFL
Kraus-R	

### Dairy Policy &

### Soil & Water Conservation

545 State Office Building ..... 296-3201

**Members:** 12

**Chair:** Otremba-DFL

**Vice Chair:** Lourey-DFL

Dauids-R	Peterson-DFL
Finseth-R	Schumacher-DFL
Jaros-DFL	Swenson-R
Koppendraye-R	Wenzel-DFL
Molnau-R	Winter-DFL

## Capital Investment

543 State Office Building ..... 296-4240

**Meets:** Tues., Thurs., 12:30 p.m. in Room 500N\*

**Members:** 19

**Chair:** Kalis-DFL

**Vice Chair:** Trimble-DFL

Bishop-R	McElroy-R
Brown-DFL	Ostrom-DFL
Carlson, L.-DFL**	Opatz-DFL
Clark, K.-DFL	Rhodes-R
Dauids-R	Skoglund-DFL
Dawkins-DFL	Solberg-DFL
Dempsey-R	Van Dellen-R
Knoblach-R	Warkentin-R
Lieder-DFL	

### Staff

#### Committee Administrator

Patricia Lindgren ..... 296-5398

#### Committee Legislative Assistant

Kathleen K. Bruss ..... 296-4271

#### Fiscal Analyst

Greg O. Crowe ..... 296-7165

## Claims

565 State Office Building ..... 296-4265

**Meets:** Call of the chair

**Members:** 6

**House Co-Chair:**

Olson, E.-DFL

**Senate Co-Chair:**

Kelly-DFL

Dauner-DFL

Ozment-R

Johnson, J.-DFL

Johnston, T.-R

#### Claims Clerk

D'Ann G. Knight ..... 296-0099

## Commerce, Tourism & Consumer Affairs

563 State Office Building ..... 296-4219

**Meets:** Tues., Thurs., 12:30 p.m. in Room 10\*

**Members:** 28

**Chair:** Sarna-DFL

**Vice Chair:** Hasskamp-DFL

Anderson, B.-DFL	Bradley-R
Bertram-DFL	Daggett-R

Entenza-DFL

Erhardt-R

Farrell-DFL

Goodno-R

Holsten-R

Kelso-DFL

Kinkel-DFL

Kraus-R

Luther-DFL

Lynch-R

Milbert-DFL

Mulder-R

Murphy-DFL

Ness-R

Pellow-R

Perlt-DFL

Peterson-DFL

Rice-DFL

Smith-R

Swenson, D.-R

Swenson, H.-R

Tomassoni-DFL

### Staff

#### Committee Administrator

Elizabeth A. Cozatt ..... 296-5318

#### Committee Legislative Assistant

Dianne L. Ruppert ..... 296-4279

## Business Regulation Division

571 State Office Building ..... 296-4373

**Meets:** Mon., Wed., 12:30 p.m. in Room 500N\*

**Members:** 14

**Chair:** Bertram-DFL

**Vice Chair:** Entenza-DFL

Farrell-DFL

Holsten-R

Luther-DFL

Milbert-DFL

Mulder-R

Ness-R

Pellow-R

Peterson-DFL

Rice-DFL

Sarna-DFL

Swenson, D.-R

Swenson, H.-R

### Staff

#### Committee Administrator

Elizabeth A. Cozatt ..... 296-5318

#### Committee Legislative Assistant

Dianne L. Ruppert ..... 296-4279

## Commerce, Tourism &

## Consumer Affairs Subcommittees

### Consumer Affairs

531 State Office Building ..... 296-8799

**Members:** 12

**Chair:** Entenza-DFL

Bertram-DFL

Farrell-DFL

Goodno-R

Holsten-R

Lynch-R

Milbert-DFL

Pellow-R

Pugh-DFL

Sarna-DFL

Swenson, H.-R

Tomassoni-DFL

**Economic Equality**

525 State Office Building ..... 296-3751

**Members:** 7**Chair:** Luther-DFL

Daggett-R	Mulder-R
Hasskamp-DFL	Peterson-DFL
Kelso-DFL	Sarna-DFL

**Real Estate & Commerce**

473 State Office Building ..... 296-7807

**Members:** 13**Chair:** Perl-DFL

Bradley-R	Pugh-DFL
Erhardt-R	Rice-DFL
Kelso-DFL	Swenson, D.-R
Kraus-R	Sarna-DFL
Ness-R	Smith-R
Peterson-DFL	Tomassoni-DFL

**Tourism**

451 State Office Building ..... 296-4333

**Members:** 11**Chair:** Hasskamp-DFL

Daggett-R	Lynch-R
Farrell-DFL	Ness-R
Holsten-R	Sarna-DFL
Kelso-DFL	Swenson, D.
Kinkel-DFL	Tomassoni-DFL

**Economic Development,  
Infrastructure &  
Regulation Finance**

381 State Office Building ..... 296-4262

**Meets:** Mon., Wed., Thurs., 8 a.m. in Room 300N\***Members:** 14**Chair:** Rice-DFL**Vice Chair:** Mahon-DFL

Clark-DFL	Lieder-DFL
Frerichs-R	Molnau-R
Garcia-DFL	Ozment-R
Harder-R	Perl-DFL
Kalis-DFL	Wolf-R
Leighton-DFL	Workman-R

**Staff****Committee Administrator**

Jennifer B. Saliture ..... 297-2869

**Committee Legislative Assistant**

Mary Pat Speltz ..... 296-4178

**Fiscal Analyst**

John Walz ..... 296-8236

**Transportation Finance Division**

515 State Office Building ..... 296-5091

**Meets:** Tues., Fri., 8 a.m. in Room 500S\***Members:** 10**Chair:** Lieder-DFL**Vice Chair:** Garcia-DFL

Clark-DFL	Leighton-DFL
Frerichs-R	Molnau-R
Harder-R	Rice-DFL
Kalis-DFL	Wolf-R

**Staff****Committee Administrator**

Todd D. Iverson ..... 296-5528

**Committee Legislative Assistant**

Kathy L. Anderson ..... 296-3806

**Fiscal Analyst**

John Walz ..... 296-8236

**Education**

365 State Office Building ..... 296-4255

**Meets:** Tues., Thurs., 8 a.m. in Room 200\***Members:** 33**Chair:** Carlson, L.-DFL**Vice Chair:** Bertram-DFL

Bettermann-R	Olson, M.-R
Dauner-DFL	Opatz-DFL
Dehler-R	Orenstein-DFL
Dorn-DFL	Orfield-DFL
Entenza-DFL	Paulsen-R
Greiling-DFL	Pelowski-DFL
Johnson, A.-DFL	Schumacher-DFL
Kelley-DFL	Seagren-R
Kelso-DFL	Stanek-R
Kinkel-DFL	Swenson, H.-R
Koppendraye-R	Sykora-R
Kraus-R	Tomassoni-DFL
Leppik-R	Tuma-R
Mares-R	Tunheim-DFL
Mariani-DFL	Weaver-R
Ness-R	

**Staff****Committee Administrator**

Nancy K. Conley ..... 296-4374

**Committee Legislative Assistant**

Dori Vaughan ..... 296-3367

**Higher Education Finance Division**

453 State Office Building ..... 296-2451

**Meets:** Mon., 4 p.m. (after session) in Room 300S; Wed., 8 a.m. in Room 300S; Fri., 8 a.m. in Bsmnt. Hrg. Rm.\***Members:** 9**Chair:** Kinkel-DFL**Vice Chair:** Pelowski-DFL

Bettermann-R	Orenstein-DFL
Carlson, L.-DFL	Paulsen-R
Dehler-R	Tuma-R
Dorn-DFL	

**Staff****Committee Administrator**

Susan M. Burns ..... 296-4091

**Committee Legislative Assistant**

Jan Horner ..... 296-5496

**Fiscal Analyst**

Doug E. Berg ..... 296-5346

**K-12 Education Finance Division**

539 State Office Building ..... 296-5510

**Meets:** Mon., Wed., Fri., 8 a.m. in Room 5\***Members:** 17**Chair:** Johnson, A.-DFL**Vice Chair:** Schumacher-DFL

Bertram-DFL	Ness-R
Carlson, L.-DFL	Orfield-DFL
Entenza-DFL	Seagren-R
Greiling-DFL**	Solberg-DFL**
Kalis-DFL**	Tomassoni-DFL
Koppendraye-R	Tunheim-DFL
Mares-R	Weaver-R
Mariani-DFL**	

**Staff****Committee Administrator**

Raymond N. Frost ..... 296-5508

**Committee Legislative Assistant**

Nancy Anderson ..... 296-1544

**Fiscal Analyst**

William F. Marx ..... 296-7176

## University of Minnesota

### Finance Division

415 State Office Building ..... 296-1072

**Meets:** Mon., 8 a.m. in Room 300S; Wed., 4 p.m. (after session) in Room 300S; Fri., 8 a.m., Bsmnt. Hrg. Rm.\*

**Members:** 9

**Chair:** Kelso-DFL

**Vice Chair:** Opatz-DFL

Carlson, L.-DFL	Mariani-DFL
Kelley-DFL	Stanek-R
Kraus-R	Sykora-R
Leppik-R	

#### Staff

##### Committee Administrator

Susan M. Burns ..... 296-4091

##### Committee Legislative Assistant

Urszula M. Gryska ..... 296-5492

##### Fiscal Analyst

Doug E. Berg ..... 296-5346

### Education Subcommittees

#### Higher Education Mandates

517 State Office Building ..... 296-8637

**Members:** 8

**Chair:** Pelowski-DFL

Carlson, L.-DFL	Kraus-R
Dorn-DFL	Leppik-R
Kelso-DFL	Tuma-R
Kinkel-DFL	

#### Quality Initiatives

531 State Office Building ..... 296-8799

**Members:** 10

**Co-Chair:** Entenza-DFL

**Co-Chair:** Tomassoni-DFL

Carlson, L.-DFL	Ness-DFL
Johnson, A.-DFL	Schumacher-DFL**
Koppendrayner-R	Seagren-DFL
Mares-R	Tunheim-DFL

## Environment & Natural Resources

479 State Office Building ..... 296-4282

**Meets:** Wed., Fri., 10 a.m. in Room 200\*

**Members:** 24

**Chair:** Munger-DFL

**Vice Chair:** Wagenius-DFL

Bakk-DFL	Lindner-R
Boudreau-R	McCollum-DFL
Dempsey-R	Milbert-DFL
Finseth-R	Orfield-DFL
Garcia-DFL	Otremba-DFL
Haas-R	Ozment-R
Hackbarth-R	Pellow-R
Hausman-DFL	Peterson-DFL
Johnson, V.-R	Trimble-DFL
Leighton-DFL	Tuma-R
Leppik-R	Warkentin-R

#### Staff

##### Committee Administrator

Elizabeth R. Goihl ..... 296-8879

##### Committee Legislative Assistant

Norma S. Christensen ..... 296-7175

## Environment & Natural Resources Finance

597 State Office Building ..... 296-4929

**Meets:** Mon.-Thurs., 8 a.m. in Bsmnt. Hrg. Rm.\*

**Members:** 14

**Chair:** Brown-DFL

**Vice Chair:** Hausman-DFL

Finseth-R	Munger-DFL
Hackbarth-R	Osthoff-DFL
Holsten-R	Peterson-DFL
Johnson, V.-R	Sarna-DFL
Larsen-R	Trimble-DFL
Lynch-R	Wenzel-DFL

#### Staff

##### Committee Administrator

Timothy C. Adams ..... 297-1934

##### Committee Legislative Assistant

Teri T. Edison ..... 296-7171

##### Fiscal Analyst

Jim Reinholdz ..... 296-4119

## Ethics

565 State Office Building ..... 296-4265

**Meets:** Call of the chair

**Members:** 12

**Chair:** Olson, E.-DFL

**Vice Chair:** Smith-R

Bettermann-R	Pugh-DFL
Dauids-R	Van Engen-R
Greiling-DFL	Workman-R
Mahon-DFL	McGuire-DFL*
Orenstein-DFL	Tompkins-R*

\*Alternates to the Ethics Committee

#### Staff

##### Committee Administrator/

##### Legislative Assistant

Dorothy M. Sawyer ..... 296-7427

## Financial Institutions & Insurance

585 State Office Building ..... 296-4224

**Meets:** Wed., 10 a.m. in Room 10\*

**Members:** 19

**Chair:** Osthoff-DFL

**Vice Chair:** Lourey-DFL

Abrams-R	Huntley-DFL
Bertram-DFL	Mares-R
Carlson, L.-DFL	Molnau-R
Carlson S.-R	Onnen-R
Dauids-R	Ostrom-DFL
Delmont-DFL	Paulsen-R
Dorn-DFL	Tomassoni-DFL
Girard-R	Worke-R
Greenfield-DFL	

#### Staff

##### Committee Administrator

Virginia E. Lanegran ..... 296-2909

##### Committee Legislative Assistant

Kristine M. Henry ..... 296-5342

## Financial Institutions & Insurance Subcommittees

### Financial Institutions

433 State Office Building ..... 296-7065

**Members:** 10

**Chair:** Ostrom-DFL

**Vice Chair:** Delmont-DFL

Abrams-R	Lourey-DFL
Bertram-DFL	Mares-R
Carlson, L.-DFL	Osthoff-DFL
Girard-R	Paulsen-R

**Insurance**

421 State Office Building ..... 296-4308

**Members:** 12**Chair:** Lourey-DFL**Vice Chair:** Tomassoni-DFL

Carlson, L.-DFL	Huntley-DFL
Carlson, S.-R	Molnau-R
Davids-R	Onnen-R
Dorn-DFL	Osthoff-DFL
Greenfield-DFL	Worke-R

**General Legislation,  
Veterans Affairs &  
Elections**

537 State Office Building ..... 296-0518

**Meets:** Mon., 12:30 p.m. in Room 300N\*.**Members:** 20**Chair:** Jennings-DFL**Vice Chair:** Opatz-DFL

Anderson, Bruce-R	Munger-DFL
Boudreau-R	Orfield-DFL
Commers-R	Osthoff-DFL
Davids-R	Pawlenty-R
Greiling-DFL	Pelowski-DFL
Gunther-R	Rhodes-R
Jefferson-DFL	Rostberg-R
Knight-R	Solberg-DFL
McCollum-DFL	

**Staff****Committee Administrator**

Carol A. Kummer ..... 296-4281

**Committee Legislative Assistant**

Paula J. Hoover ..... 296-9194

**Elections Division**

577 State Office Building ..... 296-8659

**Meets:** Thurs., 12:30 p.m. in Room 300N\***Members:** 10**Chair:** Jefferson-DFL**Vice Chair:** McCollum-DFL

Anderson, Bruce-R	Jennings-DFL
Boudreau-R	Pawlenty-R
Commers-R	Pelowski-DFL
Greiling-DFL	Solberg-DFL

**Staff****Committee Administrator**

Carol A. Kummer ..... 296-4281

**Committee Legislative Assistant**

Paula J. Hoover ..... 296-9194

**General Legislation,  
Veterans Affairs &  
Elections Subcommittee****Veterans Affairs**

501 State Office Building ..... 296-1188

**Members:** 9**Co-Chair:** McCollum-DFL**Co-Chair:** Opatz-DFL

Davids-R	Osthoff-DFL
Knight-R	Rhodes-R
Munger-DFL	Rostberg-R
Orfield-DFL	

**Governmental Operations**

367 State Office Building ..... 296-4257

**Meets:** Tues., Thurs., 10 a.m. in

Bsmnt. Hrg. Rm.\*

**Members:** 22**Chair:** Kahn-DFL**Vice Chair:** Tomassoni-DFL

Anderson, Bruce-R	Knoblach-R
Dehler-R	Mares-R
Dempsey-R	Olson, M.-R
Dorn-DFL	Osskopp-R
Farrell-DFL	Osthoff-DFL
Greiling-DFL	Pawlenty-R
Jefferson-DFL	Perlt-DFL
Johnson, B.-DFL	Pugh-DFL
Kinkel-DFL	Rostberg-R
Knight-R	Rukavina-DFL

**Staff****Committee Administrator**

Jacquelyn B. Rosholt ..... 296-4112

**Committee Legislative Assistant**

Judith Richardson ..... 296-7173

**Gambling Division**

533 State Office Building ..... 296-3248

**Meets:** Fri., 10 a.m. in Room 500N\***Members:** 9**Chair:** Dorn-DFL**Vice Chair:** Perlt-DFL

Dehler-R	Olson, M.-R
Kahn-DFL	Pugh-DFL
Knoblach-R	Tomassoni-DFL
Mares-R	

**Staff****Committee Administrator**

Brad Lehto ..... 296-5367

**Committee Legislative Assistant**

Judith Richardson ..... 296-7173

**State Government Finance Division**

471 State Office Building ..... 296-0170

**Meets:** Mon., Wed., 10 a.m. in Room 400S\***Members:** 14**Chair:** Rukavina-DFL**Vice Chair:** Greiling-DFL

Anderson, Bruce-R	Knoblach-R
Farrell-DFL	Osskopp-R
Jefferson-DFL	Osthoff-DFL
Johnson, B.-DFL	Pawlenty-R
Kahn-DFL	Perlt-DFL
Knight-R	Rostberg-R

**Staff****Committee Administrator**

Brad Lehto ..... 296-5367

**Committee Legislative Assistant**

Robert L. Humphrey ..... 296-6937

**Fiscal Analyst**

Kim A. Cousin ..... 296-4117

**Governmental Operations  
Subcommittee****Administrative Rules**

553 State Office Building ..... 296-5387

**Members:** 8**Chair:** Greiling-DFL**Vice Chair:** Perlt-DFL

Anderson, Bruce-R	Knoblach-R
Johnson, B.-DFL	Pugh-DFL
Kahn-DFL	Rostberg-R

**Health & Human Services**

437 State Office Building ..... 296-4946

**Meets:** Tues., Thurs., 10 a.m. in Room 10\***Members:** 22**Chair:** Anderson, Bob-DFL**Vice Chair:** Wejcman-DFL

Boudreau-R	Lourey-DFL
Bradley-R	Marko-DFL
Cooper-DFL	McCollum-DFL
Delmont-DFL	Mulder-R
Greenfield-DFL	Onnen-R
Haas-R	Otremba-DFL
Hasskamp-DFL	Tompkins-R
Huntley-DFL	Van Engen-R
Jennings-DFL	Vickerman-R
Lindner-R	Worke-R

**Staff****Committee Administrator**

M. T. Johnson ..... 6-7185

**Committee Legislative Assistant**

Barbara A. Klossner ..... 296-9463

## Health & Human Services

### Finance Division

375 State Office Building ..... 296-0173

Meets: Mon., Wed., Fri., 8 a.m. in Room 10\*

Members: 14

Chair: Greenfield-DFL

Vice Chair: Otremba-DFL

Anderson, Bob-DFL	Marko-DFL
Boudreau-R	Mulder-R
Delmont-DFL	Onnen-R
Jennings-DFL	Tompkins-R
Lindner-R	Vickerman-R
Lourey-DFL	Wejcman-DFL

### Staff

#### Committee Administrator

Victor A. Thorstenson ..... 296-2317

#### Committee Legislative Assistant

Mary Ellen Langenberger ..... 296-5356

#### Fiscal Analyst

Vicki M. Kunerth ..... 296-5483

## MinnesotaCare Finance Division

549 State Office Building ..... 296-4346

Meets: Tues., Thurs., 8 a.m. in Room 10\*

Members: 10

Chair: Cooper-DFL

Vice Chair: Huntley-DFL

Anderson, Bob-DFL	Lourey-DFL
Bradley-R	McCollum-DFL
Haas-R	Van Engen-R
Hasskamp-DFL	Worke-R

### Staff

#### Committee Administrator

Victor A. Thorstenson ..... 296-2317

#### Committee Legislative Assistant

Shirley M. Covert ..... 296-5322

#### Fiscal Analyst

Greg O. Crowe ..... 296-7165

## Housing

503 State Office Building ..... 296-0294

Meets: Mon., 12:30 p.m. in Room 500S\*

Members: 16

Chair: Clark-DFL

Vice Chair: Mariani-DFL

Dauner-DFL	Olson, M.-R
Dawkins-DFL	Seagren-R
Greenfield-DFL	Skoglund-DFL
Harder-R	Sykora-R
Kinkel-DFL	Trimble-DFL
Lindner-R	Tuma-R
McElroy-R	Wejcman-DFL

### Staff

#### Committee Administrator

Cathy A. Strobel ..... 296-1540

#### Committee Legislative Assistant

Kathleen C. Regalado ..... 296-6586

## Housing Subcommittee

### Reclaiming & Recycling

#### Vacant Housing

409 State Office Building ..... 296-5158

Members: 8

Co-Chair: Dawkins-DFL

Co-Chair: Wejcman-DFL

Clark-DFL	Olson-R
McElroy-R	Sykora-R
Kinkel-DFL	Trimble-DFL

## International Trade & Economic Development

559 State Office Building ..... 296-4246

Meets: Wed., 1 p.m. in Room 500S\*

Members: 23

Chair: Jaros-DFL

Vice Chair: Hasskamp-DFL

Bakk-DFL	Long-DFL
Girard-R	Molnau-R
Gunther-R	Osskopp-R
Hackbarth-R	Pawlenty-R
Hausman-DFL	Rukavina-DFL
Jefferson-DFL	Sykora-R
Johnson, A.-DFL	Van Dellen-R
Johnson, B.-DFL	Wagenius-DFL
Koppendraye-R	Warkentin-R
Larsen-R	Wejcman-DFL
Leighton-DFL	

### Staff

#### Committee Administrator

Joseph H. Dodge ..... 296-4283

#### Committee Legislative Assistant

Susan J. Maher ..... 296-4180

## Judiciary

477 State Office Building ..... 296-4330

Meets: Mon., Wed., 10 a.m. in

Bsmnt. Hrg. Rm. \*

Members: 20

Chair: Skoglund-DFL

Vice Chair: Pugh-DFL

Bishop-R	Luther-DFL
Brown-DFL	Lynch-R
Dawkins-DFL	Macklin-R
Entenza-DFL	McGuire-DFL

Murphy-DFL	Smith-R
Orenstein-DFL	Solberg-DFL
Pelowski-DFL	Stanek-R
Rhodes-R	Swenson, D.-R
Seagren-R	Van Engen-R

### Staff

#### Committee Administrator

Greg. W. Bergstrom ..... 296-5396

#### Committee Legislative Assistant

Laurie M. Nistl ..... 296-5497

## Judiciary Subcommittees

### Civil Law

583 State Office Building ..... 296-6828

Members: 10

Chair: Pugh-DFL

Dawkins-DFL	Skoglund-DFL
Entenza-DFL	Smith-R
Lynch-R	Solberg-DFL
Orenstein-DFL	Swenson, D.-R
Seagren-R	

### Data Practices

567 State Office Building ..... 296-4342

Members: 7

Chair: McGuire-DFL

Luther-DFL	Rhodes-R
Macklin-R	Skoglund-DFL
Pugh-DFL	Van Engen-R

### DWI

531 State Office Building ..... 296-8799

Members: 8

Chair: Entenza-DFL

Brown-DFL	Stanek-R
McGuire-DFL	Swenson, D.-R
Pugh-DFL	Van Engen-R
Skoglund-DFL	

## Judiciary Finance

557 State Office Building ..... 296-2676

Meets: Tues., Thurs., 8 a.m. in Room 500N\*

Members: 14

Chair: Murphy-DFL

Vice Chair: Farrell-DFL

Bishop-R	Pellow-R
Broecker-R	Pugh-DFL
Luther-DFL	Skoglund-DFL
Macklin-R	Smith-R
McGuire-DFL	Swenson, D.-R
Olson, E.-DFL	Wejcman-DFL

**Staff**

**Committee Administrator**

John P. Curry ..... 296-5533

**Committee Legislative Assistant**

Mary Ann Goschy ..... 296-7191

**Fiscal Analyst**

Gary G. Karger ..... 296-4181

**Labor-Management Relations**

439 State Office Building ..... 296-4200

**Meets:** Mon., 12:30 p.m. in Room 200\*

**Members:** 18

**Chair:** Wagenius-DFL

**Vice Chair:** Leighton-DFL

Bakk-DFL	McGuire-DFL
Bettermann-R	Murphy-DFL
Daggett-R	Paulsen-R
Goodno-R	Rukavina-DFL
Haas-R	Vickerman-R
Johnson, A.-DFL	Wenzel-DFL
Johnson, B.-DFL	Wolf-R
Mahon-DFL	Worke-R

**Staff**

**Committee Administrator**

Mary E. Faust ..... 297-8168

**Committee Legislative Assistant**

Mary M. Hale ..... 296-5486

**Local Government & Metropolitan Affairs**

591 State Office Building ..... 296-0171

**Meets:** Tues., Thurs., 12:30 p.m. in Room 200\*

**Members:** 22

**Chair:** Long-DFL

**Vice Chair:** McGuire-DFL

Bertram-DFL	Opatz-DFL
Broecker-R	Orfield-DFL
Finseth-R	Osskopp-R
Garcia-DFL	Otremba-DFL
Johnson, V.-R	Rostberg-R
Kelley-DFL	Schumacher-DFL
Krinkie-R	Tompkins-R
Larsen-R	Weaver-R
Mahon-DFL	Wenzel-DFL
Mariani-DFL	Worke-R

**Staff**

**Committee Administrator**

John D. Skare ..... 296-8880

**Committee Legislative Assistant**

Nanette Moloney ..... 296-5402

**Local Government & Metropolitan Affairs Subcommittees**

**Local Government**

545 State Office Building ..... 296-3201

**Members:** 10

**Co-Chair:** Otremba-DFL

**Co-Chair:** Schumacher-DFL

Bertram-DFL	Long-DFL
Broecker-R	Opatz-DFL
Johnson, V.-R	Rostberg-R
Larsen-R	Wenzel-DFL

**Metropolitan Government**

417 State Office Building ..... 296-3964

**Members:** 10

**Chair:** Kelley-DFL

Garcia-DFL	Orfield-DFL
Krinkie-R	Osskopp-R
Long-DFL	Tompkins-R
Mahon-DFL	Weaver-R
McGuire-DFL	

**Regulated Industries & Energy**

491 State Office Building ..... 296-4201

**Meets:** Mon., 10 a.m. in Room 10\*

**Members:** 20

**Chair:** Trimble-DFL

**Vice Chair:** Kelley-DFL

Anderson, Bob-DFL	Mahon-DFL
Delmont-DFL	Olson, E.-DFL
Dempsey-R	Olson, M.-R
Erhardt-R	Onnen-R
Hausman-DFL	Ozment-R
Holsten-R	Tunheim-DFL
Huntley-DFL	Vickerman-R
Jennings-DFL	Wolf-R
Kelso-DFL	Workman-R

**Staff**

**Committee Administrator**

Grania E. McKiernan ..... 296-8826

**Committee Legislative Assistant**

Laura M. DeRose ..... 296-2955

**Rules &**

**Legislative Administration**

459 State Office Building ..... 296-3709

**Meets:** Call of the chair

**Members:** 17

**Chair:** Carruthers-DFL

**Vice Chair:** Lynch-R

Abrams-R	Rest-DFL
Anderson, I.-DFL	Sarna-DFL
Bettermann-R	Sviggum-R
Delmont-DFL	Trimble-DFL
Koppendraye-R	Weaver-R
McCullum-DFL	Wenzel-DFL
Munger-DFL	Winter-DFL
Pawenty-R	

**Staff**

**Committee Administrator**

Todd Rapp ..... 296-1023

**Committee Legislative Assistant**

Cory L. Bengston-Cook ..... 296-5361

**Select Committee on Technology**

517 State Office Building ..... 296-8637

**Meets:** Call of the chair

**Members:** 11

**Chair:** Pelowski-DFL

**Vice Chair:** Johnson, V.-R

Abrams-R	Milbert-DFL
Bradley-R	Orfield-DFL
Kahn-DFL	Rest-DFL
Krinkie-R	Solberg-DFL
Leppik-R	

**Staff**

**Committee Administrator**

Todd Rapp ..... 296-1023

**Committee Legislative Assistant**

Kathy L. Anderson ..... 296-3806

**Rules & Legislative Administration Subcommittees**

**Administration**

459 State Office Building ..... 296-3709

**Members:** 10

**Chair:** Carruthers-DFL

Abrams-R	Sarna-DFL
Anderson, I.-DFL	Sviggum-R
Lynch-R	Weaver-R
Pugh-DFL	Wenzel-DFL
Rest-DFL	

**Personnel**

379 State Office Building..... 296-4255

**Members:** 8

**Chair:** Carlson, L.-DFL

Anderson, I.-DFL      Lynch-R  
Carruthers-DFL      Rest-DFL  
Delmont-DFL      Sviggum-R  
Koppendrayer-R

**Rules**

501 State Office Building..... 296-1188

**Members:** 10

**Chair:** McCollum-DFL

Anderson, I.      Pawlenty-R  
Bettermann-R      Sviggum-R  
Carruthers-DFL      Trimble-DFL  
Lynch-R      Winter-DFL  
Munger-DFL

**Taxes**

443 State Office Building..... 296-4176

**Meets:** Tues., Thurs., 10 a.m. and Fri., 8 a.m. in Room 200\*

**Members:** 25

**Chair:** Rest-DFL

**Vice Chair:** Dawkins-DFL

Abrams-R      Kelley-DFL  
Anderson, I.-DFL      Krinkie-R  
Bakk-DFL      Long-DFL  
Carlson, S.-R      Macklin-R  
Carruthers-DFL      Milbert-DFL  
Commers-R      Olson, E.-DFL  
Daggett-R      Ostrom-DFL  
Dauner-DFL      Sviggum-R  
Erhardt-R      Van Dellen-R  
Girard-R      Wagenius-DFL  
Goodno-R      Winter-DFL  
Jaros-DFL

**Staff**

**Committee Administrator**

P. Joshua Downham..... 296-8875

**Committee Legislative Assistant**

Lillian A. Pohlkamp..... 296-9552

**Fiscal Analysts**

William E. Connors..... 296-5813

Mary Jane Hedstrom..... 296-1237

Matthew S. Shands..... 296-4162

**Property Tax & Tax Increment**

**Financing TIF Division**

407 State Office Building..... 296-5505

**Meets:** Mon., Wed., 8 a.m. in Room 200\*

**Members:** 13

**Chair:** Winter-DFL

**Vice Chair:** Dauner-DFL

Abrams-R      Long-DFL  
Anderson, I.-DFL      Macklin-R  
Daggett-R      Olson, E.-R  
Girard-R      Ostrom-DFL  
Goodno-R      Rest-DFL  
Kelley-DFL

**Staff**

**Committee Administrator**

Robert D. DeBoer..... 296-5376

**Committee Legislative Assistant**

Lillian A. Pohlkamp..... 296-9552

**Sales & Income Tax Division**

579 State Office Building..... 296-4192

**Meets:** Mon., Wed., 8 a.m. in Room 500S\*

**Members:** 13

**Chair:** Milbert-DFL

**Vice Chair:** Bakk-DFL

Carlson, S.-R      Krinkie-R  
Carruthers-DFL      Rest-DFL  
Commers-R      Sviggum-R  
Dawkins-DFL      Van Dellen-R  
Erhardt-R      Wagenius-DFL  
Jaros-DFL

**Staff**

**Committee Administrator**

Robert D. DeBoer..... 296-5376

**Committee Legislative Assistant**

Lillian A. Pohlkamp..... 296-9552

**Transportation & Transit**

509 State Office Building..... 296-9635

**Meets:** Wed., 12:30 p.m. & Fri., 10 a.m. in Room 10\*

**Members:** 22

**Chair:** Tunheim-DFL

**Vice Chair:** Marko-DFL

Bradley-R      Krinkie-R  
Broecker-R      Lieder-DFL  
Carlson, S.-R      Mahon-DFL  
Cooper-DFL      Mariani-DFL  
Frerichs-R      McElroy-R  
Kalis-DFL      Osthoff-DFL  
Kelso-DFL      Rhodes-R  
Knight-R      Schumacher-DFL

Tompkins-R      Winter-DFL  
Wagenius-DFL      Workman-R

**Staff**

**Committee Administrator**

Lois J. Knutson..... 296-8893

**Committee Legislative Assistant**

Barbara Moehrle..... 296-4171

**Transportation & Transit**

**Subcommittees**

**Metropolitan Transportation & Transit (Metro Systems)**

507 State Office Building..... 296-3135

**Members:** 13

**Chair:** Marko-DFL

Broecker-R      McElroy-R  
Kelso-DFL      Osthoff-DFL  
Knight-R      Rhodes-R  
Krinkie-R      Tompkins-R  
Mahon-DFL      Wagenius-DFL  
Mariani-DFL      Workman-R

**Transportation Regulation**

413 State Office Building..... 296-5377

**Members:** 9

**Chair:** Schumacher-DFL

Broecker-R      Mariani-DFL  
Cooper-DFL      McElroy-R  
Kelso-DFL      Workman-R  
Krinkie-R      Tunheim-DFL

**Transportation Safety**

401 State Office Building..... 296-7158

**Members:** 8

**Chair:** Mahon-DFL

Bradley-R      Wagenius-DFL  
Kalis-DFL      Winter-DFL  
Rhodes-R      Tunheim-DFL  
Tompkins-R

**Transportation Systems**

507 State Office Building..... 296-3135

**Members:** 8

**Chair:** Marko-DFL

Frerichs-R      Lieder-DFL  
Carlson, S.-R      Osthoff-DFL  
Kalis-DFL      Tunheim-DFL  
Knight-R

## Ways & Means

445 State Office Building ..... 296-2365

**Meets:** Call of the chair

**Members:** 20

**Chair:** Solberg-DFL

**Vice Chair:** Luther

Abrams-R	Kahn-DFL
Anderson, Bob-DFL	Kalis-DFL
Anderson, I.-DFL	Krinkie-R
Bishop-R	Orenstein-DFL
Brown-DFL	Ozment-R
Carlson, L.-DFL	Rest-DFL
Carruthers-DFL	Rice-DFL
Frerichs-R	Sviggum-R
Girard-R	Weaver-R

### Staff

#### Committee Administrator

Dan Kane ..... 296-6970

#### Committee Legislative Assistant

Maxine J. Wiech ..... 296-4371

#### Chief Fiscal Analyst

Marcie Jefferys ..... 296-5384

## Government Efficiency & Oversight Division

529 State Office Building ..... 296-4199

**Meets:** Call of the chair

**Members:** 14

**Chair:** Orenstein-DFL

**Vice Chair:** Delmont-DFL

Abrams-R	Marko-DFL
Brown-DFL	Opatz-DFL
Dauids-R	Ozment-R
Entenza-DFL	Rukavina-DFL
Girard-R	Solberg-DFL
Krinkie-R	Weaver-R

### Staff

#### Committee Administrator

Jane Vanderpoel ..... 296-5523

#### Committee Legislative Assistant

Judith A. Bernet ..... 296-5491

## Ways & Means Subcommittee

### Fiscal Note

343 State Office Building ..... 296-0573

**Members:** 7

**Chair:** Bishop-R

Abrams-R	Orenstein-DFL
Kahn-DFL	Ozment-R
Luther-DFL	Solberg-DFL

# Join the Minnesota Legislature in cyberspace

It's now easier than ever for the public to access the Legislature through the Internet.

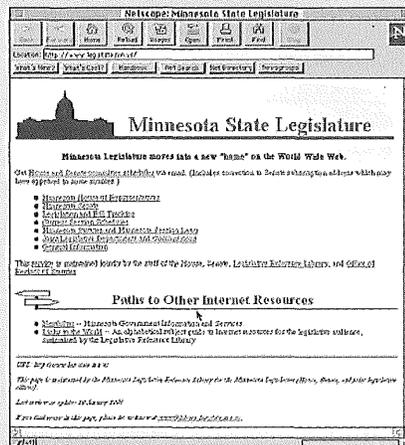
Since 1994, anyone with a computer and a modem has had access to a host of legislative information on the Internet.

But now the Legislature has hit the World Wide Web, which provides a user-friendly format that anyone without computer training can navigate.

The World Wide Web uses a simple "point and click" system, where users select a word or phrase such as "House committee schedules." Once selected, the computer automatically shows the user the requested information. It can then be viewed or saved to the user's own computer and printed.

To connect to the legislative "home page," simply point your web browser at: <http://www.leg.state.mn.us>

Here, Minnesotans can easily access information about members of the Legislature, Senate and House bills, *Minnesota Statutes*, daily and weekly schedules of committee activity, staff directories, House and Senate journals, and much more. There are also links to other im-



Those surfing the Net can now access the Minnesota Legislature's World Wide Web page to find committee schedules, full text of bills, lawmaker profiles, and more.

portant state and federal government sites on the Internet.

The Legislature's World Wide Web page is a joint effort by the Minnesota House of Representatives, the Minnesota Senate, the Legislative Reference Library, and the Office of the Revisor of Statutes.

The goal of the service is to provide as much legislative information as possible

in an easy-to-use format to increase citizen participation in the legislative process.

And the public is responding. During the peak of the 1995 Legislative Session, the Legislature's Internet server was accessed 50,000 times per week. During the first week of the 1996 Legislative Session, that number already stood at 47,000.

Anyone with e-mail can also receive daily and weekly committee schedules from both the House and the Senate without having to connect to the Internet to download them.

To receive the House schedule, send a message to:

[listserv@hsched.house.leg.state.mn.us](mailto:listserv@hsched.house.leg.state.mn.us)

Leave the subject line blank and in the body of the message type:

**subscribe h-schedules**

To receive the Senate schedule, send a message to:

[listserv@senate.leg.state.mn.us](mailto:listserv@senate.leg.state.mn.us)

Leave the subject line blank and in the body of the message type:

**subscribe sen-schedules**

A closer look . . .

## Uncertainty surrounds program cuts for disabled

Beginning July 1, 1996, some 2,100 disabled Minnesotans are expected to be cut from two programs that help them live at home instead of in a state institution.

Some of those individuals were among the 150 who came to the Capitol Jan. 23 to ask lawmakers to and reinstate cuts made by the 1995 Legislature.

Last year, at the urging of Gov. Arne Carlson, lawmakers cut a program that provides in-home personal care attendants (PCA) for the disabled and another program — known as TEFRA — that allows the families of children with disabilities to buy into the joint state and federal Medical Assistance plan.

State officials agree that generally, home care does cost less than placing people with disabilities in an institution. But they add that over the years the TEFRA and PCA programs have expanded too much and now include cases such as mild attention deficit disorder and other disabilities not considered serious enough to warrant institutionalization or participation in the programs.

Elaine Timmer, an assistant commissioner with the Department of Human Services, has said those who are most vulnerable will continue to be covered by the TEFRA program and some form of in-home care.

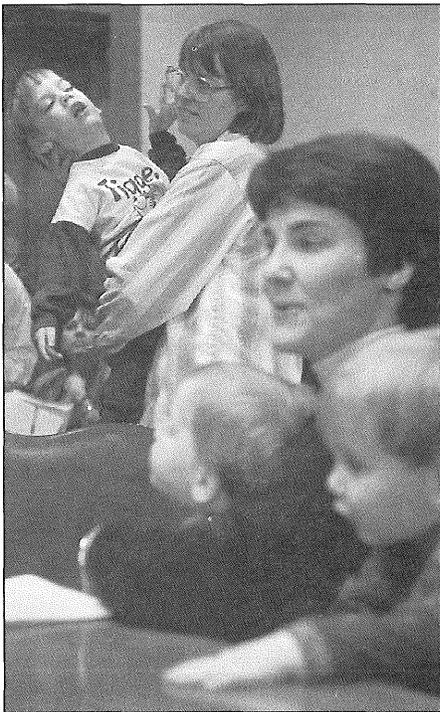
About 20 of the 42 people scheduled to testify before the House Health and Human Services Finance Division Jan. 23 were heard before the committee had to adjourn. Many were distressed, not knowing if their case would be among those cutback or eliminated come July 1996.

Rep. Lee Greenfield (DFL-Mpls), chair of the finance division, promised those testifying that the committee would try to find answers to all their questions before the cuts take effect.

"July is not very far away and I'm just starting my life," said Cali Carpenteur, who suffers from major depression and relies on a personal care attendant to remind her to eat and take her medication.

"The thoughts of meds and food do not occur to me," she said, adding that she has no family so only her attendant is there daily to check up on her and make sure she's fine.

Carpenteur started college at 32 and is attending the University of Minnesota. She is concerned that without her attendant she'll fall back into a major depression, be in bed for weeks; and risk losing all she's worked for in college.



Janet Mueller, a personal care attendant, holds Matthew Schwebach, *background*, as his mother, Mary, and brothers, Andy and Sam, asked lawmakers not to severely cutback programs that help people with disabilities receive care at home instead of in a state institution. Matthew has cerebral palsy and is also mentally retarded and legally blind. They testified before the House Health and Human Services Finance Committee Jan. 23.

"Five years ago my prognosis was going nowhere." Before making cuts, she said, "think of me."

Mary Schwebach of Minnetonka told the committee if it hadn't been for the government providing her family with a personal care attendant eight hours each day to help

human interaction. . . I can't even go to the bathroom or answer the phone without him crying like a colicky child.

"I am convinced that if the PCA services are eliminated, we will once again be faced with the decision to place Matthew out of home."

The cuts passed by the 1995 Legislature total about \$10.3 million for both programs. The law tightens eligibility requirements and limits some services. One provision reduces by 12.5 percent the maximum number of personal care service hours a recipient may receive.

Another section requires that those receiving the help of a personal care attendant be capable of directing their own care. More specifically, the statute states that recipients must be able to "identify their needs, direct and evaluate task accomplishment, and assure their health and safety."

That provision, however, has run into trouble with federal health officials who say it may discriminate against children, according to officials of the state Department of Human Services. Many children cannot direct their own care simply because they are children and need help from adults.

The provision also discriminates against adults with mental illness because they are not mentally competent enough to direct their own care, said Anne Henry, an attorney with the Minnesota Disability Law Center.

She said the state of Washington tried to cutback its in-home programs for the disabled using similar criteria and lost in court.

If federal officials prohibit that provision's enforcement, many people who would have been cut from PCA services may keep them.

That would mean savings from the 1995 law would drop from \$10.3 million to \$2.8

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*"I am convinced that if the PCA services are eliminated, we will once again be faced with the decision to place (my son) Matthew out of home."*

*—Mary Schwebach*

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out, her son Matthew, who has severe cerebral palsy, would have been institutionalized. He also is legally blind and mentally retarded.

Schwebach said Matthew, who can't walk, talk, or sit, would be more manageable if it weren't for his behavior — he cries much of the time. "He cries unless he has constant

million, according to some estimates.

Henry said regardless of how deep the cuts go, they will devastate many Minnesota families because many chronically ill and disabled children and adults will be left to fend for themselves.

The state, she said, will return to the era when families were faced with either the

choice of institutionalizing their loved ones or spending everything they had on the medical care for that individual and impoverishing the family.

In all, state Department of Human Services officials estimate that of the 5,684 families with a personal care attendant, 454 will be cut completely from the program. Another 733 also will be cut but will be picked up by county mental health services. Those services, however, may or may not meet all their needs, Timmer said.

About 1,725 will stay with the program

and the remaining 2,771 are expected to receive federal waivers for personal care attendants or a similar service. If the federal government fails to come through with the waivers, those individuals will continue on the state's PCA program.

In terms of the TEFRA program, of the 4,188 participants in June 1995, about 2,000 are expected to remain.

Of the more than 2,000 children gone from the program, about 800 constitute closed cases, deaths, or children who never reapplied for the program; 670 suffer from physi-

cal disabilities; 575 suffer from developmental disabilities; and 400 from mental illness.

Those with a mental illness are expected to find other county services. The state has appropriated \$3 million to counties to help with the additional caseload.

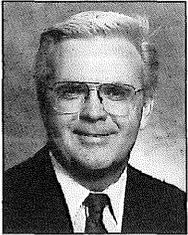
Those with physical or developmental disabilities cut from the TEFRA program must use their own private insurance as well as other community resources such as their school district's special education classes and county social services.

— K. Darcy Hanzlik

New members . . .

## Newcomer Carlson makes policy by the numbers

For an accountant who admits that many in his profession are "shy" and "not risk takers," Rep. Skip Carlson is entering a world where such attributes are fairly uncommon.



Rep. Skip Carlson

Carlson, a Republican from Fridley, is one of the newest members of the Minnesota House of Representatives. He was elected July 11, 1995, in a special election to fill the District 52A seat

which includes parts of Fridley and New Brighton and all of Columbia Heights and Hilltop, all suburbs of Minneapolis.

The 51-year-old accountant and insurance salesman replaces former Rep. Wayne Simoneau, a 21-year legislative veteran who resigned to become acting commissioner of the state Department of Employee Relations.

Carlson's victory over his DFL opponent, Bruce Nawrocki, marks the first time in generations that the district has been represented by a Republican.

In fact, when Carlson graduated from Columbia Heights High School in 1962, Nawrocki already was the mayor of Columbia Heights.

Carlson's win marks his first run at elective office. Prior to this, the closest he'd ever come was serving as treasurer in another political campaign. When Carlson was approached to

run for the seat, he said thanks but no thanks.

"I think I was going through a mid-life crisis," the 51-year-old said jokingly.

But after much thought, I decided that "I can't complain . . . if I sit on the sidelines," he said.

Last spring, Carlson became a first-time grandfather and he thinks his grandson, Nathan, may have had something to do with his running for office.

"I turned 51 . . . you see your own mortality. . . . Sometimes I hold my grandson and consider he's already in debt and he doesn't know it. If there is a way to turn the state over to [him] in better shape, I want to do it."

Carlson, an active community member, is a member of the Anoka Rotary, the National Sports Center Foundation, and the Anoka County Internal Audit Commission. He has been president of both the Anoka Area Chamber of Commerce and the Anoka County Chamber of Commerce.

After growing up in northeast Minneapolis and Columbia Heights, he served in the Army, attended the University of Minnesota, and later graduated from St. Cloud State University. He has been married 28 years.

Carlson said he really doesn't have a personal agenda but is interested in reforming the state's tax system and working on education funding issues. That should work out well for him: He has been selected as one of the few freshmen members of the minority party to sit on the powerful House Taxes

Committee, where he expects his accounting background will come in handy.

Carlson said he is looking forward to the busy pace of the session. With his children grown and his wife, Shirley, owning her own business, he feels he has the time to devote to the job.

"I can't imagine having a young family. . . . I don't think I would apply for the job," he said.

The new lawmaker's hobbies include baby-sitting his new grandson and reading—especially about the Civil War. "Not so much the battles," he said, "but the human side and personal conflicts."

Remembering the human side of the lawmaking process is something Carlson hopes will serve his constituents well.

— K. Darcy Hanzlik

### District 52A

**Population:** 32,890  
**Distribution:** 100 percent urban  
**County:** Anoka, Ramsey  
**Largest city:** Columbia Heights  
**Location:** north central Metro  
**Unemployment rate:** 5.98 percent  
**Residents living below poverty level:** 7.98 percent  
**1994 gubernatorial election results:**  
 Carlson/Benson ..... 62.32 percent  
 Marty/Larson ..... 30.44 percent  
 Other: ..... 7.24 percent

# Bill Introductions

HF2429 - HF2720

## Monday, January 22

**HF2430—Carlson, L. (DFL)**  
**Financial Institutions & Insurance**  
Self-insurance pool commerce department regulation provisions modified.

**HF2431—Girard (R)**  
**Environment &  
Natural Resources Finance**  
Marshall appropriated money for flood control project, and bonds issued.

**HF2432—Mulder (R)**  
**Health & Human Services**  
Abortion informed consent required.

**HF2433—Macklin (R)**  
**Taxes**  
Moving property lease or rental income apportionment provided, property tax refund provided for small manufacturing businesses, sales tax exemption provided for replacement capital equipment, and money appropriated.

**HF2434—Dorn (DFL)**  
**Judiciary**  
Juvenile court and peace officer record release provided for research purposes.

**HF2435—Kraus (R)**  
**Environment &  
Natural Resources Finance**  
Rendezvous trail established in Freeborn and Mower counties.

**HF2436—Skoglund (DFL)**  
**Judiciary**  
Pawn shop law enforcement data provisions modified.

**HF2437—Kelley (DFL)**  
**Judiciary**  
Criminal alert network member data classified.

**HF2438—Harder (R)**  
**Education**  
Independent School District No. 173, Mountain Lake, state aid and local property tax levy proceeds restored, and money appropriated.

**HF2439—Tuma (R)**  
**Transportation & Transit**  
Trunk highway No. 13 between New Prague and Montgomery designated as Czech Heritage Highway.

**HF2440—Jaros (DFL)**  
**International Trade  
& Economic Development**  
Migration and economic development task force established.

**HF2441—Erhardt (R)**  
**Taxes**  
Senior citizens' property tax deferral program established, and money appropriated.

**HF2442—Finseth (R)**  
**Education**  
Secondary vocational education aid guarantee provisions modified.

**HF2443—Cooper (DFL)**  
**Health & Human Services**  
Medical assistance for needy persons demonstration provider definition to include certain nursing facilities.

**HF2444—Cooper (DFL)**  
**Health & Human Services**  
Medical test nondiscriminate health plan coverage required regardless of type of provider ordering tests.

**HF2445—Orfield (DFL)**  
**Environment & Natural Resources**  
Metropolitan Council regional parks land acquisition and improvements provided, bonds issued, and money appropriated.

**HF2446—McCollum (DFL)**  
**Health & Human Services**  
Public apology provided to all persons with developmental disabilities who have been involuntarily committed to state institutions.

**HF2447—Bishop (R)**  
**Environment & Natural Resources**  
Rochester public utilities provided grant for repair of the Lake Zumbro hydroelectric dam, bonds issued, and money appropriated.

**HF2448—McElroy (R)**  
**Housing**  
Municipal building code application restrictions provided related to unoccupied housing.

**HF2449—Kinkel (DFL)**  
**Transportation & Transit**  
Shingobee Township provided grant for road improvements, and money appropriated.

**HF2450—Kinkel (DFL)**  
**Judiciary**  
Child support arrearage interest accrual provisions modified.

**HF2451—Onnen (R)**  
**Health & Human Services**  
Outreach crisis service provider rate adjustment provided.

**HF2452—Pugh (DFL)**  
**Judiciary**  
Solicitation of minor participation in criminal gangs provided felony penalty.

**HF2453—Pugh (DFL)**  
**Judiciary**  
Blood product infusion civil action damage statute of limitations provisions modified.

**HF2454—Tunheim (DFL)**  
**Agriculture**  
Commodity Council referenda requirements modified.

**HF2455—Dempsey (R)**  
**Capital Investment**  
Omnibus bonding bill providing public improvements of a capital nature, bonds issued, and money appropriated.

**HF2456—Lourey (DFL)**  
**Health & Human Services**  
Mental retardation and related developmental disability advisory council established, and direct care staff advisory committee established.

**HF2457—Kraus (R)**  
**Governmental Operations**  
Legislative service credit limit established.

**HF2458—Kelley (DFL)**  
**Local Government  
& Metropolitan Affairs**  
Municipal self-executing special service district procedures established.

**HF2459—Kelley (DFL)**  
**Regulated Industries & Energy**  
Telecommunication statewide comprehensive infrastructure strategy established, fee imposed, and money appropriated.

**HF2460—Long (DFL)**  
**Local Government  
& Metropolitan Affairs**  
Metropolitan local government planning, assistance, grant, and loan program established, and money appropriated.

**HF2461—Pugh (DFL)**  
**Judiciary**  
Domestic assault crime committed in the presence of a child provided gross misdemeanor penalty.

**HF2462—Pugh (DFL)**  
**Judiciary**  
Fleeing the scene of an accident where death occurred while driving under the influence of alcohol deemed criminal vehicular operation, and penalties prescribed.

**HF2463—Pugh (DFL)**  
**Commerce, Tourism  
& Consumer Affairs**  
West St. Paul authorized to issue an on-sale intoxicating liquor license.

**HF2464—Bakk (DFL)**  
**Labor-Management Relations**  
Occupational safety and health definitions, procedures, and requirements modified, and penalties provided.

**HF2465—Bakk (DFL)**  
**Labor-Management Relations**  
Occupational safety and health employee definition modified.

**HF2466—Wejcman (DFL)**  
**Health & Human Services**  
Disabled child in-home services statewide study authorized, and money appropriated.

**HF2467—Daggett (R)**  
**Education**  
Independent School District No. 553, New York Mills, teacher retirement association filing deadline extended.

**HF2468—Swenson, H. (R)**  
**Education**  
Special education base and tuition revenue provisions modified.

**HF2469—Hausman (DFL)**  
**Environment & Natural Resources**  
Metropolitan Council regional parks land acquisition and improvements provided, bonds issued, and money appropriated.

**HF2470—Ness (R)**

**Education**

Hutchinson technical college remodeling authorized, bonds issued, and money appropriated.

**HF2471—Winter (DFL)**

**Labor-Management Relations**

Minimum wage increased.

**HF2472—Molnau (R)**

**Transportation & Transit**

Driver's license possession conditions imposed for minors.

**HF2473—Tomassoni (DFL)**

**Education**

Hibbing Community College improvements authorized, technical and community college integration provided, bonds issued, and money appropriated.

**HF2474—Tomassoni (DFL)**

**Governmental Operations**

Technical college employee benefits protected.

**HF2475—Sviggum (R)**

**Local Government & Metropolitan Affairs**

Sports facilities commission membership modified.

**HF2476—Pawlenty (R)**

**Judiciary**

Child custody best interest factors and modification standards clarified.

**HF2477—Entenza (DFL)**

**Judiciary**

Hennepin and Ramsey counties authorized to establish a juvenile violence prevention task force, and money appropriated.

**HF2478—Mariani (DFL)**

**Commerce, Tourism & Consumer Affairs**

Notary public advertisement in languages other than English regulated.

**HF2479—Kalis (DFL)**

**Environment & Natural Resources Finance**

Faribault County tax-forfeited land conveyance authorized.

**HF2480—Abrams (R)**

**Financial Institutions & Insurance**

Health maintenance organization regulatory authority transferred to commerce commissioner; and health commissioner duties specified.

**HF2481—Brown (DFL)**

**Local Government & Metropolitan Affairs**

Airport construction restricted, noise mitigation plan inclusion and sound-proofing provided, transitway construction required, met center purchase authorized, and money appropriated.

**HF2482—Entenza (DFL)**

**Judiciary**

Local mental health authorities allowed to consent to voluntary treatment for certain incompetent persons, neuroleptic medication administration procedures modified, record access provided, and provisional discharge procedures modified.

**HF2483—Carruthers (DFL)**

**Judiciary**

Writ of certiorari application process clarified.

**HF2484—Pugh (DFL)**

**Governmental Operations**

University of Minnesota and Fairview hospitals employee rights protected related to facility transfer and combination.

**HF2485—Wejcman (DFL)**

**Health & Human Services**

Health care utilization review organizations required to notify patients of determinations.

**HF2486—Greenfield (DFL)**

**Health & Human Services**

Medical Assistance program personal care assistant services modified.

**HF2487—Garcia (DFL)**

**Governmental Operations**

Richfield firefighters relief association benefit increases provided.

**HF2488—McGuire (DFL)**

**Judiciary**

Domestic abuse offender electronic monitoring device use authorized in certain cases.

**HF2489—Van Engen (R)**

**Transportation & Transit**

Speeding violations provided maximum fine.

**HF2490—Koppendrayner (R)**

**Education**

School site decision-making options provided.

**HF2491—Sviggum (R)**

**Labor-Management Relations**

Employer civil liability immunity provided for information disclosure regarding former employees.

**HF2492—Kraus (R)**

**Governmental Operations**

Compensation Council salary recommendation voting requirements provided.

**HF2493—Kahn (DFL)**

**Governmental Operations**

Public employee retirement account technical modifications provided.

**HF2494—Dawkins (DFL)**

**Judiciary**

Unfair employment discrimination claim filing provisions clarified.

**HF2495—Dawkins (DFL)**

**Judiciary**

GREAT; gang resistance education and training program developed by the Bureau of Criminal Apprehension, school district crime-related cost levy increased, and money appropriated.

**HF2496—Carruthers (DFL)**

**Local Government & Metropolitan Affairs**

Metropolitan Council transit operations subject to special assessments.

**HF2497—Swenson, D. (R)**

**Judiciary**

Juvenile petty offense definition, and application of the juvenile petty offender law modified.

**HF2498—Haas (R)**

**Judiciary**

Fleeing a peace officer offense penalty expanded to include motor vehicle forfeiture.

**HF2499—Bishop (R)**

**Judiciary Finance**

Rochester state hospital site regional residential treatment center remodeling authorized, bonds issued, and money appropriated.

**HF2500—Kelley (DFL)**

**Education**

Minnesota technology improvement program established, and money appropriated.

**HF2501—Van Dellen (R)**

**Ways & Means**

State appropriations limited, and constitutional amendment proposed.

**HF2502—Wagenius (DFL)**

**Transportation & Transit**

Metropolitan transit assistance fund established, gasoline tax increase provided, constitutional amendment proposed, and money appropriated.

**HF2503—Long (DFL)**

**Local Government**

**& Metropolitan Affairs**

Municipal local zoning conformity provided in certain cases.

**HF2504—Wagenius (DFL)**

**Environment**

**& Natural Resources**

Solid waste generator assessment provisions clarified.

**HF2505—Pugh (DFL)**

**Judiciary**

Medical records in personnel files access limitation modified.

**HF2506—Skoglund (DFL)**

**Judiciary**

Indecent exposure in the presence of a minor repeated offense penalty increased.

**HF2507—Osthoff (DFL)**

**Economic Development, Infrastructure, & Regulation Finance**

Port development grants provided, bonds issued, and money appropriated.

**HF2508—Lieder (DFL)**

**Economic Development, Infrastructure & Regulation Finance**

Transit appropriation carryover authorized.

**HF2509—Wagenius (DFL)**

**Judiciary**

Public nuisance definitions clarified.

**HF2510—Wejcman (DFL)**

**Health & Human Services**

Home telemedicine demonstration project established.

**HF2511—Dorn (DFL)**

**Taxes**

Mankato sales tax revenue use authority provided.

**HF2512—Johnson, V. (R)**

**Environment**

**& Natural Resources Finance**

Wild animal crop destruction emergency deterrent materials assistance application provisions modified.

**HF2513—Huntley (DFL)**

**International Trade**

**& Economic Development**

Port authorities authorized to use certain provisions of the uniform municipal contracting law.

**HF2514—Otremba (DFL)**  
**Transportation & Transit**  
Rustic road liability exemption provided.

**HF2515—Rest (DFL)**  
**Local Government & Metropolitan Affairs**  
Local government joint planning authorized, and aid provided for certain joint planning annexations.

**HF2516—Van Engen (R)**  
**Transportation & Transit**  
Motor vehicle sales tax revenue allocation provided to the state general fund, highway user tax distribution fund, and the transit assistance fund.

**HF2517—Milbert (DFL)**  
**Commerce, Tourism & Consumer Affairs**  
Motor home sale and operation regulated, and rulemaking authority provided.

**HF2518—Osthoff (DFL)**  
**Governmental Operations**  
Minneapolis and St. Paul teacher retirement funds supplemental contributions provided, and school district levy authority reallocation provided.

**HF2519—Pelowski (DFL)**  
**Commerce, Tourism & Consumer Affairs**  
Petroleum release cleanup reimbursement provisions modified.

**HF2520—Rostberg (R)**  
**Governmental Operations**  
Deceased volunteer firefighter survivor benefits provided to dependent children.

**HF2521—Hausman (DFL)**  
**Commerce, Tourism & Consumer Affairs**  
Environmental marketing claim deceptive trade practices regulated.

**HF2522—Solberg (DFL)**  
**Local Government & Metropolitan Affairs**  
Itasca County Medical Center sale proceeds provided for certain pension plan payments.

**HF2523—Entenza (DFL)**  
**Education**  
Early Childhood Family Education (ECFE) parent educator license availability continued.

**HF2524—Rhodes (R)**  
**Judiciary**  
Fourth judicial district chief judge third consecutive term authorized.

**HF2525—Rukavina (DFL)**  
**Commerce, Tourism & Consumer Affairs**  
Motor vehicle dealership relocation provided under certain specified conditions.

**HF2526—Brown (DFL)**  
**Regulated Industries & Energy**  
Cellular telephone service acquisition through cellular counterfeiting provided criminal penalty, and forfeiture of cellular phone cloning paraphernalia provided.

**HF2527—Weaver (R)**  
**Labor-Management Relations**  
Employment dispute settlement data access provided, and employment settlement notice and approval required.

**HF2528—Knoblach (R)**  
**Financial Institutions & Insurance**  
Banks and financial institutions authorized the use of letters of credit as collateral to secure deposits of public funds.

**HF2529—Wejcman (DFL)**  
**Health & Human Services**  
Child care center and family home day care providers qualifications advisory task force established.

**HF2530—Knoblach (R)**  
**Governmental Operations**  
Administration department state purchasing preference provisions modified.

**HF2531—Lourey (DFL)**  
**Health & Human Services**  
Early childhood education and child care worker loan forgiveness, apprenticeship, and mentoring programs provided, and money appropriated.

**HF2532—Long (DFL)**  
**Local Government & Metropolitan Affairs**  
Minneapolis park and recreation board employee appointment provided.

**HF2533—Dawkins (DFL)**  
**Judiciary**  
Police reports provided as evidence in forcible entry and unlawful detention actions to recover possession of premises.

## Thursday, January 25

**HF2534—Entenza (DFL)**  
**General Legislation, Veterans Affairs & Elections**  
Impounded and seized animal transfer prohibited to institutions engaged in research.

**HF2535—Greiling (DFL)**  
**Commerce, Tourism & Consumer Affairs**  
Legislative review of administrative rules provided.

**HF2536—Tunheim (DFL)**  
**Health & Human Services**  
Nursing facility reimbursement provisions modified.

**HF2537—Johnson, V. (R)**  
**Local Government & Metropolitan Affairs**  
Local government cooperative planning and zoning authorized.

**HF2538—Macklin (R)**  
**Judiciary**  
Criminal sexual conduct in the fifth degree definition expanded.

**HF2539—Rostberg (R)**  
**Health & Human Services**  
AFDC recipients required to pick up their checks.

**HF2540—Orfield (DFL)**  
**Health & Human Services**  
Basic sliding fee child care assistance program funded, employers required to offer dependent care pre-tax accounts, dependent care credit expanded, and money appropriated.

**HF2541—Macklin (R)**  
**Judiciary**  
Search warrant statewide jurisdiction provided, peace officer search warrant execution provisions modified, and local police or sheriff notification required when out-of-jurisdiction search warrants are executed.

**HF2542—Milbert (DFL)**  
**Taxes**  
Materials used in providing taxable services exempted from sales tax.

**HF2543—Marko (DFL)**  
**Transportation & Transit**  
Cultural resource survey defined, and transportation department cooperation provided.

**HF2544—Ness (R)**  
**Education**  
School attendance options provided and student expulsion grounds provided.

**HF2545—Ness (R)**  
**Education**  
Basic skills summer school pupil units established.

**HF2546—Daggett (R)**  
**Taxes**  
Volunteer services income tax credit established.

**HF2547—Cooper (DFL)**  
**Environment & Natural Resources**  
Minnesota river basin joint powers board established, and money appropriated.

**HF2548—Van Dellen (R)**  
**Taxes**  
Tax increase legislation voting requirements established, and constitutional amendment proposed.

**HF2549—Ostrom (DFL)**  
**General Legislation, Veterans Affairs & Elections**  
Public employee leaves of absence related to candidacy for public office provisions modified.

**HF2550—Tompkins (R)**  
**Judiciary**  
Child neglect or endangerment felony penalty provided for permitting the physical or sexual abuse of a child.

**HF2551—Sykora (R)**  
**Education**  
Charter school authorized number increased, and charter school teacher requirements modified.

**HF2552—Wagenius (DFL)**  
**Taxes**  
Solid waste collection and disposal sales and use tax retroactive payment provided.

**HF2553—Skoglund (DFL)**  
**Judiciary**  
Peace and probation officers authorized to detain probationers based on corrections officer's orders.

**HF2554—Broecker (R)**  
**Transportation & Transit**  
Speeding violations committed in parks surcharge provided.

**HF2555—Wenzel (DFL)**  
**Agriculture**  
Used farm machinery sales tax exemption extended.

**HF2556—Mahon (DFL)**  
**Local Government & Metropolitan Affairs**  
Metropolitan Council wastewater services cost allocation system modified.

**HF2557—Bakk (DFL)**  
**Environment & Natural Resources**  
Snowmobile operator fleeing a law enforcement officer crime penalty modified.

**HF2558—Cooper (DFL)**  
**Health & Human Services**  
Nursing registration violation penalty fee provided, and out-of-state practice provisions modified.

**HF2559—Knoblach (R)**  
**Education**  
St. Cloud State University library construction provided, bonds issued, and money appropriated.

**HF2560—Dehler (R)**  
**Environment & Natural Resources**  
Disabled hunter permit term provisions modified.

**HF2561—Pugh (DFL)**  
**Health & Human Services**  
Dakota County long-term care demonstration project authorized.

**HF2562—Clark (DFL)**  
**International Trade & Economic Development**  
Businesses receiving state financial assistance required to pay at least a poverty level wage and increase jobs.

**HF2563—McCollum (DFL)**  
**Local Government & Metropolitan Affairs**  
City and county record and account examination by certified public accountants authorized.

**HF2564—McCollum (DFL)**  
**Health & Human Services**  
Mercury amalgam use in dental procedures informed consent required, and professional sanctions prohibited.

**HF2565—Tuma (R)**  
**Education**  
Trade and correspondence school licensing standards modified, and public policy established.

**HF2566—Entenza (DFL)**  
**Judiciary**  
Civil commitment act reorganization and clarification provided.

**HF2567—Entenza (DFL)**  
**Judiciary**  
Sex offender probation term extension permitted if offender fails to complete court-ordered sex offender treatment before probation expires.

**HF2568—Orfield (DFL)**  
**Education**  
Minnesota state college and university tuition rates reduced, and money appropriated.

**HF2569—Rest (DFL)**  
**Environment & Natural Resources**  
Pollution Control Agency commissioner removed from Pollution Control Agency Board.

**HF2570—Cooper (DFL)**  
**Health & Human Services**  
Mental health practitioner and professional definitions modified, and pharmacologic management services payment rates established.

**HF2571—Jennings (DFL)**  
**Education**  
Independent School District No. 138, North Branch, lease levy authorized for administrative purposes.

**HF2572—Johnson, V. (R)**  
**Governmental Operations**  
Statewide universal public access to telecommunication and information services principles enumerated, and money appropriated.

**HF2573—Johnson, V. (R)**  
**Governmental Operations**  
Government Information Access Council name changed, and money appropriated.

**HF2574—Jennings (DFL)**  
**Health & Human Services**  
Intermediate care facility rate clarification and suspension provided.

**HF2575—Jennings (DFL)**  
**Health & Human Services**  
Intermediate care facility rate penalties removed.

**HF2576—Huntley (DFL)**  
**Financial Institutions & Insurance**  
Minnesota Comprehensive Health Association eligibility requirements modified, and money appropriated.

**HF2577—Tunheim (DFL)**  
**Transportation & Transit**  
Motor vehicle registration fee rebate provided.

**HF2578—Skoglund (DFL)**  
**Judiciary**  
Crime of violence definition expanded to include felony thefts, and mandatory minimum sentences lengthened for violent crimes committed with firearms.

**HF2579—Huntley (DFL)**  
**Health & Human Services**  
Nursing home contractual alternative payment demonstration project provisions modified.

**HF2580—Wenzel (DFL)**  
**Environment & Natural Resources**  
Non-resident fish house restrictions modified.

**HF2581—Macklin (R)**  
**Judiciary**  
Motor vehicle use without consent crime provisions modified.

**HF2582—Wejzman (DFL)**  
**Education**  
Hearing and hearing review officer racial diversity training established.

**HF2583—Wejzman (DFL)**  
**Judiciary**  
Judicial system disability bias study task force established, and money appropriated.

**HF2584—Kinkel (DFL)**  
**Education**  
Independent School District No. 308, Nevis, fund transfer provided.

**HF2585—Girard (R)**  
**Environment & Natural Resources**  
Natural watercourse obstruction removal required by natural resources department.

**HF2586—Carruthers (DFL)**  
**Education**  
Education appropriation caps eliminated for the 1998-1999 biennium.

**HF2587—Schumacher (DFL)**  
**Transportation & Transit**  
Motor carriers of property deregulation provided.

**HF2588—Wagenius (DFL)**  
**Financial Institutions & Insurance**  
Landfill cleanup cost and damage claim resolution process established, state recovery from insurers provided, and money appropriated.

**HF2589—Carruthers (DFL)**  
**Transportation & Transit**  
Traffic and parking violation delinquent fine collection system established, truancy citation issuance authorized, statewide juvenile information system to include aliases of offenders, and fees imposed.

**HF2590—Bertram (DFL)**  
**Commerce, Tourism & Consumer Affairs**  
Liquor manufacturer and wholesaler licensure eligibility provisions modified, and certain wine tastings exempted from testing.

**HF2591—Van Engen (R)**  
**Education**  
Independent School District No. 347, Willmar, land transfer provided from the state colleges and universities board.

**HF2592—Jennings (DFL)**  
**Commerce, Tourism & Consumer Affairs**  
Mississippi and St. Croix river tour boats issued on-sale intoxicating liquor licenses.

**HF2593—Jennings (DFL)**  
**Local Government & Metropolitan Affairs**  
Sanitary district powers modified related to road repairs.

**HF2594—Munger (DFL)**  
**Environment & Natural Resources**  
Frog tissues studied as biological indicators by natural resources department, wetlands water quality index developed using invertebrates and amphibians, and money appropriated.

**HF2595—Pugh (DFL)**  
**Financial Institutions & Insurance**  
Liability insurance coverage to include coverage for punitive and exemplary damages.

**HF2596—Skoglund (DFL)**  
**Judiciary**  
State court cause of action provided for relief for damages caused by a federal court action that affects public participation by the plaintiff.

**HF2597—Hasskamp (DFL)**  
**Health & Human Services**  
Medical assistance personal needs allowance increase provided in certain circumstances.

**HF2598—Bakk (DFL)**  
**Environment & Natural Resources**  
Deer quartering allowed prior to registration.

**HF2599—Abrams (R)**  
**Local Government & Metropolitan Affairs**  
Airport construction restricted, noise mitigation plan inclusion and sound-proofing provided, transitway construction required, met center purchase authorized, and money appropriated.

**HF2600—Carruthers (DFL)**  
**Economic Development, Infrastructure & Regulation Finance-Transportation Finance Division**  
Hennepin County multi-jurisdictional reinvestment program capital improvement provided, bonds issued, and money appropriated.

**HF2601—Pugh (DFL)**  
**Financial Institutions & Insurance**  
Diabetes self-management training and education services health insurance coverage required.

**HF2602—Orenstein (DFL)**  
**Education**  
Higher education mandates removed and increased accountability and performance required for funding.

**HF2603—Entenza (DFL)**  
**Education**  
Adult basic education full funding provided, and money appropriated.

**HF2604—Pugh (DFL)**  
**Judiciary**  
Recalled judge service authorized for judges who have resigned in good standing, and law practice admission examination fee set by Minnesota Supreme Court.

**HF2605—Dauner (DFL)**  
**Environment & Natural Resources**  
Watershed district revenue collection authorized.

**HF2606—Tomassoni (DFL)**  
**Education**  
Independent School District No. 701, Hibbing, health and safety revenue provided for new facility construction.

**HF2607—Kahn (DFL)**  
**Governmental Operations**  
Higher education retirement board established, and powers specified.

**HF2608—Koppendrayner (R)**  
**Education**  
School district employee performance-based compensation provided, performance-based compensation aid established, and money appropriated.

**HF2609—Anderson, R. (DFL)**  
**Health & Human Services**  
MNJOBS program established providing an intensive employment program for public assistance recipients.

**HF2610—Osthoff (DFL)**  
**Environment & Natural Resources Finance**  
St. Paul science museum design and construction provided, bonds issued, and money appropriated.

**HF2611—Lourey (DFL)**  
**Financial Institutions & Insurance**  
Disabled Medicare enrollee eligibility provided without underwriting.

**HF2612—Bettermann (R)**  
**Economic Development, Infrastructure & Regulation Finance**  
Brandon education, heritage, and cultural preservation center development provided, bonds issued, and money appropriated.

**HF2613—Van Dellen (R)**  
**Judiciary**  
Minor unlawful possession of pistols crime provided minimum penalty, public assistance benefits limited for persons convicted of felonies, criminal gang statutory definition repealed, gang resistance education funded, money appropriated.

**HF2614—Van Dellen (R)**  
**Judiciary**  
Peace officer misconduct false allegations provided criminal penalties.

**HF2615—Jennings (DFL)**  
**Regulated Industries & Energy**  
Telephone service providers provision of intrastate inter-LATA long distance service ensured.

**HF2616—Kelley (DFL)**  
**Education**  
Library telecommunication aid match requirements eliminated, local telephone companies to provide low- or no-cost services to schools and libraries, and telecommunication grant fund use provisions modified.

**HF2617—Lourey (DFL)**  
**Local Government & Metropolitan Affairs**  
Sawyer Township in Carlton County recreation levy provided.

**HF2618—Macklin (R)**  
**Judiciary**  
Data practices provisions modified related to governmental entity personnel data, welfare data, state and local economic development, and health data.

**HF2619—Osthoff (DFL)**  
**Economic Development, Infrastructure, & Regulation Finance**  
St. Paul economic development and employment program coordination provided.

**HF2620—Osskopp (R)**  
**Transportation & Transit**  
Local government highway sign regulatory authority expanded.

**HF2621—Kinkel (DFL)**  
**Judiciary Finance**  
Ah Gwah Ching Correctional Facility establishment authorized, bonds issued, and money appropriated.

**HF2622—Kinkel (DFL)**  
**Economic Development, Infrastructure & Regulation Finance**  
Battle Point historic construction authorized, bonds issued, and money appropriated.

**HF2623—Jefferson (DFL)**  
**Governmental Operations**  
Legislator death and disability benefit provisions modified, and teacher annuity accrual provisions modified.

**HF2624—Cooper (DFL)**  
**Health & Human Services**  
Health insurance risk adjustment system exclusive relationship repealer extended.

**HF2625—Wenzel (DFL)**  
**Local Government & Metropolitan Affairs**  
Baxter Public Utilities Commission expansion allowed.

**HF2626—Ozment (R)**  
**Taxes**  
Green Acres program land classification provisions modified.

**HF2627—Murphy (DFL)**  
**Governmental Operations**  
Teachers and public employees retirement association pension plan mem-

bers special repayment of previous contribution refunds authorized.

**HF2628—Murphy (DFL)**  
**Education**  
Fond du Lac Community College student housing acquisition and betterment provided, bonds issued, and money appropriated.

**HF2629—Cooper (DFL)**  
**Taxes**  
Cooperative-owned retail supply facilities provided a reduced property tax class rate.

**HF2630—Cooper (DFL)**  
**Health & Human Services**  
Nursing home director allowed to serve as a licensed nursing home administrator under certain circumstances.

**HF2631—Jaros (DFL)**  
**Labor-Management Relations**  
Temporary employment agencies studied by labor and industry department.

**HF2632—Entenza (DFL)**  
**Environment & Natural Resources Finance**  
St. Paul science museum design and construction provided, bonds issued, and money appropriated.

**HF2633—Greenfield (DFL)**  
**Health & Human Services**  
Health profession sexual misconduct provisions modified.

**HF2634—Long (DFL)**  
**Local Government & Metropolitan Affairs**  
Hennepin County additional chief deputy sheriff appointment provided.

**HF2635—Dawkins (DFL)**  
**Governmental Operations**  
St. Paul teachers retirement association articles of incorporation and by-law revision authorized.

**HF2636—Jennings (DFL)**  
**Health & Human Services**  
Human services facility operating cost limitation provisions modified.

**HF2637—McGuire (DFL)**  
**Commerce, Tourism & Consumer Affairs**  
Sign installer license reciprocity between local units of government mandated.

**HF2638—Cooper (DFL)**  
**Agriculture**  
Foreign cooperative filing regulated, and finance charges imposed by agricultural cooperatives on goods and services regulated.

**HF2639—Long (DFL)**  
**Health & Human Services**  
Group residential housing rate exception clarified.

**HF2640—McGuire (DFL)**  
**Environment & Natural Resources Finance**  
Laurentian environmental learning center improvements provided, bonds issued, and money appropriated.

**HF2641—Bakk (DFL)**  
**International Trade & Economic Development**  
Voyageur recreation area established and board created.

**HF2642—Mahon (DFL)**  
**Regulated Industries & Energy**  
Public utility mergers regulated and utility asset sale notification required.

**HF2643—McGuire (DFL)**  
**Judiciary**  
Pistol possession rights limited for persons convicted of protection order violations, stalking, or harassment crimes, and money appropriated.

**HF2644—Osskopp (R)**  
**Local Government & Metropolitan Affairs**  
Airport construction restricted, noise mitigation plan inclusion and soundproofing provided, transitway construction required, met center purchase authorized, and money appropriated.

**HF2645—Knight (R)**  
**Governmental Operations**  
Legislator retirement service credit forfeiture provided upon misdemeanor or felony conviction.

**HF2646—Cooper (DFL)**  
**Financial Institutions & Insurance**  
Mandated health benefit proposal assessment report required.

**HF2647—Ozment (R)**  
**Environment & Natural Resources Finance**  
Metropolitan Council regional park acquisition and betterment provided, bonds issued, and money appropriated.

**HF2648—Dehler (R)**  
**Local Government & Metropolitan Affairs**  
Road improvement assessments prohibited for improvements funded by the county state-aid highway fund, municipal state-aid highway fund, or the trunk highway fund.

**HF2649—Dehler (R)**  
**Local Government & Metropolitan Affairs**  
Town board fund transfer vote requirements clarified.

**HF2650—Dehler (R)**  
**Judiciary**  
Child abuse reporting act record retention allowed.

**HF2651—Koppendrayner (R)**  
**Ways & Means**  
Omnibus education and state departments appropriations bill.

**HF2652—Jefferson (DFL)**  
**Local Government & Metropolitan Affairs**  
Minneapolis authorized to negotiate certain trade and craft contracts for stagehands.

**HF2653—Winter (DFL)**  
**Environment & Natural Resources Finance**  
Red Rock rural water system improvements provided, bonds issued, and money appropriated.

**HF2654—Winter (DFL)**  
**Taxes**  
Wind energy conversion system sales tax exemption extended permanently.

**HF2655—Jennings (DFL)**  
**Health & Human Services**  
Medical assistance and general assistance medical care prospective reimbursement rates modified.

**HF2656—Jennings (DFL)**  
**Health & Human Services**  
Medical assistance and general assistance medical care prospective reimbursement rates modified.

**HF2657—Mulder (R)**  
**Health & Human Services**  
Medical assistance and general assistance medical care prospective reimbursement rates modified.

**HF2658—Milbert (DFL)**  
**Taxes**  
South St. Paul tax increment expenditure authorized for debt service payment.

**HF2659—Winter (DFL)**  
**Taxes**  
State government finance reform provided for education finance, property tax classification, local government aid, sales tax, and business activity tax, constitutional amendment proposed, and money appropriated.

**HF2660—Van Dellen (R)**  
**Taxes**  
Hospital and health care provider gross revenue tax rate reduced.

**HF2661—Bettermann (R)**  
**Health & Human Services**  
Medicaid recipient long-term care voucher system implementation study authorized.

**HF2662—Bettermann (R)**  
**Education**  
School compulsory attendance age increase barred.

**HF2663—Luther (DFL)**  
**Housing**  
Brooklyn Park Economic Development Authority authorized to establish a distressed housing district.

**HF2664—Ness (R)**  
**Environment & Natural Resources**  
Meecker County tax-forfeited land sale authorized.

**HF2665—Koppendrayner (R)**  
**Taxes**  
County boards authorized to grant tax abatements for economic development purposes.

**HF2666—Mares (R)**  
**Education**  
Independent School District No. 624, White Bear Lake, fund transfer authorized.

**HF2667—Kinkel (DFL)**  
**Education**  
Community education director license established for persons serving in small school districts.

**HF2668—Anderson, I. (DFL)**  
**Economic Development, Infrastructure & Regulation Finance**  
Cold weather research needs study required by trade and economic development department, and money appropriated.

**HF2669—Anderson, I. (DFL)**  
**Economic Development, Infrastructure & Regulation Finance**  
Voyageur interpretive and conference center development provided, bonds issued, and money appropriated.

**HF2670—Schumacher (DFL)**  
**Local Government & Metropolitan Affairs**  
Minnesota municipal board authority and procedures clarified.

**HF2671—Long (DFL)**  
**Transportation & Transit**  
Motor fuel tax revenue dedicated to public transit, highways, or other transportation purposes, and constitutional amendment proposed.

**HF2672—Jennings (DFL)**  
**Housing**  
Rental security deposit interest rate modified.

**HF2673—Mariani (DFL)**  
**Governmental Operations**  
State agency communication services law modified.

**HF2674—Worke (R)**  
**Commerce, Tourism & Consumer Affairs**  
Legislative approval of proposed administrative rules required.

**HF2675—Entenza (DFL)**  
**Judiciary**  
Special registration license plate authorized for certain persons subject to an impoundment order, prior license revocation definition clarified, and money appropriated.

**HF2676—McElroy (R)**  
**Transportation & Transit**  
Municipalities authorized to levy for transit services.

**HF2677—Peterson (DFL)**  
**Agriculture**  
Agricultural crop damage caused by deer compensation provided, and money appropriated.

**HF2678—Johnson, R. (DFL)**  
**Environment & Natural Resources Finance**  
Bemidji Headwaters science center construction provided, bonds issued, and money appropriated.

**HF2679—Lourey (DFL)**  
**Health & Human Services**  
Basic sliding fee child care program appropriated money.

**HF2680—Wenzel (DFL)**  
**Economic Development, Infrastructure & Regulation Finance**  
**Transportation Finance Division**  
Municipal water and wastewater treatment system loans financed or guaranteed by the U.S. Department of Agriculture provided 40-year term.

**HF2681—Huntley (DFL)**  
**Local Government**  
**& Metropolitan Affairs**  
Seaway port authority lease and management contract rights and responsibilities clarified.

**HF2682—Greiling (DFL)**  
**Labor-Management Relations**  
Parental leave provisions modified related to school conferences and activities.

**HF2683—Sviggum (R)**  
**Governmental Operations**  
Iron Range Resources and Rehabilitation Board composition and appointment provisions modified.

**HF2684—Knoblach (R)**  
**Health & Human Services**  
Human services eligibility and residency requirements provided.

**HF2685—Holsten (R)**  
**Governmental Operations**  
Local government lawful gambling regulation provisions modified.

**HF2686—Orfield (DFL)**  
**Environment &**  
**Natural Resources Finance**  
Metropolitan Council regional park acquisition and betterment provided, bonds issued, and money appropriated.

**HF2687—Wagenius (DFL)**  
**Regulated Industries & Energy**  
Electricity generation-related mercury emission reports and reduction required.

**HF2688—Mariani (DFL)**  
**Environment**  
**& Natural Resources**  
Mississippi River project permit issuance restrictions provided in the metropolitan critical area.

**HF2689—Schumacher (DFL)**  
**Environment**  
**& Natural Resources**  
Closed landfill reimbursement provided from the solid waste fund.

**HF2690—Clark (DFL)**  
**Housing**  
Federal emergency shelter grant program state supplement program established, and money appropriated.

**HF2691—Entenza (DFL)**  
**Judiciary**  
DWI penalties enhanced for drivers lacking motor vehicle insurance.

**HF2692—Bakk (DFL)**  
**Transportation & Transit**  
Farm and forest product weight restriction provisions modified, safety cable use on trailers and semitrailers allowed, and gross weight violation penalty provisions modified.

**HF2693—Jefferson (DFL)**  
**Governmental Operations**  
Public pension benefit accrual rate increase provided, defined contribution early retirement option authorized, and money appropriated.

**HF2694—Olson, E. (DFL)**  
**Taxes**  
Residential non-homestead property tax class rate reduced in certain small cities.

**HF2695—Lourey (DFL)**  
**Health & Human Services**  
Acupuncturists exempted from dietitian and nutritionist licensing requirements.

**HF2696—Lourey (DFL)**  
**Agriculture**  
Rural finance authority general obligation bond authority increased.

**HF2697—Farrell (DFL)**  
**Economic Development,**  
**Infrastructure &**  
**Regulation Finance-**  
**Transportation Finance Division**  
St. Paul Phalen corridor appropriated money for economic development purposes.

**HF2698—Entenza (DFL)**  
**Education**  
Education lease levy authority provisions modified, and money appropriated.

**HF2699—Winter (DFL)**  
**Regulated Industries**  
**& Energy**  
Wind energy mandate provisions clarified, and tax provisions modified.

**HF2700—Winter (DFL)**  
**Regulated Industries**  
**& Energy**  
Renewable energy supply purchase and development encouraged by the administration department.

**HF2701—Brown (DFL)**  
**Transportation & Transit**  
Watershed permit applicability provided related to the Department of Transportation.

**HF2702—Huntley (DFL)**  
**Health & Human Services**  
Medical Assistance prepayment program expansion prohibited.

**HF2703—Wejcman (DFL)**  
**Health & Human Services**  
Outdoor home chore assistance for seniors program continued, county store establishment allowed, and money appropriated.

**HF2704—Mariani (DFL)**  
**Transportation & Transit**  
Transportation regulation board abolished.

**HF2705—McElroy (R)**  
**Judiciary**  
Reserved library book release to third parties authorized.

**HF2706—Cooper (DFL)**  
**Environment &**  
**Natural Resources Finance**  
Passing on the farm center appropriated money.

**HF2707—Kelley (DFL)**  
**Education**  
School site councils established and authority provided to make managerial decisions, school district performance-based funding mechanism established, and money appropriated.

**HF2708—Jennings (DFL)**  
**General Legislation, Veterans**  
**Affairs & Elections**  
National Guard re-enlistment bonus program modified.

**HF2709—Jennings (DFL)**  
**Commerce, Tourism**  
**& Consumer Affairs**  
Mississippi and St. Croix river tour boats issued on-sale intoxicating liquor licenses.

**HF2710—Bishop (R)**  
**Taxes**  
General education levy decreased, and non-school property tax increase provisions modified.

**HF2711—Van Dellen (R)**  
**Taxes**  
Property tax classification rates modified, education homestead credit created, tax refunds provided, and money appropriated.

**HF2712—Erhardt (R)**  
**Transportation & Transit**  
Trunk Highway No. 100 noise barrier erection provided.

**HF2713—Rice (DFL)**  
**Governmental Operations**  
Cambridge State Bank judgment bond issuance authority repealed.

**HF2714—Bettermann (R)**  
**Health & Human Services**  
Public assistance recipients prohibited from cashing public assistance payments at tribal gaming establishments, and sanctions imposed.

**HF2715—Carruthers (DFL)**  
**Commerce, Tourism**  
**& Consumer Affairs**  
Elevator installation, repair, and maintenance workers regulated.

**HF2716—Pugh (DFL)**  
**Judiciary**  
Animal mistreatment penalties increased.

**HF2717—Clark (DFL)**  
**Judiciary**  
Funerals at expense of county decedent disposition provisions modified.

**HF2718—Jefferson (DFL)**  
**Judiciary**  
Delinquent real estate tax provisions modified.

**HF2719—Macklin (R)**  
**Judiciary**  
Real estate document standards provided, and fees imposed.

**HF2720—Dorn (DFL)**  
**Governmental Operations**  
Higher education system employee classification provisions modified.

# Committee Schedule

Schedule is subject to change.  
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## MONDAY, Jan. 29

8 a.m.

### ECONOMIC DEVELOPMENT, INFRASTRUCTURE & REGULATION FINANCE

300N State Office Building  
Chr. Rep. Jim Rice

**Agenda:** HF2311 (Carruthers) Appropriating  
money for Brookdale Area Water Ponding  
Project.

HF2362 (Solberg) Issuance of state bonds for  
publicly owned housing.

HF2143 (Lieder) State trunk highway bonds for  
trunk highway bridges; state transportation  
bonds for local bridges.

HF2037 (Kelley) Bonds for initial phase of  
metropolitan regionwide public safety radio  
communications system.

### Health & Human Services Finance Division/ HEALTH & HUMAN SERVICES

10 State Office Building  
Chr. Rep. Lee Greenfield

**Agenda:** Health and human services budget  
proposals. Department of Health budget pro-  
posals.

### K-12 Education Finance Division/ EDUCATION

5 State Office Building  
Chr. Rep. Alice Johnson

**Agenda:** HF2133 (Seagren) Department of  
Children, Families and Learning policy bill.

HF2057 (Carlson, L.) Alternative learning  
funding.

HF2172 (Peterson) Pupil units for learning year  
programs.

HF2346 (Johnson, A.) Modify referendum rev-  
enue reduction.

(If necessary meeting will continue at 6 p.m. in  
5 State Office Building.)

### Property Tax & Tax Increment Financing Division/TAXES

200 State Office Building  
Chr. Rep. Ted Winter

**Agenda:** HF1548 (Mariani) Providing for de-  
tachment of intermediate airport land from  
cities and school districts.

HF2005 (Broecker) Providing for distribution  
of property tax penalties.

HF2179 (Rostberg) Exclusion from market value  
for certain improvements to homestead prop-  
erty.

HF2180 (Rostberg) Allowing cities, towns and  
counties to abate improvements to commercial  
property.

HF2323 (Kelley) Separate valuation of coop-  
erative residential non-homestead and seasonal-  
recreational properties.

8:30 a.m.

### ENVIRONMENT & NATURAL RESOURCES FINANCE

Basement Hearing Room  
State Office Building

Chr. Rep. Chuck Brown

**Agenda:** Continuation of the capital budget  
request presentation, Metropolitan Council;  
Metropolitan Parks and Open Space Commis-  
sion, Ed Gale, chair. Department of Natural  
Resources, Ron Nargang, deputy commissioner.

### University of Minnesota Finance Division/ EDUCATION

400S State Office Building  
Chr. Rep. Becky Kelso

**Agenda:** University of Minnesota World Wide  
Web demonstration.

10 a.m.

### AGRICULTURE

200 State Office Building  
Chr. Rep. Steve Wenzel

**Agenda:** HFXXXX (Wenzel) Extending the sales  
tax exemption for used farm machinery.

HF2116 (Harder) Changing provisions of plant  
pests, fertilizer, and lime.

Dr. Michael Martin, dean, University of Minne-  
sota, College of Agriculture, Food and Environ-  
mental Sciences; Kathy Fennelly, dean and di-  
rector, Minnesota Extension Services. Presenta-  
tion on University of Minnesota bonding re-  
quests. Question and answer period regarding  
University of Minnesota agricultural policies.

### JUDICIARY

Basement Hearing Room  
State Office Building

Chr. Rep. Wes Skoglund

**Agenda:** HF2482 (Entenza) Civil commitment.  
HF2247 (Pugh) Human services; department

to determine and pay compensation of appeals  
panel; extending state's authority to obtain liens.

HF2078 (Greenfield) Health care provider ID  
numbers; nonpublic data related to group pur-  
chasers; office of mental health practice to es-  
tablish procedures for exchange of information.

HF2483 (Carruthers) Clarifying the process for  
applying for a writ of certiorari.

HF2407 (Leppik) State court administrator to  
develop guidelines for open hearings in child  
protection matters.

Other bills to be announced.

### Legislative Audit Commission

5 State Office Building  
Chr. Rep. Ann H. Rest

**Agenda:** Receive and discuss the Program Evalu-  
ation Division's report on the Department of  
Human Rights. Other legislators interested in  
this topic have been invited to participate as  
well.

### State Government Finance Division/ GOVERNMENTAL OPERATIONS

400S State Office Building  
Chr. Rep. Tom Rukavina

**Agenda:** Capital budget requests; CAAPB; Ad-  
ministration Department.

12:30 p.m.

### GENERAL LEGISLATION, VETERANS AFFAIRS & ELECTIONS

300N State Office Building  
Chr. Rep. Loren Jennings

**Agenda:** HF2137 (Jennings) Authorizing the  
placement of a plaque on the capitol grounds  
for service of women veterans from all wars.

HF2145 (Jennings) Authorizing placement of a  
plaque on the capitol grounds for service of  
veterans of the Persian Gulf War.

HF2413 (Jennings) Relating to cemeteries; pro-  
viding for transfer of cemeteries to and from  
local units of government.

HF2328 (McCollum) Military Affairs; provid-  
ing greater flexibility in appointment of mem-  
bers of the Armory Building Commission, etc.

## HOUSING

500S State Office Building  
Chr. Rep. Karen Clark

**Agenda:** HF2039 (Clark) Relating to securing vacant buildings.

HF2040 (Clark) Providing a waiver of fees and surcharges imposed on motor vehicle registration data requests under certain circumstances, et al.

HF2373 (Jaros) Relating to the City of Duluth; authorizing the establishment of housing replacement districts.

HF2415 (Rest) Modifying procedures for allocating bonding authority to cities for single-family housing, and making technical corrections.

## LABOR-MANAGEMENT RELATIONS

200 State Office Building  
Chr. Rep. Jean Wagenius

**Agenda:** Overview of governor's Workforce Development Council.

HF2223 (Leighton) Providing for certain employment and training service.

HF2319 (Perlt) Relating to re-employment insurance, technical changes.

2:30 p.m.

The House meets in Session.

4 p.m.

## Higher Education Finance Division/ EDUCATION

300S State Office Building  
Chr. Rep. Tony Kinkel

**Agenda:** Governor's 1996 MnSCU capital bonding request, Ron Hackett, team leader, Human Development, Department of Finance; Lisa DeRemee, executive budget officer, Department of Finance. Minnesota State Colleges and Universities (MnSCU) bonding request, Metro Area Regional Planning (land acquisition issues continued); Systemwide Pre-Design; Fond du Lac Tribal and Community College (revenue bonds); Anoka-Ramsey and Anoka-Hennepin Facility Review (air quality issues).

6 p.m.

## Legislative Commission on Pensions and Retirement

Basement Hearing Room  
State Office Building  
Chr. Rep. Richard Jefferson

**Agenda:** Final consideration of subcommittee recommendation of Jan. 22 on:

HF1085 (Farrell); SF906 (Kelly) St. Paul police and fire consolidation account postretirement benefit reductions limited.

HF1560 (Leighton); SF1353 (Piper) Austin Fire Department Relief Association spouse survivor coverage language clarified.

HF2097 (Greiling) StPTRFA; deadline for back

contributions on certain part-time service.

HF932 (Jaros); SF363 (Solon) Duluth fire and police joint consolidation account benefit re-computations and adjustments provided for certain eligible retirees.

HF1072 (Vickerman); SF800 (Frederickson) Springfield Hospital and Clinic physicians provided Public Employees Retirement Association membership termination.

HF1244 (Kahn); SF1074 (Chandler) St. Paul Relief Association former member service credit provided.

HF1272 (Carlson); SF1150 (Reichgott Junge) Minneapolis Teachers Retirement Association former teacher authorized prior service credit purchase.

HF1287 (Rostberg); SF1141 (Johnson, J.B.) Minnesota State Retirement System re-employed annuitant provided retroactive earnings limitation exception.

HF1908 (Jefferson); SF1694 (Kroening) Minneapolis; recodification.

HF2021 (Broecker); SF1714 (Runbeck) TRA; retroactive benefits for certain disabilitants.

HF2050 (Johnson, A.); SF2060 (Krentz) Spring Lake Park, coverage for fire prevention personnel.

HF2123 (Van Engen); SF1911 (Johnson, D.E.) MSRS; purchase of service credit by Willmar MSRS member.

HF2272 (Dauner); SF2103 (Langseth) TRA; exempt interim superintendent from earnings limit.

HF2467 (Daggett) TRA; extension of deadline for certain part-time teacher coverage.

HF2487 (Garcia); SF2035 (Riveness) Richfield; pre-consolidation benefit increase.

HF2522 (Solberg) Itasca County Hospital; provide benefits similar to PERA's for privatized public employees.

7 p.m.

## TRANSPORTATION & TRANSIT

10 State Office Building  
Chr. Rep. Jim Tunheim

**Agenda:** To be announced.

## TUESDAY, Jan. 30

8 a.m.

## EDUCATION

200 State Office Building  
Chr. Rep. Lyndon Carlson

**Agenda:** Site-based decision-making bills to be announced.

## JUDICIARY FINANCE

500N State Office Building  
Chr. Rep. Mary Murphy

**Agenda:** Receive and review reports of Department of Corrections, Department of Human Services and Veterans Homes Board on geriatric

inmates. Review to prioritize 1996 bonding requests, Department of Corrections; Third Judicial District; other. Prioritize and recommend projects to Capital Investment Committee.

## MinnesotaCare Finance Division/ HEALTH & HUMAN SERVICES

10 State Office Building  
Chr. Rep. Roger Cooper

**Agenda:** Unofficial engrossment of:

HF2095 (Rest) Consideration of Article 4 of this legislation, dealing with the Department of Revenue's proposed changes to MinnesotaCare tax sections.

8:30 a.m.

## ENVIRONMENT & NATURAL RESOURCES FINANCE

Basement Hearing Room  
State Office Building

Chr. Rep. Chuck Brown

**Agenda:** Continuation of capital budget request presentation, Minnesota Zoo, Kathryn Roberts, executive director; Department of Trade and Economic Development, Public Facilities Authority, Terry Kuhlman, director.

10 a.m.

## GOVERNMENTAL OPERATIONS

Basement Hearing Room  
State Office Building

Chr. Rep. Phyllis Kahn

**Agenda:** Bills not completed at Jan. 25 meeting.

HF2059 (Kelley) Veterinary Practices Act.

HF2125 (Boudreau) Repealing obsolete air quality and wastewater treatment rules.

HF2308 (Perlt) State employee combined charitable campaign.

HF2131 (Seagren) Requirements for accessible parking spaces.

HF2229 (Cooper) Relating to public safety; providing for response to state emergencies.

## HEALTH & HUMAN SERVICES

10 State Office Building  
Chr. Rep. Bob Anderson

**Agenda:** Continuation of Jan. 25 agenda.

HF2060 (Huntley) Contact lenses.

HF2306 (Cooper) Ambulance licensing.

HF2309 (Cooper) EMS.

HF2310 (Cooper) Adding members to EMS Regulatory Board.

HF2003 (Broecker) Tattoos and minors.

HF2329 (Carruthers) ATMs in casinos.

HF2339 (Lourey) Aging board.

HF2248 (Wejcman) Licensing department bill.

HF2340 (Lourey) Speech pathologist.

HF2127 (Lynch) Hearing impaired.

## TAXES

200 State Office Building  
Chr. Rep. Ann H. Rest

**Agenda:** HF2095 (Rest) Department of Revenue Policy Bill.

MN Association of Realtors Report: Quantitative Research Regarding Property Taxes.

12:30 p.m.

## CAPITAL INVESTMENT

500N State Office Building  
Chr. Rep. Henry Kalis

**Agenda:** CAPRA. Americans with Disabilities Act. Inflation factors. Strategic plan for state agencies. Facility audit.

## COMMERCE, TOURISM & CONSUMER AFFAIRS

10 State Office Building  
Chr. Rep. John Sarna

**Agenda:** SF558 (Sams); HF108 (Jennings) Requiring inspections of, reports on, and training for tobacco retailers and employees.

## LOCAL GOVERNMENT & METROPOLITAN AFFAIRS

200 State Office Building  
Chr. Rep. Dee Long

**Agenda:** HF2285 (Garcia) Metropolitan Airports Commission noise mitigation spending requirements clarified and extended. Other bills will be added.

2:30 p.m.

## Government Efficiency & Oversight Division/WAYS & MEANS

500N State Office Building  
Chr. Rep. Howard Orenstein

**Agenda:** To be announced.

## HOUSING

500S State Office Building  
Chr. Rep. Karen Clark

**Agenda:** HF2154 (Delmont) Relating to manufactured homes; adding certain conditions for park owners to recover possession of land. HF2268 (Dawkins) Provides community rehabilitation and affordable rental investment programs; requires local approval for certain housing projects; providing for the renewal of blighted multi-unit residential property; authorizing bonds; providing for homeless assistance.

## Subcommittee on Civil Law/JUDICIARY

400S State Office Building  
Chr. Rep. Tom Pugh

**Agenda:** HFXXXX (Skoglund) Creating a state court action for relief for damages caused by a federal court action that affects public participation.

HF935 (Farrell) Child support guidelines.

HF2000 (Luther) Authorizing a parent to name a designated parent.

Other bills to be announced.

4:30 p.m.

## ETHICS

500N State Office Building  
Chr. Rep. Edgar Olson

**Agenda:** HF2197 (Sviggum) Economic development, permitting the Department of Trade and Economic Development to receive donations for economic development training. SF339 (Marty); HF802 (Bishop) Ethics in government.

## HEALTH & HUMAN SERVICES

10 State Office Building  
Chr. Rep. Bob Anderson

**Agenda:** Department bills.

## WEDNESDAY, Jan. 31

8 a.m.

## ECONOMIC DEVELOPMENT, INFRASTRUCTURE & REGULATION FINANCE

300N State Office Building  
Chr. Rep. Jim Rice

**Agenda:** HF2352 (Peterson) Money for the restoration of the Milwaukee Road Depot in Montevideo.

HF2105 (Swenson, H.) Money for the restoration of the 1879 Sibley County Courthouse.

HF1951 (Dempsey) Bonds for the refurbishing of Le Duc Mansion in Hastings.

HF1901 (Huntley) Bonds and money for building an addition to the St. Louis County Heritage and Arts Center.

## Health & Human Services Finance Division/HEALTH & HUMAN SERVICES

10 State Office Building  
Chr. Rep. Lee Greenfield

**Agenda:** Bonding. Continuation of department proposals if necessary.

## Higher Education Finance Division/EDUCATION

300S State Office Building  
Chr. Rep. Tony Kinkel

**Agenda:** Minnesota State University Student Association, Frank Viggiano, executive director. Merger update, Judith Eaton, chancellor, MnSCU. 1996 bonding bill.

## K-12 Education Finance Division/EDUCATION

5 State Office Building  
Chr. Rep. Alice Johnson

**Agenda:** Graduation Rule and the governor's recommendation.

HF2169 (Koppendray) Clarify process to adopt Graduation Rule.

HF2094 (Koppendray) Amend direction to State Board of Education.

## Property Tax & Tax Increment Financing Division/TAXES

200 State Office Building  
Chr. Rep. Ted Winter

**Agenda:** HF2234 (Orfield) Including homestead property value over \$200,000 in an areawide tax base.

HF2252 (Stanek) Expanding eligibility for the special homestead classification for the disabled.

## Sales & Income Tax Division/TAXES

500S State Office Building  
Chr. Rep. Bob Milbert

**Agenda:** HF2139 (Luther) Exempt sales of vehicles to foster children from the sales tax.

HF2331 (Murphy) Hermantown local sales tax.

HF2383 (Wenzel) Little Falls restaurant tax.

8:30 a.m.

## ENVIRONMENT & NATURAL RESOURCES FINANCE

Basement Hearing Room  
State Office Building

Chr. Rep. Chuck Brown

**Agenda:** Presentation on governor's capital budget, Department of Natural Resources, Ron Nargang, deputy commissioner.

10 a.m.

## ENVIRONMENT & NATURAL RESOURCES

200 State Office Building  
Chr. Rep. Willard Munger

**Agenda:** HF2207 (Trimble) Low-level radioactive waste consortium.

HFXXXX (Hasskamp) Motorboat operation by youth under certain age.

HF2141 (Johnson, A.) Motorboat operation by youth under certain age.

Report on U of M Steam Service Facilities EIS Environmental Quality Board. More bills may be added.

## JUDICIARY

Basement Hearing Room  
State Office Building

Chr. Rep. Wes Skoglund

**Agenda:** HFXXXX (Skoglund) Relating to firearms, crimes committed with firearms, possession of firearms.

HF2404 (Swenson, D.) Include drive by shooting crimes in statutory definitions of "violent crime".

HF2495 (Milbert) Gang resistance education; witness and victim protection fund.

HF2371 (Jefferson) Coordination of community violence prevention programs for African-American children.

HF2255 (Stanek) Repealing the law that makes the crime of aiding an offender to escape inapplicable if the person who assists in the escape is related to the offender as spouse, parent or child.

Any bill not completed at Jan. 29 meeting. Other bills to be announced.

**State Government Finance Division/  
GOVERNMENTAL OPERATIONS**

400S State Office Building  
Chr. Rep. Tom Rukavina

**Agenda:** Capital budget requests, Department of Military Affairs (federal update, too); Minnesota Amateur Sports Commission.

**Subcommittee on Financial Institutions/  
FINANCIAL INSTITUTIONS &  
INSURANCE**

500N State Office Building  
Chr. Rep. Don Ostrom

**Agenda:** HF2369 (Osthoff) Relating to financial institutions; department bill.

**Subcommittee on Insurance/FINANCIAL  
INSTITUTIONS & INSURANCE**

10 State Office Building  
Chr. Rep. Becky Lourey

**Agenda:** HF2044 (Skoglund) Group life and health coverage.

HF2394 (Tomassoni) Coverage for prostate cancer screening.

HF168 (Luther) Nonrenewals on homeowner's policies must be based on total amount paid and not the number of claims.

HF219 (Murphy) Lyme Disease coverage.

HF2416 (Entenza) No-fault auto insurance.

HF2430 (Carlson, L.) Exempting self-insurance pools.

HFXXXX (Carlson, L.) Notice by registered mail of cancellation of auto insurance.

HF1454 (Seagren) Increasing minimum coverage for property damage liability.

HF2270 (Broecker) Modifying standards for participation in the assigned claims plan.

12:30 p.m.

**Business Regulation Division/  
COMMERCE, TOURISM &  
CONSUMER AFFAIRS**

500N State Office Building  
Chr. Rep. Jeff Bertram

**Agenda:** Primary Source Report John Williams, House Research.

HF2590 (Bertram) Omnibus Liquor Bill.

HF2463 (Pugh) Authorizing additional intoxicating liquor licenses in West St. Paul.

HF2392 (Finseth) Repealing provisions relating to the issuance of on-sale intoxicating liquor licenses in the city of Thief River Falls.

1 p.m.

**INTERNATIONAL TRADE &  
ECONOMIC DEVELOPMENT**

500S State Office Building  
Chr. Rep. Mike Jaros

**Agenda:** HF2294 (Opatz) Economic development; transfer of assets and liabilities of MN Business Finance, Inc.

HF2562 (Clark) Economic development; poverty level wage.

2:30 p.m.

**Government Efficiency &  
Oversight Division/WAYS & MEANS**

500S State Office Building  
Chr. Rep. Howard Orenstein

**Agenda:** To be announced.

**LOCAL GOVERNMENT &  
METROPOLITAN AFFAIRS**

200 State Office Building  
Chr. Rep. Dee Long

**Agenda:** To be announced.

**Subcommittee on Financial Institutions/  
FINANCIAL INSTITUTIONS  
& INSURANCE**

300N State Office Building  
Chr. Rep. Don Ostrom

**Agenda:** HF2369 (Osthoff) Relating to financial institutions, department bill.

**Subcommittee on Insurance/FINANCIAL  
INSTITUTIONS & INSURANCE**

500N State Office Building  
Chr. Rep. Becky Lourey

**Agenda:** Continuation of morning agenda.

4 p.m.

**Joint University of Minnesota Finance Division/  
EDUCATION/Subcommittee on Health  
Care Facilities/HEALTH &  
HUMAN SERVICES**

5 State Office Building  
Chrs. Reps. Becky Kelso,  
Tom Huntley

**Agenda:** University of Minnesota's Academic Health Center 1996 legislative request, Dr. William Brody, provost, Academic Health Center, U of M.

6 p.m.

**K-12 Education Finance Division/  
EDUCATION**

10 State Office Building  
Chr. Rep. Alice Johnson

**Agenda:** Bonding.

**THURSDAY, Feb. 1**

8 a.m.

**EDUCATION**

200 State Office Building  
Chr. Rep. Lyndon Carlson

**Agenda:** Governing boards bills to be announced.

Other bills to be announced.

**MinnesotaCare Finance Division/  
HEALTH & HUMAN SERVICES**

10 State Office Building  
Chr. Rep. Roger Cooper

**Agenda:** Discussion of eligibility of families without children in the MinnesotaCare program.

**JUDICIARY FINANCE**

500N State Office Building  
Chr. Rep. Mary Murphy

**Agenda:** Receive and review reports on interim studies and projects. Acceptance of recommendations on reports. Statewide public defender system analysis, Rep. Jim Farrell. Working group on community corrections, John Curry, Pat Morrison, Rep. Doug Swenson. Probation caseload funding formula, Legislative Auditor. Delivery of ombudsman services, Pat Seleen. Community Notification Work Group, Rep. Wes Skoglund. Video in courts, state court administrator. Pension equity plan, Department of Corrections. Victim programs consolidation, Department of Corrections; Department of Public Safety. School safety report, Attorney General. Child maltreatment in teacher background check, Department of Human Services. Juvenile reoffense tracking plan, IPO. Pilot project, Child and Adolescent Sexual Health Institute. Truancy reduction grant preliminary report, Attorney General. Pilot child abuse help lines, Department of Human Services, Department of Public Safety. Misdemeanor report, Information Policy Group. (Meeting may continue after session, if necessary.)

8:30 a.m.

**ENVIRONMENT &  
NATURAL RESOURCES FINANCE**

Basement Hearing Room  
State Office Building  
Chr. Rep. Chuck Brown

**Agenda:** Presentation on governor's capital budget, Department of Natural Resources, Ron Nargang, deputy commissioner.

10 a.m.

**GOVERNMENTAL OPERATIONS**

Basement Hearing Room  
State Office Building  
Chr. Rep. Phyllis Kahn

**Agenda:** Bills not completed on Jan. 30.  
HF2193 (Entenza) Relating to Council on Affairs of Spanish Speaking People.  
HF2028 (Koppendrayner) Relating to the State Council on Asian-Pacific Minnesotans.  
HF2218 (Kahn; Rukavina) Modifying performance report requirements; etc.  
HF1889 (Jefferson) Making Juneteenth a holiday.  
HF2212 (Rostberg) Regulating public safety officer's survival benefits.  
HF2296 (Kraus; LoUrey) Modifying membership requirements for the Compensation Council.

#### HEALTH & HUMAN SERVICES

10 State Office Building  
Chr. Rep. Bob Anderson  
**Agenda:** To be announced.

#### TAXES

200 State Office Building  
Chr. Rep. Ann H. Rest  
**Agenda:** HFXXXX (Wagenius) SCORE tax.  
HF2504 (Wagenius) Solid waste generator assessment clarification.

12:30 p.m.

#### CAPITAL INVESTMENT

500N State Office Building  
Chr. Rep. Henry Kalis  
**Agenda:** Continuation of Jan. 30 agenda. Capitol Area Architectural Board overview.

#### COMMERCE, TOURISM & CONSUMER AFFAIRS

10 State Office Building  
Chr. Rep. John Sarna  
**Agenda:** HF1704 (Rest) Relating to limited liability companies; making technical and conforming changes.  
HF2301 (Jefferson) Schools of cosmetology may offer internships.  
HF2478 (Mariani) Relating to notaries public; regulating advertisement in languages other than English.  
HF2525 (Rukavina) Providing for the relocation of an existing new motor vehicle dealership.  
Other bills may be added.

#### Elections Division/ GENERAL LEGISLATION, VETERANS AFFAIRS & ELECTIONS

300N State Office Building  
Chr. Rep. Richard Jefferson  
**Agenda:** To be announced.

#### LOCAL GOVERNMENT & METROPOLITAN AFFAIRS

200 State Office Building  
Chr. Rep. Dee Long  
**Agenda:** To be announced.

2:30 p.m.

#### The House meets in Session.

#### After Session

#### AGRICULTURE

5 State Office Building  
Chr. Rep. Steve Wenzel  
**Agenda:** To be announced.

#### ENVIRONMENT & NATURAL RESOURCES

Basement Hearing Room  
State Office Building  
Chr. Rep. Willard Munger  
**Agenda:** HF2351 (Kahn) No permits issued for certain projects on Mississippi River.

#### Subcommittee on DWI/JUDICIARY

400S State Office Building  
Chr. Rep. Matt Entenza  
**Agenda:** HF1681 (Skoglund) Gross misdemeanor penalty for criminal vehicular operation resulting in bodily harm.  
HFXXXX (Entenza) Special registration plates for persons subject to impoundment order.  
HF2462 (Pugh) Fleeing the scene of an accident.  
HF937 (Swenson, D.) Fleeing the scene of an accident.  
HF2390 (Van Engen) Including prior driving while intoxicated violations involving snowmobiles, all-terrain vehicles, and motorboats as prior offenses for purposes of license revocation for a DWI offense involving a motor vehicle.  
HF2406 (Swenson, D.) Creating a separate law to prohibit persons under 21 from driving a motor vehicle while consuming or after consuming alcohol.  
Other bills to be announced.

#### WAYS & MEANS

10 State Office Building  
Chr. Rep. Loren Solberg  
**Agenda:** Budget resolution.

7:30 p.m.

#### University of Minnesota Finance Division/ EDUCATION

Kirby Ballroom, 3rd Floor  
Kirby Student Center  
University of Minnesota, Duluth  
Chr. Rep. Becky Kelso  
**Agenda:** Public testimony.

FRIDAY, Feb. 2

8 a.m.

#### Health & Human Services Finance Division/ HEALTH & HUMAN SERVICES

10 State Office Building  
Chr. Rep. Lee Greenfield  
**Agenda:** To be announced.

#### K-12 Education Finance Division/EDUCATION

5 State Office Building  
Chr. Rep. Alice Johnson  
**Agenda:** All local bills.  
HF2053 (Solberg) Aitkin fund transfer.  
HF2090 (Davids) Debt service aid and elementary aid.  
HF2091 (Davids) Debt service, Mabel-Canton.  
HF2092 (Davids) Debt service, Preston-Fountain and Harmony.  
HF2121 (Schumacher) Debt service equalization, Royalton.  
HF2246 (Winter) Aid levy adjustment for Chandler.  
HF2279 (Kalis) Restore fund balance, Elmore and Madelia.  
HF2290 (Jennings) Fund transfer, Chisago Lakes.  
HF2347 (Peterson) Grant to Montevideo.  
HF2353 (Cooper) Modify pairing, Danube, Renville, Sacred Heart.  
HF2438 (Harder) Mountain Lake state aid restored.  
Any other local bills that are introduced.

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

500S State Office Building  
Chr. Rep. Bernie Lieder  
**Agenda:** Overview of governor's supplemental budget.

10 a.m.

#### ENVIRONMENT & NATURAL RESOURCES

200 State Office Building  
Chr. Rep. Willard Munger  
**Agenda:** HF1401 (Munger) Health risk values for pollutants in ambient air.  
Exotic species report, Department of Natural Resources.  
HF2379 (Jennings) Modifying provisions for control and management of exotic species.  
HF2411 (Johnson, V.) Prohibiting trespassing on private land for outdoor recreation.  
HF2171 (Ozment) Clarifying powers of Pollution Control Agency Board and commissioner.  
More bills may be added.

**Gambling Division/  
GOVERNMENTAL OPERATIONS**

500N State Office Building  
Chr. Rep. John Dorn

**Agenda:** HF2176 (Brown) Allowing a class B license of a class A racetrack conducting horse racing to conduct card club activities.  
HFXXXX (Dorn) Establishing a commission to conduct discussions with Indian tribal governments on issues of mutual concern.  
Other bills may be added.

**JUDICIARY**

Basement Hearing Room  
State Office Building  
Chr. Rep. Wes Skoglund

**Agenda:** HF2086 (Skoglund) Prohibiting possession of code-grabbing devices under certain circumstances.

HF2526 (Brown) Making it a crime to obtain cellular telephone service through cellular counterfeiting. (If passed by Regulated Industries & Energy Committee on Jan. 29.)

HF2000 (Luther) Authorizing a parent to name a designated parent. (If passed by the Subcommittee on Civil Law Jan. 30.)

HF2041 (Wejcmán) Requiring police officers to undergo training in community policing.

HF2509 (Wagenius) Public nuisance; clarifying definition of acts constituting a nuisance.

Any bill not completed at the Jan. 31 Judiciary Committee meeting.

Other bills to be announced.

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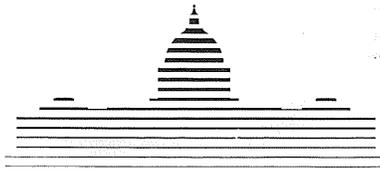
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## MINNESOTA INDEX

### Minnesota taxes

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Sources: *Minnesota Tax Handbook*, the *Minnesota Tax Incidence Study*, March 1995, and *Tax Expenditure Budget*, 1995, Minnesota Department of Revenue, Tax Research Division; House Research Department.

### For more information



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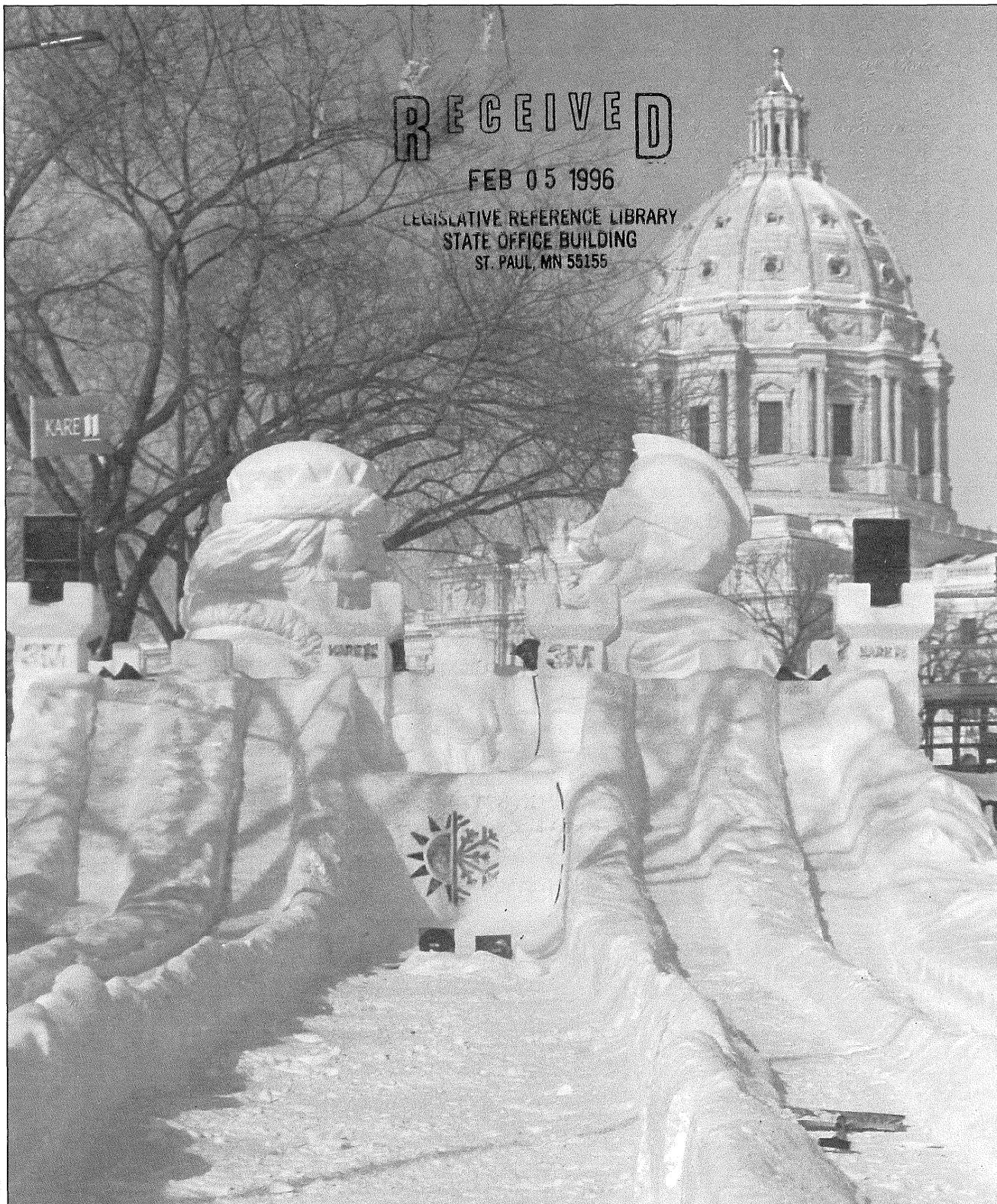
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96, Feb. 2

P615

# SESSION WEEKLY

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# SESSION WEEKLY

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## Week at a glance

**No kids operating speedboats** — The House Environment and Natural Resources Committee heard graphic and deeply emotional testimony Jan. 31 from the family and friends of a boy killed in a speed boat accident last year. The committee then approved a bill which would prohibit children under 12 from operating a boat with higher than a 40 horsepower motor. .... **Page 4**

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**Feed the deer, please** — The Minnesota House of Representatives Jan. 29 adopted a resolution to start an emergency deer feeding program in northern Minnesota. .... **Page 11**

**Hospital stays after birth** — A bill to allow mothers and their newborn babies the option to stay in the hospital a little longer after birth passed the full House Feb. 1. The vote was 126-8. .... **Page 12**

**Keeping the hospital open** — The only way for the University of Minnesota Hospital and Clinic (UMHC) to survive is to join forces with another health care provider. A provost of the U of M's Academic Health Center told lawmakers he believes that the most practical solution to declining patient numbers and revenues is to combine the resources of the UMHG with Fairview Riverside Medical Center in Minneapolis. .... **Page 12**

**No men allowed** — A Twin Cities-based running club for women would be allowed to exclude men from an annual running event under a bill approved by a House panel. .... **Page 15**

**Speed hike sputters** — Efforts to increase speed limits on Minnesota highways have stalled in the House Transportation and Transit Committee. The committee took up proposals to boost speed limits, but no action was taken on any of the measures. Clearly, some lawmakers would like it to stay that way. .... **Page 16**

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On the cover: Relentless sub-zero temperatures the week of Jan. 29 kept even the hardest Minnesotans off the St. Paul Winter Carnival snow slide on the Capitol complex.

— Photo by Laura Phillips

# Highlights

Kids and tobacco . . .

## Proposal fines store owners for sales to minors

**A** bill to get tough on retailers who sell cigarettes to minors is on the way to the House floor.

SF558, sponsored by Rep. Loren Jennings (DFL-Harris), would require training for all clerks and use stiff fines and, in some cases, license suspensions to penalize retailers who violate state law forbidding tobacco sales to minors.

The bill emerged Jan. 30 from the House Commerce, Tourism and Consumer Affairs Committee with support from store owners and opposition from some anti-smoking activists.

Critics strongly opposed a provision in the bill that would forbid local units of governments from enacting tougher penalties in the future. Supporters praised the plan because it would set uniform statewide penalties for illegal tobacco sales.

Under the bill:

- In addition to criminal and civil penalties already in statute, clerks who sell to minors would face at least a \$50 fine, and minors who buy or attempt to buy cigarettes also would be fined at least \$50. (Proceeds would be retained by the local unit of government.) Under current state law, clerks face gross misdemeanor criminal penalties of up to a year in prison and a \$3,000 fine for selling to minors. Minors face up to a \$200 petty misdemeanor fine



Students from Litchfield Senior High School, left to right, Amy Miller, Kajsja Dille, Andrea Anderson, Julien Kubesh, and Paula Sikkila, captured the attention of the House Commerce, Tourism and Consumer Affairs Committee Jan. 30 with a skit about how tobacco kills. The committee approved a bill that would get tough on retailers who sell cigarettes to minors.

for a first violation. Second and third offenses within a 24-month period would bring a \$200 to \$400 fine, and a third violation also would result in as much as a seven-day suspension of the retailer's license to sell tobacco.

Local officials would be allowed to set the punishment for a fourth violation.

And local governments would be required

Their criticism centered on a clause that would prohibit local units of government from enacting tougher tobacco sales ordinances.

"Why should we stifle that initiative?" said Attorney General Hubert Humphrey III, who argued against the pre-emption proposal.

"... Why should the Legislature put a stop to local initiative in this area? Communities are not going to act irresponsibly."

The bill would allow existing local ordinances to remain in place. In cities such as Chanhassen, Litchfield, and Roseville, local ordinances are, in some cases, quite a bit stronger than what Jennings is proposing.

In Chanhassen, for example, store owners can be hit with a 10-day license suspension for a first offense, 20 days for a second offense, and one-year revocation for a third offense, according to the city's public safety department.

Current efforts to develop tobacco sales ordinances in the cities of Bemidji, Plymouth, and Stillwater would be thwarted under the bill.

"We have a strong tradition of local control in Minnesota," said Karen Anderson, mayor

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*"We have a strong tradition of local control in Minnesota. . . . We ask that you don't erode or prohibit that local control."*

*—Karen Anderson, mayor of Minnetonka and president of the League of Minnesota Cities*

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for buying or attempting to buy cigarettes.

- All clerks would receive mandatory training on tobacco sales laws and the penalties for violations of those laws. The specifics of the training programs would be developed by retailers. Jennings described the training requirements as the "heart of the bill."
- Store owners would be fined \$100 to \$200

to license shops for tobacco sales and to conduct compliance checks at least once every two years.

"This is a tremendously tough, tough law," Jennings said.

But some anti-smoking forces and local government officials are less than enthusiastic about the bill.

of Minnetonka and president of the League of Minnesota Cities. "We ask that you don't erode or prohibit that local control."

Pre-emption laws of varied strength are already on the books in at least 26 states. And pre-emption has been a hot topic of late in state legislatures across the country.

At least 28 states, including several of those that already have some pre-emption measure on the books, considered pre-emption bills during 1995.

Anti-smoking forces view pre-emption laws with great skepticism because they often are supported by tobacco companies. Critics argue the companies are accepting some sales restrictions and penalties as part of uniform statewide policies to halt varied and often stricter local ordinances.

"They do not want local government to be able to control tobacco," said Rep. Matt Entenza (DFL-St. Paul).

But, Jennings argued, removal of the pre-emption provision would erase retailer support for the bill and quash hopes for a vote on the House floor.

An amendment to delete the pre-emption clause from the bill failed on a 14-12 vote. The bill later won approval from the committee on a 21-3 vote.

Store owners traditionally have opposed efforts to impose statewide regulations for enforcement of tobacco sales law.

Judy Cook, president of the Minnesota Retail Merchants Association, acknowledged the bill is tougher than what store owners would have supported even a year ago.

But, she added, shop owners want uniformity in tobacco regulations.

"Retailers are serious about our role in preventing the sale of tobacco to minors," Cook said. "... We want a tough standard statewide."

— Nick Healy

## AGRICULTURE

### Tax-free farm equipment

Sales of used farm machinery would remain tax free for another year under a measure approved Jan. 29 by the House Agriculture Committee.

The bill (HF2555), sponsored by Rep. Steve Wenzel (DFL-Little Falls), would extend until June 30, 1997, the sales tax exemption for used farm machinery.

Under current law that exemption is set to expire June 30, 1996.

"It means an awful lot to our small farmers," said Tom Cochrane, executive director of the Minnesota Agri-Growth Council, Inc.

"Young farmers are the primary purchasers of used equipment."

Minnesota currently charges a 2.5 percent sales tax on new farm machinery. Neighboring states Wisconsin and Iowa charge no sales tax on new or used equipment, but North Dakota and South Dakota both have a 3 percent tax on all farm machinery sales.

Competition from Wisconsin and Iowa can be tough on machinery dealers in Minnesota, especially those in border communities, according to Rich Strom of the Association of Farm Equipment Dealers of Minnesota and South Dakota.

"Farm dollars are going across state lines and that hurts our dealers," said Strom. "It hurts their employees and it hurts the small communities they're trying to support."

Strom urged that Minnesota's sales tax exemption for used farm machinery be kept in place to preserve business for state dealers.

A 1994 law exempted used equipment from a 2.5 percent sales tax for a one-year period. Lawmakers in 1995 extended that exemption for another year and Wenzel is looking to pass a similar extension this session.

"I would like a permanent exemption," Wenzel said. But, he added, such a proposal is "not realistic" at this time.

HF2555 now moves to the Taxes Committee.

## BONDING

### Linking communication

A bill solidifying state participation in a metropolitan-area public safety radio communications system won approval from the House Economic Development, Infrastructure and Regulation Finance Committee Jan. 29.

Passage of the bill will allow all metropolitan-area public safety personnel to communicate through a connected system of radio channels.

The bill (HF2037), sponsored by Rep. Steve Kelley (DFL-Hopkins), authorizes \$15 million in bonds to be used to assist in construction of the backbone of the system, including radio towers, transmitters, and the computers needed to run the system.

The \$15 million is over one-half of the system's total price tag. In 1995, the Legislature passed a bill (CH195) creating a Metropolitan Radio Board under the Metropolitan Council and allowing the Metropolitan Council to issue up to \$13 million in bonds to assist in the construction of the system.

The Metropolitan Council won't issue the

bonds without a guarantee of state participation.

Currently, communication among police, fire, and ambulance personnel, as well as state public safety units like the highway patrol, requires patching across several systems, making it difficult for separate public safety units to talk with one another. Also, radio frequencies can become overloaded when traffic increases in response to an emergency.

According to Kelley, the proposed system will create a dramatic shift in the ability of units of government to cooperate.

After completion, system operating costs will be paid for by user fees.

Once the communications network is in place, the purchasing of equipment to tap into the system, such as radios, would be the responsibility of the system users.

Passage of the legislation is required if the state is to maintain its current lock on channels being made available by the Federal Communications Commission.

Otherwise, according to Ron Nicholas, chief of police for the city of Blaine and a radio board member, the opportunity to create a shared resource will be lost since the moratorium on the issuance of frequencies expires this year.

Consequently, if the Legislature doesn't act, local units of government, including Hennepin County and the city of Minneapolis, would be forced to compete to secure blocks of frequencies.

The bill now heads to the Capital Investment Committee.

## CHILDREN

### No kids operating speedboats

The House Environment and Natural Resources Committee heard graphic and deeply emotional testimony Jan. 31 from the family and friends of a boy killed in a speed-boat accident last year. The committee then approved HF2834, which prohibits children under 12 from operating a boat with more than a 40 horsepower motor.

The bill, sponsored by Rep. Kris Haskamp (DFL-Crosby), is called the "Aaron Sahli Boating Safety Act." Aaron was eight years old last Memorial Day when he died in a boating accident in northern Minnesota.

Aaron's aunt and a family friend spoke of a bloody boating accident that they say wouldn't have happened had a law been in place.

"Think about it — a 175 horsepower boat being operated by an 8-year-old," said Barb



Connie Salhi of Ham Lake, center, wipes a tear from her eye as she and her husband, Tom, right, listened to testimony Jan. 31 describing how their son, Aaron, was killed after an 8-year-old boy operating a speedboat struck the pontoon in which Aaron was riding. The testimony was in support of a bill that would make it illegal for anyone under 12 to operate a boat with more than a 40 horsepower motor. The bill, approved by the House Environment and Natural Resources Committee, is on its way to the House floor. Also attending the hearing were Aaron's brothers, Tim and Nathan.

Bronco, who is Aaron's aunt. "None of us can feel safe knowing a child is behind the wheel of a car. And none of us can feel safe knowing a child is operating a boat."

Family friend Cindy Wrobel criticized legislators for changing a law several years ago that had prohibited young children from operating boats.

In addition to prohibiting children under age 12 from operating higher speed boats, the bill allows children between ages 12 and 17 to obtain DNR permits to operate a higher speed boat. Those permits require an adult who is not intoxicated to be within "immediate reach" of the boat's controls.

An adult was in the boat with Aaron when he pushed the throttle to high speed, but the adult was unable to reach the controls in time to prevent a collision with a pontoon, Wrobel said.

The bill was approved 19-1, with Rep. Arlon Lindner (R-Corcoran) voting no. He said he sympathized with the family and its tragic loss but questioned the need for legislation given the small number of such accidents.

A boating association official who spoke against the bill said there have been about five accidents in the last 10 years involving young children in high speed boats. Most of those accidents involved children falling overboard, said Brad Nelson of the North Central Marine Association.

"I just cannot see us overreacting to an accident," said Lindner.

Lindner and Nelson said the bill will prevent adult family members from teaching young

children to operate higher speed boats — a source of enjoyment for many on the lake.

"Some of us cannot afford to have more boats," Lindner said, countering Hasskamp's suggestion that young children can use fishing boats or other low-speed watercraft to learn how to operate a boat.

Hasskamp said the legislation is "very minimal."

"There is no way that not being able to drive something more than 40 horsepower is going to deprive anyone from anything," she said.

**HF2834** now goes to the House floor.

## Tattoo-free minors

A bill to prohibit children under age 16 from getting a tattoo passed the House Health and Human Services Committee Jan. 30.

The bill, sponsored by Rep. Sherry Broecker (R-Vadnais Heights), would allow minors between the ages of 16 and 18 to get a tattoo but only with the written consent of both parents.

Broecker said she decided to sponsor the bill because parents are often unaware that their child is getting a tattoo until it is too late. She also noted that tattoo parlors are not regulated by the state.

Broecker said she considered attaching a similar prohibition on body piercing to her bill but instead may work up a separate piece of legislation on that topic.

Piercing can be a more sensitive issue, she said, because it can hold religious significance.

Under the bill, even if a parent gives a child under 16 permission to be tattooed, it still would be prohibited.

Rep. Betty McCollum (DFL-North St. Paul) said that would "probably save a lot of parents a lot of agony" when it comes to negotiating with their young teen on a tattoo. All parents have to say is that it is illegal.

**HF2003** is on its way to the House floor.



## CONSUMERS

### Telecommunication failure

A bill that would have guaranteed Internet access and other advanced telecommunication services to every Minnesotan failed to pass the House Regulated Industries and Energy Committee Jan. 29.

Rep. Steve Kelley's (DFL-Hopkins) **HF2459** stalled after strong opposition from telephone companies and telecommunications providers. The bill, which contained measures Kelley has tried to pass in both 1993 and 1995, would have levied a 1 percent tax on sales of telecommunication and information services. It also would have established state-subsidized incentives for telecommunications providers to offer advanced services to any area where 25 or more people wanted such services.

Providers who testified said that provision, which included competitive bidding for the subsidies, would squeeze out local phone companies. Others said the 1 percent tax would increase monthly telephone bills by \$60 or more and would actually stall current progress that's leading to universal access.

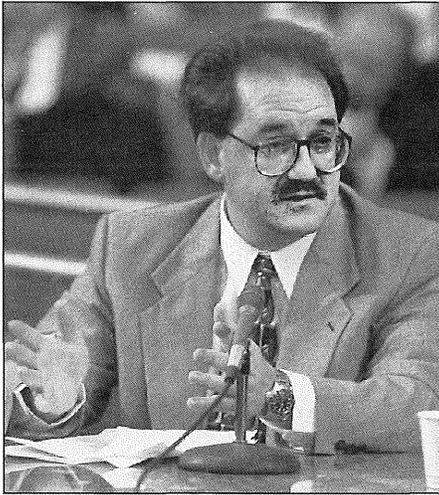
Paul Hoff of the Minnesota Telephone Association said the bill's goal of advanced telecommunications access for all wasn't necessary.

The bill would have established goals over a 10-year period, including universal Internet access by the end of 1998 and high-speed, interactive, full-motion video by 2005. Currently, some outstate residents pay significantly more than those in the metro area for advanced telecommunications services and some can't get such services because local providers don't offer them.

"I am skeptical that this bill, this kind of technology, is not only what Minnesota can't afford to use but many wouldn't use," Hoff said, noting that many of his rural Minnesota residents don't use touch-tone, call waiting, or other free advanced telephone services.

After more than four hours of debate, Kelley withdrew the 1 percent tax and urged the committee to pass the bill's goals alone.

"The technology exists today to do this.



A bill that would have guaranteed Internet access and other advanced telecommunications services to every Minnesotan met heavy debate in the House Regulated Industries and Energy Committee Jan. 29. Richard Keane, left, of the Association of Minnesota Telephone Utilities, opposed the bill and Mike O'Connor, right, of gofast.net Inc., an Internet service provider, testified in support of the bill.

What does not exist . . . is the vision that this technology ought to be available not just to big business but to small businesses and residents," he said.

Several telecommunications providers turned out to tell the committee that Minnesota needs Kelley's bill.

Mike O'Connor, a local Internet access provider, talked about California's three-year-old telecommunications plan which has led to healthy local competition and increased access to rural areas.

"They are far ahead of anyone else and a lot of that is due to the fact that government got involved," he said. "This issue should not be described as anything other than a leadership issue."

O'Connor also said, "If you go anywhere outside the metro area, you are going to see the market isn't working here [in Minnesota]."

Some committee members said the bill wasn't acceptable even without the controversial 1 percent tax. They said they feared the tax — or some other private industry funding mechanism — would be presented to them in the future.

it was slated for Braham, Minn., but environmental issues such as the impact on area wetlands pushed the project east to neighboring Rush City, about 50 miles north of the Twin Cities.

In 1980, 1,950 adult men were confined in Minnesota's prisons. By 1995, that population more than doubled to 4,450, according to department figures. By 2001 — the year the new prison is expected to open — the prison population is expected to rise to 5,800.

The Department of Corrections is also asking for \$1.5 million in state bonds to make room for 210 new minimum security prisoners and 90 elderly inmates at the Brainerd Regional Human Services Center. The elderly inmates would be transferred from the state's medium-security prison in Faribault.

The money from the sale of state bonds would pay to install a fence and security cameras around the facility, as well as renovate some of the buildings to meet federal accessibility requirements under the Americans with Disability Act.

The Brainerd facility is run by the Department of Human Services and serves a small nursing home population, people with traumatic brain injuries, and those with mental illness, mental retardation, and chemical dependency problems.

Under the proposal, the Department of Corrections would enter into a shared service agreement with the Department of Human Services to house its elderly inmates and make room for 210 new minimum security prisoners. The Brainerd campus contains some vacant buildings to house the inmates.

Moving the inmates from Faribault is not only expected to free up space there for more dangerous criminals, it is expected to save the state money because medical care is less

expensive in rural Minnesota, said Dana Baumgartner, a health care administrator with the Department of Corrections.

He also said the state will save money by sharing services already provided by the Brainerd facility such as laundry, maintenance, and food service.

Older inmates represent a growing population and currently number about 250 (or 2 percent) of Minnesota's prison population, Baumgartner has said. But because of their medical needs, the elderly cost taxpayers a disproportionate amount of money compared to other inmates.

Originally, the elderly inmates were expected to move to Ah-Gwah-Ching, a state-run nursing home in Walker, Minn., but corrections officials said it would cost more to locate the men there.

Baumgartner said that just to house the elderly inmates at Ah-Gwah-Ching would cost \$1.5 million. For the same dollar amount, the state can house both the elderly and an additional 210 minimum security inmates at Brainerd.

He said the Ah-Gwah-Ching site would require an elevator to meet ADA requirements at cost of more than \$550,000, while the Brainerd site is a single story and already has an elevator to the basement.

Rep. Tony Kinkel (DFL-Park Rapids) and Sen. Skip Finn (DFL-Cass Lake) have both introduced bills to move the elderly prisoners from Faribault to Ah-Gwah-Ching.

Both told members of the House Judiciary Committee that they questioned the switch from Ah-Gwah-Ching to Brainerd.

"Somebody pulled some strings and pushed some buttons," Finn said.

As late as September 1995 the department was making plans to move elderly inmates to Ah-Gwah-Ching. Lawmakers even took a tour of the Walker nursing home during a mini-session in that region of the state.

Finn said the economy in Walker needed a boost and the nursing home there was a perfect fit. Both he and Kinkel suggested placing the 90 elderly inmate beds at Ah-Gwah-Ching and giving the Brainerd facility the 210 minimum security beds.

Finn also questioned the department's numbers regarding the cost of installing an elevator at Ah-Gwah-Ching.

James Bruton, deputy commissioner with the Department of Corrections, told lawmakers that there was "no hidden agenda" and that the department didn't know how much an elevator at Ah-Gwah-Ching would cost when legislators visited the area.

The Department of Corrections' other bonding priorities include:

## CRIME

### Building new prisons

The Department of Corrections is asking lawmakers for \$100 million in state bonds to pay for the construction of a new 800-inmate maximum security prison in Rush City, Minn.

The department presented several bonding proposals to the House Judiciary Finance Committee Jan. 30.

In 1994, the Legislature spent \$2 million to design plans for the new facility. Originally

- \$2.6 million to draw design plans for a new 100-bed health services center at Stillwater Correctional Facility. Construction money would be appropriated in later years;
- \$2.4 million to renovate the inmate visiting room at St. Cloud Correctional Facility;
- \$842,000 to draw up designs for a 72- to 80-bed segregation unit for trouble-making inmates in need of more discipline at the Lino Lakes Correctional Facility; and
- \$2 million to do miscellaneous maintenance and repairs to various department buildings.

Although Gov. Arne Carlson has recommended the above projects, the House Capital Investment Committee will choose which ones to include when its members put together the 1996 bonding bill later this session.

## Tougher gun penalties

Certain convicted felons could not own a handgun for life and anyone carrying a firearm without a permit would face a felony charge rather than a gross misdemeanor charge under a bill now under debate.

In the wake of mounting gun violence in Minnesota's inner cities as well as in rural towns, the House Judiciary Committee is considering a tough new gun bill.

**HF2578** is not designed to limit the rights of law-abiding citizens to own a gun, but punish criminals caught with guns, said sponsor Rep. Wes Skoglund (DFL-Mpls), chair of the Judiciary Committee.

He presented his bill with State Attorney General Hubert H. Humphrey III Jan. 31.

"Unfortunately," Humphrey said, "this bill is very timely." He spoke of the recent shooting death of a St. Joseph police officer and of the imprisonment of a Fargo-Moorhead family by gunmen.

The idea is to get the guns out of the hands of those who commit violent crimes in Minnesota. "Take away their tools," Humphrey said.

Skoglund compared Minnesota streets to many in war-torn countries. Northern Ireland, he said, had 84 killings in 1994. Last year, the city of Minneapolis alone recorded 97.

"It's real . . . and we should do something about it," Skoglund said.

Not all were pleased with the bill.

David Gross, a St. Louis Park attorney representing the Gun Owners Civil Rights Alliance, told lawmakers he is not supporting felons but does not support the bill.

Gross asked why lawmakers are tinkering

with new laws and simply not requiring those already on the books be enforced.

The bill, Gross said, accomplishes "absolutely nothing. . . . We haven't tried enforcement yet and I'm here to suggest that."

He also opposed the provision that would ban certain convicted felons from ever owning a handgun or assault weapon. When they complete their sentence and wait 10 years as required under current law, their right to possess a firearm should be restored, Gross said.

Under the bill:

- Those convicted of a crime of violence (which includes more than two dozen offenses, such as murder, various degrees of assault, robbery, kidnapping, criminal sexual misconduct, burglary, and harassment and stalking) would be banned from possessing a handgun or an assault weapon for the rest of their lives. Currently, those individuals have to wait 10 years after their sentence expires to legally possess those weapons.
- Felony theft would be added to the list of "crimes of violence." That provision raised concerns for Rep. Dave Bishop (R-Rochester) who questioned whether someone convicted of writing bad checks (which is a felony theft in certain circumstances) deserved the lifetime ban from possessing a handgun or assault weapon.
- A felon who has been convicted of a crime of violence who is later found to be possessing a firearm would receive a mandatory prison sentence of at least three years and a maximum of up to 20 years.

This provision is loudly applauded by county prosecutors who say it will make their jobs easier. Under the provision, it doesn't matter if the felon is using the firearm to commit another crime or has it sitting in his or her car — it is an automatic three-year minimum sentence.

- The penalty for carrying a handgun without a permit increases from a gross misdemeanor to a felony, punishable by up to five years in prison and a \$10,000 fine.

Skoglund's bill also asks for an undetermined amount of money so, if passed, the attorney general's office can run a public information campaign for the public about the new law.

The Judiciary Committee is expected to debate **HF2578** further on Feb. 2.

## Penalizing abusers

Minnesotans convicted of stalking or violating protection orders would have to surrender their pistols for three years under a bill approved Jan. 26 by a House panel.

The bill (**HF2643**) also specifies that if defendants in such cases use a firearm while violating the protection order or stalking a victim, they will be required to surrender the gun and could be barred from owning any firearm for the rest of their lives.

"In 1995, 25 Minnesota women were killed by people who supposedly loved them," Ellen Ade of the Minnesota Coalition for Battered Women told the House Judiciary Committee. "[With this bill], we will never know how many lives we've saved; we can only count the ones who died as a result of domestic violence."

**HF2643**, which is part of an effort by Minnesota Attorney General Hubert H. Humphrey III to combat violent crime in the state, is sponsored by Rep. Mary Jo McGuire (DFL-Falcon Heights). Among its other provisions:

- The county in which a domestic abuse offense is committed would conduct a domestic abuse assessment and submit a report to the court for any defendant convicted of domestic abuse or any defendant arrested for domestic abuse but convicted of another crime connected to the incident.
- Defendants sentenced for domestic abuse would be required to pay a \$125 domestic abuse assessment fee.
- Anyone who commits domestic assault knowing that a child younger than 18 is likely to witness the assault would be guilty of a gross misdemeanor, punishable by up to a year in jail and a \$3,000 fine.
- A judge could bar a domestic assault or stalking defendant who uses a gun during the crime from owning firearms for a period of three years to life. (Under current law, anyone convicted of assaulting a family household member who uses a firearm in any way during the assault can be banned from possessing any type of firearm for a period of three years to life at the discretion of the sentencing judge. Violation of the provision is a gross misdemeanor.)

Patricia Moen, director of criminal justice and law enforcement services for the attorney general's office, told the committee that one in three women will encounter some form of domestic abuse in their lives, according to a recent Johns Hopkins University study. Almost 20 percent of last year's murders in the Twin Cities stemmed from domestic violence situations, she said.

The portion of the bill making it a gross misdemeanor to commit domestic assault in front of a child was suggested by the Dakota County attorney's office. Assistant Dakota County Attorney Scott Hersey told lawmakers that being present during such a crime has far-reaching detrimental emotional effects on a child, whether they are injured or not.

**HF2643** will be included as part of the Judiciary Committee's omnibus crime bill.

## Hiding a criminal past

A House committee has approved legislation that would make it harder for Minnesotans to hide their criminal court records.

In a hearing Jan. 26, the House Judiciary Committee approved **HF2215**, which will become part of the committee's omnibus crime bill. (See Jan. 19 *Session Weekly*, page 5.)

The intent of the bill, sponsored by Rep. Phil Carruthers (DFL-Brooklyn Center), is not to entirely eliminate expungement of records, but to make it more difficult to receive them.

Under current law, individual courts in Minnesota are responsible for defining expungement. Existing case law allows judges who agree to grant expungement to either completely destroy arrest or conviction records or return them to the person asking for the expungement.

**HF2215** is an attempt to bring all Minnesota courts into accord on expungement. The new law would define expungement as sealing an arrest or conviction record and opening it only under a court order or statutory authority, and would not include the options of destroying records or returning them to defendants.

Under the new law, a person seeking expungement would be required to:

- file a petition under oath and pay the regular civil filing fee;
- provide not only a full legal name but any aliases;
- provide all addresses beginning with the date of the offense or arrest and ending with the date of the petition;
- explain why they want their records expunged and tell the court specifically if it is to help them get a job or a license (Many employers rely on criminal background checks before hiring such employees as teachers, child-care workers, and police officers. Such checks also are required when applying for some licenses, includ-

ing those for gambling, insurance sales, and liquor sales);

- explain, in the case of a conviction, what steps he or she has taken toward rehabilitation since the crime;
- provide a complete criminal conviction record, including all convictions for misdemeanors, gross misdemeanors, and felonies in Minnesota, along with all comparable convictions nationwide and worldwide; and
- include information on all prior requests for expungement, granted or not, in Minnesota, the United States, and the world.

## No cloning allowed

A bill to make it a crime to engage in cellular phone "cloning" won approval from the House Regulated Industries and Energy Committee Jan. 29.

The bill (**HF2526**), sponsored by Rep. Chuck Brown (DFL-Appleton), addresses what phone company officials say has become an increasingly popular crime. Cellular phone cloning — or counterfeiting — would be a felony under the bill, punishable by up to five years imprisonment and a \$10,000 fine. Current statute prohibits cellular phone eavesdropping but does not specifically address any other wireless phone violations.

"Cellular phone cloning is a \$500 million illegal industry. . . . This is a very, very serious issue, and I believe as a public policy it warrants our attention," Brown said.

Cellular phone cloning occurs when someone acquires a phone identification number — assigned by the manufacturer — and alters it. Cloners either use the number or provide it to a computer network system for others to use. Some use a combination of scanners, cables, computer chips, and software to create identification numbers themselves.

Debra Burns of AT&T said cellular phone cloning has grown in popularity as more and more people use the technology. She said cellular phone counterfeiting needs to be addressed specifically with legislation because law enforcement isn't giving the issue enough attention.

Rep. Steve Kelley (DFL-Hopkins) suggested broadening the bill to include other communication technologies.

"If we are going to act on this, maybe we should address the whole range of communication devices," he said.

Brown said he was open to the suggestion.

Rep. Ron Erhardt (R-Edina) said he was concerned that the bill wouldn't address interstate cellular phone cloning.

Burns acknowledged that the bill doesn't target interstate cloning, but she said it will help stop violations within the state where a significant number of the cases occur.

**HF2526** now heads to the Judiciary Committee.

## Committee deadlines

Bills moving through the 1996 Legislative Session are about to hit the first committee deadline and with the pace of this session, it appears that lawmakers may adjourn in early April.

The first committee deadline is Feb. 9. That means that for further consideration, a bill must clear all policy committees in its house of origin by this date.

Each year the House and Senate set deadlines which serve to weed out many of the hundreds of bills introduced each year.

The second committee deadline is Feb. 16. For continued consideration, a bill must clear all policy committees in the other legislative body by this date.

The third committee deadline is Feb. 23, meaning that for further consideration in the House and Senate, all bills with a fiscal impact and omnibus appropriation bills must clear their policy committees and be sent to the Ways and Means Committee (the Finance Committee in the Senate), the Taxes Committee, or the floor.

Although neither the House nor Senate leadership can pinpoint the exact day of adjournment, it is expected to be much earlier than the mandatory date set out in Minnesota's constitution.

The Minnesota Constitution prescribes that the Legislature shall not meet after the Monday following the third Saturday in May, which this year is May 20. But since the 1996 Legislative Session convened more than a month earlier than usual for the second year of the biennium, some expect adjournment before the Passover/Easter holiday the first week in April.



## EDUCATION

### All-day kindergarten

A proposal to ensure that disadvantaged children are ready for first grade by having them spend more time in a kindergarten classroom was considered Jan. 31 by a House panel.

**HF2147**, sponsored by Rep. Jean Wagenius (DFL-Mpls), would set up full-day kindergarten in certain Minnesota schools.

"All-day kindergarten, as we have designed it, gives a child an opportunity to succeed," Wagenius said in testimony before the K-12 Finance Division of the House Education Committee.

The goal of the full-day kindergarten proposal is to make sure students arrive in first grade with a readiness to read. But the program would have benefits that reach far beyond the first grade, according to Wagenius.

She argued full-day kindergarten would save school districts money now devoted to remedial programs by helping prevent students from falling behind in school.

It could help reduce "massive" state expenses for juvenile delinquency and criminal justice programs, she said.

"Children who fail cost us in prison costs and in violence," Wagenius said.

And, she added, full-day kindergarten would help students living in poverty and narrow the performance gap between those students and their middle class counterparts.

It would cost an estimated \$117 million to initiate all-day kindergarten in all Minnesota public schools.

Wagenius' bill calls for each school to be ranked according to the percentage of its students on free and reduced-price lunch programs.

Schools with the highest percentage of students on free and reduced-price lunch programs would be first in line to receive a share of an as yet-unspecified appropriation.

The K-12 Finance Division took no action on the bill. It may be considered later for inclusion in this year's omnibus education spending package.

### Releasing student records

The House Education Committee approved a bill Jan. 30 to ensure that a transferring student's educational records are received by his or her new school.

The bill (**HF2153**), sponsored by Rep. Mike Delmont (DFL-Lexington), would close a loophole in current law that allows some schools to withhold a student's records.

Current state law makes the school district responsible for passing along the records of a transferring student. Because the law addresses only school districts, private schools are exempt from the requirement.

A small number of private schools exploit the situation by refusing to release the records until all disputes (often unpaid tuition or library fines) are settled, said Dale Swanson of the Minnesota Elementary School Principals Association.

"This just says that pupil records belong to the pupil," Swanson said. "... They really shouldn't be held hostage because of disputes parents get into."

The absence of educational records can complicate the new school's efforts to determine a student's grade placement or a need for special programming.

It's in the "students' best interest" to have their files follow them, Swanson said.

Delmont's bill would mandate that all schools — rather than school districts — transmit a transferring student's records to his or her new school within 10 business days of a request. In the absence of a request, a school — not the district, as under current law — must make "reasonable efforts" to locate a transferring student's new school.

**HF2153** now goes to the Judiciary Committee.



## ELECTIONS

### Pay up for foul play

Candidates who step out of line on the campaign trail could have to pay back public campaign subsidy funds under a bill approved Feb. 1 by a House panel.

The bill (**HF2275**), sponsored by Rep. Betty McCollum (DFL-North St. Paul), would make subsidy repayment a potential penalty for violations of the fair campaign practices law.

It would be up to the courts to decide how much, if any, of the public subsidy funds the offender must return. The bill would apply to candidates in both general and special elections.

It's not surprising McCollum is sponsoring such a measure.

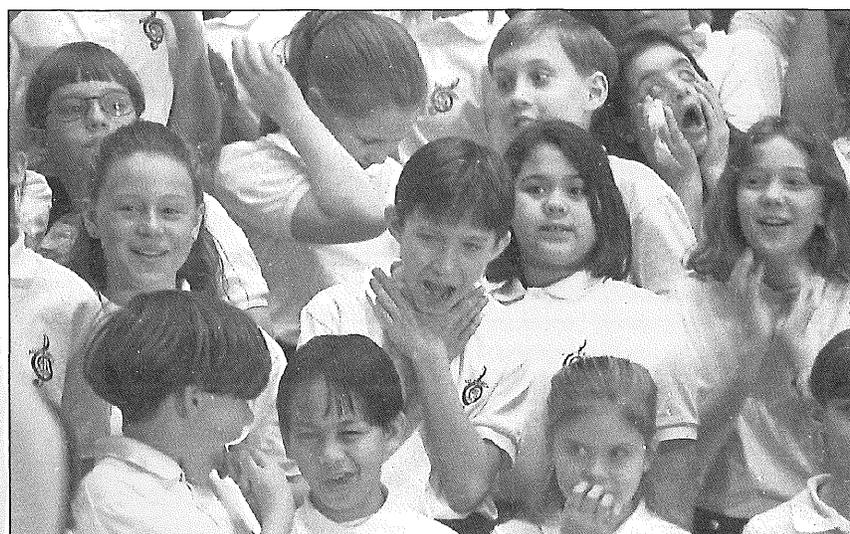
During her 1994 House campaign, McCollum was on the receiving end of what she called "substantial untruthful statements" made by her opponent.

The Ramsey County attorney's office brought charges against the other candidate for violations of fair campaign practices law.

After a guilty plea, the court sentenced McCollum's opponent to community service and required him to write a letter of apology.

McCollum's bill also makes it a condition of receiving a public subsidy that a candidate abide by the fair campaign practices law and pledge to conduct a truthful campaign.

The bill won approval from the Elections Division of the House General Legislation, Veterans Affairs and Elections Committee. It now moves to the full committee.



Members of the Robbinsdale All-District Elementary Choir let loose Jan. 31 after performing as part of Arts Education Day in the Capitol rotunda. Several other musical, dance, and theater groups performed. Artwork also was displayed in the north wing of the Capitol.

## Elected Met Council

Members of the Metropolitan Council would be elected by the people they serve under a bill approved Feb. 1 by a House panel.

The bill (**HF2232**), sponsored by Rep. Myron Orfield (DFL-Mpls), calls for all positions on the council to be up for grabs in the 1998 general election.

The Metropolitan Council coordinates local government efforts in the seven-county metropolitan area. The governor has appointed members from 16 council districts (and another member to serve as chair) since the body's inception in 1967.

Orfield said the council's responsibilities are so vast that its members ought to be chosen by voters.

"We don't have governments in America that are this powerful, that have this much control, that are not elected," he said.

Orfield's bill was approved by the Elections Division of the House General Legislation, Veterans Affairs and Elections Committee.

The proposal calls for all 16 seats on the council to be put up for grabs in 1998. After that, members would serve staggered, four-year terms. The chair of the council would be elected by the members.

To explain the need to elect council members, Orfield pointed to the bulk of the council's budget (\$481 million in 1996), the council's taxing authority, and the council's role in regional issues including development of roads, parks, and sewer systems.

"It's really one of the most powerful shaping forces in the region," he said.

Rep. Tim Pawlenty (R-Eagan) said many members of the Republican Caucus would rather scale back the authority of the Metropolitan Council than put council seats up for election.

And Rep. Bruce Anderson (R-Buffalo Township) said there is growing sentiment that the council should be completely eliminated.

Orfield is renewing his push to make the council an elected body after seeing his similar 1994 proposal fail by one vote on the House floor.

The issue also was debated frequently by legislators in the early 1970s.

**HF2232** now goes to the full committee.



## ENVIRONMENT

### Environmental justice

Minnesota could get extra federal funds for community environmental programs under a bill approved Jan. 26 by the House Environment and Natural Resources Committee.

**HF1661**, sponsored by Rep. Karen Clark (DFL-Mpls), would ask the Environmental Quality Board to study "environmental justice" — a concept supported by President Bill Clinton. The term, defined by the U.S. Environmental Protection Agency, refers to the equitable distribution of environmental efforts among regions of different socioeconomic and ethnic populations. President Clinton issued an Executive Order in 1994 urging states to explore the issue.

Specifically, **HF1661** would mark \$20,000 for the Environmental Quality Board, whose members would report to the Legislature by Jan. 1, 1997, with recommendations on environmental justice and whether a state task force on the issue is needed.

The board would consult with various minority, state, labor, and business groups.

At least eight states have environmental justice programs or task forces and more than 25 others are considering such action this year, Clark said. But Minnesota hasn't addressed the issue, state EPA officials said. That cost the state a piece of the \$3 million the EPA disbursed nationwide last year for environmental justice projects, Clark told the committee.

"These are federal dollars that we want so we can help our local citizens," said Clark, who said the issue is about equality as well.

"The effect of this is to ensure that when we're making environmental decisions we are having fairness across the board for all those impacted," she said.

Rep. Peggy Leppik (R-Golden Valley) questioned the balance of any future environmental justice panel, since the bill does not specify the composition of such a task force.

"I have this feeling that the purpose of this group is to confront what some people already think about environmental justice and not to break any new ground," Leppik said. "I would put on the task force a representative of an industry that might come under criticism."

Clark agreed that balance was a concern and said the Environmental Quality Board's study would address the issue.

At least one committee member objected to Clark's emphasis on getting available federal funds. Although he voted for the bill, Rep. Richard Pellow (R-New Brighton) told

Clark he objected to "just going after the money tree and developing some more bureaucracy."

Clark did not say how much federal funding her legislation could bring the state. She said some of the community-based projects that other states have funded with the federal money include lead poisoning and well water contamination awareness programs. Massachusetts used a federal grant to help Cambodian communities deal with the problem of mercury in fish.

The proposal now goes to the Environment and Natural Resources Finance Committee.

### Report supports coal plant

An Environmental Quality Board (EQB) study concluded that the University of Minnesota's proposed riverfront steam plant is about as environmentally friendly as any alternative plan, including a gas oil plant located away from the river. The board conducted the study at the request of legislators last year.

The findings, released by the board to the House Environment and Natural Resources Committee Jan. 31, drew critical questions from some members. The University's plan to modify one of their existing coal-burning steam plants has drawn criticism from those who prefer natural gas alternatives and oppose a plant along the Mississippi River. Rep. Phyllis Kahn (DFL-Mpls) has introduced **HF2351**, which would ban certain projects, such as a coal-burning facility, in the Mississippi River corridor.

Although a modified plant would release less harmful substances than the current two plants, controversy has centered around whether or not to find an alternative to the University's proposal for a coal-burning plant along the Mississippi.

John Wachtler of the EQB acknowledged the University's proposal would release more mercury into area lakes, but said the amount would not be significant enough to warrant environmental concern.

"The issue is not whether coal emissions would have more mercury than alternatives. The issue is whether that incremental difference is significant enough," he said. "We don't have a state standard that says that amount of mercury is significant."

Reps. Steve Trimble (DFL-St. Paul) and Jean Wagenius (DFL-Mpls) asked repeated questions about the intent and findings of the board's study.

Wagenius asked EQB officials whether the increase in mercury that the University plan

could cause would be enough to require fishing advisories in Lake Harriet or Lake Minnetonka. They said they didn't know because determining the effects on various lakes was outside the scope of the study. Wachtler said the potential increase in mercury for Lake Minnetonka would be around 1.4 micrograms per square meter per year.

"I have always thought of my job as decision-making," said Wagenius. "But I do not have the information from you to make a reasonable decision because you've scoped out the details. And the devil is in the details."

Trimble requested a copy of materials used in the study to determine its scope, among other things.

Rep. Bill Haas (R-Champlin), commenting that the prolonged questioning about mercury levels was getting off track, asked board officials if the university's plan was environmentally preferable to alternatives. They said yes, it was.

"So by upgrading the plant, we're actually going to clean up the air rather than add more to it?" he asked, rhetorically.



## GAME & FISH

### Feed the deer, please

The Minnesota House of Representatives adopted Jan. 29 a resolution to start an emergency deer feeding program in northern Minnesota.

**HR11**, sponsored by Rep. Tom Bakk (DFL-Cook), aims to help a deer population that could be hurt by this year's unusually cold and snowy conditions.

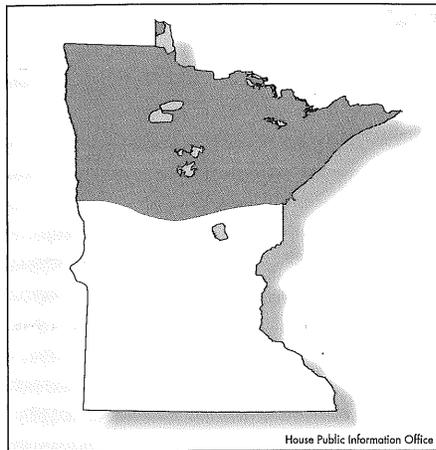
Frigid temperatures and deep snow are "causing very severe vulnerability to the deer herd in northern Minnesota. . . . And that deer herd is very important economically, not just to northern Minnesota, but to the entire state," said Bakk.

The northeast part of the state has more than 35 inches of snow on the ground and has had several record-breaking low temperatures as of Jan. 19 of this year, according to the National Weather Service.

Although the Department of Natural Resources (DNR) said there's been no noticeable drop in the deer population, that could change if severe weather persists through February.

The resolution requires the DNR to start a feeding program in the northern one-third of the state (areas north of State Highway 210 and U.S. Highway 10).

The DNR currently runs a deer feeding program in agricultural areas of northwest-



**Frigid temperatures and deep snow in the northern one-third of the state has prompted the House to call for an emergency deer feeding program in that region.**

ern Minnesota but hasn't fed deer in the forested areas of the northeastern part of the state since 1989. That program, at a cost of \$1.1 million, drew legislative criticism when it led to only a 3 percent increase in the deer population.

DNR officials say it's very difficult to increase deer populations in the state's northeastern forest areas because the animals are hard to locate, hard to reach by road, and there are few volunteers to run the program.

But Bakk said it is unfair to neglect that part of the state when hunters from the area help pay for statewide deer feeding programs. This biennium, the DNR expects to use \$260,000 for deer feeding programs in northwestern Minnesota. The department gets the money from a surcharge on hunting licenses.

"This resolution is to put the DNR on notice," Bakk said after the resolution was adopted. "And I am not sure the deer are as hard to reach as they are saying."

Dave Schad, the DNR's Forest Wildlife Program leader, said all of the \$260,000 this biennium has been earmarked for feeding programs in northwestern Minnesota. Whether the resolution will be funded by one of several appropriations bills under way in the Legislature is unclear, he said.

Schad said the resolution will probably lead his department to review its 1989 feeding program. But he's not optimistic.

"We'll certainly take a look at what we did in 1989 and see if we can improve on that. But we still don't think it's a cost effective way to manage deer populations," Schad said.



## GOVERNMENT

### Adjusting the focus

The Minnesota Spanish-Speaking Affairs Council would become the Minnesota Council on Affairs of Chicano/Latino People under legislation approved Feb. 1 by a House committee.

**HF2193**, sponsored by Rep. Matt Entenza (DFL-St. Paul), also would increase the size of the council from seven to 11 members, including one from each of Minnesota's eight congressional districts and three at-large members. Two members each from the Minnesota House and Senate would serve as non-voting members.

"The community felt that in the 1990s, that was the appropriate name the council should have," Entenza told the House Governmental Operations Committee.

The added members would ensure representation from all areas of the state, particularly areas such as Worthington, Willmar, and Moorhead, which have seen dramatic increases in Chicano-Latino populations in the last decade, Entenza said.

The term "Chicano/Latino" is defined under state law as a person born in — or whose ancestors came from — Argentina, Bolivia, Brazil, Chile, Colombia, Costa Rica, Cuba, the Dominican Republic, Ecuador, El Salvador, Guatemala, Honduras, Mexico, Nicaragua, Peru, Panama, Paraguay, Puerto Rico, Uruguay, or Venezuela.

Although there has been opposition to changing the council's name in previous legislative sessions, Entenza said he knows of none this year. Gov. Arne Carlson's office also has indicated that the governor will support the bill, according to Entenza.

Other provisions of **HF2193** would:

- strike the list of specific countries required to be represented on the Asian-Pacific Minnesotans Council. Also, each Asian-Pacific ethnic community may be represented by no more than one council member;
  - define "Asian-Pacific" as a person whose ethnic heritage is from any country in Asia east of, and including, Afghanistan, or the Pacific Islands; and
  - abolish the duties of the Asian-Pacific Minnesotans Council and the Minnesota Council on Affairs of Chicano/Latino People to review data on out-of-home placement of Asian-Pacific or Chicano-Latino children.
- After approving the bill, committee members referred **HF2193** to the House Economic Development, Infrastructure and Regulation Finance Committee.



## HEALTH

### Keeping the hospital open

The only way for the University of Minnesota Hospital and Clinic (UMHC) to survive is to join forces with another health care provider, according to the provost of the U of M's Academic Health Center.

Dr. William Brody believes that the most practical solution to declining patient numbers and revenues is to combine the resources of the UMC with Fairview Riverside Medical Center in Minneapolis.

"We have searched and searched for ways to solve this problem," Brody told a Jan. 31 joint meeting of the House Education Committee's University of Minnesota Finance Division and the Health and Human Services Committee's Subcommittee on Health Care Resources. "We are in a marketplace today that is valuing deregulation and competition."

Brody offered statistics to support the proposed merger:

- Acute-care admissions to Minnesota hospitals statewide declined 3.98 percent from 1988 to 1994. During the same period, admissions to Twin Cities-area hospitals declined only .03 percent, while admissions to the U of M Hospital dropped by 8.62 percent.
- The federal government is withdrawing support for education to teaching hospitals. In 1994, Medicare support for resident education at the UMC was \$17.4 million; in 1995, that number had fallen to \$16.4 million, and is projected to fall in 1996 to \$12.2 million.
- As of December 1995, the UMC had 719 licensed beds and an average daily patient census of only 277.
- By the end of the decade, at its current rate of declining patient numbers and financial resources, the UMC is projected to lose \$100 million.

Brody offered an example of the hospital's shrinking resources: One of the top three neurosurgeons in the world practiced for several years at the U of M, but watched his patient load steadily decline. He finally departed for greener pastures with more educational opportunities, according to Brody: "You can't survive in this kind of situation on 25 aneurysms a year."

"We don't pretend to know all the answers. But we've not been able to find a model anywhere that would be a good model for us

to follow other than a partnership scenario."

Of the three possible solutions to the UMC's crisis — closing the hospital entirely, continuing to "go it alone," or integrating the hospital's resources with an existing health care system — only the latter would provide a real solution, Brody said.

If the hospital were to close, 4,700 employees would lose their jobs, and \$140 million in bonds would have to be paid. That scenario also leaves the U of M Medical School particularly vulnerable, according to Brody.

If the hospital continued to operate on its own, it would require "massive, severe" downsizing, he said, which is contrary to the need for a comprehensive health system with all levels of care, broad geographic access, and other facilities.

By combining forces with Fairview Riverside, the UMC would preserve the public's access to the facility, open up new sites for education and research, provide comprehensive health services, save more university employees' jobs, and make the hospital and clinic more competitive, Brody said.

Lawmakers have not yet decided whether to allow the two hospitals to merge.

### Hospital stays after birth

A bill to allow mothers and their newborn babies the option to stay in the hospital a little longer after birth passed the full House Feb. 1. The vote was 126-8.

**HF2008** would require insurance companies to cover a minimum of 48 hours of inpatient care following an uncomplicated vaginal delivery and at least 96 hours of inpatient care following an uncomplicated cesarean section.

Under both scenarios, the extended time would apply to both the mother and the newborn if the physician, in consultation with the mother, determines it to be medically necessary. The bill doesn't require a mother to stay two days or four days, but gives her the option to do so depending on the method and difficulty of the delivery.

Should a mother leave the hospital before 48 hours have elapsed, the bill says her insurance company must provide coverage for the option of one home visit by a registered nurse. Services provided by the nurse would include parent education, training in breast and bottle feeding, and conducting any necessary and appropriate clinical tests.

Bill sponsor Rep. Joe Opatz (DFL-St. Cloud) told lawmakers that too many mothers and newborns are being sent home after 24 hours, only to return later sick. Although insurance companies maintain they have no 24-hour policy, he said the de facto policy is that they do.

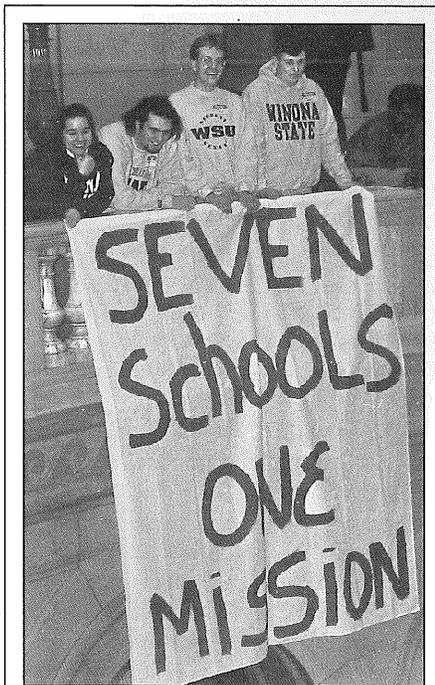
Up until a few weeks ago (when the bill received more publicity) an expectant mother who called her insurance company and asked how long she could stay in the hospital after birth was told 24 hours, Opatz said.

The bill was opposed by a few lawmakers some of whom called it an unnecessary mandate on insurance companies. They argued the Legislature has no business mandating what health plans must cover.

Rep. Richard Mulder (R-Ivanhoe), the only physician in the House, said the Legislature is sending insurance companies a mixed message. Although he often recommends new mothers stay in the hospital with their babies two or three days, he said he doesn't understand how the state can mandate what insurance companies cover and at the same time ask them to cut health care costs.

**HF2008** now moves to the Senate.

(See Jan. 19, 1996, *Session Weekly*, page 10 and Jan. 26, 1996, *Session Weekly*, page 11.)



Students from Winona State University dangled a banner over the Capitol rotunda Jan. 31 as part of the annual state university student lobby day. They were among many state university students who converged on the Capitol to lobby legislators to keep the cost of college tuition reasonable. The event was sponsored by the Minnesota State University Student Association.



## HOUSING

### Housing dollars approved

A bill to help Twin Cities neighborhoods gain more control over housing decisions so the results both meet current needs and lead to long-term revitalization won approval from the House Housing Committee Jan. 30.

Bill sponsor Rep. Andy Dawkins (DFL-St. Paul) said the proposal (HF2268) would help address two main problems facing city neighborhoods: 1) A shortage of three- and four-bedroom units, and 2) poorly planned concentrations of high-density, low-income housing.

The bill also appropriates \$12 million and authorizes \$2.5 million in state bonds for existing statewide housing programs.

"Everywhere I go in this state . . . I hear people say housing is one of their main concerns," Dawkins said. "Greater Minnesota says their greatest need is affordable rental housing."

Under the bill's community impact provision, Minneapolis and St. Paul communities would be required to decide — through a public hearing process — whether a proposed multi-unit, low-income housing project would contribute to their area's "stabilization and revitalization." Only proposed projects involving targeted areas would be affected. Targeted areas are those census tracts with more than 700 housing units in structures of five or more units.

The bill also requires cities to consult with the Metropolitan Council on projects, and it requires project developers to pay for the public hearing and for advertising costs of the meeting notice.

But some said they feared the community impact provision could be used to discriminate.

"Sometimes we have situations where a community's idea of what's best for it runs counter to what's best for the broader society," said Rep. Carlos Mariani (DFL-St. Paul). "You're not saying that if the community doesn't want low-income housing they can . . . keep it out, are you?"

Tom Johnson, assistant executive director of the Alliance for the Mentally Ill of Minnesota, Inc., voiced a similar concern.

"I could see people with low incomes and a disability trying to get housing and a community deciding those people would not bring stability," Johnson said.

Reps. Clark and Dawkins said there are existing laws that prohibit such discrimination.

Carruthers spoke in support of the proposed \$7.5 million aimed at reducing the concentration of multi-unit, low-income housing.

"This is an issue that very much affects our area. . . . Brooklyn Center and Brooklyn Park have been very supportive of low-income housing," Carruthers said. "But they also have very concentrated areas of low-income housing right now, some that would require an investment that's no longer economically viable. This is the type of thing we'd like to use this money to do."

HF2268 includes the following supplemental appropriations:

- \$7.5 million for the Community Rehabilitation Program — \$5 million to increase the supply of four- and five-bedroom affordable units and reduce the concentration of multi-unit rental housing by funding acquisition, removal and/or demolition of such properties; \$2.5 million for low-income housing assistance. (The program received \$5.8 million in 1995);
- \$2.5 million for the Affordable Rental Investment Program (which received \$6 million in 1995); and
- \$2 million for the Family Homeless Prevention and Assistance Program (which received \$400,000 in 1995).

The bill also includes \$2.5 million in state bonds for the Neighborhood Land Trust Program.

The bill now moves to the Economic Development, Infrastructure and Regulation Finance Committee.



## HUMAN SERVICES

### Extra funds for the elderly

Recognizing that good nutrition can help keep senior citizens out of nursing homes, the House Health and Human Services Committee approved a bill Jan. 30 to set aside \$1 million to expand programs that offer meals and groceries to the elderly.

"The purpose of this is to keep seniors in their homes," said bill sponsor Rep. Becky Lourey (DFL-Kerrick). "I really believe this is a preventative thing."

The bill (HF2339) would appropriate \$700,000 in fiscal year 1997 to the Minnesota Board on Aging to expand elderly food programs statewide.

Another \$300,000 would be given to local agencies on aging to help pay for such elderly services as the home delivery of meals, groceries, and prescriptions; transportation to supermarkets and congregate dining sites;

vouchers for meals at selected restaurants in isolated rural areas; food stamp outreach; and nutrition screening and counseling.

Senior citizens quickly suffer from dehydration and become malnourished if they don't eat properly, Lourey said, adding that minor illnesses can worsen and broken bones take longer to heal due to poor eating.

Home delivery of meals to "shut-ins" as well as congregate meals at senior centers and other sites, are invaluable, she said, noting that they not only keep many seniors healthy, but the latter is especially helpful in getting seniors out and socializing.

Some lawmakers questioned whether the meals and groceries were going to the right people. Rep. Tom Van Engen (R-Spicer) said he had heard that some seniors could afford to pay more for the meals and food they received.

Jim Varpness, executive director of the Minnesota Board on Aging, said that more than 70 percent of the seniors participating in the nutrition programs had annual fixed incomes equal to 125 percent of the federal poverty level or \$9,337.

Since 1990, while the demand for nutrition programs among the elderly has increased, federal and state dollars for the programs has remained about the same, according to statistics from the Minnesota Board on Aging. That's why the \$1 million is needed, Lourey said.

In 1994, 94,000 senior citizens were served 3.5 million meals at nearly 487 senior dining sites throughout Minnesota at a cost of \$14.7 million, according to the Board on Aging. About \$1.9 million came from state dollars, \$4.8 million from the federal government, \$2.1 from the United States Department of Agriculture, and more than \$5.2 million from seniors themselves.

During that same time period, nearly 18,000 elderly individuals received more than 1.6 million home-delivered meals at a cost of \$6.2 million. The state picked up about \$225,000 of the tab; the federal government \$1.7 million; the United States Department of Agriculture \$984,000; and seniors themselves paid nearly \$2.7 million.

The bill is expected to be incorporated into an omnibus health and human services bill.



## INSURANCE

### Making insurers pay

Bills mandating that health insurers cover testing costs for one malady and treatment expenses for another were approved Jan. 31 by a House subcommittee.

But the bills stoked debate over the proper role of the Legislature in determining proper medical coverage.

The House Financial Institutions and Insurance Committee's Subcommittee on Insurance approved bills requiring insurers to cover screening for prostate cancer and treatment for Lyme disease.

**HF2394**, sponsored by Rep. David Tomassoni (DFL-Chisholm), would require insurance companies, under certain conditions, to pay for a blood test used to detect prostate cancer.

Insurers would have to cover the prostate specific antigen (or PSA) test for all men older than 50 and men older than 40 who suffer symptoms of the disease or are at high risk for developing the cancer.

The test is already covered by all but a few health insurance companies. Tomassoni argued it is too important to be denied any policyholder.

"Prostate cancer is a major public health problem for males in the United States," he said. "... Men should have the opportunity to be tested for early detection and treatment."

It's also similarly important that Lyme disease victims are covered for the treatment they need, said Rep. Mary Murphy (DFL-Hermantown). Her bill (**HF219**) would require insurance companies to pay for treatment of the disease.

Lyme disease — a bacterial illness transmitted by the bite of an infected deer tick — affects the skin, joints, and other parts of the body. It can have serious results including chronic arthritis and neurological impairment.

Some insurers won't pay for adequate antibiotic treatment for the disease, said Barb Jones, a registered nurse who testified in support of Murphy's bill.

"We know that antibiotics can kill it if you get enough [medication] for a long enough time," Jones said.

Criticism of the bills focused not on their specifics but on the wisdom of legislative intervention in such situations.

Rep. Lee Greenfield (DFL-Mpls) suggested such issues would be better resolved within the medical community. He argued laws mandating coverage for specific care can

quickly be rendered obsolete by medical advances.

"I think we're trying to practice medicine here," Greenfield said. "We're going to run up the cost of health care, and we may or may not help it."

He made a similar case during earlier debate on a maternity-stay bill currently awaiting action on the House floor. The bill (**HF2008**) would ensure that mothers and newborn babies have the option to stay in the hospital longer than the increasingly common 24 hours after birth.

**HF219** and **HF2394** now move to the full Financial Institutions and Insurance Committee.



## METRO AFFAIRS

### No more VIP spots

A bill that eliminates 105 free underground valet parking spots for Minnesota's business and government leaders was approved by the House Local Government and Metropolitan Affairs Committee Feb. 1. The vote was 15-3.

**HF 2321**, sponsored by Rep. Howard Orenstein (DFL-St. Paul), prohibits the Metropolitan Airports Commission from providing the permanent free parking except under limited circumstances. Those include people driving to the airport for volunteer work or other low-compensation jobs related to the commission. The bill also requires the commission to keep a record of anyone who receives free temporary parking.

In the wake of the 1994 ethics law, the Legislature's strictest ever, Orenstein said it's wrong for legislators to get free parking benefits from an entity that depends on their votes. While he acknowledged the Ethical Practices Board has not defined the commission as a lobbyist, he said the free parking lot and most free parking requests by legislators are inappropriate. He also questioned the fairness of highly paid business leaders getting such perks.

Orenstein showed the committee a list of those who can park in the garage which included 20 top state and federal politicians, commission and commission foundation board members, and a significant number of airline officials, mostly from Northwest Airlines. He then presented a chart with the names and salaries of five of the listed airline executives.

"These five individuals earn \$3.233 million dollars from their companies and they get free parking," he said. "Those five alone make more than the total revenue of the

underground parking garage."

The 105 parking spots could provide at least \$2 million in annual revenue, Orenstein said. He also said airport employees pay to park in remote lots.

Several committee members questioned whether the issue should be before the Legislature.

Rep. Eileen Tompkins (R-Apple Valley) said the bill amounted to "micromanagement."

"I'm having trouble with this . . . because we don't have taxpayer money involved in this," said Tompkins. "I don't think the Legislature should have to make decisions for every entity in the state."

Orenstein said the commission has repeatedly avoided taking action on the issue despite suggestions by some members.

Rep. Joe Opatz (DFL-St. Cloud) said he supported the bill, but thought it raised questions for more than just top government officials and business leaders.

"My concern is that this addresses an issue that may have a lot of other implications for other parts of state government," he said.

The bill now goes to the House floor.



## SPORTS

### New stadium needed?

House legislators dug into the sports stadium debate Jan. 31 when the Advisory Task Force on Professional Sports released its report to the House Local Government and Metropolitan Affairs Committee.

The task force, comprised of business and city leaders as well as Republican and DFL legislators, found the following:

- The rules governing sports stadium ownership and operation have changed dramatically since the advent of professional sports, particularly in the area of public-private partnerships.
- The national trend in baseball and football is toward single-sport facilities.
- Financially and physically, the Metrodome cannot accommodate improvements for both the Minnesota Twins and Vikings.

"The problem we have here is either we're going to do something about it and we'll retain [the Vikings and the Twins] or if we don't, we won't," said Henry Salvelkoul, chair of both the task force and the Metropolitan Sports Facilities Commission.

Salvelkoul and officials from both sports teams presented many charts that painted a picture of a state behind the times in professional sports.

The Twins are pushing for a new baseball-

only stadium while the Vikings have said they are constrained by sharing the Metrodome with the Twins.

Salvelkoul pointed out possible revenue-generating changes to the teams' current leases.

He said both teams' share of concessions profits — less than 20 percent for the Vikings and around 40 percent for the Twins — is below the 50 percent average for most other professional teams. In addition, the admissions tax, after-game clean-up costs, and rent paid as a percentage of revenue could be modified in the teams' favor, Salvelkoul said. Lastly, he said both teams suffer financially because there's no stadium advertising or revenue from stadium-naming rights.

Roger Headrick of the Minnesota Vikings said such proposed changes could add up to an extra \$6 to \$10 million a year for his team.

"The Vikings like Minnesota and the dome. We do not need a new stadium, we do not need a public hand out," he said. "But we do need changes."

Several legislators suggested the task force is asking for something Minnesota can't support.

"Could it be that Minnesota just isn't big enough to handle all these sports?" asked Rep. Mike Osskopp (R-Lake City). "I hope we keep the Twins and I'll do whatever I can. But I think this thing is out of control, and I don't know if a new stadium is the answer."

Salvelkoul said Minnesota can support at least three teams, noting the Denver market — smaller than the Twin Cities' — supports four.

Very few professional baseball teams have relocated to another city in recent memory.

Rep. Phil Krinkie (R-Shoreview) asked, "Why, if a major baseball team hasn't relocated in 25 years, are we here today discussing the possibility that the Twins might relocate if they don't have a new facility? What is it that's gone awry here in the Twin Cities that puts this team in the position to do what no other team has done in 25 years?"

Salvelkoul said the professional sports world is changing rapidly, noting Minnesota is one of only two states in the American League without a baseball-only stadium. Despite the historical facts, he said, the Twins will probably get better offers if they continue to lose \$7 million a year.

On Jan. 31, the Senate Metropolitan and Local Government Committee approved **SF2464**, which calls for a non-binding referendum on a stadium in the metropolitan area.

## No men allowed

A Twin Cities-based running club for women would be allowed to exclude men from an annual running event under a bill approved Jan. 26 by a House panel.

**HF2042**, sponsored by Rep. Phyllis Kahn (DFL-Mpls), would amend the state's Human Rights Act by allowing single-gender athletic teams or clubs to restrict membership to members of one sex "whose overall athletic opportunities have previously been limited."

The legislation arose out of a conflict last year when a man filed a discrimination complaint against the Northern Lights Running Club for Women. The club wouldn't allow him to participate in its annual "Bruegger's Run for the Bagels," an event that includes 10-kilometer and 5-kilometer races and girls' events and has attracted more than 3,000 runners in recent years.

The race's "wonderful atmosphere, the wonderful ambiance . . . was shattered" by the lawsuit, according to Sue Wurl, the club's president, who testified before the House Judiciary Committee in support of **HF2042**.

When the man's complaint was dismissed, he filed a civil lawsuit against Bruegger's, the Minneapolis Park Board, and the running club, alleging sexual discrimination. Rather than dealing with the "logistical nightmare" of such a changed format and the "philosophical changes" that the club might have had to adopt, Wurl said, club members canceled the race.

The customarily "nurturing" atmosphere

of an all-female running event changes dramatically when men compete, Wurl said. "As soon as there are men in the picture in a non-supportive role, it becomes a completely different event."

Jack Moran, who publishes a Minnesota-based running magazine, and Kahn also spoke in support of the bill.

**HF2042** is now awaiting action on the House floor.



## TAXES

### Helping foster children

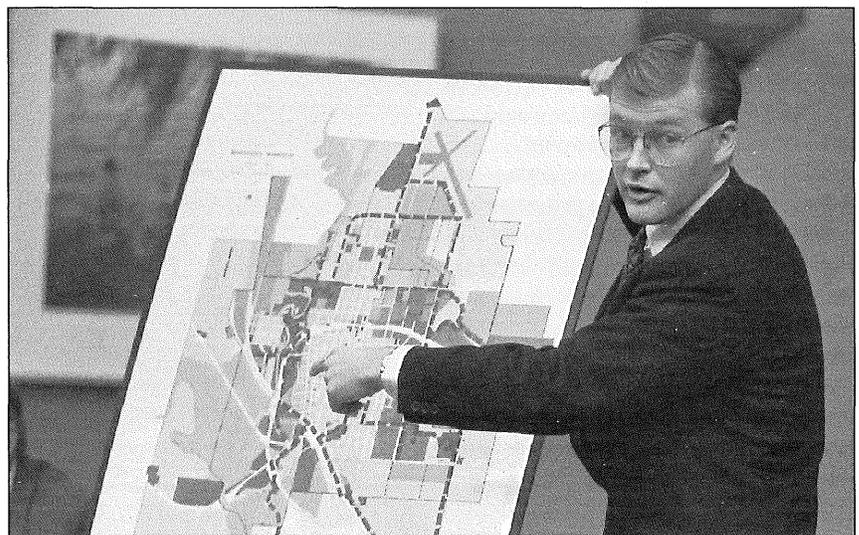
Minnesota foster children would no longer have to pay sales tax on automobiles given to them as gifts by their foster parents under a bill considered Jan. 31 by a House panel.

**HF2139**, sponsored by Rep. Darlene Luther (DFL-Brooklyn Park), expands current law governing motor vehicle sales tax exemptions to include the foster parent-child relationship.

The bill was considered by the House Taxes Committee's Sales and Income Tax Division.

The bill defines a foster relationship as one in which a foster parent's home is or was licensed as a foster family home under Minnesota law. The county must verify that the child lived or previously lived in the foster parent's home for non-emergency shelter care.

Only children who are or were state wards in court-ordered, permanent foster care would be eligible for the exemption.



Geoff Hathaway, a lawyer from Montevideo, testified Jan. 31 before the House Economic Development, Infrastructure and Regulation Finance Committee in support of a bill that would authorize the sale of state bonds to help pay for the restoration of the Milwaukee Road Depot in Montevideo.

Automobile buyers in Minnesota pay a 6.5 percent sales tax, based on the purchase price of the vehicle, less the value of any trade-in vehicle.

Sales and Income Tax Division members delayed action on the bill, which will be considered as part of the omnibus tax bill.



## TRANSPORTATION

### Speed hike sputters

Efforts to increase speed limits on Minnesota highways have stalled in the House Transportation and Transit Committee.

The committee took up proposals Jan. 26 to boost speed limits, but no action was taken on any of the measures. Clearly, some lawmakers would like it to stay that way.

"We are not traffic engineers," said Rep. Sharon Marko (DFL-Newport). "I think it would be irresponsible for us to set speed limits."

If the Legislature does not act to increase speed limits, the commissioner of the Minnesota Department of Transportation would be left to handle the issue.

Minnesota is one of many states considering speed limit increases in the wake of the 1995 repeal of federal speed limit mandates.

Under terms of the federal act, speed limits in Minnesota will revert to existing state orders if the Legislature does not act within 60 days of the beginning of the 1996 session.

That would mean more of the status quo — 65 mph on rural interstates and 55 mph on all other highways.

Transportation Commissioner James Denn, who has statutory authority to set speed limits on all roads, could increase limits if he sees fit. But Denn has indicated he would not be inclined to change current limits.

In anticipation of legislative action this year to increase speed limits, a task force was organized by the state transportation and public safety departments to study the issue.

The task force released a report in January calling for speed limit increases on certain highways along with several new safety requirements.

Each of the speed limit increase bills introduced in the House includes at least some of the task force's recommendations.

But all that may be academic. Transportation committee members left three bills in limbo: **HF2178**, sponsored by Rep. Dave Bishop (R-Rochester); **HF2349**, sponsored by Rep. Jim Tunheim (DFL-Kennedy); and

**HF2088**, sponsored by Rep. Ted Winter (DFL-Fulda).

Debate in the committee quickly shifted from the merits of the bills to whether legislative action on the issue is even appropriate.

Some said it was.

"This is really a public policy debate," said Rep. Becky Kelso (DFL-Shakopee). "I think the will of the people on these issues is important."

But most committee members thought otherwise.

"We ought to let the professionals do it," said Rep. Tom Osthoff (DFL-St. Paul).

Criticism of the bills focused on the broad changes each proposes. Provisions of the bills (such as a proposal to increase the speed limit on all divided, four-lane highways to 65 mph) fail to address complex problems such as regional and local differences in road designs and traffic patterns, according to Marko.

"We cannot have a one-size-fits-all approach to speed limits in Minnesota," she said.



## VETERANS

### Honoring women vets

A plaque honoring Minnesota's women veterans would be placed on the State Capitol grounds under a bill approved Jan. 29 by the House General Legislation, Veterans Affairs and Elections Committee.

Bill sponsor Rep. Loren Jennings (DFL-Harris) said such a plaque would be "a small step" to pay tribute to women who have served in all branches of the military.

More than 40,000 Minnesota women have served in the military and 17,000 women veterans currently live in the state, according to Jennings.

Under the bill (**HF2137**), the plaque would be placed in the Court of Honor near the Veterans Service Building just south of the State Capitol. The Vietnam Memorial, dedicated in 1992, also is in that area of the Capitol grounds.

The bill stipulates that no state funds would be used to pay for the plaque. Money for the memorial likely would come from private donors and veterans organizations.

Veterans groups voiced strong support for the proposal.

"We think it's important to recognize the contribution of women veterans in this state," said Milton Schoen, state legislative chair for the Minnesota American Legion.

The bill now moves to the Rules and Legislative Administration Committee.

Jennings has introduced similar legislation calling for a plaque on the State Capitol grounds to honor Persian Gulf War veterans, but it has not yet received a hearing.



**The date the Emancipation Proclamation** was first publicly read in Texas will be observed as a day of recognition in Minnesota under a bill approved Feb. 1 by a House panel. **HF1889**, sponsored by Rep. Richard Jefferson (DFL-Mpls), designates June 19 as the official state observance of Juneteenth. Jefferson told the House Governmental Operations Committee that historians haven't been able to determine the exact date in 1865 when everyone in the nation knew that slavery had been abolished, but it was sometime between June 13 and 19 that year. As a state day of recognition, Juneteenth will be similar to Arbor Day and Ethnic American Day, which are not state holidays. The committee unanimously approved the bill, which now goes to the full House.



### The Minnesota Animal Humane Society was founded in what year?

The first humane society got its start in 1905. However, it wasn't just for the protection of animals, but for children as well. The law details an "act to prevent wrongs to children and dumb animals and to establish a bureau of child and animal protection." The state bureau was formed to assist in the organization of district and county societies and to "promote the growth of education and sentiment favorable to the protection of children and dumb animals."

A closer look . . .

## Problems continue to plague licensing process

When Bill Welke of St. Paul applied to renew his Minnesota driver's license in December 1994, he was sure he'd allowed the state ample time to process his application.

His license was set to expire on his birthday in March 1995; surely, he thought, three months would be adequate for the state to process the new license and send it to him.

January came and went. February slipped by. So did March.

Finally, in mid-April, Welke called the Driver and Vehicle Services Division of the Minnesota Department of Public Safety to inquire about his license. He was told it would be another six to eight weeks before he was once again a legally licensed Minnesota driver.

He called again on the last day of May and was told that it would take another two weeks.

In July, concerned about an upcoming trip he was planning to Montana and Canada, Welke decided to change his plan of action. "I wasn't comfortable driving out of state with an expired license," he told the House Ways and Means Committee's Government Efficiency and Oversight Division on Jan. 31.

So Welke sought help from his state representatives. Less than a week after their intervention, his license arrived in his mailbox.

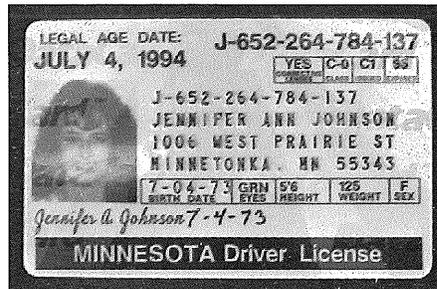
The upshot: It took Bill Welke more than seven months to get his driver's license — and he got it that soon only after appealing for help to state lawmakers.

Welke's testimony before the House panel came during a discussion of recent problems and delays in the Department of Public Safety in processing driver's license applications.

Problems first surfaced with delayed driver's licenses in mid-1994, when the state switched to a new licensing system that was supposed to cut the wait for a license to two weeks, down from four to six weeks.

The first problems had to do with photo images being transmitted over telephone lines to a Shoreview company producing the licenses. More than 4,000 photos were inadvertently devoured by computers, and those applicants had to have their pictures taken again, causing a backlog that ended up delaying 400,000 driver's licenses.

But that wasn't the end of the problems. Last summer, after workers had finally cleared the backlog resulting from the photo foul-up, the state became part of the federally man-



Problems with Minnesota driver's licenses first surfaced in 1994 when the state switched to a new licensing system that was supposed to cut the wait for a license to two weeks, down from four to six weeks. Today, some Minnesotans are still waiting. Above is one of the early samples of Minnesota's new driver's license.

dated Problem Driver Pointer System (PDPS), which cross-checks Minnesota license applicants in all other states to ensure that they have no license revocations elsewhere.

Almost immediately, data entry operators — who previously were able to enter license application information into state computers in about 30 seconds — found that the PDPS system added up to a 20-second delay in moving from one screen to the next.

That caused the productivity of the data

what I'm hearing here today, for lack of a better word, is excuses. You still haven't addressed the real issue: Why does it take 45 days for someone in Minnesota to get a driver's license?"

Rep. Howard Orenstein (DFL-St. Paul) told Moore that the public is becoming increasingly frustrated with the delays, along with the fact that they have no alternative place to get a driver's license.

"If I go into Burger King and they say I can't get a burger for seven weeks because their broiler's not working, I'll go to McDonald's," Orenstein said. "Minnesotans applying for driver's licenses don't have that option."

Moore told lawmakers that her office is doing "everything within our means" to issue licenses more quickly, and said her goal is to bring the wait down to 10 to 14 days.

She agreed to provide information to the committee on the benefits and disadvantages of using a central-issue driver's license system like Minnesota's; the alternative is an over-the-counter system like those in North Dakota and Wisconsin, where applicants receive their licenses the same day they apply for them, usually in about 15 minutes.

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*"Why does it take 45 days for someone in Minnesota to get a driver's license?"*

*—Rep. Chuck Brown*

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entry operators, who previously were averaging 5,000 applications a day, to drop to 3,000 applications a day.

By last September, that problem was fixed. But by that time, there was another daunting backlog in the Driver and Vehicle Services Division, and Minnesotans who apply for a driver's license today still must wait up to 45 days to receive it.

Members of the Government Efficiency and Oversight Division had some pointed questions Jan. 31 for Katherine Burke Moore, director of the Driver and Vehicle Services Division, who has repeatedly promised both license applicants and lawmakers that the problems have been fixed, and that there will be no more problems in issuing licenses.

"I respect you personally and professionally," Rep. Chuck Brown (DFL-Appleton) told Moore. "But I must be candid: Frankly,

Moore told the committee that a central-issue system is preferable, because an over-the-counter system doesn't provide the necessary time to do background checks on license applicants.

Last year, the Legislature passed a bill that would have authorized refunds of license fees for any Minnesotan who had to wait six weeks or more for their license. Gov. Arne Carlson subsequently surprised lawmakers by vetoing the bill, calling it a "knee-jerk, quick-fix reaction to the contract problems the Driver and Vehicle Services Division experienced" during the summer of 1994.

That bill, authored by Rep. Phil Carruthers (DFL-Brooklyn Center), has been reintroduced this year as HF2895. Committee members discussed the bill briefly, but took no action on it.

*—Betsy Gerboth*

# The making of the Hubert H. Humphrey Metrodome



It was the Vikings — not the Twins — that sparked Minneapolis and St. Paul officials to consider a replacement for Metropolitan Stadium in 1971. Vikings officials said the Met was too small, too old and, in the winter, too cold. Now lawmakers are revisiting the stadium issue.

Recent talk of building a new sports stadium sounds like “*déjà vu* all over again,” to quote baseball great Yogi Berra.

Twin Cities and state leaders spent nearly a decade grappling with proposals to build or not to build the Hubert H. Humphrey Metrodome before its construction in 1982.

But it was the Vikings — not the Twins — that sparked Minneapolis and St. Paul officials to consider a new sports stadium in 1971. Vikings officials said Metropolitan Stadium was too small, too old and, in the winter, too cold. Built in 1956 for the Minneapolis Millers baseball team, the Met had undergone several renovations but, with a capacity of 48,700, was considered small relative to stadiums in other major cities.

By 1972, the Minneapolis City Council was hearing highly charged debates on a proposed \$51 million, 70,000-seat stadium to be built in the northern part of downtown Minneapolis. Despite opinion polls that showed Minnesotans strongly opposed to the idea, the city approved a plan and began arranging to borrow money. The plan died, however, when Minneapolis Mayor Charles Stenvig registered his opposition and called for a funding referendum. Voters backed his position.

Stadium proponents were resilient, however, and in 1975, the Legislature began hearing stadium proposals, which ranged from expanding the University of Minnesota’s Memorial Stadium to a \$28 million open air football structure to a \$126 million multi-purpose dome. There was even a proposal to build a recessed “*earth*” stadium in Lakeville.

Many dome supporters said a dome would increase revenues.

“Consumers in the state of Minnesota are very weather conscious,” said then Twins

executive Clark Griffith. “A dome eliminates the weather factor. It will bring more people to the ball games.”

The fear of losing one or even two major sports franchises was a big concern for many legislators. In April 1975, the Senate’s Metropolitan and Urban Affairs Committee decided that something, either remodeling the Met or building a new stadium, had to be done to keep the Twins and Vikings in Minnesota.

In 1976, the Joint House-Senate Subcommittee on Sports Facilities concluded that remodeling Bloomington’s Met or the University of Minnesota’s Memorial Stadium would cost more than building a multi-purpose stadium.

As the stadium issue worked its way through both legislative houses, financing and location became key issues. Many out-state legislators resented a proposed motel-

Rudy Perpich in May of 1977. That same year a hotel-motel liquor tax was levied over the seven-county metro area to finance the stadium.

In 1978, however, the law, which would have created public debt, was ruled unconstitutional by a district judge because it wasn’t passed by 60 percent of both legislative bodies. The 2 percent liquor tax in the bill was also ruled unconstitutional.

Predictably, the setback didn’t kill the issue. A year and much political wrangling later, Gov. Al Quie signed a bill for a \$55 million domed sports stadium in Minneapolis to be financed, in part, through a more limited hotel-motel and liquor tax, local business donations, and payments within a special tax district near the dome site.

Some have said significant pressure for a Minneapolis dome from both the Vikings and the local business community were de-

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*“A dome eliminates the weather factor. It will bring more people to the ball games.”*

*—former Twins executive Clark Griffith*

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hotel tax, saying their constituents shouldn’t pay for something they would seldom use. South suburban legislators didn’t want their constituents paying a tax to support a Minneapolis stadium. And Minneapolis and St. Paul legislators had their own rivalries. At one point early in the stadium controversy, someone proposed building a stadium with one goal line in Minneapolis and the other in St. Paul, to be fair to both cities. That plan never developed.

But a bill specifying no site for the stadium did prevail and was signed into law by Gov.

ciding factors in the final legislation.

Despite more legal challenges, continued criticism from groups like Minnesotans Against the Downtown Dome and even a collapsed roof, the Metrodome was finished for the Twins’ home opener in 1982. The 65,000-seat facility was the last two-sport stadium built in the United States.

— Kendall Anderson

# Bill Introductions

HF2721-HF3009

## Monday, January 29

**HF2721—Knoblach (R)**  
**Governmental Operations**  
 Tribal government state gambling negotiations initiated by the governor.

**HF2722—Knoblach (R)**  
**Governmental Operations**  
 Tribal government state negotiations on issues of mutual interest initiated by the governor.

**HF2723—Trimble (DFL)**  
**Regulated Industries & Energy**  
 High-level radioactive waste and spent fuel storage fee provisions modified, and midwest regulatory utilities agreement development provided.

**HF2724—Ness (R)**  
**Education**  
 Experimental learning program teacher license variance provided.

**HF2725—Clark (DFL)**  
**International Trade & Economic Development**  
 Green business development program established to encourage environmentally friendly business development, bonds issued, and money appropriated.

**HF2726—Ness (R)**  
**Education**  
 Instructional transformation through technology grant use provisions modified.

**HF2727—Entenza (DFL)**  
**Education**  
 Special education revenue base year definition modified.

**HF2728—Mahon (DFL)**  
**Labor-Management Relations**  
 Railroad employee interests protected following railroad acquisitions, and penalty provided.

**HF2729—Cooper (DFL)**  
**Health & Human Services**  
 Nursing facility reimbursement provisions modified.

**HF2730—Cooper (DFL)**  
**Transportation & Transit**  
 Telecommuting encouraged by public safety department and telecommuting day established.

**HF2731—Dawkins (DFL)**  
**Governmental Operations**  
 Military affairs facility design and development provided, bonds issued, and money appropriated.

**HF2732—Hasskamp (DFL)**  
**Education**  
 School district aid reduction eliminated for certain districts.

**HF2733—Osskopp (R)**  
**Taxes**  
 Senior citizens provided property tax rate freeze.

**HF2734—Rukavina (DFL)**  
**Judiciary**  
 College education program payment by corrections department prohibited for certain inmates convicted of murder.

**HF2735—Rukavina (DFL)**  
**Labor-Management Relations**  
 Charitable hospital employer/employee arbitration provisions modified.

**HF2736—Wejcman (DFL)**  
**Health & Human Services**  
 Human service foster care deemed a community social service.

**HF2737—Lourey (DFL)**  
**Health & Human Services**  
 Vocational rehabilitation employment support services for persons with mental illness provided additional funding, and money appropriated.

**HF2738—Hasskamp (DFL)**  
**Environment & Natural Resources**  
 Crow Wing County tax-forfeited land sale authorized.

**HF2739—Marko (DFL)**  
**Transportation & Transit**  
 Toll road facility public hearings required prior to development agreement approval or denial.

**HF2740—Macklin (R)**  
**Judiciary**  
 Civil action sanction provisions modified and expanded.

**HF2741—Luther (DFL)**  
**Education**  
 Independent School District No. 279, Osseo, tax levy authorized for instructional services for at-risk children.

**HF2742—Luther (DFL)**  
**Education**  
 Low-income concentration grant program funding increased, and money appropriated.

**HF2743—Lourey (DFL)**  
**Health & Human Services**  
 Community integrated service network standard benefit set exemption provided.

**HF2744—Kelso (DFL)**  
**Education**  
 Charter school law and interdistrict open enrollment expanded.

**HF2745—Kelso (DFL)**  
**Education**  
 School districts authorized to enter into extended building agreements.

**HF2746—Otremba (DFL)**  
**Environment & Natural Resources Finance**  
 Potato blight research grant provided, and money appropriated.

**HF2747—Hasskamp (DFL)**  
**Judiciary**  
 Marriage license applications to indicate that parties are of legal age.

**HF2748—Davids (R)**  
**Financial Institutions & Insurance**  
 Elmira detached banking facility establishment authorized.

**HF2749—Weaver (R)**  
**Health & Human Services**  
 State-funded abortion right prohibited, and constitutional amendment proposed.

**HF2750—Mulder (R)**  
**Taxes**  
 Rock County aggregate removal tax imposition provided.

**HF2751—Mulder (R)**  
**Health & Human Services**  
 State-funded abortion right prohibited, and constitutional amendment proposed.

**HF2752—Luther (DFL)**  
**Commerce, Tourism & Consumer Affairs**  
 Pawnbroker regulation act adopted.

**HF2753—Greenfield (DFL)**  
**Health & Human Services**  
 Medical Assistance burial expense exclusion limitation provided, asset transfers prohibited, and penalties provided.

**HF2754—Kraus (R)**  
**General Legislation, Veterans Affairs & Elections**  
 Incumbent candidate number of years of service printed on ballots.

**HF2755—Bradley (R)**  
**Health & Human Services**  
 Health care cost containment goals provided.

**HF2756—Orenstein (DFL)**  
**Environment & Natural Resources Finance**  
 St. Paul science museum design and construction provided, bonds issued, and money appropriated.

**HF2757—Rest (DFL)**  
**Local Government & Metropolitan Affairs**  
 Metropolitan Airports Commission revenue bond issuance authorized.

**HF2758—Orenstein (DFL)**  
**Governmental Operations**  
 State agency action deadline provisions modified.

**HF2759—Opatz (DFL)**  
**General Legislation, Veterans Affairs & Elections**  
 Recall provided for elected state officers, and constitutional amendment proposed.

**HF2760—Wejcman (DFL)**  
**Judiciary**  
 Standby guardians provided to care for minors in emergency situations.

**HF2761—Weaver (R)**  
**Judiciary**  
 Adoption process flexibility and finality provided.

**HF2762—Carruthers (DFL)**  
**Judiciary Finance**  
 Law enforcement officer hiring grant program established to increase the number of officers working on juvenile crime, and money appropriated.

- HF2763—Murphy (DFL)**  
**Environment & Natural Resources Finance**  
Western Lake Superior sanitary district sewer interceptor extension provided, bonds issued, and money appropriated.
- HF2764—Lindner (R)**  
**Health & Human Services**  
Omnibus state medical aid program consolidation bill.
- HF2765—Gunther (R)**  
**Health & Human Services**  
Omnibus state medical aid program consolidation bill.
- HF2766—Dawkins (DFL)**  
**Taxes**  
Neighborhood assistance program contribution income tax credit provided.
- HF2767—Dawkins (DFL)**  
**Taxes**  
Revenue recapture act claimant agency provisions modified related to municipal library claims.
- HF2768—Greiling (DFL)**  
**Governmental Operations**  
State employee parking facility fees limited.
- HF2769—Larsen (R)**  
**Governmental Operations**  
Casino gaming authorized by a non-profit organization, net revenue deduction provided, and constitutional amendment proposed.
- HF2770—Larsen (R)**  
**Local Government & Metropolitan Affairs**  
Metropolitan Council, Metropolitan Parks and Open Space Commission, Metropolitan Sports Facilities Commission, Metropolitan Radio Board, and Metropolitan Mosquito Control District abolished, and duties transferred.
- HF2771—Hackbarth (R)**  
**Agriculture**  
Agricultural chemical use liability immunity provisions modified.
- HF2772—Winter (DFL)**  
**Transportation & Transit**  
Telecommuting encouraged by transportation department, and community dialogue process established.
- HF2773—Schumacher (DFL)**  
**Education**  
Secondary pupil unit weightings adjusted and appropriation caps repealed.
- HF2774—Clark (DFL)**  
**Economic Development, Infrastructure, & Regulation Finance**  
Omnibus bonding bill providing capital improvements, and money appropriated.
- HF2775—Dorn (DFL)**  
**Education**  
South central Minnesota educational cooperative appropriated money for materials lost in the Ramy building fire.
- HF2776—Pelowski (DFL)**  
**Education**  
Winona State University chiller plant construction authorized, bonds issued, and money appropriated.
- HF2777—Delmont (DFL)**  
**Governmental Operations**  
National Sports Center and national volleyball center construction and land acquisition provided, bonds issued, and money appropriated.
- HF2778—Orenstein (DFL)**  
**Judiciary**  
Family court block calendar pilot program referee powers and duties modified.
- HF2779—Entenza (DFL)**  
**Judiciary**  
Motor vehicle operation resulting in bodily harm crime defined, and penalties prescribed.
- HF2780—Carlson, L. (DFL)**  
**Transportation & Transit**  
Driver's license residence address use restrictions provided.
- HF2781—Long (DFL)**  
**Taxes**  
Property tax treatment provided for facilities funded from multiple sources.
- HF2782—Orenstein (DFL)**  
**Local Government & Metropolitan Affairs**  
Intergovernmental relations advisory council established.
- HF2783—Osthoff (DFL)**  
**Governmental Operations**  
State employee accrued vacation donation authorized for the benefit of a state lottery employee.
- HF2784—Trimble (DFL)**  
**Regulated Industries & Energy**  
Nuclear waste dry cask storage provisions modified.
- HF2785—Kelso (DFL)**  
**Education**  
Higher education institution contribution income tax credit established.
- HF2786—Johnson, V. (R)**  
**Governmental Operations**  
Rushford public television transmitter construction provided, bonds issued, and money appropriated.
- HF2787—McCollum (DFL)**  
**Economic Development, Infrastructure, & Regulation Finance**  
North St. Paul highway overpass construction provided, and bonds issued.
- HF2788—Frerichs (R)**  
**Commerce, Tourism & Consumer Affairs**  
Temporary on-sale intoxicating liquor license restrictions modified.
- HF2789—Entenza (DFL)**  
**Judiciary**  
Fraudulent transfers under theft statute intent element clarified.
- HF2790—Pelowski (DFL)**  
**Health & Human Services**  
Nursing home bed moratorium exception allowed for a facility in Winona.
- HF2791—Mares (R)**  
**Education**  
Independent School District No. 624, White Bear Lake, class size reduction grant provided, and money appropriated.
- HF2792—Dawkins (DFL)**  
**Financial Institutions & Insurance**  
Dishonored check service charges regulated.
- HF2793—Dawkins (DFL)**  
**Taxes**  
Property assessment equalization and payment procedure study provided.
- HF2794—Rice (DFL)**  
**Governmental Operations**  
Cambridge state bank judgement bond issuance authority repealed.
- HF2795—Van Engen (R)**  
**Health & Human Services**  
Willmar Regional Treatment Center planning and remodeling provided, bonds issued, and money appropriated.
- HF2796—Tompkins (R)**  
**Transportation & Transit**  
Metropolitan area replacement transit service permitted.
- HF2797—Tompkins (R)**  
**Taxes**  
Seasonal recreational property tax class rate reduced.
- HF2798—Hasskamp (DFL)**  
**Judiciary**  
Law enforcement data classification provisions modified.
- HF2799—Milbert (DFL)**  
**Environment & Natural Resources**  
Aquatic farm provisions modified, wild rice harvesting season established, youth hunting residency requirement removed, trout and salmon stamp exceptions modified, and state hatchery egg and fry disposal priorities modified.
- HF2800—Entenza (DFL)**  
**Housing**  
Tenant security deposit central depository institution required.
- HF2801—Dawkins (DFL)**  
**Local Government & Metropolitan Affairs**  
Local government performance aid program created, and money appropriated.
- HF2802—Tompkins (R)**  
**Taxes**  
Property tax assessments limited to four-year intervals.
- HF2803—Worke (R)**  
**Taxes**  
Cemetery lawn and garden care sales tax exemption provided.
- HF2804—Bertram (DFL)**  
**Judiciary**  
DWI; driving while intoxicated and criminal vehicular operation laws prohibitions expanded.
- HF2805—Bertram (DFL)**  
**Taxes**  
Used farm machinery sales tax exemption extended.
- HF2806—Koppendrayner (R)**  
**Education**  
Nonpublic school educational aid provisions modified.
- HF2807—Bertram (DFL)**  
**Commerce, Tourism & Consumer Affairs**  
Bed and breakfast establishments allowed to offer wine without a license, liquor license fee provisions modified, and retailers allowed to offer samples of distilled spirits.

**HF2808—Long (DFL)**

**Local Government  
& Metropolitan Affairs**

Local government official compensation limit provisions modified.

**HF2809—Bradley (R)**

**Judiciary**

Probate descent homestead and property tax exemption provisions modified.

**HF2810—Van Dellen (R)**

**Judiciary**

Personal injury action non-economic damages limited, joint and several liability eliminated, and attorney fees provided.

**HF2811—Haas (R)**

**Health & Human Services**

MinnesotaCare private sector administration report due date modified.

**HF2812—Haas (R)**

**Taxes**

Use tax payment provided with income tax returns.

**HF2813—Haas (R)**

**Health & Human Services**

Regional treatment center privatization feasibility study required.

**HF2814—Winter (DFL)**

**Taxes**

Alcoholic beverage sales tax rate increased, and revenue dedication provided to the chemical dependency treatment account.

**HF2815—Wagenius (DFL)**

**Education**

Adopt-a-classroom program created, school site foundation guide developed, and endowed chair program for schools established.

**HF2816—Kelley (DFL)**

**Commerce, Tourism  
& Consumer Affairs**

Computer information services use data access regulated.

**HF2817—Tompkins (R)**

**Governmental Operations**

Gambling minimum legal age increased to 21.

**HF2818—Greenfield (DFL)**

**Health & Human Services**

Health and human services supplemental appropriations bill.

**HF2819—Erhardt (R)**

**Financial Institutions & Insurance**

Health plan risk adjustment enrollee cost sharing provision disclosure required.

**HF2820—Peterson (DFL)**

**Environment &  
Natural Resources Finance**

Minnesota River watershed best management practices monitoring provided, and money appropriated.

**HF2821—Bakk (DFL)**

**Environment &  
Natural Resources Finance**

Wastewater treatment projects appropriated money, water pollution control grants provided, and bonds issued.

**HF2822—McElroy (R)**

**Economic Development,  
Infrastructure  
& Regulation Finance**

State highway truck station design-build methodology established.

**HF2823—Milbert (DFL)**

**Taxes**

Housing interest rate reduction program tax increment use allowed.

**HF2824—Greiling (DFL)**

**Governmental Operations**

Political subdivision compensation limit eliminated.

**HF2825—Dorn (DFL)**

**Governmental Operations**

Indian gaming negotiation commission created.

**HF2826—Johnson, V. (R)**

**Environment & Natural Resources**

Individual sewage treatment system compliance requirements specified.

**HF2827—Kinkel (DFL)**

**Environment & Natural Resources**

Cass County land conveyance authorized.

**HF2828—Kinkel (DFL)**

**Education**

Independent School District Nos. 113, Walker-Akeley, 115, Cass Lake, 118, Remer, and 2174, Pine River-Backus, special education base revenue adjustment provided, and money appropriated.

**HF2829—Kinkel (DFL)**

**Education**

State college and university board of regents composition modified, and board member duties specified.

**HF2830—Sviggum (R)**

**Taxes**

Taconite production tax permanent rate established, and taconite economic development fund distribution provisions modified.

**HF2831—Milbert (DFL)**

**Governmental Operations**

Amateur Sports Commission ice arena grants provided, bonds issued, and money appropriated.

**HF2832—Larsen (R)**

**Governmental Operations**

Government employee interchange governance provisions modified.

**HF2833—Clark (DFL)**

**Governmental Operations**

Minneapolis urban sports facility development provided, bonds issued, and money appropriated.

**HF2834—Hasskamp (DFL)**

**Environment & Natural Resources**

Child boating safety act adopted.

**HF2835—Carlson, L. (DFL)**

**Judiciary**

DWI-related offense sanctions advanced.

**HF2836—Ostrom (DFL)**

**Judiciary**

Neuroleptic medication hearing county responsibilities clarified.

**HF2837—Molnau (R)**

**Judiciary**

Sentencing Guidelines Commission annual judge sentencing practices report required.

**HF2838—Pellow (R)**

**Judiciary**

Juvenile crime data release to crime victims authorized.

**HF2839—Garcia (DFL)**

**Transportation & Transit**

Motor fuel tax increase revenue dedicated to the multimodal transportation fund, and constitutional amendment proposed.

**HF2840—Marko (DFL)**

**Economic Development,  
Infrastructure**

**& Regulation Finance**

Wakota Bridge construction provided, bonds issued, and money appropriated.

**HF2841—Leighton (DFL)**

**Labor-Management Relations**

Minimum wage employer liability provisions modified, and penalties imposed.

**HF2842—Kelley (DFL)**

**Judiciary**

Domestic assault and harassment of fender release provisions modified, and notice required.

**HF2843—Peterson (DFL)**

**Education**

Education funding stabilization account established, and education appropriation caps removed.

**HF2844—McElroy (R)**

**Transportation & Transit**

Speed limits raised on highways, seat belt and child restraint use failure citations authorized, Dimler amendment repealed, and money appropriated.

**HF2845—Rest (DFL)**

**Governmental Operations**

Legislative auditor appointment provisions modified, and data privacy provided.

**HF2846—Kalis (DFL)**

**Environment &**

**Natural Resources Finance**

Faribault County tax-forfeited land conveyance authorized.

**HF2847—Orenstein (DFL)**

**Judiciary Finance**

Board of Invention state money use prohibition removed.

**HF2848—Pelowski (DFL)**

**Housing**

Single-family housing bond allotment use provisions modified.

**HF2849—Cooper (DFL)**

**Environment &**

**Natural Resources Finance**

Passing on the farm center appropriated money.

**HF2850—Jennings (DFL)**

**Environment &**

**Natural Resources Finance**

St. Croix valley heritage center appropriation transfer provided.

**HF2851—Tomassoni (DFL)**

**Governmental Operations**

Video game of chance definition modified.

**HF2852—Osskopp (R)**

**Judiciary**

Property value reduction as a result of government action civil cause of action provided, and attorney general required to review proposed rules relating to taking property.

**HF2853—Johnson, V. (R)**

**Environment**

**& Natural Resources**

Wetland compensation and replacement credit studies required.

**HF2854—Peterson (DFL)**  
**Environment & Natural Resources Finance**  
Blue Earth/Minnesota River trail acquisition provided, bonds issued, and money appropriated.

**HF2855—McCollum (DFL)**  
**Economic Development, Infrastructure, & Regulation Finance**  
North St. Paul highway overpass construction provided.

## Wednesday, January 31

**HF2856—Wenzel (DFL)**  
**Judiciary**  
Drive-by shooting crime penalties increased.

**HF2857—Cooper (DFL)**  
**Agriculture**  
Feedlot regulatory authority granted to local governments.

**HF2858—Wenzel (DFL)**  
**Governmental Operations**  
Camp Ripley National Guard education center use authorized as a state education and training center.

**HF2859—Carruthers (DFL)**  
**Taxes**  
Senior citizens provided property tax refund.

**HF2860—Bakk (DFL)**  
**Environment & Natural Resources**  
Disabled angling and spearing license provisions modified.

**HF2861—Pugh (DFL)**  
**Judiciary Finance**  
Courts, prosecutors, and law enforcement agencies required to provide certain documents to public defenders free of charge, and public defense board appropriations use provisions modified.

**HF2862—Sviggum (R)**  
**Taxes**  
Agricultural land property tax classification provisions modified.

**HF2863—Rukavina (DFL)**  
**Labor-Management Relations**  
Flame retardant clothing provided by employers at no cost to employees.

**HF2864—Onnen (R)**  
**Governmental Operations**  
Norwood and Young America firefighter relief association consolidation provided.

**HF2865—Workman (R)**  
**Transportation & Transit**  
Lead-free road pavement marking requirement delayed.

**HF2866—Osskopp (R)**  
**Commerce, Tourism & Consumer Affairs**  
Temporary on-sale liquor license restrictions modified.

**HF2867—Leighton (DFL)**  
**Labor-Management Relations**  
Workers' compensation premium calculation provisions modified, and independent contractor provisions modified.

**HF2868—Winter (DFL)**  
**Economic Development, Infrastructure & Regulation Finance**  
Prairieland expo facility construction provided, bonds issued, and money appropriated.

**HF2869—Olson, E. (DFL)**  
**Taxes**  
Used farm machinery sales tax exemption extended.

**HF2870—Luther (DFL)**  
**Transportation & Transit**  
Olympic license plate issuance authorized, fee revenue dedication provided, and money appropriated.

**HF2871—Pugh (DFL)**  
**Health & Human Services**  
Family services collaborative representative selection provided.

**HF2872—Pugh (DFL)**  
**Judiciary**  
Unwed mother birth information released to family service collaboratives.

**HF2873—Delmont (DFL)**  
**Environment & Natural Resources**  
Anoka County tax-forfeited land sale authorized.

**HF2874—Kelso (DFL)**  
**Education**  
Law school loan repayment assistance program established, and money appropriated.

**HF2875—Rukavina (DFL)**  
**General Legislation, Veterans Affairs & Elections**  
Biwabik election date modification authorized.

**HF2876—Kahn (DFL)**  
**Education**  
University of Minnesota steam plant construction provided away from the Mississippi River, and money appropriated.

**HF2877—Macklin (R)**  
**Judiciary**  
Joint and several liability apportionment abolished in certain cases.

**HF2878—Huntley (DFL)**  
**Economic Development, Infrastructure & Regulation Finance**  
Home energy assistance program funded, and money appropriated.

**HF2879—Farrell (DFL)**  
**Governmental Operations**  
Alcohol use prohibited in state buildings.

**HF2880—Carlson, L. (DFL)**  
**General Legislation, Veterans Affairs & Elections**  
Recall provided for elected state officers, and constitutional amendment proposed.

**HF2881—Cooper (DFL)**  
**Transportation & Transit**  
Transportation funding formula modification provided, and constitutional amendment proposed.

**HF2882—Wagenius (DFL)**  
**Taxes**  
Apartment building property tax class rate reduction provided.

**HF2883—Cooper (DFL)**  
**Transportation & Transit**  
Traffic and parking violation delinquent fine notification, recording, and collection system established, and money appropriated.

**HF2884—Dawkins (DFL)**  
**Taxes**  
County property tax reduction provided, and money appropriated.

**HF2885—Daggett (R)**  
**Taxes**  
Long-term care insurance premium income tax credit provided.

**HF2886—Pawlenty (R)**  
**Local Government & Metropolitan Affairs**  
Metropolitan comprehensive land use plans superseded by local zoning requirements.

**HF2887—Dauner (DFL)**  
**Commerce, Tourism & Consumer Affairs**  
Carbon monoxide detectors required in residential buildings.

**HF2888—Leppik (R)**  
**Environment & Natural Resources Finance**  
Metropolitan Council regional parks land acquisition and improvements provided, bonds issued, and money appropriated.

**HF2889—Onnen (R)**  
**Local Government & Metropolitan Affairs**  
Norwood and Young America consolidated into the city of Norwood-Young America.

**HF2890—Clark (DFL)**  
**Economic Development, Infrastructure & Regulation Finance**  
Youthbuild training program funded, and money appropriated.

**HF2891—Farrell (DFL)**  
**Judiciary Finance**  
Municipal curfew enforcement grants provided by public safety department, and money appropriated.

**HF2892—Jennings (DFL)**  
**General Legislation, Veterans Affairs & Elections**  
Nonprofit corporation fund use authorized for the administration of political committees or funds.

**HF2893—Dawkins (DFL)**  
**Local Government & Metropolitan Affairs**  
Ramsey County tax-forfeited land acquisition allowed.

**HF2894—Mahon (DFL)**  
**International Trade & Economic Development**  
Economic recovery grant use conditions imposed.

**HF2895—Carruthers (DFL)**  
**Ways & Means**  
Drivers' license fee refund provided in certain cases, and state contract validity conditions provided.

**HF2896—Leppik (R)**  
**Education**  
Permanent university fund financial conditions removed.

**HF2897—Kelso (DFL)**  
**Education**  
University of Minnesota biomedical engineering center funded, and money appropriated.

**HF2898—Erhardt (R)**  
**Taxes**  
Property tax refund provisions repealed.

**HF2899—Kahn (DFL)**  
**Governmental Operations**

University of Minnesota Hospital and Clinic employees to receive state retirement benefits.

**HF2900—Murphy (DFL)**  
**Environment &  
Natural Resources Finance**

Emergency deer feeding appropriation deficiency corrected, and money appropriated.

**HF2901—Cooper (DFL)**  
**Financial Institutions & Insurance**

Health insurance technical changes and clarification provided.

**HF2902—Bakk (DFL)**  
**Environment &  
Natural Resources Finance**

Emergency deer feeding program appropriated money.

**HF2903—Carruthers (DFL)**  
**Judiciary**

Truancy citation issuance authorized, juvenile booking procedures established, and aliases of juvenile offenders entered into the statewide juvenile information system.

**HF2904—Warkentin (R)**  
**Education**

Anoka-Ramsey Community College improvements provided, bonds issued, and money appropriated.

**HF2905—Perlt (DFL)**  
**Education**

School districts to provide transportation to bus stops near day care facilities.

**HF2906—Osskopp (R)**  
**Commerce, Tourism  
& Consumer Affairs**

Temporary on-sale liquor license restrictions modified.

**HF2907—Haas (R)**  
**Health & Human Services**

Medical care vendor claims submission provisions modified.

**HF2908—Girard (R)**  
**Agriculture**

Corporate farm ownership limitations modified.

**HF2909—Dawkins (DFL)**  
**Housing**

State bond issuance provided for housing purposes, and constitutional amendment proposed.

**HF2910—Greenfield (DFL)**  
**Health & Human Services**

Personal care assistant age requirements modified related to school-sponsored work programs.

**HF2911—Peterson (DFL)**  
**Environment &  
Natural Resources Finance**

Alfalfa research and development program provided, and money appropriated.

**HF2912—Tunheim (DFL)**  
**Environment &  
Natural Resources Finance**

Turf grass research and development support continued, and money appropriated.

**HF2913—Tunheim (DFL)**  
**Labor-Management Relations**

Workers' compensation daily wage definition modified.

**HF2914—Kalis (DFL)**  
**Taxes**

Cemetery lawn and garden care sales tax exemption provided.

**HF2915—Hasskamp (DFL)**  
**Education**

School district aid reduction eliminated for certain districts.

**HF2916—Smith (R)**  
**Education**

School district financial responsibility established for provision of special services for disabled children.

**HF2917—Seagren (R)**  
**Governmental Operations**

Highland Hills/Bush Lake ski area ski jump construction provided, bonds issued, and money appropriated.

**HF2918—Greenfield (DFL)**  
**Judiciary**

Administrative forfeiture law criminal proceeding commencement timing specified.

**HF2919—Pugh (DFL)**  
**Judiciary**

Prisoner labor provisions modified, and imprisonment prohibited for failure of prisoner to pay fines or other court costs.

**HF2920—Delmont (DFL)**  
**Education**

Education equalized debt service levy and appropriation provisions modified.

**HF2921—Haas (R)**  
**Environment & Natural Resources**

Hennepin County tax-forfeited land conveyance authorized.

**HF2922—Brown (DFL)**  
**Judiciary Finance**

Prairie correctional facility state acquisition provided, and money appropriated.

**HF2923—Pugh (DFL)**  
**Judiciary**

Civil action sanction acknowledgement, imposition, and initiation provided.

**HF2924—Wenzel (DFL)**  
**Economic Development,  
Infrastructure  
& Regulation Finance**

Morrison County rural development finance authority grant provided, and money appropriated.

**HF2925—Solberg (DFL)**  
**Financial Institutions & Insurance**

Homeowner's insurance mortgagee payments regulated.

**HF2926—Solberg (DFL)**  
**Financial Institutions & Insurance**

Homeowner's insurance claim denials regulated.

**HF2927—Kalis (DFL)**  
**Economic Development,  
Infrastructure  
& Regulation Finance**

Farmamerica funded through the state historical society, and money appropriated.

**HF2928—Bertram (DFL)**  
**Governmental Operations**

Volunteer firefighters relief association lump sum benefit amount provisions modified.

**HF2929—Farrell (DFL)**  
**Judiciary**

Electronic pager sales prohibited to minors, and penalties provided.

**HF2930—Farrell (DFL)**  
**Judiciary**

Drivers required to yield to pedestrians in crosswalks, and penalties increased.

**HF2931—Farrell (DFL)**  
**Judiciary**

Employment criminal background check mandatory dismissal provisions modified.

**HF2932—Farrell (DFL)**  
**Judiciary Finance**

Prairie correctional facility prisoner housing contract required with corrections department.

**HF2933—Solberg (DFL)**  
**Education**

Itasca County provided grant for integrated community resource centers with interactive television links, bonds issued, and money appropriated.

**HF2934—Solberg (DFL)**  
**Education**

Itasca County provided grant for integrated community resource centers with interactive television links, bonds issued, and money appropriated.

**HF2935—Carruthers (DFL)**  
**Housing**

Real estate contracts for deed rent assignment provided, and tenant rights clarified.

**HF2936—Perlt (DFL)**  
**Taxes**

Valley Branch watershed district fund levy increase permitted.

**HF2937—Haas (R)**  
**Health & Human Services**

Minnesota employees insurance program appropriation repealed.

**HF2938—Skoglund (DFL)**  
**Judiciary**

Revisor's bill correcting oversights, inconsistencies, ambiguities, and technical errors.

**HF2939—Peterson (DFL)**  
**Governmental Operations**

Disaster relief fund established for individuals and families, and money appropriated.

**HF2940—Pugh (DFL)**  
**Governmental Operations**

Pulltab and tipboard tax provisions modified.

## Thursday, February 1

**HF2941—Krinkie (R)**  
**Local Government  
& Metropolitan Affairs**

Municipal net debt exclusion limitation provided related to personal property transactions.

**HF2942—Macklin (R)**  
**Taxes**

Homestead improperly claimed benefit recovery provided.

**HF2943—Garcia (DFL)**  
**Housing**

Apartment property valuation increase limitation provided.

**HF2944—Greenfield (DFL)**  
**Health & Human Services**

Mental health and mental retardation ombudsman technical modifications provided.

**HF2945—McGuire (DFL)**  
**Judiciary**

Patient medical data access and fee provisions modified.

**HF2946—Workman (R)**  
**Judiciary**  
Child visitation restrictions provided for parents convicted of certain offenses.

**HF2947—Larsen (R)**  
**Health & Human Services**  
Constitutional standard established relating to abortion, and constitutional amendment proposed.

**HF2948—Long (DFL)**  
**Judiciary**  
DWI; impaired driving offense conviction provided felony penalty for third offense within five years and fourth offense within 10 years.

**HF2949—Long (DFL)**  
**Transportation & Transit**  
Metropolitan regional transportation policy established, and money appropriated.

**HF2950—Cooper (DFL)**  
**Local Government & Metropolitan Affairs**  
Airport construction restricted, noise mitigation plan inclusion and sound-proofing provided, transitway construction required, met center purchase authorized, and money appropriated.

**HF2951—Wejcman (DFL)**  
**Health & Human Services**  
Alternative care and home and community-based waiver for the elderly programs combined.

**HF2952—Wejcman (DFL)**  
**Health & Human Services**  
Medicare reimbursement federal waiver request provided.

**HF2953—Wejcman (DFL)**  
**Governmental Operations**  
Retiring state employees provided offer of long-term care insurance.

**HF2954—Johnson, V. (R)**  
**Environment & Natural Resources**  
Trespassing while hunting penalties modified.

**HF2955—Carlson, L. (DFL)**  
**Education**  
Vocational technical education council provisions modified, and money appropriated.

**HF2956—Rest (DFL)**  
**Taxes**  
Tax increment financing local contribution calculation provisions clarified.

**HF2957—Jennings (DFL)**  
**Regulated Industries & Energy**  
Dairy cattle electric current study program extended, and money appropriated.

**HF2958—Erhardt (R)**  
**Taxes**  
Seasonal residential property references modified.

**HF2959—Leighton (DFL)**  
**Local Government & Metropolitan Affairs**  
Airport construction restricted, noise mitigation plan inclusion and sound-proofing provided, transitway construction required, met center purchase authorized, and money appropriated.

**HF2960—Orenstein (DFL)**  
**Education**  
Work skills update program demonstration provided, and money appropriated.

**HF2961—Jefferson (DFL)**  
**Economic Development, Infrastructure & Regulation Finance**  
Minneapolis Convention Center expansion provided, bonds issued, and money appropriated.

**HF2962—Abrams (R)**  
**General Legislation, Veterans Affairs & Elections**  
School district referenda notice requirements imposed.

**HF2963—Long (DFL)**  
**Taxes**  
Unimproved property bordering water provided property tax class rate.

**HF2964—Long (DFL)**  
**Taxes**  
School district referenda levy provisions modified.

**HF2965—Goodno (R)**  
**Taxes**  
Noncommercial seasonal residential property referendum levy provisions modified.

**HF2966—Krinkie (R)**  
**Taxes**  
Seasonal residential property owners allowed to vote on bonding and property tax questions where property is located, and constitutional amendment proposed.

**HF2967—Macklin (R)**  
**Taxes**  
Seasonal residential property tax classification provisions modified.

**HF2968—Solberg (DFL)**  
**Environment & Natural Resources**  
St. Louis County tax-forfeited land sale authorized.

**HF2969—Broecker (R)**  
**Judiciary Finance**  
Ramsey County at-risk juvenile programs provided, bonds issued, and money appropriated.

**HF2970—Macklin (R)**  
**Judiciary**  
Joint and several liability apportionment regulated.

**HF2971—Kelso (DFL)**  
**Education**  
School district operating referenda conducted at the same time as bond elections.

**HF2972—Erhardt (R)**  
**Judiciary Finance**  
Edina south metro joint public safety training facility provided, bonds issued, and money appropriated.

**HF2973—Delmont (DFL)**  
**Environment & Natural Resources Finance**  
Metropolitan Council regional parks land acquisition and improvements provided, bonds issued, and money appropriated.

**HF2974—Rest (DFL)**  
**Local Government & Metropolitan Affairs**  
Professional sports stadium construction nonbinding referendum provided.

**HF2975—Kelso (DFL)**  
**Local Government & Metropolitan Affairs**  
Scott County auditor, recorder, and treasurer appointment permitted.

**HF2976—Tomassoni (DFL)**  
**Governmental Operations**  
Video lottery terminal and pull-tab dispensing device operation at licensed horse racetracks regulated by the state lottery.

**HF2977—Kinkel (DFL)**  
**Environment & Natural Resources**  
Toxics in products law repealed.

**HF2978—Greiling (DFL)**  
**Ethics**  
Lobbyist periodic reporting requirements modified.

**HF2979—Dehler (R)**  
**Commerce, Tourism & Consumer Affairs**  
Tobacco sales to minors crime provided mandatory minimum fines.

**HF2980—Bakk (DFL)**  
**Environment & Natural Resources**  
Toxics in products law repealed.

**HF2981—Entenza (DFL)**  
**Education**  
Pupil unit definition and learning and development revenue provisions modified.

**HF2982—Wenzel (DFL)**  
**Agriculture**  
Minnesota dairy producers board established, and money appropriated.

**HF2983—Sarna (DFL)**  
**Environment & Natural Resources Finance**  
Metropolitan Council regional parks land acquisition and improvements provided, bonds issued, and money appropriated.

**HF2984—Hasskamp (DFL)**  
**Health & Human Services**  
Constitutional standard established relating to abortion, and constitutional amendment proposed.

**HF2985—Johnson, A. (DFL)**  
**Taxes**  
Long-term insurance premium income tax credit provided.

**HF2986—Johnson, A. (DFL)**  
**Education**  
Education obsolete references removed.

**HF2987—Dawkins (DFL)**  
**Judiciary**  
Vacant property redemption period provided.

**HF2988—Wenzel (DFL)**  
**Transportation & Transit**  
Trunk Highway No. 131 designated as Veterans Memorial Highway.

**HF2989—Jennings (DFL)**  
**Commerce, Tourism & Consumer Affairs**  
Legislative committees to provide advice and comment regarding state agency rules.

**HF2990—Wenzel (DFL)**  
**Environment & Natural Resources**  
Crow Wing and Morrison County land conveyances authorized.

**HF2991—Wenzel (DFL)**  
**Governmental Operations**  
Gambling prohibited other than gambling for charitable purposes, and constitutional amendment proposed.

HF2992—Wenzel (DFL)

**Judiciary Finance**

Camp Ripley correctional facility established, and money appropriated.

HF2993—Davids (R)

**Health & Human Services**

Child support county administrative participation made optional.

HF2994—Orfield (DFL)

**Local Government & Metropolitan Affairs**

Minneapolis special service district expansion provisions modified.

HF2995—Daggett (R)

**Environment & Natural Resources**

Wadena County tax-forfeited land sale authorized.

HF2996—Tunheim (DFL)

**Environment & Natural Resources Finance**

Beaver damage control joint powers board grant provided, and money appropriated.

HF2997—Vickerman (R)

**Commerce, Tourism & Consumer Affairs**

Non-intoxicating liquor term usage discontinued.

HF2998—Krinkie (R)

**Transportation & Transit**

Road authority nonconforming mailbox structure removal charges mandated.

HF2999—Dauner (DFL)

**Taxes**

Breckenridge tax increment financing requirements modified.

HF3000—Krinkie (R)

**Regulated Industries & Energy**

Retail wheeling for qualifying facilities act adopted.

HF3001—Davids (R)

**Health & Human Services**

Recreational camping area water supply requirement exemption provided.

HF3002—Wenzel (DFL)

**Judiciary**

Violent criminal sexual conduct in the first or second degree provided mandatory minimum sentences.

HF3003—Peterson (DFL)

**Transportation & Transit**

Train unlawful intersection blocking deemed a misdemeanor, and penalty provided.

HF3004—Rice (DFL)

**Economic Development, Infrastructure & Regulation Finance**

State departments prohibited from imposing geographical limitations on license issuances.

HF3005—Rukavina (DFL)

**Labor-Management Relations**

Workforce investment fund allocation provisions modified.

HF3006—Rukavina (DFL)

**Taxes**

Municipalities authorized to turn property over to development associations.

HF3007—Jaros (DFL)

**International Trade & Economic Development**

International classroom connection grant program established, and money appropriated.

HF3008—Rukavina (DFL)

**Ethics**

Ethical Practices Board name changed to board of public disclosure.

HF3009—Knoblach (R)

**General Legislation, Veterans Affairs & Elections**

Legislative and congressional reapportionment provided, and constitutional amendment proposed.

It took a "political orphan" to break one party's 40-year hold on the Minnesota governor's chair.

A one-handed teacher turned lawyer turned politician named John Lind won election to the state's top executive post in 1898 and became the first Democrat to hold the job since Henry Sibley, Minnesota's first governor.

But Lind was no run-of-the-mill Democrat. He was elected as the state's 14th governor under the banner of the Democrat, Populist, and People's Silver Republican parties — a coalition forged during a divisive time in GOP politics.

Lind had served as a Republican during three terms in Congress stretching from 1887 to 1892. But, with the party in turmoil, he followed William Jennings Bryan in a split with President William McKinley.

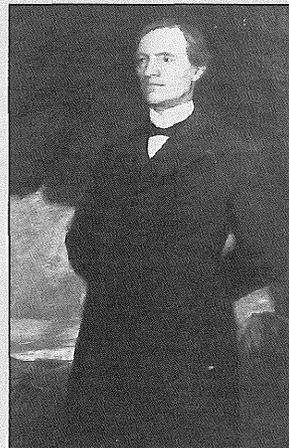
After a failed bid for governor in 1896, Lind received the backing of a fusion of political interests, dubbed the "Succotash Party," for a gubernatorial run in 1898.

"To be frank with you my friends, I will have to say to you that I don't know that I have any party," Lind said as quoted by George M. Stephenson in *John Lind of Minnesota*. "Perhaps it might

## Do you know?

be said of me that I am a political orphan."

Despite losing his left hand in a childhood hunting accident, Lind was in Georgia in the summer of 1898 serving as a lieutenant with



A one-handed teacher turned lawyer turned politician named John Lind won election to the state's top executive post in 1898 and became the first Democrat to hold the job since Henry Sibley, Minnesota's first governor.

Photo courtesy Minnesota Historical Society

Minnesota National Guard. The troops were called into action during the Spanish-American War.

He was able to free himself of his military obligations in time for only two weeks of campaigning, but Lind still managed to defeat Republican William Henry Eustis to become the state's second foreign-born chief executive and its first of Swedish descent.

Lind, the son of immigrant farmers who lived in Goodhue County, served one two-year term as governor. His administration was marked by his (mostly failed) efforts to reform state tax practices.

He argued that property taxes were unduly burdensome — a familiar theme today — and called for cuts in property taxes, a small income tax, and increased taxes on corporations. But his proposals found little support in the Legislature.

After losing a re-election bid, Lind lived and practiced law in Minneapolis, spent one more term in Congress (this time as a Democrat), and served President Woodrow Wilson as a special representative in Mexico. Lind died in 1930 at his Lowry Hill home in Minneapolis at the age of 76.

# Committee Schedule

Schedule is subject to change.  
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## MONDAY, Feb. 5

8 a.m.

### Health & Human Services Finance Division/ HEALTH & HUMAN SERVICES

10 State Office Building  
Chr. Rep. Lee Greenfield

**Agenda:** Department of Health budget proposals. Public testimony on Department of Health proposals.

### K-12 Education Finance Division/ EDUCATION

5 State Office Building  
Chr. Rep. Alice Johnson

**Agenda:** HF2545 (Ness) Pupil units for basic skills summer school.

HF2251 (Stanek) Grants for after school enrichment.

Review of governor's budget recommendations, including federal grants.

HF2916 (Smith) Special instruction services for a child with a disability.

### Property Tax & Tax Increment Financing Division/TAXES

200 State Office Building  
Chr. Rep. Ted Winter

**Agenda:** HF2382 (Garcia) Providing for deferred assessments of certain provisions.

HF2424 (Huntley) Duluth special service district.

HF2617 (Lourey) Sawyer Township 10-year recreation levy authorization.

HF2629 (Cooper) Reducing class rate for retail supply facilities owned by co-ops.

HF2710 (Bishop) Requiring nonschool property tax increases to be levied against market value.

8:30 a.m.

### ENVIRONMENT & NATURAL RESOURCES FINANCE

Basement Hearing Room  
State Office Building  
Chr. Rep. Chuck Brown

**Agenda:** HF2341 (Tunheim) Authorizing the issuance of state bonds for construction of an interpretive center at Lake Bronson State Park. HF2678 (Johnson, R.) Appropriating money to construct the Headwaters Science Museum Center in the City of Bemidji.

HF2343 (Van Engen) Appropriating money for the Prairie Woods Environmental Learning Center in Kandiyohi County.

HF2348 (Osskopp) Appropriating money for the Goodhue Pioneer Trail; authorizing the sale of state bonds.

### University of Minnesota Finance Division/ EDUCATION

300S State Office Building  
Chr. Rep. Becky Kelso

**Agenda:** University of Minnesota, Duluth Library, Kathryn Martin, Chancellor, UMD; Greg Fox, vice chancellor, Finance and Operations, UMD.

HF2896 (Leppik) Removing certain conditions from money credited to permanent university fund.

1996 bonding bill.

9 a.m.

### ECONOMIC DEVELOPMENT, INFRASTRUCTURE & REGULATION FINANCE

300N State Office Building  
Chr. Rep. Jim Rice

**Agenda:** HF2507 (Osthoff) Relating to port development; authorizing the issuance of bonds; appropriating money for port development.

HF1901 (Huntley) Relating to capital improvements; authorizing bonds and appropriating money to build an addition to the St. Louis County Heritage and Arts Center.

10 a.m.

### AGRICULTURE

200 State Office Building  
Chr. Rep. Steve Wenzel

**Agenda:** HF2696 (Lourey) Increasing general obligation bond authority of the Rural Finance Authority.

HF2031 (Ness) Exempting certain food sellers from the food licensing law.

HFXXXX (Wenzel) Establishing the Minnesota Dairy Producers Board.

HF2126 (Gunther) Changing provisions of the consolidated food licensing law.

HF2282 (Winter) Modifying provisions of the RIM Program.

HF713 (Winter) Permitting local governments to exercise certain feedlot regulatory authority.

### JUDICIARY

Basement Hearing Room  
State Office Building

Chr. Rep. Wes Skoglund

**Agenda:** HF2495 (Milbert) Increasing the school district levy for crime-related costs from \$1 to \$3 and permitting use of the levy to pay for gang resistance education; creating a gang resistance education training pilot program; appropriating money for the witness and victim protection fund.

HF2385 (Carruthers) Establishing an evidentiary privilege for persons who preside at alternative dispute resolution.

HF2553 (Skoglund) Authorizing probation officers and probation officers to detain probationers based on an order from the CEO of community correction agencies not organized under chapter 401.

Any bill not completed at Feb. 2 Judiciary Committee meeting.

Other bills to be announced.

### REGULATED INDUSTRIES & ENERGY

10 State Office Building  
Chr. Rep. Steve Trimble

**Agenda:** HF2226 (Trimble) Resource portfolio reporting.

HF2699 (Winter) Wind energy provisions.

HF2336 (Cooper) Willmar municipal utility.

HF2642 (Mahon) Service reports by utilities.

HF2687 (Wagenius) Mercury emissions.

Other bills may be added. If you would like to testify, please call 296-8826.

### State Government Finance Division/ GOVERNMENTAL OPERATIONS

400S State Office Building  
Chr. Rep. Tom Rukavina

**Agenda:** Capital budget.

12:30 p.m.

### Business Regulation Division/ COMMERCE, TOURISM & CONSUMER AFFAIRS

500N State Office Building  
Chr. Rep. Jeff Bertram

**Agenda:** HF1041 (Jennings) Regulating building and construction contracts.  
HF2709 (Jennings) Providing for the issuance of intoxicating liquor licenses to tour boats on the St. Croix and Mississippi rivers.  
HF2590 (Bertram) Omnibus Liquor Bill.  
If necessary, the committee will reconvene after session.

#### **Elections Division/**

#### **GENERAL LEGISLATION, VETERANS AFFAIRS & ELECTIONS**

300N State Office Building  
Chr. Rep. Richard Jefferson

**Agenda:** (Note change of hearing day for Elections Division.)

HF1141 (Dawkins) Proposing an amendment to the Minnesota Constitution; proposing a new democracy act opening the elections and political process.

#### **HOUSING**

500S State Office Building  
Chr. Rep. Karen Clark

**Agenda:** To be announced.

#### **LABOR-MANAGEMENT RELATIONS**

200 State Office Building  
Chr. Rep. Jean Wagenius

**Agenda:** HF2867 (Leighton) Workers' compensation, modifying provisions.  
HF2682 (Greiling) Modifying provisions governing school conferences.  
HF2728 (Mahon) Protecting interest of employees following railroad acquisitions.  
HF2631 (Jaros) Providing for a study of temporary employment agencies.  
HF2735 (Rukavina) Relating to labor relations, mandatory arbitration for charitable hospital employers and employees.  
HF2841 (Leighton) Regarding minimum wages; increasing penalties, modifying employer liability.  
HFXXXX (Rukavina) Relating to the dislocated workers program.  
HF2863 (Rukavina) Requiring employers to pay for certain protective equipment.  
HF2428 (Bakk) OSHA changes.

2:30 p.m.

**The House meets in Session.**

**After Session**

#### **Subcommittee on DWI/JUDICIARY**

400S State Office Building  
Chr. Rep. Matt Entenza

**Agenda:** Any bill not completed at Feb. 1 DWI Subcommittee meeting.  
HF2691 (Entenza) Enhancing penalties for certain DWI-related offenses if the driver has no motor vehicle insurance.  
HF2804 (Bertram) Expanding prohibitions of the DWI and CVO laws to include persons who

operate a motor vehicle with any amount of controlled substance in their bodies.

HFXXXX (Entenza) Extending the length of hard revocation for persons under age 18 who commit a DWI offense.

Other bills to be announced.

#### **TRANSPORTATION & TRANSIT**

Basement Hearing Room  
State Office Building

Chr. Rep. Jim Tunheim

**Agenda:** To be announced.

4 p.m.

#### **Higher Education Finance Division/**

#### **EDUCATION**

300S State Office Building

Chr. Rep. Tony Kinkel

**Agenda:** Anoka-Ramsey and Anoka-Hennepin facility review (air quality issues).

HF2473 (Tomassoni) Authorizing state bonds; funding for construction at Hibbing Community College site to integrate the technical college and the community college.

HF2591 (Van Engen) Real estate; requiring the transfer without consideration of certain land from the board of trustees of the Minnesota State Colleges and Universities to the Willmar school districts.

1996 bonding bill.

#### **REGULATED INDUSTRIES & ENERGY**

10 State Office Building

Chr. Rep. Steve Trimble

**Agenda:** Continuation of morning agenda.

6 p.m.

#### **Legislative Commission on Minnesota**

#### **Resources**

123 State Capitol

Chr. Sen. Steve Morse

**Agenda:** Adopt a strategy for allocation of additional 1996 biennium (FY96-97) revenues and recommend expenditure of those additional 1995 revenues to the environment finance divisions of the House and Senate. Recent revenue estimate. Adopt recommendations to extend the availability of appropriations for mercury deposition and lake quality trends; Silver Bay Harbor, and Lake Superior safe harbors.

### **TUESDAY, Feb. 6**

8 a.m.

#### **EDUCATION**

200 State Office Building

Chr. Rep. Lyndon Carlson

**Agenda:** HF2345 (Johnson, A.) Remove appropriations cap.

HF2726 (Ness) Expand technology grants to vocational.

HF2265 (Kinkel) Extracurricular participation.

#### **JUDICIARY FINANCE**

500N State Office Building

Chr. Rep. Mary Murphy

**Agenda:** Receive and Review Reports on interim studies and projects.

Acceptance of recommendations on reports: Community Notification Work Group, Rep. Bishop, Bill Guelker, director, Community Services Support. Pension Equity Plan, Department of Corrections. Victims Programs Consolidation, Denise Rowe, Department of Corrections; Mary Biermier, Crime Victim and Witness Advisory Committee. School Safety Report, Pat Moen, director, Attorney General's Criminal Justice Policy. Child Maltreatment in Teacher Background Check, Jerry Kerber, supervisor, Background Checks and Investigations, Department of Human Services. Criminal Justice Information Systems Enhancements (Juvenile Tracking, Misdemeanor/DWI, Orders for Protection): Dale Good, director, Information Systems, Supreme Court; Karen McDonald, BCA. Pilot Project, Child and Adolescent Sexual Health Institute, Dale Wiebusch, president. Truancy Reduction Grant Preliminary Report, Pat Moen, director, Attorney General's Criminal Justice Policy. Pilot Child Abuse Help lines, Denise Redels Robinson, director, Family and Children Services, Department of Human Services. Challenge Incarceration Program, Department of Corrections. Minnesota Institute for Juvenile Justice, Steve Holmquist. Vote on prioritized capital investment projects to be referred to Capital Investment Committee.

#### **MinnesotaCare Finance Division/ HEALTH & HUMAN SERVICES**

10 State Office Building

Chr. Rep. Roger Cooper

**Agenda:** HF2312 (Cooper) MinnesotaCare program eligibility expanded.  
HF2443 (Cooper) Expanding the definition of "demonstration provider" to include nursing facilities for purposes of participation in the Alternative Demonstration Project.  
HF2624 (Cooper) Extending the repealer of the prohibition on exclusive relationships.

#### **Transportation Finance Division/ ECONOMIC DEVELOPMENT, INFRASTRUCTURE**

#### **& REGULATION FINANCE**

500S State Office Building

Chr. Rep. Bernie Lieder

**Agenda:** Metropolitan Council - governor's recommendations.  
HF2822 (McElroy) State highway truck station design-build methodology established.

8:30 a.m.

**ENVIRONMENT & NATURAL RESOURCES FINANCE**

Basement Hearing Room  
State Office Building  
Chr. Rep. Chuck Brown  
**Agenda:** HF2854 (Peterson) Appropriating money for capital planning for Blue Earth/Minnesota River Trail acquisition.  
HF858 (Munger) City of Duluth; appropriating money from the bond proceeds fund for improvements to the Lake Superior Zoological Gardens.  
HF1297 (Leighton) Appropriating money for the Shooting Star Trail; authorizing the sale of state bonds.  
HF2640 (McGuire) Providing an appropriation from the bond proceeds fund for a grant for capital improvements at the Laurentian Environmental Learning Center.  
HFXXXX (Brown) Lawndale Environmental Learning Center.

10 a.m.

**GOVERNMENTAL OPERATIONS**

Basement Hearing Room  
State Office Building  
Chr. Rep. Phyllis Kahn  
**Agenda:** HF2783 (Osthoff) Vacation donation.  
HF2223 (Leighton) Labor councils created.  
HF2206 (Pelowski) Higher education mandates.  
HFXXXX Omnibus pension bill incorporating individual bills recommended by the Legislative Commission on Pensions and Retirement on Jan. 29 and Feb. 2.

**TAXES**

5 State Office Building  
Chr. Rep. Ann H. Rest  
**Agenda:** Department of Revenue presentation on Telefile, internet access to tax forms, EITC/MWFC promotions, and the effects of federal cuts to the IRS budget.  
HF2420 (Huntley) Grants for sanitary sewers system upgrades.  
HF2415 (Rest) Bond allocation bill.

12:30 p.m.

**CAPITAL INVESTMENT**

500N State Office Building  
Chr. Rep. Henry Kalis  
**Agenda:** Department of Finance presentations on matching money and bond and cash cancellations.

**COMMERCE, TOURISM & CONSUMER AFFAIRS**

10 State Office Building  
Chr. Rep. John Sarna  
**Agenda:** HF2205 (Johnson, A.) Exempting premium gasoline from oxygenation requirement.

**LOCAL GOVERNMENT & METROPOLITAN AFFAIRS**

200 State Office Building  
Chr. Rep. Dee Long  
**Agenda:** Any bills from Feb. 1 meeting.  
HF2801 (Dawkins) Local government performance aid program created, and money appropriated.  
HF2496 (Carruthers)  
HF2556 (Mahon)  
HF2757 (Rest) Metropolitan airports commission revenue bond issuance authorized.  
HF2039 (Clark) Cities required to notify mortgage holders and neighborhood associations of intent to secure vacant buildings, and definitions provided.  
HF2448 (McElroy)  
HFXXXX (Long) Metropolitan Transportation Investment Act.

2:30 p.m.

**HOUSING**

500S State Office Building  
Chr. Rep. Karen Clark  
**Agenda:** To be announced.

**Subcommittee on Data Practices/JUDICIARY**

400S State Office Building  
Chr. Rep. Mary Jo McGuire  
**Agenda:** HF2437 (Kelley) Classifying data on members of the criminal alert network.  
HF2872 (Pugh) Authorizing the release of certain birth information on unwed mothers to family service collaboratives.  
HF2337 (McGuire) Modifying access to health records.  
HF2363 (Skoglund) Criminal justice information systems.  
HF2386 (McGuire) Defining the term criminal justice agency in the law governing the data communications network.  
HFXXXX (McGuire) Medical records and complainant data.  
HF2798 (Hasskamp) Law enforcement data; modifying the classification of data.  
HF1907 (Mares) Educational directory information.  
HF2618 (Macklin) Allowing disclosure of certain personnel data to governmental entities for protection purposes; authorizing disclosure of certain welfare data; clarifying status of data relating to local and state economic development; allowing disclosure of certain Department of Economic Security data to contractors.  
HF2705 (McElroy) Permitting the release of reserved library books to third parties.  
Other bills to be announced.

4 p.m.

**State Government Finance Division/GOVERNMENTAL OPERATIONS**

400S State Office Building  
Chr. Rep. Tom Rukavina  
**Agenda:** Capital budget.

6 p.m.

**Subcommittee on Quality Initiatives/EDUCATION**

200 State Office Building  
Chrs. Reps. Matt Entenza, David Tomassoni  
**Agenda:** Teacher licensure:  
HF2724 (Ness) Teacher licensure variance experiment.  
HFXXXX Board of Teaching bill.  
Desegregation Discussion:  
HF2073 (Sykora) Modify compensatory revenue.  
HF2075 (Sykora) State Board direction on desegregation.

**WEDNESDAY, Feb. 7**

8 a.m.

**ECONOMIC DEVELOPMENT, INFRASTRUCTURE & REGULATION FINANCE**

300N State Office Building  
Chr. Rep. Jim Rice  
**Agenda:** Briefings by the Department of Trade and Economic Development and the Minnesota Historical Society.

**Health & Human Services Finance Division/HEALTH & HUMAN SERVICES**

10 State Office Building  
Chr. Rep. Lee Greenfield  
**Agenda:** Continuation of public testimony on Department of Health proposals.

**Higher Education Finance Division/EDUCATION**

300S State Office Building  
Chr. Rep. Tony Kinkel  
**Agenda:** Minnesota Technical College Student Association. Final action on 1996 bonding bill.

**K-12 Education Finance Division/EDUCATION**

5 State Office Building  
Chr. Rep. Alice Johnson  
**Agenda:** Discussion of discipline.  
HFXXXX (Johnson, A.) Discipline policy.  
(If necessary, meeting will continue at 6 p.m. in 5 State Office Building.)

**Property Tax & Tax Increment Financing Division/TAXES**

200 State Office Building  
Chr. Rep. Ted Winter  
**Agenda:** HF2665 (Koppendrayer) Allowing county boards to allow abatements for economic development.  
HF2283 (Osskopp) Modifying local economic development authority powers.  
HF2263 (Winter) Authorizing the Humphrey Institute to study the state and local fiscal system.

HF2793 (Dawkins) Study of property assessment, equalization and payment procedures.  
HFXXXX (Macklin) Fraudulent homesteading.

#### **Sales & Income Tax Division/TAXES**

500S State Office Building  
Chr. Rep. Bob Milbert

**Agenda:** HF2403 (Kelso) Repealing an admissions tax in Scott County.

HF2511 (Dorn) Mankato to modify use of local sales tax.

HF2542 (Milbert) Certain materials used in the process of providing other taxable services exempted from the sales tax.

HF2548 (Van Dellen) Constitutional amendment requiring vote on new taxes, tax increases.

HF2766 (Dawkins) Income tax credit for contributions to neighborhood assistance programs.

HF2767 (Dawkins) Cities presenting claims for libraries covered under the Revenue Recapture Act.

HF2803 (Worke) Exempting cemetery lawn and garden care from the sales tax.

8:30 a.m.

#### **ENVIRONMENT & NATURAL RESOURCES FINANCE**

Basement Hearing Room  
State Office Building

Chr. Rep. Chuck Brown

**Agenda:** Capital budget allocations.

10 a.m.

#### **ENVIRONMENT & NATURAL RESOURCES**

200 State Office Building

Chr. Rep. Willard Munger

**Agenda:** HF2547 (Cooper) Minnesota River Basin Joint Powers Board.

HF2594 (Munger) Deformed frog research by Pollution Control Agency.

HF1939 (Trimble) Point of sale recordkeeping for volatile organic compounds.

HF2295 (Wagenius) Pollution Control Agency pollution prevention goals and base operating budget.

#### **FINANCIAL INSTITUTIONS & INSURANCE**

10 State Office Building

Chr. Rep. Tom Osthoff

**Agenda:** HF219 (Murphy) Treatment of Lyme disease.

HF623 (Tomassoni) Life insurance and annuities, requiring certain disclosures prior to replacement of an existing policy or contract.

HF1749 (Macklin) Fire insurance regulating failure to provide timely proof of loss.

HF2344 (Long) Coverage for victims of domestic abuse.

HF2369 (Ostrom) Department financial institutions bill.

HF2394 (Tomassoni) PSA testing.

HF168 (Luther) Nonrenewals of homeowners policies.

HF1454 (Seagren) Increasing the minimum required coverage for property damage liability.

HF2044 (Skoglund) Group life and health coverage prohibiting retroactive termination of a person's coverage without the consent of the person.

HFXXXX (Ostrom) Prohibiting insurers from terminating agents as a result of contacts with the Legislature.

HF2378 (Osthoff) Insurance bill for department.

HF2528 (Knoblach) Public funds; authorizing the use of certain letters of credit as collateral to secure deposits of public funds.

#### **JUDICIARY**

Basement Hearing Room

State Office Building

Chr. Rep. Wes Skoglund

**Agenda:** Any bill not completed at Feb. 2 or Feb. 5 Judiciary Committee meeting.

HF2740 (Macklin) Modifying and expanding provisions for sanctions in civil actions.

SF230 (Kelly); HF835 (Pugh) Claims against governmental units; Omnibus Civil Law Bill.

HF2040 (Clark) Relating to housing; landlord/tenant law.

Other bills to be announced.

#### **State Government Finance Division/ GOVERNMENTAL OPERATIONS**

400S State Office Building

Chr. Rep. Tom Rukavina

**Agenda:** Capital budget.

12:30 p.m.

#### **Business Regulation Division/ COMMERCE, TOURISM & CONSUMER AFFAIRS**

500N State Office Building

Chr. Rep. Jeff Bertram

**Agenda:** Primary source report, John Williams, House Research Department.

HF2590 (Bertram) Omnibus Liquor Bill.

HF2463 (Pugh) Authorizing additional intoxicating liquor licenses in West St. Paul.

HF2392 (Finseth) Repealing provisions relating to the issuance of on-sale intoxicating liquor licenses in the city of Thief River Falls.

HF2807 (Bertram) Allowing bed and breakfast establishments to furnish wine to guests without a license under certain circumstances.

HF2866 (Osskopp) Modifying restrictions for temporary on-sale licenses.

HF2788 (Frerichs) Modifying restrictions for temporary on-sale licenses.

HFXXXX (Vickerman) Discontinuing the use of the term "nonintoxicating liquor."

HFXXXX (Daggett) Requesting a seasonal liquor license for the city of Wadena.  
More bills may be added.

#### **INTERNATIONAL TRADE & ECONOMIC DEVELOPMENT**

500S State Office Building

Chr. Rep. Mike Jaros

**Agenda:** HF2562 (Clark) Livable wage.

HF2641 (Bakk) Creating a geographic zone.

HF2725 (Clark) Ecological industrial park.

The meeting will continue in 500S State Office Building after session, if necessary.

#### **TRANSPORTATION & TRANSIT**

10 State Office Building

Chr. Rep. Jim Tunheim

**Agenda:** HF2676 (McElroy) Relating to metropolitan government.

HF2072 (Workman) Southwest metro transit commission established and granted public transit powers.

HFXXXX (Long) Metropolitan Transportation Investment Act.

Other bills may be added.

2:30 p.m.

**The House meets in Session.**

**After Session**

#### **FINANCIAL INSTITUTIONS & INSURANCE**

10 State Office Building

Chr. Rep. Tom Osthoff

**Agenda:** Continuation of morning agenda.

#### **Government Efficiency & Oversight Division/WAYS & MEANS**

500N State Office Building

Chr. Rep. Howard Orenstein

**Agenda:** Human rights report, Office of the Legislative Auditor.

#### **LOCAL GOVERNMENT & METROPOLITAN AFFAIRS**

200 State Office Building

Chr. Rep. Dee Long

**Agenda:** HF2138 (Pellow) Metropolitan Council abolished.

Other bills to be announced.

4 p.m.

#### **University of Minnesota Finance Division/ EDUCATION**

300S State Office Building

Chr. Rep. Becky Kelso

**Agenda:** Final action on 1996 bonding bill.

6 p.m.

#### **TRANSPORTATION & TRANSIT**

Basement Hearing Room

State Office Building

Chr. Rep. Jim Tunheim

**Agenda:** HF408 (Winter) Motor carrier driver physical examination and certification by

licensed physicians, osteopaths, and chiropractors authorized.  
HF2577 (Tunheim) A bill for an act relating to transportation; providing for a rebate of certain vehicle registration fees.  
HF2408 (McGuire) Automobile theft prevention program established, and money appropriated.  
Other bills may be added.

## THURSDAY, Feb. 8

8 a.m.

### ECONOMIC DEVELOPMENT, INFRASTRUCTURE & REGULATION FINANCE

300N State Office Building  
Chr. Rep. Jim Rice

**Agenda:** HF2600 (Carruthers) Relating to capital improvements; state bonds; appropriating money; requiring matching contributions.

HF2612 (Bettermann) Relating to capital improvements; grant to the City of Brandon and Town of Brandon Joint Powers Board for an educational, heritage, and cultural preservation center; sale of state bonds.

HF2622 (Kinkel) Relating to capital improvements; appropriating money to construct the Battle Point historic site; authorizing the sale of state bonds;

HF2669 (Anderson, I.) Relating to tourism; economic development; environment; authorizing the issuance of bonds; appropriating money for development of a Voyageur interpretive center and conference center.

HF2680 (Wenzel) Relating to capital improvements; permitting a 40-year term for certain bonds.

HF2774 (Clark) Relating to capital improvements; authorizing capital spending for Housing Finance Agency and Department of Economic Security programs; authorizing the sale of state bonds; appropriating money with certain conditions.

### EDUCATION

200 State Office Building  
Chr. Rep. Lyndon Carlson

**Agenda:** Bonding bill: K-12 and Higher Education divisions.

HF2785 (Kelso) Credit for contributions to higher education.

HF2806 (Koppendrayner) Non-public clarification.

More bills may be added.

(Continuation at 6 p.m. in 200 State Office Building, if necessary.)

### JUDICIARY FINANCE

500N State Office Building  
Chr. Rep. Mary Murphy

**Agenda:** Working group presentations. Bills to be announced.

### MinnesotaCare Finance Division/ HEALTH & HUMAN SERVICES

10 State Office Building  
Chr. Rep. Roger Cooper

**Agenda:** To be announced.

8:30 a.m.

### ENVIRONMENT & NATURAL RESOURCES FINANCE

Basement Hearing Room  
State Office Building

Chr. Rep. Chuck Brown

**Agenda:** Capital budget allocations.

10 a.m.

### GOVERNMENTAL OPERATIONS

Basement Hearing Room  
State Office Building

Chr. Rep. Phyllis Kahn

**Agenda:** HF2298 (Marko) Independent School District No. 2134, United South Central, election law waiver granted, and government innovation and cooperation board exemption effective period extended.

HF2377 (Delmont) Obsolete laws repealed.

HF2758 (Orenstein) Time for responding to certain requests.

HF2720 (Dorn) Reclassification of certain higher education positions.

HF2845 (Rest) Legislative Audit Commission. Bills recommended by the Gambling Division through February 2nd.

HF2224 (Tomassoni) Department of Employee Relations technical corrections bill, civil service position selection process established, department of employee relations data practices modified, and accrued vacation leave donation to sick leave accounts allowed.

HF2895 (Carruthers) Relating to driver's license fee refunds, provided in certain cases, in state contract validity conditions provided.

If necessary, the committee will meet immediately after session in the Basement Hearing Room, State Office Building to complete this agenda. Bills that have met the Senate deadline may be postponed.

### TAXES

200 State Office Building  
Chr. Rep. Ann H. Rest

**Agenda:** To be announced.

12:30 p.m.

### CAPITAL INVESTMENT

500N State Office Building  
Chr. Rep. Henry Kalis

**Agenda:** To be announced.

### COMMERCE, TOURISM & CONSUMER AFFAIRS

10 State Office Building  
Chr. Rep. John Sarna

**Agenda:** HF2521 (Hausman) Regulating deceptive trade practices related to environmental marketing claims.

HF2266 (Leppik) Regulating payroll services firms.

HF2637 (McGuire) Mandating license reciprocity between local units of government for sign installers in certain cases.

HF2307 (Wolf) Requiring certain disclosures in connection with sale of certain precious metals at retail.

HF2422 (Johnson, V.) Exempting professional and volunteer firefighters with at least two years experience from certain qualifications for certification as fireworks operators.

HF2519 (Pelowski) Increasing amount of reimbursement available for cleanup of petroleum releases by certain responsible persons.

HF2350 (Ness) Relating to state government; providing for periodic repeal of administrative rules.

Other bills may be added.

### GENERAL LEGISLATION, VETERANS AFFAIRS & ELECTIONS

300N State Office Building  
Chr. Rep. Loren Jennings

**Agenda:** Note change of hearing day for full committee.

SF315 (Sams); HF289 (Jefferson) Election law modification and clarification provided.

SF35 (Marty); HF167 (Jefferson) Voter registration and absentee voting requirements modified, and penalties imposed.

HF2399 (Jefferson) Dangerous dog regulation provisions modified.

### LOCAL GOVERNMENT & METROPOLITAN AFFAIRS

200 State Office Building  
Chr. Rep. Dee Long

**Agenda:** To be announced.

2:30 p.m.

The House meets in Session.

## FRIDAY, Feb. 9

8 a.m.

### Health & Human Services Finance Division/ HEALTH & HUMAN SERVICES

10 State Office Building  
Chr. Rep. Lee Greenfield

**Agenda:** Tour of data facilities at Department of Human Services.

### Joint Higher Education Finance Division/ EDUCATION/University of

Minnesota Finance Division/EDUCATION  
Basement Hearing Room

State Office Building  
Chrs. Reps. Tony Kinkel,  
Becky Kelso

**Agenda:** HF2568 (Orfield) Appropriating money to reduce tuition fees.

HF2058 (Carlson, L.) College savings bonds.

HF2174 (Bettermann) Establish education investment fund.

HF2785 (Kelso) Credit for gifts to higher education institutions.

### K-12 Education Finance Division/ EDUCATION

5 State Office Building  
Chr. Rep. Alice Johnson

**Agenda:** All remaining bills that need to be heard.

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

500S State Office Building  
Chr. Rep. Bernie Lieder

**Agenda:** HF2787 (McCollum) North St. Paul highway overpass construction provided, and bonds issued.

10 a.m.

### ENVIRONMENT & NATURAL RESOURCES

200 State Office Building  
Chr. Rep. Willard Munger

**Agenda:** HF2365 (Bakk) Omnibus Forest Management Bill.

HF1897 (Munger) White Pine Restoration Program.

HF2167 (Johnson, V.) DNR real estate management bill.

1995 Forestry Resources Council update and review.

### Gambling Division/GOVERNMENTAL OPERATIONS

500N State Office Building  
Chr. Rep. John Dorn

**Agenda:** To be announced.

### JUDICIARY

5 State Office Building  
Chr. Rep. Wes Skoglund

**Agenda:** Any bill not completed at Feb. 7 Judiciary Committee meeting.

HF2478 (Mariani) Relating to notaries public; regulating advertisements in languages other than english.

HFXXXX (McGuire) Omnibus Data Practices Bill.

HFXXXX (Entenza) Omnibus DWI Bill.

HF1313 (Davids) Mortuary Science.

HF2061 (Weaver) Clarifying sentencing provisions applicable to first time burglary of a dwelling.

HF2062 (Weaver) Welfare fraud.

HF2064 (Weaver) Authorizing courts to award restitution to government entities in certain cases.

HF2128 (Murphy) Detention of juveniles.

HF2136 (Brown) Increased penalty for assaulting an EMS provider.

HF2249 (Stanek) Revocation of drivers license for fleeing a police officer in a motor vehicle.

HF2497 (Swenson, D.) Modifying juvenile petty offender law.

HF2254 (Stanek) Grant programs to fund law enforcement and community crime prevention initiatives.

HF2045 (Skoglund) Community notification.

HF2538 (Macklin) Expanding the definition of sexual conduct in the fifth degree.

HF2734 (Rukavina) Prohibiting the commissioner of corrections from paying for college education for certain inmates convicted of murder.

HF2903 (Carruthers) Authorizing peace officers to issue citations for truancy; requiring that

certain juveniles taken into custody be formally booked and fingerprinted; requiring that any known street names or aliases of certain juvenile offenders be included in the statewide juvenile information system.

HF2199 (Sviggum) Imposing a life imprisonment penalty on persons who import controlled substances.

HF2148 (Bishop) Grant program to enable communities to develop and provide criminal justice programs.

HF1998 (Bishop) Prudent Investor Uniform Act.

HF2161 (Skoglund) Omnibus Crime Bill.

HF2122 (Dawkins) Instruction to revisor.

HF2938 (Skoglund) Revisor's bill.

Other bills to be announced.

### TRANSPORTATION & TRANSIT

10 State Office Building  
Chr. Rep. Jim Tunheim

**Agenda:** Report from the Transportation Regulation Board.

HF2704 (Mariani) Transportation Regulation Board abolished.

HF2587 (Schumacher) Motor carriers of property deregulation provided.

Other bills may be added.

4 p.m.

### LOCAL GOVERNMENT & METROPOLITAN AFFAIRS

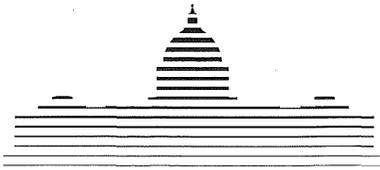
200 State Office Building  
Chr. Rep. Dee Long

**Agenda:** To be announced.



### The Minnesota Clean Indoor Air Act was established in what year?

In 1975, Minnesota adopted one of the nation's most comprehensive efforts to "protect the public health" by limiting smoking in public places, hospitals and doctor's offices, and prohibiting smoking in licensed day care centers. In 1992, the law was amended to ban *all* tobacco products in Minnesota schools, and made any violation of the act a petty misdemeanor. That means anyone lighting up in a designated non-smoking area can be fined up to \$200.



MINNESOTA HOUSE OF REPRESENTATIVES  
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Speaker of the House: Irv Anderson  
Majority Leader: Phil Carruthers  
Minority Leader: Steven A. Sviggum

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Surveyed smokers who smoked their first cigarette before age 14 .....	2:3
Members of the Minnesota Smokers' Rights Coalition .....	1,600
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Number that still sold to minors the following spring .....	5
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*Minnesota Statutes; House Journal, 1901; Minneapolis Star Tribune, Mower County Chemical Health Team; Governing, November 1995; Minnesota Department of Health; Ready Reference 1994, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, Public Affairs Branch; National Conference of State Legislatures.*

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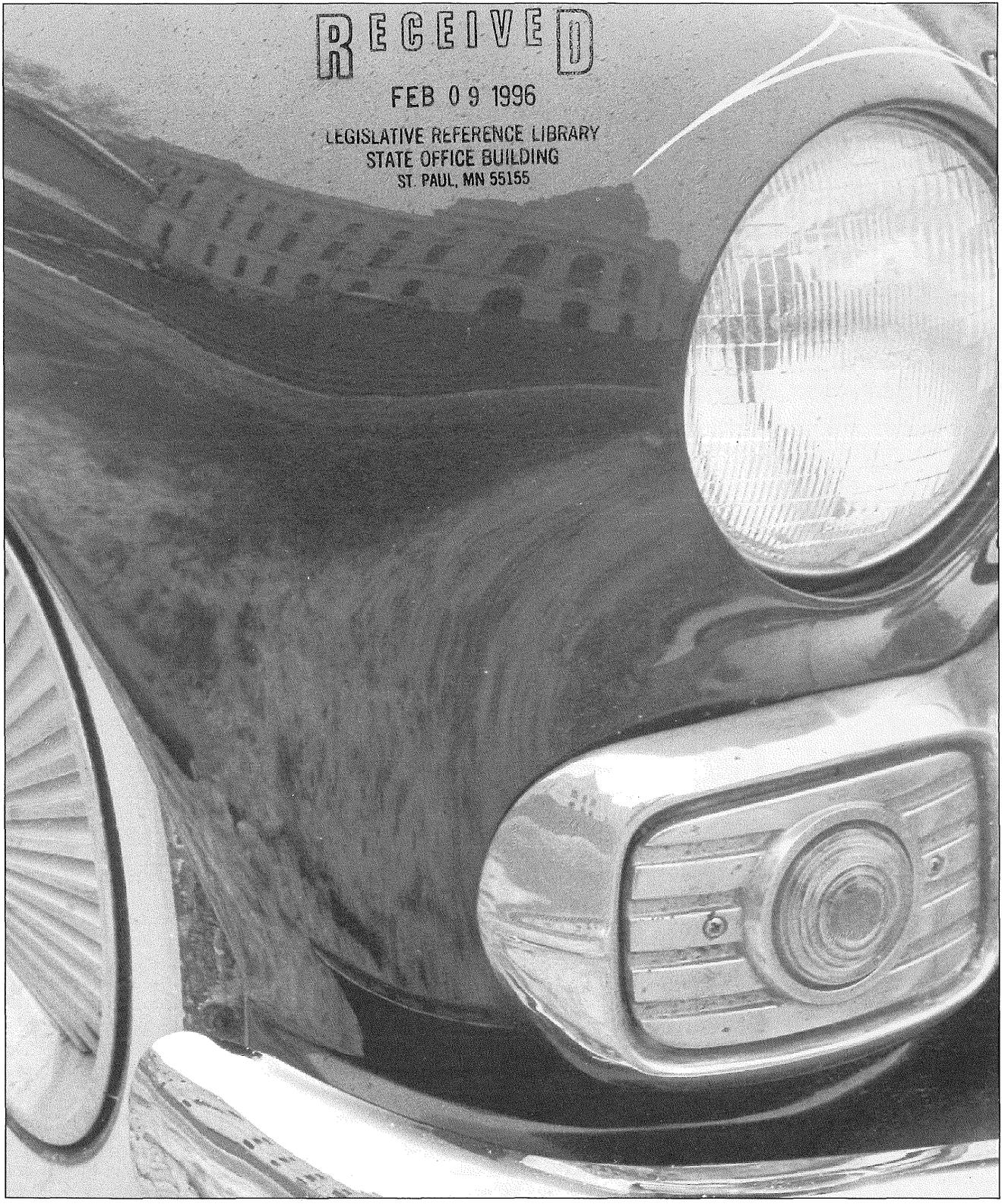
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96, Feb. 9

P615

# SESSION WEEKLY

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# SESSION WEEKLY

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**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.

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## Week at a glance

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**Responsible land use** — A watered-down version of Rep. Myron Orfield's controversial land use plan won approval from the House Environment and Natural Resources Committee Feb. 7. The bill is similar to others Orfield has introduced in each of the past three sessions to establish a statewide comprehensive land use plan. .... **Page 6**

**Gang resistance** — Currently, school districts can collect an extra \$1 in taxes per resident to help pay for school police officers and drug abuse prevention programs. A bill approved by a House panel would increase that amount to up to \$3 per district resident to help pay for programs that teach children how to resist gangs. .... **Page 8**

**Time off for kids** — A bill to allow parents to take a few hours of unpaid time off to attend their child's school play or parent-teacher conference — regardless of how long they've worked for a company — passed the House Feb. 8. The vote was 128-3. .... **Page 8**

**Outbreak** — A bill designed to help the Department of Natural Resources more effectively contain the spread of harmful exotic species won approval from the House Environment and Natural Resources Committee Feb. 2. .... **Page 10**

**Expanding MinnesotaCare** — Minnesota adults who earn up to one-and-a-half times the federal poverty level would be eligible for MinnesotaCare, the state's program to provide subsidized health coverage to uninsured residents, under a bill approved Feb. 8 by a House panel. .... **Page 11**

**Short-lived apology** — A bill offering a public apology to mentally handicapped people whom the state involuntarily committed to state institutions was withdrawn by its author after a House panel deleted what she considered to be important language. .... **Page 13**

**Gas tax increase** — A bill calling for a 5-cent hike in the state gas tax and for a constitutional amendment to devote some revenue to public transit was narrowly approved Feb. 2 by the House Transportation and Transit Committee. .... **Page 16**

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On the cover: The Capitol reflected in a 1950 Mercury custom car Feb 6. The vehicle was on display as part of the Minnesota Street Rod Association's "Run to the Capitol" — an effort to persuade legislators to allow the production of ethanol-free premium fuel for use in such automobiles.

— Photo by Andrew Von Bank

# Highlights

Oxygenated fuel . . .

## Ethanol-free gas could hit metro-area pumps

Minnesotans who believe that ethanol is harmful to their snowmobile, boat, chain saw, and lawnmower engines would no longer have to cross the border to buy ethanol-free gasoline under a bill approved Feb. 6 by a House panel.

After more than three hours of testimony in a standing-room-only hearing room, members of the House Commerce, Tourism and Consumer Affairs Committee approved HF2205, which exempts premium gasoline from a state law requiring a minimum oxygen content of 2.7 percent in gasoline.

Currently, all gasoline sold in the 10-county Twin Cities metropolitan area is required to contain 2.7 percent oxygen; the oxygenation agent most commonly used in Minnesota is ethanol, which is made from corn. After Oct. 1, 1997, the 2.7 percent requirement will extend to gasoline sold statewide.

Proponents say adding ethanol or a petroleum-based oxygenate to gasoline makes it burn cleaner, with fewer harmful emissions. From the time the law went into effect in August 1993 until October 1995, the metro-area requirement was limited to winter months, when automobile pollution control devices are least efficient. Last Oct. 1, the 10-county metropolitan area was required to



Wearing an ethanol hat in support of that additive to gasoline, Al Gedrischi of Sanborn, Minn., keeps a watchful eye on the Commerce, Tourism and Consumer Affairs Committee, Feb. 6. Members debated a bill that would exempt oxygenation requirements for premium gasoline.

will remove an unnecessary burden from the backs of Minnesotans."

That number includes owners of snowmobiles, boats, chain saws, lawnmowers, street rods, high-performance cars and older, collectible automobiles, none of which run well on gasoline containing ethanol, Johnson said.

Johnson also headed off accusations of

for her bill from a number of auto and motorcycle organizations, the Iron Range Raceway (currently under construction in Keewatin), resort owners, and marina operators.

Many witnesses told lawmakers that in order to protect their investments in their snowmobiles, boats, or automobiles, they are forced to cross the border into Wisconsin to buy ethanol-free gasoline.

Bob Illingworth, representing the Minnesota chapter of Motorcycle Riders of America, told the gathering that he regularly travels to Wisconsin and fills two 55-gallon drums with his gasoline of choice.

HF2205 also was backed by representatives of Amoco Petroleum Products, which some ethanol backers accused of railroading the bill through in a blatant attempt to increase the company's profits.

At one point during the hearing, Rep. John Sarna (DFL-Mpls), the committee's chair, chided Jerry Orr, executive director of the Minneapolis affiliate of the American Lung Association, for referring to HF2205 as "Amoco's bill."

Jim Simnick, supervisor of quality assurance and technical services for Amoco, testified that offering ethanol-free premium gasoline to customers who want it is nothing more

---

*"Current Minnesota law does not offer consumers a choice. . . . This bill not only gives a choice to the consumer, it responds to the concerns of more than 200,000 Minnesotans. . . ."*

---

—Rep. Alice Johnson

follow the law year-round.

HF2205, sponsored by Rep. Alice Johnson (DFL-Spring Lake Park), would allow fuel dealers to sell ethanol-free premium gasoline across Minnesota.

"Current Minnesota law does not offer consumers a choice," Johnson told lawmakers. "This bill not only gives a choice to the consumer, it responds to the concerns of more than 200,000 Minnesotans. . . . This

sponsoring a bill that detracts from Minnesota's biggest revenue-generating industry by telling the gathering — which included dozens of corn growers who turned out to oppose HF2205 — that her bill is not anti-farming. "I grew up on a farm," she said. "I support farmers, and my voting record proves it."

Although the pro-ethanol lobby at the hearing was sizable, Johnson found support

than an issue of choice. "Amoco is not anti-ethanol; on the contrary, we're probably the largest marketer of ethanol-blended fuels in the Midwest," Sinnick told lawmakers. "But we offer consumers a choice as they have indicated their needs to us. Some folks like ethanol; some do not."

Leading the charge against Johnson's bill was Rep. Doug Peterson (DFL-Madison), sponsor of the 1993 oxygenated-fuel law, who tried unsuccessfully to get committee members to support an amendment to HF2205.

Peterson's amendment, "offered in the spirit of compromise," would have allowed gasoline retailers to sell non-oxygenated premium gasoline from special tanks and pumps for use in aircraft, motorcycles, or snowmobiles and also would have allowed resorts, marinas, and racetracks to dispense fuel without ethanol.

Rep. Walter Perlt (DFL-Woodbury) disagreed with Peterson's assessment of his amendment. "You call this a compromise; I think it's a blatant attempt to kill the bill," Perlt said.

Among those groups that urged the committee to defeat the bill were the Minnesota Department of Agriculture, several farm and environmental organizations, Cenex Inc., Ashland Inc. (the parent company of SuperAmerica, which operates gasoline retailers across Minnesota), and the Institute for Local Self-Reliance, based in Minneapolis.

The Minnesota Association of Cooperatives, which works with the state's six currently operating ethanol plants and four new ones that are in the works, weighed in with written testimony opposing the legislation.

"The most important issues in the debate over HF2205 are not being discussed," wrote Allen Gerber, the association's president. "The improvement to the environment, adding value to corn, increasing jobs in rural Minnesota are all important issues."

However, Gerber said, the committee should be more concerned about the financial investments of Minnesota farmers in ethanol cooperatives: "If ethanol plants fail, it will not be a large corporation that suffers, but individual farmers throughout Minnesota," he wrote. "... I encourage the committee not to reverse policy. Individual farmers have invested their own scarce money in order to return a bit of the profit from their commodities to themselves."

A move by bill opponents to refer the bill to the Agriculture Committee failed on a 14-10 vote. HF2205's next stop is the House floor.

— Betsy Gerboth



## BONDING

### Better ports

A bill to upgrade Minnesota's busiest ports received approval from the House Economic Development, Infrastructure, and Regulation Finance Committee Feb. 2.

The bill (HF2507), sponsored by Rep. Tom Osthoff (DFL-St. Paul), authorizes over \$5 million in bonds to repair deteriorating dock walls, piers, and mooring cells, modernize dockside outlets, upgrade terminal structures and equipment, and make other necessary improvements.

According to Lorrie Louder of the St. Paul Port Authority, this will allow Minnesota ports to remain competitive in the market place and expand in response to economic demand.

Assistance would be available to the Seaway Port Authority of Duluth, and the Minneapolis, St. Paul, Red Wing, and Winona port authorities — the five ports that make up the Minnesota Ports Association.

The Minnesota Department of Transportation (MnDOT) will be in charge of administering the funds, so the individual ports will have to apply to MnDOT in order to obtain money for improvement projects.

According to Louder, the money requested will be used to address the most critical needs identified in a recent MnDOT survey which identified over \$32 million in potential projects needed by Minnesota ports.

The bill now moves to the House Capital Investment Committee.



## BUDGET

### Annual resolution

The House Ways and Means Committee approved a budget resolution Feb. 2 that calls for a maximum of \$15 million in new state appropriations this year.

That figure may seem low, especially when the state is sitting on a projected \$824 million budget surplus and Gov. Arne Carlson has submitted a budget calling for \$184 million in new spending and tax reductions.

"Our goal is to have considerably less in new spending than what the governor has proposed in his budget," said Rep. Loren Solberg (DFL-Bovey), chair of the Ways and Means Committee.

What about that bulky surplus? Solberg argued that under current law only \$15 million of that \$824 million is actually available for new programs.

Of the remaining projected surplus funds, \$15 million is earmarked to boost the budget reserve created in 1995 to \$220 million in anticipation of cuts in federal dollars funneled to Minnesota, Solberg said.

Current law, according to Solberg, requires that \$794 million be used to pay back funds the state "shifted" from school districts. (Since 1982, the state has borrowed \$794 million from school districts through the property tax recognition shift.)

The current surplus in state coffers was generated through tax revenues that exceeded forecasts and savings in human services programs. Some surplus funds were appropriated for those services but will not be spent due to program cutbacks.

Carlson has proposed spending some of the surplus funds and saving the rest.

The governor wants to put \$160 million toward new projects including crime prevention, youth programs, and education reforms. Carlson also seeks to add to the budget reserve created in 1995 and to save about \$500 million in a special account.

But, Solberg said, any programs or savings schemes that require more than the \$15 million in available funds will have to use money "unappropriated" from elsewhere.



## BUSINESS

### Omnibus liquor bill

An omnibus liquor bill governing liquor licenses, wine tastings, and free beer samples has been approved by a House panel.

Sponsored by Rep. Jeff Bertram (DFL-Paynesville), HF2590 was approved Feb. 7 by the Business Regulation Division of the House Commerce, Tourism and Consumer Affairs Committee.

Among its provisions, the omnibus bill would:

- delete a state requirement that applicants for wholesaler or manufacturer liquor licenses must be United States citizens or resident aliens;
- allow Minnesota bed-and-breakfast facilities to give guests two complimentary glasses of wine per day, up to 4 ounces each, to drink on the premises. Bed-and-breakfast owners would not have to obtain an on-sale liquor license for such a purpose;
- amend state law governing on-sale liquor license fees. Under the amended law, the license fee would be intended to cover the cost of issuing the license, the cost of an annual inspection, and the costs of invest-

tigating violations of law at the liquor establishment;

- direct Minnesota's public safety commissioner to design a single 8"-by-12" notice that includes current state-mandated warnings concerning DWI and sales of liquor to underage patrons and make the sign available for copying by state liquor establishments. The sign would satisfy all legal requirements for signs posted in liquor establishments;
- provide that current law governing charitable wine tastings does not apply to wine tastings in bars where no charitable organization is involved, or where the proceeds are for a charity, but the tasting is primarily for educational purposes;
- allow liquor stores to give customers free samples of distilled spirits in containers up to 15 milliliters. Current law allows free samples of wine, beer, cordials, and liqueurs. The new law also would allow a brewer to furnish up to three cases of beer to off-sale retailers for samplings, which would be limited to five per year and a maximum of eight hours each, and three cases provided by the brewer for each sampling;
- allow off-sale stores to sell 50-milliliter bottles of distilled spirits;
- allow a retailer to bar anyone from bringing containers of alcohol into a licensed retail store. This portion of the bill was included after an incident in January in St. Paul when a man brought a bottle into a liquor store and drank it there. The store's proprietor discovered that state law didn't allow him to eject the man from the store; and
- allow tour boats on the St. Croix and Mississippi rivers to receive on-sale liquor licenses between May 1 and Oct. 31. Currently, only tour boats on Lake Superior are allowed to receive liquor licenses. The Commissioner of Public Safety also directs the public safety commissioner to give half of the \$1,000 license fee to the tour boat's home port city or county, if the boat is moored outside city limits.

The omnibus bill also would expand the number of liquor licenses allowed in West St. Paul, Thief River Falls, and Eagan.

The division re-referred **HF2590** to the full Commerce, Tourism and Consumer Affairs Committee.

## Policing the contractors

Building contractors doing business in Minnesota would no longer be allowed to require subcontractors to sign construction lien waivers under legislation a House panel approved.

**HF1041**, sponsored by Rep. Loren Jennings (DFL-Harris) would make it impossible under state law for a building contractor in another state to include a contract provision that Minnesota-based subcontractors are subject to the laws of that state.

The bill also would forbid contractors from requiring subcontractors and material providers to waive their right to a construction lien or to a claim against a payment bond before the subcontractor or provider has been paid.

Jennings told members that the intent of the bill is to protect subcontractors from a handful of unscrupulous contractors who delay paying them and sometimes declare bankruptcy before the bills are satisfied.

"We're talking about a couple of bad apples in a great big barrel of contractors," Rep. Bob Ness (R-Dassel) told members of the Business Regulation Division of the House Commerce, Tourism and Consumer Affairs Committee.

Gary Meier, who owns Meier Plumbing and Heating Co. in Winona, testified that his company did subcontracting work in 1994 for a firm that falsified documents and ended up filing bankruptcy. "Most general contractors are good, ethical, honest people," Meier said. "They work hard, they pay their bills, they care about their [subcontractors]. . . . But this company just plain lied to us, and it burns."

The division re-referred **HF1041** to the full House Commerce, Tourism and Consumer Affairs Committee.



## CHILDREN

### Kids operating boats

The House passed a bill Feb. 5 that aims to improve safety on Minnesota lakes by keeping young children away from the controls of high-powered watercraft. The vote was 121-12.

Under the bill, children under 13 would be prohibited from operating personal watercraft, or Jet Ski-style machines, and children under 12 would be barred from operating motorboats of more than 75 horsepower.

The bill (**HF2834**), sponsored by Rep. Kris Hasskamp (DFL-Crosby), also would pro-

hibit children under 12 from operating boats from 25 to 75 horsepower unless there is an adult within immediate reach of the controls. Those children would be allowed to operate boats of less than 25 horsepower without supervision.

The bill comes in response to a 1995 boating accident that claimed the life of 10-year-old Aaron Sahli of Ham Lake, Minn.

Aaron was riding on a pontoon boat on a Crow Wing County Lake last Memorial Day when the pontoon was struck by a 175-horsepower boat being driven by an 8-year-old boy.

The father of the 8-year-old was in the speedboat but was not at the controls.

Current law allows children under 12 to operate boats of less than 30 horsepower. They can operate more powerful boats as long as an adult is on board.

"We should have taken care of this sooner," Hasskamp said. "We should have anticipated with all the congestion on our lakes that something should be done, but we didn't."

The bill now goes to the Senate.

(See Feb. 2, 1996, *Session Weekly*, page 4)



## CONSUMERS

### Just like Mom makes

Grandma could sell her cupcakes at Rutabaga Days in Askov, Minn., without fear of being shut down by inspectors under a bill approved Feb. 5 by the House Agriculture Committee.

The bill (**HF2031**), sponsored by Rep. Bob Ness (R-Dassel), would allow certain foods, including bread, cookies, and other baked goods, to be sold under specific conditions by unlicensed vendors.

License fees of about \$130 can easily exceed the profits homemade food vendors earn at some community events, Ness said. And that knocks out small-town tradition.

"We need to preserve part of that culture and not overly regulate it," Ness said.

Under the bill, a person who prepares and sells food at farmers' markets or community events would not have to be licensed as long as the person takes in less than \$1,000 a year in gross receipts and sells his or her goods for no more than 10 days a year.

Also, the license exemption would apply only for events in towns of fewer than 15,000 people that are located outside the metro area. Vendors would be required to post signs reading "homemade and not inspected."



## CRIME

### Suing a public nuisance

A bill that would allow a property owner or neighborhood group to file a civil nuisance suit and seek monetary damages against a drug dealer, prostitute, john, or other individual, was approved by the House Judiciary Committee Feb. 5.

Under current law, only a prosecutor can file a nuisance action which usually involves trying to shut down a property or evict a tenant for violating two separate incidents in a 12-month period involving gambling, prostitution, or drug and firearms offenses outlined in law.

**HF2204** proposes to open the door for citizens to sue, seek monetary damages, and combat "nuisance behavior" that is not necessarily tied to one specific building.

Under the bill, sponsored by Rep. Andy Dawkins (DFL-St. Paul), to win a nuisance civil action it must be proven that the individual has two or more convictions within the previous 12 months for prostitution, illegal gambling, keeping a disorderly house, drug dealing, or another offense listed in the existing nuisance law. Or, "two or more separate behavioral incidents within the previous 12-months that would constitute a nuisance" under existing law must be proven.

If a suit is won, the court must permanently prohibit the perpetrator from continuing the activity and award actual damages or \$500, whichever is greater.

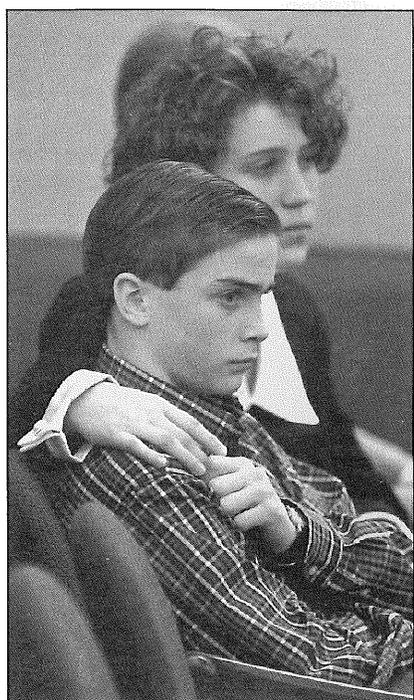
Dawkins explained that it may be difficult for property owners to prove the actual value of damages, such as a loss of their home's value due to crime in the neighborhood, so the bill would award damages of at least \$500.

In cases where a homeowner or neighborhood group wins, defendants would be forced to pay their attorneys fees. The bill, however, would not require the property owners to pay the attorneys fees of the defendant if he or she wins.

Although the bill still would allow prosecutors to file civil nuisance actions either on their own or at the request of a neighborhood, Dawkins said he doubts prosecutors would use the law much. Their budgets are too small and their caseloads too large, he said, adding the bill would likely be used only in the most egregious cases.

Lawmakers did debate whether to include prostitutes among those in the bill that could be sued for nuisance.

Kristin Berg of PRIDE, a group that helps



Nathan Burr, *foreground*, and his cousin Missy Jensen listened while Kevin Burr (Nathan's father) described to members of the House DWI Subcommittee an accident in which three of his relatives were killed. The truck driver responsible for the accident was charged with driving while under the influence of a controlled substance. A bill heard Feb. 5 would make it illegal to drive under the influence of any amount of a controlled substance.

prostitutes leave their life on the streets, called the bill regressive.

Prostitutes need "housing, drug treatment, and help raising their children — not a [civil suit] fine," she said.

Originally, an amendment to eliminate prostitutes from the bill succeeded. But after Rep. Rich Stanek (R-Maple Grove) made a motion to reconsider — arguing that neighborhoods needed protection from prostitutes as well — the amendment failed.

Rep. Loren Solberg (DFL-Bovey) argued in favor of the amendment stating that many prostitutes are victims of abuse and oppression themselves. Without the exclusion, he said, the bill would allow a property owner or neighborhood group to "revictimize a victim."

**HF2204** now goes to the House floor.



## DEVELOPMENT

### Responsible land use

A watered-down version of Rep. Myron Orfield's (DFL-Mpls) controversial land use plan won approval from the House Environment and Natural Resources Committee Feb. 7.

**HF2231** is similar to bills Orfield has introduced in each of the past three sessions to establish a statewide comprehensive land use plan. Such a plan aims to manage urban sprawl in a way that imposes least upon the environment.

The current bill lacks any of the enforcement provisions that have drawn opposition in the past.

"This bill is an effort to move statewide land use planning ahead as slowly as possible," he said, referring to failed efforts in previous years. "I realize this is a tough political climate, that this is a sensitive issue with lots of rights and responsibilities involved and I wish to tread as lightly on those as we can. But I hope this year to move maybe a yard forward on this issue."

**HF2231** asks Minnesota townships and counties with more than 2,500 people to establish comprehensive plans for the next 20 years. The counties and townships would be urged to work together on such plans and their work would be reviewed — but not approved — by the state Environmental Quality Board.

Orfield emphasized "we will not put a mandate on anybody without money for planning." Future committees will consider appropriating funds to help local governments develop land use plans.

Speaking of remote sewer lines and sprawling housing development, Orfield said Minnesota needs his bill.

"We've got a problem with growth that's

### Feedback

The House of Representatives Public Information Office has established an e-mail address to welcome comments or ideas on the *Session Weekly* and its contents.

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We thank you for your input.

The editors

not very well planned for and it costs us a lot of money," he said, referring to remote and failing sewer lines and development in cities without sufficient roads. "This is a bill about saving money and about protecting farmland and ground water and the environment."

Chisago County homeowner and community activist Virginia Stark shared her concerns firsthand.

She said there are 138,000 acres of farmland in Chisago County, 83,000 of which are considered prime farmland. Under current zoning regulations, landowners can easily convert farmland to urban uses, she said.

"This is no plan at all. It's actively planned urban sprawl and it's planned for the permanent destruction of the natural resources of this wonderful city," Stark said. "This lack of a community plan means these lands full of natural resources, wildlife, biodiversity and farmland can be quickly destroyed and replaced with a subdivision."

Rep. Bill Haas (R-Champlin), an opponent of Orfield's past proposals, said a provision that urges maximum use of existing sewers and highways before constructing new ones would hurt his district and others that are located away from the metro region's main sewer line.

"This would affect my communities directly . . . and this would stop growth in my community. It would affect growth in Rep. Lindner's Dayton and the Maple Grove area, too," he said. "What I see here is a freeze on development."

Orfield said the 20-year plan allows communities to establish an "urban growth area" and then build what's necessary within that area, including sewer line extensions.

Rep. Dennis Ozment (R-Rosemount) said he agrees with Orfield's intent but disagrees with his approach. He suggested holding off on a statewide plan until the metro area solves its own growth problems. Ozment said the metro area, largely through the Metropolitan Council's guidance, has "legitimized urban sprawl."

"Once we get our act together maybe we can be a model to use for the rest of the state," Ozment said. "But the model [of development] we have right now I wouldn't wish on the rest of the state."

Under the bill, the Metropolitan Council would be involved in drafting community-based growth plans and would not allow "urban services" beyond a region's urban growth boundary.

Lee Ronning of the state's Land Stewardship Program said Minnesota is both the fastest-growing state in the upper Midwest and its 21-county growth corridor is the

fastest-growing metro region from the Northern Plains to the eastern seaboard. At the same time, at least 12 outstate counties are losing more people to natural death than they are gaining.

Add the fact that the state is losing 66 acres of farmland a day — or 24,000 a year — to urbanization, and Ronning said you've got a state with problems.

"Without a statewide coordinated plan, a lot of those 600,000-plus people expected over the years are going to go to fertile farm and corn fields," she said. "I think there's an opportunity here for Minnesota to really plan for this growth instead of just reacting to it so we can protect our natural resources and help to direct growth in places that need it instead of having it lopsided in one growth corridor."

The bill now goes to the Local Government and Metropolitan Affairs Committee.



## EDUCATION

### Dealing with discipline

A House education panel is considering two bills that aim to improve discipline in the schools. One would make it easier to expel problem pupils and the other would encourage efforts to reduce the need for such action.

The K-12 Finance Division of the House Education Committee Feb. 7 discussed **HF2544**, sponsored by Rep. Bob Ness (R-Dassel), and **HF3033**, sponsored by Rep. Alice Johnson (DFL-Spring Lake Park).

Both bills offer different, while not mutually exclusive, solutions to the same problem: Misbehaving students detract from teachers' ability to do their jobs and impede the learning experience of all students.

**HF2544** would allow schools to expel students who violate sexual, religious, or racial harassment policies or other school conduct policies.

"I'm trying to send a different message to students, to parents, and to teachers that attendance is a privilege," Ness said. "I see this as empowerment for parents and teachers."

School districts would have to hold a hearing before a student could be expelled, unless the student's parents waived that right. A decision to expel could be appealed to the commissioner of the Department of Children, Families and Learning.

After a student is expelled, the pupil and parents would have 30 days to get the student admitted to another school — public or private. Failing that, the school district would

take over and find another school for the student.

Ness' bill has the support of school administration officials.

Roger Aronson, of the Minnesota Association of Secondary School Principals, said the measure would be a step in the right direction.

"We have a very cumbersome process that relates to expulsion now that's very, very expensive," Aronson said.

However, one provision in Ness' proposal sparked some controversy. If an expelled student enrolls in a private school, the school district would send the general education revenue for that student to his or her new school, under the bill.

Rep. Charlie Weaver (R-Anoka) called the provision of the bill "a more generous voucher proposal than the governor's."

But Ness said the measure would give private schools only a limited amount of public money in a limited number of cases.

"In no way do I intend this to be a voucher bill," he said.

While expulsion may be an answer to some school problems, Johnson, who chairs the K-12 panel, is pushing a plan to help schools address behavior problems before they get out of hand.

"I'll feel very comfortable and pleased when we no longer have any expulsions or suspensions," Johnson said.

**HF3033** would set up a grant program for fiscal year 1997 to help schools implement constructive discipline policies. If approved, a yet-unspecified amount of grant funding would go to schools for programs focused on early intervention.

The bill would encourage schools to engage parents in a collaborative effort to alter inappropriate behavior and to see that such misbehavior does not become chronic.

It also would encourage schools to penalize students for misbehavior but to work to return them to their regular classrooms.

Grant recipients would be required to remove from regular classrooms students who violate the school's conduct code; to provide an alternative education site within the school for those students; and to make the alternative education constructive.

The K-12 Finance Division took no action on the bills, but the proposals may be considered for inclusion in the K-12 omnibus education bill.

## Gang resistance

Currently, school districts can collect an extra \$1 in taxes per resident to help pay for school police officers and drug abuse prevention programs.

A bill approved by the House Judiciary Committee Feb. 5 would increase that amount to up to \$3 per district resident to help pay for programs that teach children how to resist gangs. The levy would remain optional for school districts.

**HF2495**, sponsored by Rep. Bob Milbert (DFL-South St. Paul), recognizes that gang crime is increasing across the country and in Minnesota. Schools, he said, need to help reach students early, much like the DARE (Drug Abuse Resistance Education) program has done.

DARE began in Minnesota schools in the late 1980s to help teach fifth- and sixth-graders about the dangers of drugs.

Under the bill, part of the increased levy would be used to help continue funding the DARE program and school police officers in middle and secondary schools.

Currently, about 220 Minnesota school districts levy up to \$1 per resident generating an estimated \$3.8 million for the 1996-1997 school year. Under the bill, an additional \$6.3 million could be raised if most of the districts levy the maximum \$3.

The bill now moves to the Education Committee.



## ELECTIONS

### Multiple-party candidates

A House panel approved a bill setting a framework for fusion candidates — those nominated by more than one political party — to be listed on the ballot.

But critics said the bill does not do enough to open the process to minor political parties.

The Eighth U.S. Circuit Court of Appeals in January issued a decision that wiped out state election law forbidding fusion candidates on the ballot.

The court ruling came in the wake of events during the 1994 re-election campaign of Rep. Andy Dawkins (DFL-St. Paul).

Dawkins accepted nominations from both the DFL and the Twin Cities Area New Party. He asked to be listed on the ballot as the nominee of both parties, but the Secretary of State refused, saying that state law did not allow it.

The New Party filed suit in the case, and state law barring fusion candidacies was sub-

sequently found to be unconstitutional.

**HF3123**, sponsored by Rep. Gene Pelowski (DFL-Winona), would allow more than one nominating party to be listed under a candidate's name on the ballot.

The bill was approved Feb. 8 by the House General Legislation, Veterans Affairs and Elections Committee. It now moves to the Ways and Means Committee.

Under the bill, a candidate would be allowed to be listed as the nominee of one major party along with one or more minor parties or as the nominee of multiple minor parties.

A single candidate would not be allowed to be listed as the nominee of more than one major party. In Minnesota, there are three official major parties — Democratic-Farmer-Labor, Republican, and Independence.

The state chairperson of each nominating party would have to approve a fusion candidacy.

The bill has a sunset date of June 1, 1997.

Dawkins said the bill falls short of the standards established by the court.

Because it fails to provide a line on the ballot for voters to endorse a minor political party, the bill would leave an opening for further litigation, according to Dawkins.

He introduced a bill (**HF1141**) calling for the name of each political party to be listed in a separate area of the ballot to allow voters to indicate their support.

Votes for a specific party would have been used to determine if the organization had the necessary support (5 percent of the vote) to cross the threshold to major party status.

But Dawkins' bill was defeated Feb. 5 by the Elections Division of the General Legislation, Veterans Affairs and Elections Committee.



## EMPLOYMENT

### Time off for kids

A bill to allow parents to take a few hours of unpaid time off to attend their child's school play or parent-teacher conference — regardless of how long they've worked for a company — passed the House Feb. 8. The vote was 128-3.

Bill sponsor Rep. Mindy Greiling (DFL-Roseville) used the words "common sense, apple pie, and motherhood" to describe her bill.

The proposal (**HF2682**) would expand current law which allows parents who have worked for a company for at least a year to take unpaid leave for a school activity.

Greiling told members of the Labor-Management Relations Committee Feb. 5 at least one company was strictly interpreting the law and denied an employee's request to attend her son's school lunch because the one-year requirement was not met.

Beth Ascher and Meredith Moreno, both employees of U.S. West and both representing the Communications Workers of America Local 7201 union, told panel members their employer has denied leaves for that reason.

Working parents, they said, face many barriers; they asked lawmakers to remove this one.

As in current law, the bill would allow parents up to 16 hours during a 12-month period to attend their child's school activities, provided the activities cannot be scheduled during non-work hours.

The bill also keeps provisions in current law that in certain cases require an employee to "provide reasonable prior notice of the leave and make a reasonable effort to schedule the leave so as not to disrupt unduly the operations of the employer."

Employers are not required to pay for the leave, but if the employee has accumulated vacation time or other paid time off, they may use it.

The bill now moves to the Senate.

## Workers' comp changes

A bill that expands those covered by an employer's workers' compensation plan to certain independent contractors working in construction won approval from the House Labor-Management Relations Committee Feb. 5.

The bill, sponsored by Rep. Robert Leighton (DFL-Austin) and Rep. Hilda Bettermann (R-Brandon), would set a general rule that some independent contractors working in construction are to be treated as employees by the companies that hire them to work.

That means that if an independent contractor working in construction is injured on the job, he or she would be covered by the company's workers' compensation plan.

**HF2867** also could lead to less expensive workers' compensation insurance for some Minnesota businesses.

The bill would eliminate a cap on how much of a discount an employer can receive on their workers' compensation insurance premium. Current law sets the cap at 25 percent.

The proposal would allow insurance companies to offer, and employers to earn, an even higher discount rate. Currently, em-

ployers receive premium discounts and credits for a variety of reasons.

The bill also would allow more leeway in how much a base premium could go up or down in price depending on factors such as an employer's history with workers' compensation claims. The more claims against an employer, the higher their workers' compensation premium. Current law limits that shift up or down to 25 percent. The bill would eliminate the cap.

State law requires employers to purchase workers' compensation insurance which is used to help cover the costs of workers who are injured on the job.

The bill was set to be heard by the Governmental Operations Committee Feb. 8.



## ENERGY

### Cogeneration exemption

A bill exempting high-efficiency electric power generation plants from property taxes on equipment was approved by the House Taxes Committee Feb. 8.

**HF637**, sponsored by Rep. Loren Jennings (DFL-Harris), aims to keep Koch Refining Co. from building its \$300 million cogeneration facility out of state. The company has said it wants to build the plant in Rosemount and has lobbied hard for the bill.

But the bill also could make Minnesota more attractive to other plants that utilize — or plan to use — cogeneration, which is a combustion process that uses heat more efficiently than does a conventional power plant.

On Feb. 1, when Koch officials first testified, they painted a picture of a state that's unattractive to electric generation companies. A Koch official said his company could build a \$300 million facility in Wisconsin and pay a fraction of the taxes Minnesota would require.

"We are entering a new generation of electric power as well as new competition for the electric power market," said Jim Johnson, project engineer. "Minnesota lags the nation in cogeneration electricity. . . you will probably not see any new plants under the current tax structure."

Critics, however, said the exemption alone won't jump start Minnesota's cogeneration market because companies weigh other factors, such as siting laws and labor supply. According to a Department of Revenue official, Koch will save about \$2.5 million with the exemption.

Opponents such as Northern States Power Co. and Minnesota Power said the law is "piecemeal" and unfair.

"We do not object to Koch building a cogeneration plant," said Warren Candy, vice president of Minnesota Power. "What we object to is a special subsidy given to one particular organization or one particular generator that will prevent Minnesota Power from competing on equal footing."

Rep. Andy Dawkins (DFL-St. Paul) responded: "In other words you are saying the state should not look at which energy-generating delivery system is the cleanest or best for the environment but simply should look at what's best for the marketplace?"

In addition to being unfair, the bill isn't necessary because the marketplace is working, an NSP official said. NSP would lose a significant amount of Koch's substantial business if Koch builds the cogeneration plant.

"This is where efficiency is going in the market right now," said Audrey Zibelman, manager of energy resource planning. "These are the types of facilities that are going to be built in any case."

Rep. Jean Wagenius (DFL-Mpls) told Zibelman the fairness argument is irrelevant.

"It seems to me you can use cogeneration, you can be on equal footing and compete. What I hear today is NSP has no plan to build cogeneration plants in Minnesota, which is very troubling."

Rep. Bob Milbert (DFL-South St. Paul) said it was ironic that NSP was protesting the tax exemption when they had no problems two years ago with a similar tax exemption for a Washington County cogenerator.

"What makes more sense to my constituents," Milbert asked Zibelman. "A cogenerator plant which is environmentally friendly or continuing with a coal-burning plant?"

An amendment by Rep. Ron Abrams (R-Minnetonka) prohibits exempted plants from requiring nearby electric utilities to buy their power. The measure, aimed at preventing what Abrams dubbed "electron arbitrage," would deter speculators from jumping into the market to get the tax exemption.



## ENVIRONMENT

### Studying mutant frogs

Pictures of legless frogs and testimony from junior high students prompted members of the House Environment and Natural Resources Committee to approve \$78,000 Feb. 7 to study the mutant amphibians.

**HF2594**, sponsored by Rep. Willard Munger (DFL-Duluth), appropriates \$50,000 to the Pollution Control Agency to study frog tissues and develop an index for wetlands

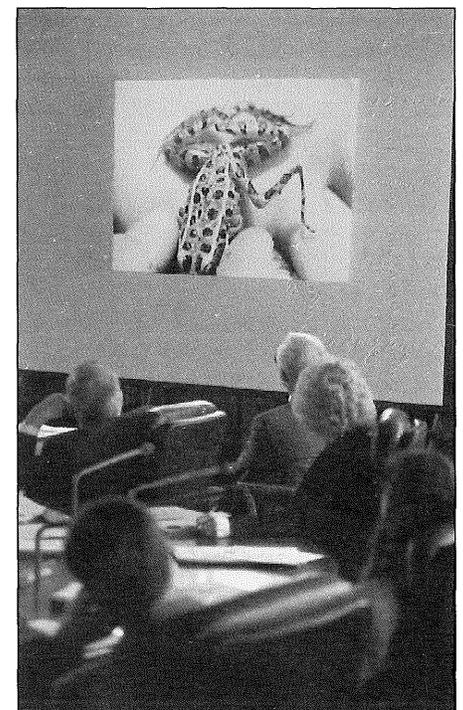
water quality that uses amphibians and invertebrates as indicators. An amendment by Rep. Virgil Johnson (R-Caledonia) added \$28,000 to Hamline University's Center for Global Environmental Education.

The bill was prompted by the discovery of deformed frogs in southern Minnesota last summer by some Le Sueur County students. The students, who attend the Minnesota New Country Charter School, initially consulted the Internet to find out what was wrong with the frogs. Their search eventually led to University of Minnesota researchers, the PCA, and the Legislature.

"The really interesting thing about this . . . is that the problem was discovered by kids," said Johnson, after hearing testimony from several children. "And these students, once they discovered it, went on the Internet . . . and accessed information from all over the world trying to figure out why these frogs had these deformities. . . I think it's a very, very important cause."

Dr. Judy Helgen, a research scientist with the PCA, said the frogs without feet and eyes are a sign of environmental problems.

"Frogs are ecological indicators because they integrate the environment . . . and can show us toxic agents in three different environments," she said, explaining how frogs



Members of the House Environment and Natural Resources Committee watched slides of deformed frogs during a hearing Feb. 7. Students from the Minnesota New Country School in Le Sueur told the committee how they discovered the deformed frogs while on a field trip last summer near Henderson. The committee unanimously approved spending \$78,000 to fund a study scientists hope will provide an explanation.

hatch in wetlands, breed on land, and hibernate in rivers. "We now know since deformed frogs have appeared in several locations in central Minnesota that it's not just a problem of one isolated wetland."

Helgen said the PCA would use the study funds to locate the affected frog populations and look for patterns to determine the sources for the toxic agents.

The Legislative Commission on Minnesota Resources has already appropriated \$123,000 to study the frogs. Rep. Arlon Lindner (R-Corcoran) asked Munger if the full \$78,000 was needed, given the commission's appropriation.

"Do we need all of this money or would \$50,000 in your mind have taken care of this to begin with?" he said.

Munger said PCA and University officials assured him all the proposed funds were needed.

**HF2594** was referred to the House Environment and Natural Resources Finance Committee.

## Outbreak

A bill designed to help the Department of Natural Resources (DNR) more effectively contain the spread of harmful exotic species won approval from the House Environment and Natural Resources Committee Feb. 2.

Under current law, transporting Eurasian Water Milfoil on a boat or trailer carries a \$100 fine. But last year, DNR officials didn't issue a single ticket. Why not?

Because there are other types of milfoil not covered by the law, including Northern Milfoil (which is indigenous to Minnesota) or Whorled Milfoil.

According to Jay Rendall, exotic species coordinator for the DNR, it's nearly impossible for even conservation officials to distinguish between types of milfoil. As a result, no citations were issued in 1995, making containment of the plant difficult and current law tough to enforce.

**HF2379**, sponsored by Rep. Loren Jennings (DFL-Harris), would create a general description in law applying to all exotic species, defined as a wild animal or aquatic plant that can naturalize, and possibly threaten native species and natural resources. Examples are certain types of milfoil, Zebra Mussels, and Purple Loosestrife.

Approximately 80 bodies of water in Minnesota contain some type of harmful exotic species, including the Mississippi River south of the Twin Cities and Lake Minnetonka.

The bill also would prohibit (with limited exceptions) the transport of all aquatic plants,

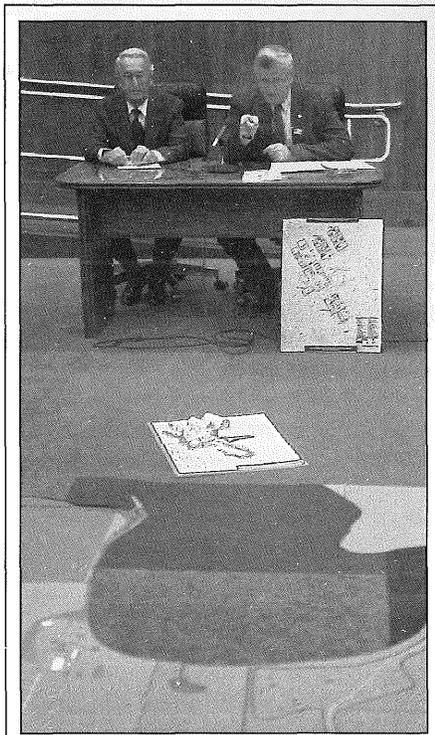
including transport on public highways, an area not covered by existing law. Violators would face the same fines under current law, and a new \$50 fine for transport on public highways.

Additionally, it would make the laws related to exotic species more "user friendly" by consolidating them into one chapter.

Some witnesses testifying at the hearing referred to the proposed bill as primarily behavior modification. Frank Schneider of the Minnesota Sport Fishing Commission said he doesn't like that transporting a plant native to Minnesota could mean he's breaking the law, but spoke in support of the bill.

Jennings said his intent isn't to expand the criminal side of the bill, just to clarify the intent of the current law.

The bill is now pending in the Governmental Operations Committee.



Project Leader Gordon Ekberg, right, points out one of the features of the Lawndale Environmental Learning Center that was laid out on the floor of the House Environment and Natural Resources Finance Committee Feb. 6. He was joined at the table by Lenard Blume, left, who asked the committee for money for the center.

## New science centers

The House Environment and Natural Resources Finance Committee approved bonding requests totaling \$15.4 million at its Feb. 5 hearing.

The requests for science centers in Bemidji and Kandiyohi County, a park center in Lake Bronson State Park, and improvements to the Goodhue Pioneer Trail now go to the House Capital Investment Committee. There, the 1996 bonding bill will be assembled.

**HF2678**, sponsored by Rep. Bob Johnson (DFL-Bemidji), would authorize \$5.5 million in state bonds for the construction of the Bemidji Headwaters science museum center.

"There is no science center between Winnipeg and St. Paul . . . kids and parents in northern Minnesota have to travel hundreds of miles to visit one," said Lattie Elwell of the science center. "There is no source of informal education up there except for libraries."

The city of Bemidji has donated a \$1 million plot of land along the Mississippi River for the center, which would replace an existing downtown building that's rapidly aging, Elwell said. She told the committee the two-year-old center, which is not up to code, exists because of donations of time and money from contractors, electricians, plumbers, lawyers, and others. Some of the \$800,000 invested in the project to date was raised during a fundraiser by some cast members of the television show, "Northern Exposure."

Rep. Chuck Brown (DFL-Appleton), who chairs the committee, supported the project.

"If it's okay to build hockey rinks in this state as a matter of public policy maybe it's okay to build science museums," he said. "Maybe there ought to be some balance."

The committee also approved \$5 million in state bonds to build the Prairie Woods environmental learning center southeast of Lake Florida in northern Kandiyohi County (**HF2343**).

Rep. Tom Van Engen (R-Spicer) said his district is a prime spot for the center, which would focus on the interrelationship of agriculture and the environment. Northern Kandiyohi County is where the prairie, the woods, and the lakes meet, he said.

He also said the center would be within about two hours of every Minnesotan.

"There are waiting lists at every environmental center in the state," he said. "And many children aren't able to take advantage of the environmental learning that happens at those places."

**HF2348**, marking \$3.7 million in bonds, would go to the Goodhue Pioneer Trail.

The other bonding request approved by the committee was Rep. Jim Tunheim's (DFL-

Kennedy) **HF 2341**. That bill includes \$1.2 million in bonds for the construction of an interpretive center at Lake Bronson State Park.

## Steam plant prohibited

A bill that could stop the University of Minnesota's controversial plan to refurbish a steam plant on the Mississippi riverfront won approval from the House Environment and Natural Resources Committee Feb. 1.

**HF 2351**, sponsored by Rep. Phyllis Kahn (DFL-Mpls), prohibits any state or local agency from issuing permits for projects that were subject to a 1994 environmental impact statement in the Mississippi River "critical area." That would keep the U of M from going through with its plan to renovate its coal-burning steam plant currently on the river. It could also create stronger barriers to any future industrial development along the Mississippi River in St. Paul and Minneapolis.

Citing the environmental danger of coal-burning facilities and the existence of alternative energy-generating technologies, the bill states that other sites should be used. It also establishes the goal of returning Mississippi riverfront lands in Minneapolis and St. Paul to scenic or recreational uses, such as Boom Island Park and St. Anthony Main, among others.

The bill faced opposition from U of M officials. The U of M has maintained their plan to shut down one of two facilities and refurbish the other will decrease the level of emissions currently released into the environment.

Both critics and supporters agree the U of M plan would not harm the environment more than do the mercury and other emissions from the two existing steam plants. A study by the Environmental Quality Board released Jan. 31 showed that alternatives to the U of M's plan — which are favored by Kahn and other critics — would not be significantly better for the environment than the university plan. Several skeptical committee members requested the board to share materials and information used to reach that conclusion. The board did say alternatives, such as a gas oil plant located away from the river, would release less mercury into the environment, but that the amount was too negligible to have a significant improved effect.

**HF2351** now goes to the House floor.  
(See Feb. 2, 1996, *Session Weekly*, page 10)



## GOVERNMENT

### Celebrating emancipation

June 19, the date officially celebrated in other areas of the nation as Juneteenth, will become a day of recognition in Minnesota under a bill passed by the House.

The full House unanimously approved **HF1889**, sponsored by Rep. Richard Jefferson (DFL-Mpls), on Feb. 7.

Juneteenth is observed as the day the Emancipation Proclamation was first publicly read in Texas in 1865. Although historians have never been able to determine the exact date that year when the proclamation abolishing slavery was read, they believe it was sometime between June 13 and 19.

Jefferson said that because the Civil War was going on when President Abraham Lincoln issued the Emancipation Proclamation, it took another two years and the end of the war before every state acknowledged it. "The plantation owners were fearful that if they made it known, the slaves would leave," he said.

Juneteenth will be observed in Minnesota on June 19. As a state day of recognition, it will be similar to Arbor Day and Ethnic American Day, which are not celebrated as official state holidays.

The bill now goes to the Senate.



## HEALTH

### Expanding MinnesotaCare

Minnesota adults who earn up to one-and-a-half times the federal poverty level would be eligible for MinnesotaCare, the state's program to provide subsidized health coverage to uninsured residents, under a bill approved Feb. 8 by a House panel.

**HF2312**, sponsored by Rep. Roger Cooper (DFL-Bird Island), provides that individual adults and households without children that earn up to 150 percent of the federal level would become eligible to participate in MinnesotaCare beginning July 1.

Currently, single adults and households without children that earn up to 125 percent of the federal poverty level are eligible for MinnesotaCare.

Under the current federal poverty level, that means that a single adult earning \$11,205 or less, and a household without children earning \$15,045 or less, would be allowed to participate in the plan.

The current limits for single adults and

households without children, respectively, are \$9,338 and \$12,538.

"The bottom line is that the dollars exist to do this," said Cooper, chair of the House Health and Human Services Committee's MinnesotaCare Finance Division. "... It keeps us keeping our promise to do the level best we can to provide the working poor with [health] insurance."

"One hundred and fifty percent is a conservative move forward," Jim Koppel of the Children's Defense Fund, which also supports the move, told lawmakers.

According to the Minnesota Health Care Commission, there are 4,100 fewer Minnesota families enrolled in Aid to Families with Dependent Children (AFDC) because of MinnesotaCare. That translates to a combined net savings to the state and federal governments of more than \$24 million annually, according to the commission.

George Hoffman of the state's Department of Human Services agreed that the AFDC savings is directly attributable to MinnesotaCare, although he admitted being skeptical initially.

Lawmakers opposed amendments to **HF2312** offered by Rep. Fran Bradley (R-Rochester) and Rep. Bill Haas (R-Champlin).

Bradley's amendment would have set limits on the total assets of MinnesotaCare participants. Rep. Betty McCollum (DFL-North St. Paul), in particular, took exception to the proposal, saying asset limits would unfairly shut out many Minnesotans: "I'm concerned that we make this too black and white and don't allow for shades of gray," she said.

Haas' amendment, which also was defeated, would have lowered the provider tax paid by hospitals, surgical centers, pharmacies, wholesale drug distributors, and other health care providers who participate in the MinnesotaCare program from 2 percent to 1.25 percent.

**HF2312** now goes to full Health and Human Services Committee.



## HOUSING

### Property improvements

The House Housing Committee approved several bills Feb. 5 that aim to encourage the construction and upkeep of low-income housing.

**HF2943**, which now moves to the House Taxes Committee, would prohibit for five years increases in the assessed value of some metro-area properties after improvements are made to them. Since property taxes are based on a property's assessed value, owners

wouldn't see their tax bill go up should they improve their property. Rep. Edwina Garcia (DFL-Richfield) said she's sponsoring the bill to prompt renovations to aging housing which is often forgotten.

To qualify, the improved property has to be residential, located in the seven-county metro area, contain four or more units, and be at least 30 years old. The building also must be in a community which has exceeded the rental housing affordability index, defined by the Metropolitan Council as rents of more than 80 percent of median income. The improvements must also total at least \$5,000.

Rep. Barb Sykora (R-Excelsior) said she feared the tax exemption would burden adjacent taxpayers. Supporters said that wouldn't happen because the exemption applies only to renovations. Property would be taxed at its pre-renovation value for up to five years under the bill and school levies raised over the period would be paid.

The committee also approved Rep. Andy Dawkins' (DFL-St. Paul) **HF2909**, which calls for a constitutional amendment to allow the use of state bonds to build or rehabilitate housing in the state. The amendment, which voters would see on the November 1996 ballot, seeks to give those who rehabilitate houses the same benefits as farmers get through the Rural Finance Authority Loan Program. Under that 73-year-old program, state bonds are used to give farmers discounted loans.

"This proposal says let's look at that in terms of housing. Perhaps there's an opportunity we can take advantage of," said Rep. Karen Clark (DFL-Mpls), who is co-sponsoring the bill with Majority Leader Phil Caruthers (DFL-Brooklyn Center). "With the cutbacks at the federal level [in housing-related services] we need all the tools we can get."

Reps. Alice Seagren (R-Bloomington), Dan McElroy (R-Burnsville), and Elaine Harder (R-Jackson) had reservations about the bill. McElroy and Harder said they wanted a clearer understanding of who would administer the program. Under the Rural Finance Authority Loan Program, local lenders assume the risk for the loans.

Seagren said the amendment should contain a strict definition of who could qualify for state bonds.

"We ought to explain that before we get into something we might not want to get into," she said.

**HF2909** was referred to the House Capital Investment Committee.

The committee also approved Rep. Darlene Luther's (DFL-Brooklyn Park) **HF2663**

by a narrow margin. The bill creates a tax increment financing (TIF) district in Brooklyn Park aimed at reviving six distressed communities along Zane Avenue and Brooklyn Boulevard.

The communities have lost more than \$11 million in property revenues over the last five years, Luther said.

"My area alone lost 45 percent of its value," she said. "And yet the cost of providing safety and other services continues to climb."

McElroy, one of six dissenters on a 7-6 vote, said nearby property owners would feel the bill's pinch.

"When you freeze tax assessments, it has the potential to increase school levies in the long run," he said. "So it does cost money."

A Brooklyn Park city official countered that without a TIF district, the state will have to make up for lost property values eventually.

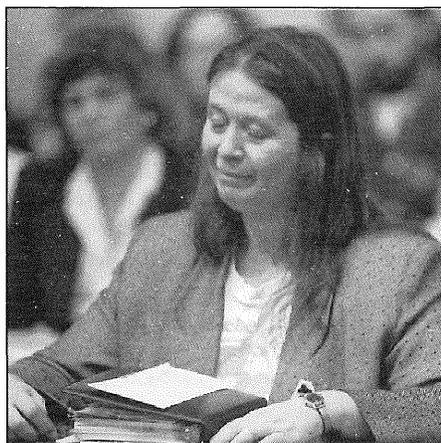
He also noted Brooklyn Park's two other TIF districts will be decertified this year, ahead of schedule.

**HF2663** was referred to the House Taxes Committee.

## Emergency shelter dollars

On the same day crowds converged on the State Capitol to rally for affordable housing, the House Housing Committee approved a bill that would increase statewide funding for emergency shelters and transitional housing.

**HF2690**, sponsored by Rep. Karen Clark (DFL-Mpls), appropriates an unspecified amount of money in grants for the state emergency shelter program. (The program received \$4.5 million for shelters and transi-



Bobbi Butler, an advocate for Elim Transitional Housing, Inc., became emotional when she recounted how at one time she had been homeless. She testified before the Housing Committee Feb. 6 in support of a bill that would set aside state money to supplement a federal emergency shelter program.

tional housing in 1995.) The bill seeks operational funds that one housing official who testified hopes will be an additional \$6 million.

"As you know we are experiencing some pretty big cuts at the federal level," Clark told the committee. "One of our main concerns is shelters."

The bill would help people who are homeless, about to be homeless, or those getting out of homelessness through transitional housing.

Bobbi Butler, a former homeless mother, told the committee funding for transitional housing could make a life or death difference for someone.

In emotional testimony, the former construction worker described her unexpected descent into homelessness and emergency shelters. It nearly ended with her killing herself and her children, she said.

"I was under the impression things like this just didn't happen," she said. "But with the help of transitional housing... I've moved on to become a homeowner."

Rep. Arlon Lindner (R-Corcoran) suggested federal cuts in housing programs aren't going to be as big as initially thought.

"Republicans are telling us there's going to be more money this year and next year... it seems like this problem is being taken care of," Lindner said, referring to new budget negotiations in Washington. "What we don't need is another program costing Minnesota taxpayers \$10.5 million."

Clark said whatever's going on in Washington doesn't free Minnesota from responsibility.

"It's our problem in Minnesota no matter what the federal government does. If you and I would walk out the door today and look at all the homeless people in Minnesota, do you know how many people we would see?" Clark asked Lindner. "We're not asking for something extra, for icing on the cake here. This is really necessary." Clark estimated there are about 5,000 homeless people on Minnesota streets and in shelters.

Clark emphasized the need to pass the bill in order to "send a bipartisan message to the Legislature that housing is a really important issue."

The bill was referred to the Economic Development, Infrastructure and Regulation Finance Committee.



## HUMAN SERVICES

### Welfare reform

A bill to require both caregivers in certain two-parent households on welfare to work was approved by the House Health and Human Services Committee Feb. 6.

The bill, sponsored by Rep. Bob Anderson (DFL-Ottertail), also includes a residency requirement to receive certain welfare benefits.

Specifically, most individuals would have to reside in Minnesota for 30 days before they could receive Medical Assistance, General Assistance, or Aid to Families with Dependent Children (AFDC).

**HF2609** doesn't have a fiscal note yet but does include \$15 million to subsidize child care costs for more low- and moderate-income families, thus removing a barrier to their returning to work.

The bill states that the Department of Human Services may, to the extent child care funding is available, require both caregivers in a two-parent household to work if they are receiving AFDC and their children are age 6 or older and not in kindergarten.

In all, this provision is expected to affect about 800 families in Minnesota, according to the Department of Human Services.

Assistant Commissioner Deborah Huskins told lawmakers the provision is necessary to meet federal guidelines. Last year, she said, the federal government warned the state of a maximum \$5 million sanction because not enough two-parent welfare families were working.

Currently, the federal government, which funds the AFDC program jointly with the state, requires 60 percent of two-parent welfare families to work. To date, Huskins said, Minnesota has 37 percent or 1,231 families.

In 1997, the federal requirement jumps to 75 percent, so the state needs to do something to ensure that it can meet that target.

Huskins said the provision would trigger a need for more child care with both caregivers working. To help, the department is asking for \$450,000 in a supplemental budget bill specifically to pay for two-working-parent child care grants.

In addition, the bill would require two-parent families in the Minnesota Family Investment Plan (MFIP) welfare program to find work after receiving assistance for six months. This, too, would apply only to caregivers whose children are age 6 or older and not in kindergarten.

MFIP is a six-year-old program operating in several counties. It allows families to ac-

cept lower paying jobs while receiving some public assistance. This helps them gain work experience.

Another provision in **HF2609** would allow counties the option of starting up a new jobs program for AFDC recipients called MNJOBS. Along with state agencies, the county would work with local public and private employers and work force councils to operate the employment program.

In counties that choose to use the program, AFDC recipients would be required to participate or face sanctions, such as the loss of their public assistance benefits.

Welfare recipients would complete a face-to-face orientation on the program within 10 days and be advised of their need to work. Benefits such as Medical Assistance, help with child care costs, and transportation to and from a job would be provided.

Those on AFDC would be required to begin searching for a job within 30 days of the MNJOBS orientation and job hunt for at least 30 hours a week for up to four weeks. Individuals who are working at least 20 hours a week would only have to conduct a job search for 12 hours a week for eight weeks.

AFDC recipients who can't find private or non-government funded employment within 24 months would be referred to a government-subsidized, public jobs program.

**HF2609** is awaiting a hearing in the House Ways and Means Committee.

### Short-lived apology

A bill offering a public apology to mentally handicapped people whom the state involuntarily committed to state institutions was withdrawn by its author after a House panel deleted what she considered to be important language.

"If we're not going to be totally honest in our apology, there's no point in going forward," Rep. Betty McCollum (DFL-North St. Paul) told the House Health and Human Services Committee Feb. 8.

The more than two-page resolution contained in **HF2446** originally stated in part that:

"Whereas, since the founding of the Faribault Regional Treatment Center in 1879, tens of thousands of Minnesotans with developmental disabilities (primarily mental retardation) have been removed from Minnesota communities and committed to live in state institutions where many of these Minnesotans have died and been buried in unmarked graves or graves that bore only a number; and . . . were forced to labor without

compensation . . ." and "were subjected to medical experiments and procedures without their consent. . . . Be it resolved that the state of Minnesota makes a public apology . . ."

A successful amendment by Rep. Lynda Boudreau (R-Faribault) deleted the language dealing with graves.

"I think this is a hidden agenda to fund labeling these graves," said Boudreau, who was originally a co-sponsor of the bill but requested her name be taken off.

"At first glance I was sympathetic," she said adding that she now questions if the state should apologize for using medical technology and methods thought to be appropriate at the time.

She said she suspected the bill was the first step before family members or others ask the state for money to place marked tombstones on all the unmarked or numbered graves sitting on the campuses of regional treatment centers across the state.

McCollum, who said she knows of no hidden purpose to the bill, explained that some family members already have raised private donations to place tombstones at grave sites. She added she was willing to delay a vote on her bill until the Office of the Attorney General could release an opinion on whether the bill would open up the state to any liability to pay for tombstones.

McCollum explained that she believed an apology was just the right thing to do. The apology is meant to say "we have learned."

Rep. Kris Hasskamp (DFL-Crosby) said that as written she couldn't support the bill, not because she didn't feel the state should apologize but because the bill was too negative. She said it needed to say something positive about how treatment centers have improved dramatically over the decades and how dedicated staff members are to their patients.

McCollum said the bill in no way is talking about how Minnesota operates today.

Rep. Tony Onnen (R-Cokato), a co-sponsor of the bill, said: "I don't have a problem saying I'm sorry."

Earlier he offered a successful amendment to eliminate the name of the Faribault Regional Treatment Center from the bill, noting that no particular institution should be named while others are not.

He said the state should not be so proud as to not apologize. The bill only attempts to say "we learned from history."



## INSURANCE

### Job protection

Insurance agents Gary Kemp and Mary McClure claim they were trying to do the right thing when they backed legislation crafted to protect insurance consumers. It cost them their jobs.

Both long-time agents for American Family Insurance, Kemp of West St. Paul, and McClure of Mankato, became active in an effort to pass a legislative proposal that the company opposed.

The agents backed a measure to bar insurance companies from requiring agents to meet quotas on the sale of certain types or mixes of policies. The 1995 Legislature passed a law freeing independent agents from such quotas.

Kemp and McClure were pushing for lawmakers to extend the quota ban to cover agents who sell policies directly for companies such as American Family and State Farm.

Proponents of such measures argue quotas can put unreasonable demands on insurance agents and can be detrimental to the service consumers receive.

American Family said that Kemp and McClure engaged in "conduct prejudicial to the company." On Jan. 11, 1996, the agents were abruptly fired.

Kemp and McClure claim their First Amendment rights to free speech have been violated.

"We can't believe that what we worked so hard for was taken away because we were advocates for insurance consumers," McClure said in Feb. 7 testimony to the House Financial Institutions and Insurance Committee.

The committee approved a bill (HF3052), sponsored by Rep. Don Ostrom (DFL-St. Peter), that aims to prevent such firings in the future.

Under current state law, insurance companies are prohibited from firing agents who contact a state agency or department about a problem.

Ostrom's bill would simply make it clear that the law protects agents who contact anyone in the executive, legislative, or judicial branches.

"If we fail to reaffirm this [right], it will have a chilling effect on the public," Ostrom said.

The bill now moves to the House floor.

### Mandatory coverage

Bills mandating that health insurers cover treatment expenses for one malady and testing for another were approved Feb. 7 by the House Financial Institutions and Insurance Committee.

The bills would require insurers to cover screening to detect prostate cancer and treatment for Lyme disease.

**HF2394**, sponsored by Rep. David Tomassoni (DFL-Chisholm), would require insurance companies, under certain conditions, to pay for a blood test used to detect prostate cancer.

Insurers would have to cover the prostate specific antigen (or PSA) test for all men older than 50 and for men older than 40 who suffer symptoms of the disease or are in a high-risk group.

The test is already covered by all but a few health insurance companies. Tomassoni argued that it is too important to be denied to any policyholder.

**HF219**, sponsored by Rep. Mary Murphy (DFL-Hermantown), would require insurance companies to pay for treatment for diagnosed cases of Lyme disease.

The disease — a bacterial illness transmitted by the bite of an infected deer tick — affects the skin, joints, and other parts of the body. It can have serious results including chronic arthritis and neurological impairment.

But some insurers won't pay for adequate antibiotic treatment for the disease, said Murphy. (See Feb. 2, 1996, *Session Weekly*, page 14)

The bills now move to the House floor.

### Protected from discrimination

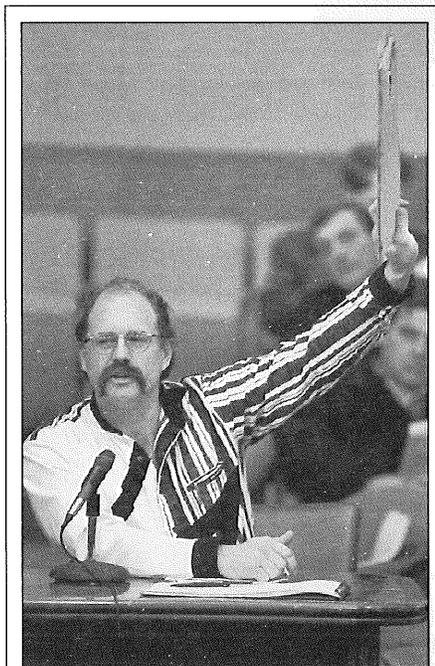
Victims of domestic abuse would be protected from discrimination by insurance companies under a bill approved Feb. 7 by the House Financial Institutions and Insurance Committee.

**HF2344**, sponsored by Rep. Dee Long (DFL-Mpls), would prohibit insurance companies from using domestic abuse as a negative underwriting factor for life or health insurance.

Such discrimination is occurring, Long said, and that sends the wrong message to abuse victims.

In most circles, abuse victims are encouraged to speak out and to seek help. Insurance companies, however, are sending a message that abuse victims should stay silent or face consideration as a high risk and denial of coverage.

The bill now moves to the House floor.



"Cowboy" Dave Ronning, director of "Gang of Good People," a group of concerned citizens from the Phillips Neighborhood in Minneapolis, held up a piece of 3/8-inch-thick plywood that had been torn off a boarded up building. He illustrated to members of the House Local Government and Metropolitan Affairs Committee Feb. 6 that current measures taken to secure vacant buildings are inadequate. He supports a bill that would require cities to notify mortgage holders and neighborhood associations of their need to board up vacant buildings.



## LABOR

### Higher minimum wage

Minnesota's minimum wage would be increased to \$5.50 under a scaled-back bill on the way to the House floor.

**SF302**, sponsored in the House by Rep. Tom Rukavina (DFL-Virginia), passed the House Ways and Means Committee on Feb. 2, but only after it was altered to call for a more modest hike than initially proposed.

"We have to be realists," said Rep. Henry Kalis (DFL-Walters), who backed the successful effort to install a smaller hourly wage increase in the bill.

To bid for a larger increase, he added, would be asking for "a little bit too much, too fast."

The bill that emerged in January from the Labor-Management Relations Committee called for the hourly minimum wage to increase \$2.75 over the next two years, peaking at \$7 per hour.

The current proposal would increase the \$4.25 minimum wage for large businesses to \$5 an hour in July 1996 and to \$5.50 an hour in July 1997.

Small businesses also would see an increase in the \$4 hourly minimum they are currently required to pay.

For employers with gross annual sales under \$500,000, the minimum wage would jump to \$4.75 an hour in July 1996 and to \$5.25 in July 1997.

Beginning in 1999, the minimum wage for both large and small businesses would be adjusted every two years according to any change in the average personal income of Minnesotans.

The Ways and Means Committee, which approved the bill on a 10-6 vote, also scrapped provisions in the original proposal that would have allowed employers to pay lower wages in exchange for providing benefits.

Rukavina said changes made by the committee should make his bill more palatable to lawmakers on both sides of the aisle and could help avert a gubernatorial veto.

Gov. Arne Carlson vetoed a 75-cent minimum wage increase in 1994. It is unclear if he would accept any such measure this year.

Minnesota last increased the minimum wage in 1991, when it was bumped from \$3.95 an hour to \$4.25.

In 1995, Rukavina sponsored a bill that would have increased the hourly minimum by a dollar over a two-year period. That measure passed out of committee but never came up for a vote on the House floor.

(See Jan. 26, 1996, *Session Weekly*, page 6)



## LOCAL GOVERNMENT

### Attracting, keeping top talent

The salaries of school district superintendents and local government officials could exceed existing limits under a bill approved Feb. 6 by a House panel.

**HF 2808** would allow school districts and local governments to compete for the best talent and would more accurately reflect the intent of the law, said bill sponsor Rep. Dee Long (DFL-Mpls).

Minnesota's superintendent salary cap of \$108,780, or 95 percent of the governor's annual pay, has been criticized by districts that say they can't attract or retain top talent. A state school board official told the House Local Government and Metropolitan Affairs Committee that Anoka schools lost a strong superintendent last year because he got a higher salary in Texas, where there is no salary cap.

Under the bill, the salaries of superintendents and local government officials would be set in relation to the governor's total compensation package — not just annual salary. (A percentage will probably be established when the bill is heard in the Governmental Operations Committee and legislators review the governor's total compensation package, which is yet undetermined.)

Rep. Steve Kelley (DFL-Hopkins) amended the bill to allow school districts and local governments to exceed the new cap if measurable performance criteria is established and the employee agrees to a pay cut or contract termination if the criteria isn't met.

Kelley said the amendment added more options for local governments and school districts.

"Over time we're going to be unable to predict what the market will do to some of these salaries," said Kelley. "I think we need to offer government entities more flexibility provided we have more accountability."

**HF2808** was one of three bills the committee heard over two days on the subject. **HF2162** sponsored by Rep. Greg Davids (R-Preston), would have slashed the maximum salaries of local government employees to \$74,582, or 95 percent of the commissioner of the Department of Finance's annual pay.

**HF2081**, sponsored by Rep. Mindy Greiling (DFL-Roseville), originally lifted just the superintendent's cap but was broadened to include government officials as well.

After much debate, committee members decided to vote on Long's bill. Rep. Mike Osskopp (R-Lake City) said **HF2808** made the most sense.

"This is a problem . . . for too long we've been playing the game of the governor's salary," he said, adding that Long's bill "most honestly addresses that problem."

**HF2808** now moves to the House Governmental Operations Committee.



## SPORTS

### Women only

A Twin Cities-based running club for women would be allowed to exclude men from an annual running event under a bill that narrowly passed the House Feb. 5. The vote was 68-65.

**HF2042**, sponsored by Rep. Phyllis Kahn (DFL-Mpls), would amend the state's Human Rights Act to allow single-gender athletic teams or clubs to restrict membership to members of one sex "whose overall athletic opportunities have previously been limited."

The legislation arose out of a conflict last year when a man filed a discrimination complaint against the Northern Lights Running Club for Women. The club wouldn't allow him to participate in its annual "Bruegger's Run for the Bagels," an event that includes a 10-kilometer and 5-kilometer race as well as running events for young girls. The spring event has attracted more than 3,000 runners in recent years.

When the man's complaint was dismissed, he filed a civil lawsuit against Bruegger's, the Minneapolis Park Board, and the running club, alleging sexual discrimination. Rather than dealing with the "logistical nightmare" of such a changed format and the "philosophical changes" that the club might have had to adopt, club members canceled the race for 1996.

Kahn's bill would become effective in time for an all-women's race to be scheduled this year.

Kahn argued that the bill was important not only to recognize that women have been discriminated against for centuries, but to recognize that many women don't have the muscle mass or speed of men. If men were allowed in the race, they'd consistently win, she said.

Not everyone agreed.

"This is a bad bill," said Rep. Teresa Lynch (R-Andover). "I don't think it is right to discriminate against people because we've been discriminated against in the past."

She said she supports separate male and female running teams participating in the same race.

In a letter, Sue Wurl, president of Northern Lights Running Club, stated: "In the twenty some years women have been allowed to compete in races, we have come a long way, but we have a lot of untapped potential that requires special venues to continue to grow."

She also stated: "While perhaps discriminatory, exclusive events such as our race offer a unique celebratory atmosphere, are developmental and motivational in nature, and offer modeling for younger athletes that cannot be matched by any other event in the state."

**HF2042** now heads to the Senate.



## TAXES

### Super-majority required

An effort to raise Minnesota taxes would require a two-thirds majority vote of the Legislature or a local governing unit under a bill narrowly approved by a House panel.

**HF2548**, sponsored by Rep. Todd Van Dellen (R-Plymouth), was approved Feb. 7 on a party-line vote by the House Taxes Committee's Sales and Income Tax Division.

Lawmakers voted 6-5 to place the question on the ballot in the Nov. 5 general election. Because the bill would amend the Minnesota Constitution, it requires approval by voters.

"This idea is not new," Van Dellen told members of the panel. "Twenty-three states have some sort of tax limitation in their constitutions or statutes. . . . There is much precedent for super-majority votes for weighty decisions."

He said he chose to make the requirement part of Minnesota's Constitution because he wanted something "permanent and enforceable."

Under **HF2548**, any proposal to increase any tax in Minnesota would fail unless it received the approval of a so-called "super majority," or two-thirds of the Legislature, or two-thirds of a local governing body such as a city council or school board.

Alternatively, a simple majority of Minnesota voters in a referendum could approve a tax increase. The proposed amendment would authorize the Legislature to submit legislation that proposed tax increases to a binding referendum vote.

Under Minnesota case law, the Legislature now is forbidden to make legislation contingent upon voter approval.

State lawmakers currently must have a two-thirds super majority to:

- expel members from the Legislature;
- suspend the requirement to have legislative bills read on the House floor three separate times;
- override gubernatorial vetoes; and
- change general banking laws.

In addition, all bonding bills that come before the Legislature require a three-fifths super majority for passage.

Van Dellen's bill was opposed by all DFL members of the Sales and Income Tax Division.

Rep. Jean Wagenius (DFL-Mpls) expressed concern about the difficulty of raising the state's gas tax under such a system, to the detriment of the state's infrastructure.

"Certainly we have to approach our infrastructure needs rationally," Van Dellen said.

"There's nothing in this bill that would preclude an increase in the gas tax; people either ought to have the right to vote on it, or we ought to be sure of it before we pass it."

**HF2548** now goes before the full House Taxes Committee.

### Philanthropic tax credits

Minnesota corporations that contribute money to neighborhood assistance programs would be eligible for income tax credits under a bill considered Feb. 7 by a House panel.

**HF2766**, sponsored by Rep. Andy Dawkins (DFL-St. Paul), would allow a company to claim an income tax credit equal to 50 percent of such contributions.

Under current law governing corporate income tax, a contribution deduction is limited to 15 percent of taxable net income. Unused contribution deductions cannot be carried forward from year to year.

**HF2766** would allow a corporation to claim a maximum of \$250,000 in credits every year. The credit would be non-refundable, and if the credit exceeded the tax due in a year, that credit could be carried forward up to five years.

Contributions to a neighborhood assistance program would be eligible for the credit if a neighborhood organization received a certificate from the Minnesota Department of Trade and Economic Development to operate such a program.

To receive such a certificate, a neighborhood organization must provide community services — defined as counseling and advice, emergency assistance, medical care, recreational facilities, housing facilities, employment placement, job training, or economic development assistance — in an economically disadvantaged area.

An economically disadvantaged area is defined in Minnesota law as an enterprise zone or an area that is certified as economically disadvantaged by the Department of Trade and Economic Development and the Department of Human Services.

"This opens up a whole new channel of funding opportunities for the nonprofit community," Mike Brinda, who works with nonprofit groups, told lawmakers. "It's immediate, it's direct, and it's very accountable."

The Minnesota Department of Revenue estimates that **HF2766** would reduce general fund corporate franchise tax revenue by \$5 million in the 1998-99 biennium. If approved, the law would go into effect Jan. 1, 1997.

The bill was approved by the House Taxes Committee's Sales and Income Tax Division

and will be considered as part of the omnibus tax bill.



## TRANSPORTATION

### Gas tax increase

A bill calling for a 5-cent hike in the state gas tax and for a constitutional amendment to devote some revenue to public transit was narrowly approved Feb. 2 by the House Transportation and Transit Committee.

**HF2070**, sponsored by Rep. Bernie Lieder (DFL-Crookston), aims to increase the gas tax by 3 cents per gallon in June 1996 and by 2 cents per gallon in January 1997. After that, the gas tax would be adjusted annually depending on the rate of inflation.

But the increases would hinge on voter approval of a proposed constitutional amendment to devote to public transit an unspecified portion of motor vehicle sales tax revenues. (The proposed amendment would appear on the November 1996 ballot.)

The bill, approved on an 11-10 vote, offers a reasonable way to resolve a long-running debate over the gas tax, according to Lieder.

The nickel increase would provide funds for bridge and highway repair, Lieder said, and a voter-approved constitutional amendment would create a much-needed funding source for transit.

Minnesota hasn't increased its gas tax since 1988, when it hit the current 20-cents per gallon mark. But talk of raising the tax by a nickel is nothing new at the State Capitol. Proposals to do so failed in 1993, 1994, and 1995.

Under the Minnesota Constitution, proceeds from the state's gas tax are earmarked for roads and bridges. Money for transit must come from some other source, such as the state's general fund.

The general perception is that money for transit is more beneficial to the metropolitan area and money for highways is better for rural Minnesota.

Lieder and other supporters of the bill argued that it strikes a balance between rural and metropolitan interests.

"It's as close to closing that debate as I've seen in a long, long time," said Rep. Henry Kalis (DFL-Walters).

But others on the committee were not convinced.

"This is simply not going to be acceptable," said Rep. Sharon Marko (DFL-Newport).

Voter approval of the proposed constitutional amendment would create a hole in the general fund by diverting some of the revenue from the sales tax on motor vehicles.

Because of that, it's doubtful the gas-tax bill will survive the Legislature and be signed by the governor, according to Marko.

She tried to amend the bill to instead propose a constitutional amendment to allow gas-tax revenue (along with motor vehicle license tax funds) to be used for highway and bridge repair and for transit.

Marko's proposed amendment drew much debate but ultimately failed on a 17-4 vote.

Clearly, the devil is in the details when it comes to the gas tax debate. There seems to be wide agreement that more money is needed to repair roads and bridges and construct new ones.

In fiscal year 1995, the state received \$546 million from the gas tax. According to estimates, each increase of a penny per gallon generates \$25 million more a year.

Many also agree more money also is needed to expand and upgrade mass transit systems such as metropolitan and regional public bus lines. (See Jan. 26, 1996, *Session Weekly*, page 3)

Transit and Minnesota's highways and bridges would face an uncertain future if the Legislature fails to act this year, according to Lieder.

"The highways can go on for a year or two, but definitely, transit is not going to have a source for funding," he said.

HF2070 now goes to the Taxes Committee.



### Minnesota's open bottle law was established in what year?

It was in 1959 that the open bottle law was passed in Minnesota. The law prohibits driving a vehicle with a bottle (or can) of an alcoholic beverage unless the liquor is in the trunk or in another area of the car "not normally occupied by passengers" if the car doesn't have a trunk. Violations of the law are a misdemeanor. Courts have determined that even if the driver hasn't consumed anything from the bottle, possession of, or proximity to, an open bottle is still a violation.



**Three area attractions** no longer would be required to charge each visitor an extra 25 cents for admission under a bill considered Feb. 7 by a House panel. **HF2403**, sponsored by Rep. Becky Kelso (DFL-Shakopee), would repeal the so-called Scott County admissions tax, which was authorized in 1987 to help pay for construction of the Bloomington Ferry Bridge. The 25-cents-per-ticket tax was levied on amusement facilities with capacities of at least 10,000 that had at least 10,000 patrons a year. In Scott County, which includes Shakopee, the tax applied to Valleyfair, Canterbury Downs, and the Minnesota Renaissance Festival. The Bloomington Ferry Bridge was completed late last year. Kelso told members of the House Taxes Committee's Sales and Income Tax Division that she wouldn't speculate on whether the three attractions will lower their admission prices with the repeal of the tax. **HF2403** will be considered as part of the omnibus tax bill.

**Descendants of people buried** in Minnesota cemeteries no longer would have to pay sales tax on "perpetual care" gardening services for graves under two bills considered Feb. 7 by the House Taxes Committee's Sales and Income Tax Division. **HF2803**, sponsored by Rep. Gary Worke (R-Waseca), and **HF2914**, sponsored by Rep. Henry Kalis (DFL-Walters), both would exempt "services provided for the upkeep of a cemetery" from sales tax. The two bills, which Worke and Kalis said generated a lot of support at recent town meetings, will be considered as part of the omnibus tax bill.

**More Minnesotans** would be able to vote by mail under a bill on the way to the House floor.

**HF2101**, sponsored by Rep. Jim Tunheim (DFL-Kennedy), would allow mail balloting in non-metropolitan area towns or cities with population under 1,000.

Under present law, towns with fewer than 400 citizens can vote by mail. The change would allow mail voting for city, county, and state elections in about 650 small municipalities, compared to the current 118.

The bill was approved Feb. 8 by the House General Legislation, Veterans Affairs and Elections Committee.

**Frogs brought out the funniest** in the House Environment and Natural Resources Committee Feb. 7. Before voting on Chair Willard Munger's (DFL-Duluth) bill for a study on deformed frogs, Rep. Steve Trimble (DFL-St. Paul) said he'd vote yes only if Munger tells "the frog story" before the end of session.

"Not the one you told" in the paper, Trimble said, "but 'the grandfather and you fishing' frog story."

Munger, a former frog catcher, chuckled and suggested the story was more compelling when Trimble told it, and so he should feel free to do so.

Rep. Alice Hausman (DFL-St. Paul) solved everything when she told Trimble that the chair could put the story on the World Wide Web.

"That forever after may fulfill your request," she told Trimble, who is an active Web browser.

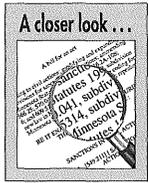


### When was the state's parental leave law established?

The state's first parental leave law, allowing new birth or adoptive parents a six-week unpaid leave of absence, was established by the 1987 Legislature. The law also required insurance coverage to be extended to the employee taking the leave, at the employee's expense. The law has since been amended to include unpaid leave to attend a child's school conferences and activities, or to care for sick or injured children. A 1992 law mandated that the state make posters available (upon request) to employers that outline an employee's rights under the state parental leave law.

A closer look . . .

## State-aided businesses would pay a livable wage



Minnesota legislators could be either pioneers in corporate accountability or killers of economic prosperity if they pass a proposed livable wage bill; it depends on who you ask.

A bill (**HF2562**) the House International Trade and Economic Development Committee narrowly approved Feb. 7 would require medium and large companies who get \$25,000 or more in state aid through loans, grants, or tax increment financing (TIF) to pay new

employees at least \$7.21 an hour — the 1995 federal poverty level for a family of four.

The livable wage concept was heavily debated during the 1995 session. The wage mandate was contained in a bill passed by the House on a 74-59 vote, but did not become law. Clark did succeed in requiring that businesses receiving tax breaks or \$25,000 in state grants or loans show job growth and establish wage goals (**CH224**).

Under **HF2562**, large non-profit organizations, defined as those with a salary ratio between the highest- and lowest-paid employee of 25 to 1 or greater, also would face the same requirements. Other non-profits and all businesses employing 20 people or less are exempt under the bill. The bill also exempts any company that can prove it would relocate to another state because of financial incentives offered by that state.

If **HF2562** passes, Minnesota would be one of the first states in the nation to tie state aid for companies to wage levels. Currently, Oregon is implementing a plan that withholds state assistance from medium and large companies with employees earning less than \$17,000 annually.

Elsewhere, cities and states are looking to increase low wages as well. Milwaukee passed a minimum wage of \$6.05 last year and Baltimore is seeking a similar initiative this year. Florida is considering a statewide poverty-level wage and the city of Tucson defeated such a measure last year.

Supporters say state and national climates are just right for a "corporate welfare" act.

"It certainly seems like there is more awareness of the disparity of incomes than even a year ago," said Alexa Bradley, program associate with the Minnesota Alliance for Progressive Action, which is lobbying for the bill. "The whole issue of corporate accountability is very hot throughout the country. There's been all this attention to the crackdown on welfare recipients, and yet there is this whole other arena of public assistance where there's been very little attention paid."

Bradley said several other factors are working in the bill's favor. A new commissioner of the state Department of Trade and Economic Development who's interested in revitalizing rural Minnesota and 1996 being an election year are among those factors, she said.

But critics have launched a spirited attack on the proposal, with the Minnesota Chamber of Commerce and the Minnesota Retail Merchants Association on the front lines.

Tom Hesse, manager of fiscal and workforce policy for the chamber, said the bill goes about economic revitalization in a piecemeal fashion that hurts individual businesses and ignores the overall problem.

"We agree there should be some accountability with our public dollars," he said. "But these economic development dollars benefit a single company. We believe very strongly that Minnesota should take a look at overall

and Economic Development is already doing, he said. Currently, economic recovery grants only go to metro-area companies paying an average wage of \$10 per hour and rural companies offering an average wage of \$8, Hesse said.

"The wage level is unnecessary," he said. "The department is exceeding their goals" of assisting companies paying \$10 and \$8 per hour in average wages.

Bill supporters say average wages aren't the best indicator of livable wages because large salaries can hide those at or below the poverty level.

Some of the 11 committee members who voted against the bill Feb. 7 related their personal experiences in business.

Rep. Eldon Warkentin (R-Coon Rapids) said his experience has taught him a wage mandate is the last thing businesses — and possibly state tax rolls — need.

"For 40 years I've represented community people and business in Coon Rapids," said Warkentin, who is a licensed public accountant. "And the biggest problem they have is all the government mandates imposed on them. We need to recognize here that we're not just asking for \$7 an hour but payroll taxes and other administrative increases . . . and all of

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*"We agree there should be some accountability with our public dollars . . . but these economic development dollars benefit a single company. We believe very strongly that Minnesota should take a look at overall costs of doing business in Minnesota."*

—Tom Hesse, Minnesota Chamber of Commerce

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costs of doing business in Minnesota."

Hesse said restructuring property and other taxes "where Minnesota is the highest in the nation" would do more for economic development than Clark's bill.

He has two big problems with **HF2562**. Mandating a wage of \$7.21 per hour is problematic, Hesse says, because it doesn't let companies adjust wages to reflect recession when the poverty level wage is less. Bill supporters say that argument is irrelevant because they're not mandating a wage — only a wage at the poverty level, which would reflect economic cycles.

Hesse also objects to the bill because it seeks to do what the Department of Trade

these things will affect the bottom line of the corporate tax return."

Rep. Todd Van Dellen (R-Plymouth) predicted the bill would deprive rural Minnesota of businesses by pulling them toward the metro area.

"My concern is with a bill that mandates this statewide wage without any sort of an indexing," he said "This would naturally create incentives to locate jobs in areas where wages are already high. I think the natural tendency would be for businesses to locate in the metro area."

Clark said her bill will help — not hurt — rural areas by increasing wages and stimulating growth in depressed areas. She also em-

phasized her bill doesn't affect small businesses, deflecting critics who lump her proposal with last year's failed poverty wage referendum in St. Paul. Many believe opposition from small businesses thwarted efforts to mandate a poverty-level wage in St. Paul last year. (The referendum called for businesses receiving \$25,000 in aid from the city to pay its workers \$7.21 per hour.)

Rep. Don Ostrom (DFL-St. Peter) amended the bill calling for a study and report on low-paying jobs from the legislative auditor. That study would estimate the cost of individual government transfer payments by region and explore the state's role in increasing wages.

"I want to find out what we are paying as taxpayers when we have low-paying jobs," Ostrom said.

Supporters of the bill, including one from rural Minnesota, said the bill doesn't burden businesses but simply asks them to act responsibly.

"This is a very clear, reasonable bill," said Rep. Kris Hasskamp (DFL-Crosby). "It's saying when the state gives you money, we intend it to help people with jobs — not to increase your profits."

Bradley of MAPA emphasizes the bill gives companies a choice.

"We only apply this to people getting subsidies," she said. "You can pay your employees \$4.25 an hour if you want, but once you start entering into the realm of receiving public assistance, we're saying we need something better back."

**HF2562** now moves to the Economic Development, Infrastructure and Regulation Finance Committee.

— Kendall Anderson

## Media Day on the Hill

More than 30 media people from across the state spent Feb. 5 at the State Capitol learning about state government.

The event, called "Media Day on the Hill," was sponsored by the Minnesota House of Representatives to acquaint state newspaper, radio, and television personnel with various aspects of the legislative process.

The chief clerk of the House introduced participants to the principal sources of rules of procedure for the House.

House fiscal analysts talked about Minnesota's budget, the bonding process, and K-12 education issues for 1996.

Information systems staffers discussed what's available on the Internet in the way of information about the House, then demonstrated how to access that information.

Reporters were paired with House members for a "Member-Media Dutch Treat Lunch" followed by a brief question and answer period, which allowed more time to question House Speaker Irv Anderson (DFL-Int'l Falls) and House Minority Leader Steve Sviggum (R-Kenyon). Questions and responses focused on minimum wages, taconite taxes, the possibility of a new airport, the Minnesota Twins, and the content of 1996 Legislative Session.

The day culminated with a television control room tour led by the House television crew and a chance to watch a House floor session in the House chamber.



Speaker Irv Anderson and Minority Leader Steve Sviggum Feb. 5 answered questions from Minnesota journalists as part of Media Day on the Hill.

## Constitutional Officers

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# Bill Introductions

HF3010-HF3163

## Monday, Feb. 5

### HF3010—Milbert (DFL) Taxes

Energy conversion system and photovoltaic device sales and use tax exemption extended.

### HF3011—Delmont (DFL) Governmental Operations

Amateur Sports Commission entity employees provided benefits and insurance.

### HF3012—Long (DFL) Local Government & Metropolitan Affairs

Metropolitan Council levy limits modified, and livable communities demonstration account fund distribution provisions modified.

### HF3013—Long (DFL) Environment & Natural Resources

Environmental improvement pilot program provisions modified, and penalties provided.

### HF3014—Long (DFL) Environment & Natural Resources

Environmental Advisory Board transferred to the Office of Environmental Assistance.

### HF3015—Long (DFL) Taxes

Revenue commissioner required to collect income tax return data and estimate tax burdens.

### HF3016—Daggett (R) Commerce, Tourism & Consumer Affairs

Heavy and utility equipment manufacturers regulated, and truck part definition modified.

### HF3017—Larsen (R) Local Government & Metropolitan Affairs

Airport construction restricted, noise mitigation plan inclusion and soundproofing provided, transitway construction required, met center purchase authorized, and money appropriated.

### HF3018—Milbert (DFL) Environment & Natural Resources

Commercial fishing requirements and fees modified.

### HF3019—Rukavina (DFL) Local Government & Metropolitan Affairs

Virginia area ambulance district creation provided, tax levy authorized, and local approval required.

### HF3020—Jennings (DFL) Judiciary

Juvenile county jail detention pilot project established, and report required.

### HF3021—Entenza (DFL) Governmental Operations

Teachers Retirement Association member service credit purchase allowed related to a medical leave.

### HF3022—Milbert (DFL) General Legislation, Veterans Affairs, & Elections

Constitutional amendment vote requirement eased, and constitutional amendment proposed.

### HF3023—Mares (R) Health & Human Services

Constitutional standard established relating to abortion, and constitutional amendment proposed.

### HF3024—Onnen (R) Judiciary

Juvenile court record information inclusion requirements specified.

### HF3025—Cooper (DFL) Education

Work skills update demonstration program provided, and money appropriated.

### HF3026—Osskopp (R) Governmental Operations

Gambling lawful purpose expenditure provisions modified.

### HF3027—Dawkins (DFL) Taxes

St. Paul rental tax equity program extended.

### HF3028—Weaver (R) Health & Human Services

Personal care assistant age requirement exemption created.

### HF3029—Daggett (R) Commerce, Tourism & Consumer Affairs

Wadena seasonal on-sale intoxicating liquor license issuance authorized.

### HF3030—Wagenius (DFL) Judiciary

Firearm storage and locking requirements established.

### HF3031—Kalis (DFL) Economic Development, Infrastructure & Regulation Finance

Waseca County FarmAmerica improvements provided, bonds issued, and money appropriated.

### HF3032—Kelley (DFL) Taxes

Tax increment financing district election procedures modified.

### HF3033—Johnson, A. (DFL) Education

School discipline policy development and implementation grant program established, and money appropriated.

### HF3034—Clark (DFL) Economic Development, Infrastructure & Regulation Finance

Lyn/Lake/Jungle Theatre Community Performing Arts Center funding provided, bonds issued, and money appropriated.

### HF3035—Goodno (R) Taxes

Political subdivision sales and use tax exemption provided.

### HF3036—Opatz (DFL) Governmental Operations

Gambling lawful purpose expenditures to include tax and bill payment by veterans organizations.

### HF3037—Anderson, B. (R) Environment & Natural Resources

Minnesota Wetlands Conservation law repealed.

### HF3038—Johnson, A. (DFL) Education

Center for Arts Education, Faribault Residential Academies, and Children, Families, and Learning Department capital improvements provided, bonds issued, and money appropriated.

### HF3039—Sviggum (R) Education

Independent School District No. 204, Kasson-Mantorville, special assessment levy authorized.

### HF3040—Knoblach (R) Commerce, Tourism & Consumer Affairs

Administrative rule fine amount restrictions provided.

### HF3041—Knoblach (R) Governmental Operations

Public retirement provisions modified, pension policy review required, and actuarial audit responsibilities established.

### HF3042—Murphy (DFL) Education

Regional public library reporting requirements modified.

### HF3043—Johnson, V. (R) Environment & Natural Resources

Watercraft licensing fees modified.

### HF3044—Osthoff (DFL) Economic Development, Infrastructure, & Regulation Finance

Humanities Commission appropriated money for moving expenses, and building operation and maintenance.

### HF3045—Lourey (DFL) Education

Independent School District No. 100, Wrenshall, provided debt service aid.

### HF3046—Carlson, L. (DFL) Financial Institutions & Insurance

Insurance coverage cancellation notification required via certified mail.

### HF3047—Kinkel (DFL) Financial Institutions & Insurance

Insurance building replacement cost requirements regulated.

### HF3048—Stanek (R) Judiciary

Great bodily harm crime definition modified.

### HF3049—Kinkel (DFL) Education

Cass Lake High School renovation and conversion to multi-agency family services resource and learning center provided, bonds issued, and money appropriated.

**HF3050—Milbert (DFL)**

**Taxes**

Unsold pulltab and tipboard ticket tax refund or credit provided, and money appropriated.

**HF3051—Kelso (DFL)**

**Taxes**

Nonschool property tax increases levied against market value.

**HF3052—Ostrom (DFL)**

**Financial Institutions & Insurance**

Insurance agent termination as a result of contact with the Legislature prohibited.

**HF3053—Leppik (R)**

**Health & Human Services**

Prescription dispensing authorized for prescriptions written by medical practitioners licensed anywhere in the United States.

**HF3054—Dempsey (R)**

**Local Government & Metropolitan Affairs**

Airport construction restricted, noise mitigation plan inclusion and sound-proofing provided, transitway construction required, met center purchase authorized, and money appropriated.

**HF3055—Long (DFL)**

**Housing**

Low income housing tax credit program technical and policy provisions modified.

**HF3056—Leighton (DFL)**

**Economic Development, Infrastructure & Regulation Finance**

Extended employment program appeal settlement provided, program provider audits authorized, and money appropriated.

**HF3057—Wejcman (DFL)**

**Health & Human Services**

JOBS; community work experience program tribal JOBS program participant injury protection provided.

**HF3058—Mulder (R)**

**Environment & Natural Resources Finance**

Luverne wastewater treatment facility improvements provided, bonds issued, and money appropriated.

**HF3059—Osskopp (R)**

**Taxes**

State acquired land in lieu tax payment authorized.

**HF3060—Long (DFL)**

**Taxes**

Omnibus tax reform bill modifying education finance, property tax rates, local government aid, low income tax credits, sales and tobacco tax, constitutional amendment proposed, and money appropriated.

**HF3061—Rukavina (DFL)**

**Taxes**

Mountain Iron tax increment financing district duration extended, and soils condition district created.

**HF3062—Entenza (DFL)**

**Judiciary**

DWI; limited drivers' license issuance following a driving while intoxicated offense waiting period extended for drivers under age 18.

**HF3063—Rest (DFL)**

**Taxes**

Economic efficiency and pollution reduction act adopted providing environmental emissions assessment, education property tax levy reduction, and refundable FICA credits, and money appropriated.

**HF3064—Hasskamp (DFL)**

**Commerce, Tourism & Consumer Affairs**

Gasoline used in motor sports competition exempted from oxygenation requirements.

**HF3065—Kahn (DFL)**

**Governmental Operations**

Women's suffrage memorial garden provided, bonds issued, and money appropriated.

**HF3066—Finseth (R)**

**Taxes**

East Grand Forks tax increment financing district duration extended.

**HF3067—McCollum (DFL)**

**Education**

School bus safety provisions modified, and training requirements provided.

**HF3068—Otremba (DFL)**

**Health & Human Services**

Constitutional standard established relating to abortion, and constitutional amendment proposed.

**HF3069—Workman (R)**

**Local Government & Metropolitan Affairs**

Metropolitan Council required to perform state mandated county duties.

**HF3070—Wejcman (DFL)**

**Local Government**

**& Metropolitan Affairs**

Neighborhood Revitalization Program purpose and requirements modified.

**HF3071—Anderson, I. (DFL)**

**Environment & Natural Resources**

Morrison Brook in Itasca County provided trout stream protection, bonds issued, and money appropriated.

**HF3072—Bakk (DFL)**

**Environment**

**& Natural Resources**

Lake County land sales ratified.

**HF3073—Mulder (R)**

**Governmental Operations**

Gambling Control Board license issuance and renewal authority provided.

**HF3074—Murphy (DFL)**

**Health & Human Services**

Constitutional standard established relating to abortion, and constitutional amendment proposed.

**HF3075—Wenzel (DFL)**

**Taxes**

Unsold pulltab or tipboard ticket tax refund or credit provided, and money appropriated.

**HF3076—Finseth (R)**

**Environment & Natural Resources**

Individual sewage treatment system professional licensing requirement exemption provided.

**HF3077—Lourey (DFL)**

**Health & Human Services**

Day training and habilitation services reimbursement rate increase authorized.

**HF3078—Lourey (DFL)**

**Financial Institutions & Insurance**

Day care service homeowner's insurance immunity provided.

**HF3079—Mariani (DFL)**

**Health & Human Services**

Migrant farmworker health and socioeconomic data study required, and money appropriated.

**HF3080—Tuma (R)**

**Education**

State college and university student associations prohibited from contracting for lobbying services.

**HF3081—Munger (DFL)**

**Environment & Natural Resources**

Wetland replacement, protection, and management provisions modified, and money appropriated.

**HF3082—Lourey (DFL)**

**Judiciary**

Grandparent visitation right provisions modified.

**HF3083—Entenza (DFL)**

**Ways & Means**

Human Rights Department case backlog elimination required.

**HF3084—Lourey (DFL)**

**Education**

School district late school activity transportation permitted, pupil practice vehicle operation restrictions provided, and money appropriated.

**HF3085—Brown (DFL)**

**Environment & Natural Resources Finance**

Herman; Lawndale Farms Environmental Learning Center improvements provided, bonds issued, and money appropriated.

**HF3086—Orfield (DFL)**

**Education**

School enrichment partnership program funded, and money appropriated.

**HF3087—McGuire (DFL)**

**Judiciary**

Harassment and stalking crime victim services and protection brochure created and disseminated, and money appropriated.

**HF3088—Pugh (DFL)**

**Governmental Operations**

Judicial Standards Board executive director salary established.

**HF3089—Rukavina (DFL)**

**Environment & Natural Resources**

Gilbert off-highway vehicle recreation area established, bonds issued, and money appropriated.

**HF3090—Luther (DFL)**

**Health & Human Services**

Health care facility patient and resident human services transportation provider criminal background check requirement established.

## Wednesday, Feb. 7

**HF3091—Brown (DFL)**

**Agriculture**

Conservation easement agricultural land acquisition program established, bonds issued, and money appropriated.

**HF3092—Orenstein (DFL)**  
**Judiciary**  
Statute and court rule contributory fault state policy provided.

**HF3093—Otremba (DFL)**  
**Environment & Natural Resources**  
Snowmobile trails board and fund established, and money appropriated.

**HF3094—Bakk (DFL)**  
**Transportation & Transit**  
Amateur radio volunteer system established, and money appropriated.

**HF3095—Paulsen (R)**  
**Local Government & Metropolitan Affairs**  
Watershed district property owner petition provisions modified.

**HF3096—Brown (DFL)**  
**Governmental Operations**  
State employee health plans required to offer point-of-service products.

**HF3097—Cooper (DFL)**  
**Financial Institutions & Insurance**  
Hospital, health maintenance organization, integrated service network, and community integrated service network assessments established, and money appropriated.

**HF3098—Lourey (DFL)**  
**Agriculture**  
Dairy farm information and technology services grant program established, and money appropriated.

**HF3099—Peterson (DFL)**  
**Agriculture**  
Sustainable agriculture development program established, and money appropriated.

**HF3100—Bakk (DFL)**  
**Economic Development, Infrastructure & Regulation Finance**  
Tourism loan program provisions modified, and money appropriated.

**HF3101—Clark (DFL)**  
**Health & Human Services**  
AFDC/Youthbuild; Aid to Families with Dependent Children Youthbuild program earnings exclusion waiver request authorized.

**HF3102—Mulder (R)**  
**Environment & Natural Resources**  
Deer; extended muzzleloader deer hunting season repealed.

**HF3103—Larsen (R)**  
**General Legislation, Veterans Affairs & Elections**  
Impounded and seized animal transfer prohibited to institutions engaged in research.

**HF3104—Erhardt (R)**  
**Local Government & Metropolitan Affairs**  
Airport construction restricted, noise mitigation plan inclusion and sound-proofing provided, transitway construction required, met center purchase authorized, and money appropriated.

**HF3105—Pawlenty (R)**  
**Governmental Operations**  
State agency staff retirement savings and investments in technology and staff development provided, and money appropriated.

**HF3106—Broecker (R)**  
**Education**  
Independent School District No. 625, St. Paul, and Special School District No. 1, Minneapolis, provided grants for reading mentorship volunteer coordination, and money appropriated.

**HF3107—Mulder (R)**  
**Health & Human Services**  
Nursing home nursing director requirements modified.

**HF3108—Knoblach (R)**  
**Environment & Natural Resources**  
Water quality standards review act adopted, and money appropriated.

**HF3109—Kelso (DFL)**  
**Education**  
School site councils established and authority provided to make managerial decisions, school district performance based funding mechanism established, and money appropriated.

**HF3110—Lynch (R)**  
**Health & Human Services**  
Adult mental health services for deaf and hard-of-hearing persons provider appropriated money.

**HF3111—Knoblach (R)**  
**Labor-Management Relations**  
Re-employment insurance definitions modified related to taxi cab services.

**HF3112—Kinkel (DFL)**  
**Environment & Natural Resources**  
Hubbard County tax-forfeited land sale authorized.

**HF3113—Sarna (DFL)**  
**Economic Development, Infrastructure & Regulation Finance**  
Stone Arch Bridge in Minneapolis repairs provided, and money appropriated.

**HF3114—Pugh (DFL)**  
**Commerce, Tourism & Consumer Affairs**  
Fireworks sales permitted, and retailer licensing, regulation, restrictions, and penalties provided.

**HF3115—Bettermann (R)**  
**Taxes**  
Residential property market value increases limited related to the consumer price index.

**HF3116—Frerichs (R)**  
**Local Government & Metropolitan Affairs**  
Airport construction restricted, noise mitigation plan inclusion and sound-proofing provided, transitway construction required, met center purchase authorized, and money appropriated.

**HF3117—Delmont (DFL)**  
**Transportation & Transit**  
Interstate Highway No. 394 Minneapolis parking ramp use incentives provided for high-occupancy vehicles using other highways.

**HF3118—Peterson (DFL)**  
**Agriculture**  
Non-hybrid seed brand name registration required.

**HF3119—Schumacher (DFL)**  
**Governmental Operations**  
Legislators' retirement law coverage provisions specified.

**HF3120—Wejman (DFL)**  
**Financial Institutions & Insurance**  
Medicare supplement insurance applicants to be offered long-term care insurance.

**HF3121—Koppendray (R)**  
**Economic Development, Infrastructure, & Regulation Finance**  
Kanabec County historic courthouse restoration provided, bonds issued, and money appropriated.

**HF3122—Paulsen (R)**  
**Commerce, Tourism & Consumer Affairs**  
Passenger vehicle long-term lessee information access provided.

**HF3123—Pelowski (DFL)**  
**General Legislation, Veterans Affairs & Elections**  
Simultaneous multi-party candidacy permitted.

**HF3124—Dawkins (DFL)**  
**Judiciary**  
Challenge incarceration program scope expanded, and acupuncture treatment reference stricken.

**HF3125—Hasskamp (DFL)**  
**Environment & Natural Resources Finance**  
Snowmobile trails and enforcement account grants-in-aid provided, and money appropriated.

**HF3126—Bettermann (R)**  
**Health & Human Services**  
Unitary residence act coverage expanded to include community-based services, human service program derivative settlement reinstated, and social service and income maintenance programs separated.

**HF3127—Cooper (DFL)**  
**Rules & Legislative Administration**  
Food, Drug, and Cosmetic Act/Public Health Service Act; President and Congress memorialized to facilitate the development and approval of new drugs and biologics.

**HF3128—Skoglund (DFL)**  
**Financial Institutions & Insurance**  
Health insurance coinsurance, copayment, and deductible charges regulated.

**HF3129—Carruthers (DFL)**  
**Judiciary**  
Marijuana sale or possession in a motor vehicle law provided, handicapped parking law application clarified, uniform traffic ticket information inclusion specified, and fines increased.

**HF3130—Skoglund (DFL)**  
**Judiciary Finance**  
Probation defined, probation service providers jurisdiction clarified, and corrections department training and technical assistance required.

**HF3131—Cooper (DFL)**  
**Health & Human Services**  
Health provider cooperative demonstration participation expanded, and review organization definition modified.

**HF3132—Bettermann (R)**  
Environment  
& Natural Resources  
Alexandria Lake Area Sanitary District enabling law updated.

**HF3133—Garcia (DFL)**  
Taxes  
Airport noise impact area housing replacement district creation provided, and delayed homestead valuation provided.

**HF3134—Greenfield (DFL)**  
Health & Human Services  
Family adult foster care recruitment provided, and money appropriated.

**HF3135—Paulsen (R)**  
Transportation & Transit  
Household good movers deregulated, and permit conversion provided.

**HF3136—Kelley (DFL)**  
Education  
Statewide online information system established serving state colleges, universities, state government, and public school and private college libraries, and money appropriated.

**HF3137—Lieder (DFL)**  
Economic Development,  
Infrastructure  
& Regulation Finance  
Metropolitan area transportation appropriations provided.

## Thursday, Feb. 8

**HF3138—Sviggum (R)**  
General Legislation, Veterans  
Affairs & Elections  
Recall provided for elected state officers, and constitutional amendment proposed.

**HF3139—Hasskamp (DFL)**  
Environment & Natural Resources  
Hunting and fishing rights affirmed and constitutional amendment proposed.

**HF3140—Daggett (R)**  
Health & Human Services  
Medical Assistance asset transfer prohibition exception provided.

**HF3141—Gunther (R)**  
Health & Human Services  
Lewisville well replacement provided, bonds issued, and money appropriated.

**HF3142—Goodno (R)**  
Taxes  
Border city enterprise zone duration extended.

**HF3143—Bertram (DFL)**  
Taxes  
Premixed drinks containing distilled spirits tax imposed.

**HF3144—Leppik (R)**  
Health & Human Services  
Child and adolescent sexual health institute programs funded, and money appropriated.

**HF3145—Winter (DFL)**  
Taxes  
Wind energy conversion system property taxes imposed.

**HF3146—Brown (DFL)**  
Agriculture  
Agricultural land alien ownership exception provided.

**HF3147—Anderson, R. (DFL)**  
Environment & Natural Resources  
Nonresident youth small game license provided.

**HF3148—Daggett (R)**  
Education  
Independent School District No. 820, Sebeka, state aid and tax revenue restoration provided, and money appropriated.

**HF3149—Greenfield (DFL)**  
Health & Human Services  
Dental health maintenance organization established.

**HF3150—Carlson, L. (DFL)**  
Education  
Alcohol impaired driver education program provided, and money appropriated.

**HF3151—Anderson, B. (R)**  
Environment &  
Natural Resources Finance  
Lake Charlotte flood control project funded, bonds issued, and money appropriated.

**HF3152—Long (DFL)**  
Education  
Private schools receiving education vouchers required to comply with all state laws and rules governing public schools.

**HF3153—Pugh (DFL)**  
Environment & Natural Resources  
Wetlands Conservation Act modified related to wetlands used for sewage sludge disposal.

**HF3154—Pugh (DFL)**  
Judiciary  
Juvenile court statutory procedure conformity provided.

**HF3155—Entenza (DFL)**  
Education  
School district technology planning required, and money appropriated.

**HF3156—Bakk (DFL)**  
Environment & Natural Resources  
Deer license fee decrease provided in the northeastern sector of the state.

**HF3157—Rice (DFL)**  
Economic Development,  
Infrastructure  
& Regulation Finance  
Historical society compensation policies modified, and money appropriated.

**HF3158—Milbert (DFL)**  
Environment & Natural Resources  
Aquatic plant control permit issuance provisions modified.

**HF3159—Lourey (DFL)**  
Environment & Natural Resources  
Aitkin County tax-forfeited land sale authorized.

**HF3160—Leighton (DFL)**  
Education  
Independent School District No. 497, Lyle, fund transfer authorized.

**HF3161—Cooper (DFL)**  
Taxes  
Minnesota Care tax imposition, collection, and administration provided.

**HF3162—Solberg (DFL)**  
Local Government  
& Metropolitan Affairs  
Cohasset gas utility ownership and operation permitted.

**HF3163—Wenzel (DFL)**  
Agriculture  
Farmers; Congress memorialized to protect family farmers.

If you're following a bill that has yet to receive a hearing in the Legislature this session, you may have to wait until next year before the bill is considered.

The first committee deadline for the 1996 Legislative Session has come and gone and the second deadline will strike Feb. 16. Each year the House and Senate set deadlines which serve to weed out many of the hundreds of bills introduced each year.

The first committee deadline was Feb. 9. For further consideration, a bill must have cleared all policy committees in its house of origin by that date.

The second committee deadline

## Committee deadlines

means that for continued consideration, a bill must clear all policy committees in the other legislative body by Feb. 16.

The third committee deadline is Feb. 23, meaning that for further consideration in the House and Senate, all bills with a fiscal impact and omnibus appropriation bills must clear their policy committees and be sent to the Ways and Means Committee (the Finance Committee in the Senate), the Taxes Committee, or the floor.

Although neither the House nor Senate leadership can pinpoint the exact day of adjournment, it is expected to be much earlier than the mandatory date set out in Minnesota's constitution.

The Minnesota Constitution prescribes that the Legislature shall not meet after the Monday following the third Saturday in May, which this year is May 20. But since the 1996 Legislative Session convened more than a month earlier than usual for the second year of the biennium, some expect adjournment before the Passover/Easter holiday the first week in April.

# Committee Schedule

Schedule is subject to change.  
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Calls at (612) 296-9283. All meetings  
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## MONDAY, Feb. 12

8 a.m.

### ECONOMIC DEVELOPMENT, INFRASTRUCTURE & REGULATION FINANCE

300N State Office Building  
Chr. Rep. Jim Rice

**Agenda:** Department of Economic Security  
briefing. Centers for Independent Living/DES  
update.

HF1404 (Lieder) Transportation commissioner  
allowed to accept federal money on behalf of  
nonpublic organizations for transportation  
purposes.

HF2622 (Kinkel) Relating to capital improve-  
ments; appropriating money to construct the  
Battle Point historic site; authorizing sale of  
state bonds.

HF2774 (Clark) Omnibus bonding bill provid-  
ing capital improvements, and money  
appropriated.

HF2725 (Clark) Develop green business devel-  
opment program established to encourage  
environmentally friendly business development,  
bonds issued, and money appropriated.

### Health & Human Services Finance Division/ HEALTH & HUMAN SERVICES

10 State Office Building  
Chr. Rep. Lee Greenfield

**Agenda:** HF2303 (Greenfield) Human services  
and health care provider criminal background  
check provisions reconciled.

### K-12 Education Finance Division/ EDUCATION

5 State Office Building  
Chr. Rep. Alice Johnson

**Agenda:** Adoption of language to be placed in:

HF2156 (Johnson, A.) Education Omnibus Bill.

### Property Tax & Tax Increment Financing Division/TAXES

200 State Office Building  
Chr. Rep. Ted Winter

**Agenda:** HF2797 (Tompkins) Seasonal recre-  
ational property tax class rate reduced.

HF2958 (Erhardt) Changing the reference to  
seasonal-recreational property.

HF2963 (Long) Providing a class rate for certain  
unimproved property bordering water.

HF2965 (Goodno) Providing that referendum  
levies are not spread on non-commercial sea-  
sonal-recreational residential property.

HF2966 (Krinkie) Amending the constitution  
to allow seasonal-recreational property owners  
to vote on bonding and property tax questions  
where the property is located.

HF2967 (Macklin) Changing the classification  
of certain seasonal-recreational property.

8:30 a.m.

### ENVIRONMENT & NATURAL RESOURCES FINANCE

Basement Hearing Room  
State Office Building

Chr. Rep. Chuck Brown

**Agenda:** Presentations on the supplemental  
budget, Legislative Commission on Minnesota  
Resources, John Velin, director; Pollution Con-  
trol Agency, Patricia Burke, division manager,  
Water Quality Division.

10 a.m.

### AGRICULTURE

200 State Office Building  
Chr. Rep. Steve Wenzel

**Agenda:** HF2454 (Tunheim) Changing require-  
ments for Canola Commodity Council  
referenda.

HF2115 (Harder) Adjusting certain net worth  
definitions for certain RFA programs.

HF1302 (Finseth) Changing the definition of  
"eligible person" for purposes of agricultural  
chemical response.

HFXXXX (Brown) Providing an exception to  
alien land ownership.

### JUDICIARY

Basement Hearing Room  
State Office Building

Chr. Rep. Wes Skoglund

**Agenda:** HF2675 (Entenza) DWI plate  
impoundment.

HF2779 (Entenza) Omnibus DWI Bill.

HF2386 (McGuire) Omnibus Data Practices  
Bill.

HF2604 (Pugh) Authorizing a judge who has  
resigned in good standing to be appointed to  
serve as a judge of any court.

HF2315 (Macklin) Marriage dissolution; elimi-  
nating a requirement that certain documents be  
acknowledged.

Other bills to be announced.

### REGULATED INDUSTRIES & ENERGY

10 State Office Building  
Chr. Rep. Steve Trimble

**Agenda:** HF2642 (Mahon) Merging utilities  
reporting requirements.

HF2784 (Trimble) Modifying provisions relat-  
ing to dry cask storage of nuclear waste.

If you would like to testify, please call 296-8826  
by 4 p.m. Friday, Feb 9.

12:30 p.m.

### GENERAL LEGISLATION, VETERANS AFFAIRS & ELECTIONS

300N State Office Building  
Chr. Rep. Loren Jennings

**Agenda:** SF1800 (Stevens); HF2032 (Koppen-  
drayer) Changing procedures for disposition of  
closed armories.

Other Senate bills may be added.

### HOUSING

500S State Office Building  
Chr. Rep. Karen Clark

**Agenda:** SF1925 (Johnson, J.B.); HF2129  
(Clark) Relating to the MN Housing Finance  
Agency; makes technical changes.

HF2672 (Jennings) Relating to landlords and  
tenants; changing the interest rates on security  
deposits.

### LABOR-MANAGEMENT RELATIONS

200 State Office Building  
Chr. Rep. Jean Wagenius

**Agenda:** SF1919 (Runbeck) replacing HF2319  
(Perlt) Relating to reemployment insurance,  
technical and administrative changes.

Other items to be added.

2:30 p.m.

The House meets in Session.

After Session

### Property Tax & Tax Increment Financing Division/TAXES

200 State Office Building

Chr. Rep. Ted Winter

**Agenda:** HF2659 (Winter) Reforming state and local finance.

HF2710 (Bishop) Requiring non-school property tax increases to be levied against market value.

HF2711 (Van Dellen) Property tax reform proposal.

HF3051 (Kelso) Requiring non-school property tax increases to be levied against market value.

HF3060 (Long) Reforming state and local taxes.

#### WAYS & MEANS

Basement Hearing Room

State Office Building

Chr. Rep. Loren Solberg

**Agenda:** Re-referral of bills.

4 p.m.

#### REGULATED INDUSTRIES & ENERGY

10 State Office Building

Chr. Rep. Steve Trimble

**Agenda:** Continuation of morning agenda.

4 p.m. or After Session

#### Joint Higher Education Finance Division and University of Minnesota Finance Division/ EDUCATION

500S State Office Building

Chrs. Reps. Tony Kinkel,

Becky Kelso

**Agenda:** HF268 (Orfield) Appropriating money to reduce tuition fees.

HF3136 (Kelley) Statewide online information system.

## TUESDAY, Feb. 13

8 a.m.

#### EDUCATION

200 State Office Building

Chr. Rep. Lyndon Carlson

**Agenda:** To be announced.

#### JUDICIARY FINANCE

500N State Office Building

Chr. Rep. Mary Murphy

**Agenda:** To be announced.

#### MinnesotaCare Finance Division/ HEALTH & HUMAN SERVICES

10 State Office Building

Chr. Rep. Roger Cooper

**Agenda:** HF2443 (Cooper) Expanding the definition of "demonstration provider" to include nursing facilities for purposes of participation in the Alternative Demonstration Project.

HFXXXX (Cooper) MinnesotaCare tax technical changes.

8:30 a.m.

#### ENVIRONMENT & NATURAL RESOURCES FINANCE

Basement Hearing Room

State Office Building

Chr. Rep. Chuck Brown

**Agenda:** Presentation of governor's supplemental budget, Department of Natural Resources, Ron Nargang, deputy commissioner.

10 a.m.

#### GOVERNMENTAL OPERATIONS

Basement Hearing Room

State Office Building

Chr. Rep. Phyllis Kahn

**Agenda:** HF2298 (Marko) Board of Government Innovation.

HF2484 (Pugh) U of M hospital workers.

HF2858 (Wenzel) Camp Ripley National Guard Education Center use authorized as a state education and training center.

HF2224 (Tomassoni) Employee relations department technical corrections bill, civil service position selection process established, department of employee relations data practices modified, and accrued vacation leave donation to sick leave accounts allowed.

HF2829 (Kinkel) State College and University Board of Regents composition modified, and board member duties specified.

HF2982 (Wenzel) Minnesota diary produces board established, and money appropriated.

HF2408 (McGuire) Auto theft council; surcharge.

#### TAXES

200 State Office Building

Chr. Rep. Ann H. Rest

**Agenda:** HF2433 (Macklin) Governor Carlson's tax proposals.

HFXXXX (Rest) Sales Tax Advisory Council recommendations.

HF2898 (Erhardt) Repealing the inclusion of property tax refund on the property tax statement.

HF2542 (Milbert) Exempting materials used in taxable services.

HF2104 (Bertram) Making permanent the sales tax exemption for used farm machinery.

HF2555 (Wenzel) Extending the sales tax exemption for used farm machinery.

HF2805 (Bertram) Extending the sales tax exemption for used farm machinery.

HF2869 (Olson, E.) Extending the sales tax exemption for used farm machinery.

12:30 p.m.

#### CAPITAL INVESTMENT

500N State Office Building

Chr. Rep. Henry Kalis

**Agenda:** Committee bills with bonding recommendations from the Health & Human Services

Finance Division, Rep. Lee Greenfield, chair; Judiciary Finance Division, Rep. Mary Murphy, chair.

#### COMMERCE, TOURISM & CONSUMER AFFAIRS

10 State Office Building

Chr. Rep. John Sarna

**Agenda:** HF2590 (Bertram) Omnibus Liquor Bill.

HF2752 (Luther) Relating to consumer protection; providing for the licensing and regulation of pawnbrokers.

Primary Source Report, John Williams, House Research Department. More bills may be added.

#### LOCAL GOVERNMENT & METROPOLITAN AFFAIRS

200 State Office Building

Chr. Rep. Dee Long

**Agenda:** HF2974 (Rest) Providing for an advisory referendum on a metropolitan sports facility.

Other bills may be added. (Committee will reconvene at 5 p.m., if necessary.)

2:30 p.m.

#### Government Efficiency & Oversight Division/WAYS & MEANS

500N State Office Building

Chr. Rep. Howard Orenstein

**Agenda:** To be announced.

#### Subcommittee on Civil Law/JUDICIARY

400S State Office Building

Chr. Rep. Tom Pugh

**Agenda:** HF2357 (Dawkins) Requiring specificity in visitation orders; providing for the establishment of visitation dispute resolution programs.

HF2453 (Pugh) Reviving and extending certain civil actions barred by the statute of limitations.

Other bills to be announced.

4 p.m.

#### Joint SENATE FINANCE/WAYS & MEANS/ Legislative Audit Commission

123 State Capitol

Chrs. Reps. Ann H. Rest, Loren Solberg, Sen. Gene Merriam

**Agenda:** Receive and discuss the Program Evaluation Division report on trends in the state and local government spending. Other legislators interested in this topic are invited to participate.

#### REGULATED INDUSTRIES & ENERGY

5 State Office Building

Chr. Rep. Steve Trimble

**Agenda:** To be announced.

6 p.m.

**EDUCATION**

10 State Office Building  
Chr. Rep. Lyndon Carlson  
**Agenda:** Discussion on voucher issue.

**WEDNESDAY, Feb. 14**

8 a.m.

**ECONOMIC DEVELOPMENT,  
INFRASTRUCTURE &  
REGULATION FINANCE**

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

**Health & Human Services Finance Division/  
HEALTH & HUMAN SERVICES**

10 State Office Building  
Chr. Rep. Lee Greenfield  
**Agenda:** To be announced.

**Higher Education Finance Division/  
EDUCATION**

300S State Office Building  
Chr. Rep. Tony Kinkel  
**Agenda:** HF2960 (Orenstein) Job skills demonstration project.

**K-12 Education Finance Division/  
EDUCATION**

5 State Office Building  
Chr. Rep. Alice Johnson  
**Agenda:** HF2156 (Johnson, A.) Education Omnibus Bill.

**Property Tax & Tax Increment Financing  
Division/TAXES**

200 State Office Building  
Chr. Rep. Ted Winter  
**Agenda:** To be announced.

**Sales & Income Tax Division/TAXES**

500S State Office Building  
Chr. Rep. Bob Milbert  
**Agenda:** To be announced.

8:30 a.m.

**ENVIRONMENT &  
NATURAL RESOURCES FINANCE**

Basement Hearing Room  
State Office Building  
Chr. Rep. Chuck Brown  
**Agenda:** Presentation governor's supplemental budget, Department of Trade and Economic Development, Public Facilities Authority, Terry Kuhlman, director; Pollution Control Agency, Patricia Burke, division manager, Water Quality Division; Minnesota Department of Agriculture, Paul Burns.

10 a.m.

**ENVIRONMENT &  
NATURAL RESOURCES**

200 State Office Building  
Chr. Rep. Willard Munger  
**Agenda:** HF2799 (Milbert) Omnibus Game and Fish Bill.  
HF2598 (Bakk) Quartering of deer.  
HF2052 (Daggett) Reciprocal youth small game license with North Dakota.  
SF1984 (Beckman); HF2374 (Gunther) Watonwan River canoe and boating route.  
HF3013 (Long) Modifications to Environmental Audit Law.

**FINANCIAL INSTITUTIONS &  
INSURANCE**

10 State Office Building  
Chr. Rep. Tom Osthoff  
**Agenda:** SF121 (Sams); HF480 (Lourey) Insurance; remedy to an insured when an insurer refuses in bad faith.  
SF1040 (Samuelson); HF872 (Huntley) Insurance; sale of long-term care insurance.  
HF2378 (Osthoff) Omnibus Insurance Bill.  
Additional Senate Files may be added.

**JUDICIARY**

Basement Hearing Room  
State Office Building  
Chr. Rep. Wes Skoglund  
**Agenda:** Any bill not completed at Feb. 12 Judiciary Committee meeting.  
HF2842 (Kelley) Requiring victim's account of domestic assault to be considered in determining arrested person's release; requiring notice to law enforcement agencies, battered women's programs, and sexual assault programs of release of arrested persons; requiring notice of bail hearings to victims of domestic assault.  
HF2845 (Rest) Relating to the legislative auditor.  
HF2045 (Skoglund/Bishop) Community notification.  
Other bills to be announced

12:30 p.m.

**TRANSPORTATION & TRANSIT**

10 State Office Building  
Chr. Rep. Jim Tunheim  
**Agenda:** Senate files will be heard.

1 p.m.

**INTERNATIONAL TRADE &  
ECONOMIC DEVELOPMENT**

500S State Office Building  
Chr. Rep. Mike Jaros  
**Agenda:** SF2504 (Riveness); HF2894 (Mahon) Economic recovery grants.

2:30 p.m.

The House meets in Session.

After Session

**FINANCIAL INSTITUTIONS &  
INSURANCE**

5 State Office Building  
Chr. Rep. Tom Osthoff  
**Agenda:** To be announced.

4 p.m.

**University of Minnesota Finance Division/  
EDUCATION**

300S State Office Building  
Chr. Rep. Becky Kelso  
**Agenda:** HF2896 (Leppik) Removing conditions from permanent University fund.  
HF2897 (Kelso) Center for Biomedical Engineering.

6:30 p.m.

**ENVIRONMENT &  
NATURAL RESOURCES**

200 State Office Building  
Chr. Rep. Willard Munger  
**Agenda:** To be announced.

7 p.m.

**TRANSPORTATION & TRANSIT**

10 State Office Building  
Chr. Rep. Jim Tunheim  
**Agenda:** Senate files will be heard.

**THURSDAY, Feb. 15**

8 a.m.

**ECONOMIC DEVELOPMENT,  
INFRASTRUCTURE &  
REGULATION FINANCE**

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

**EDUCATION**

200 State Office Building  
Chr. Rep. Lyndon Carlson  
**Agenda:** Omnibus K-12. Education Finance Bill.  
(This meeting will continue at 6 p.m. in 200 State Office Building, if necessary.)

**JUDICIARY FINANCE**

500N State Office Building  
Chr. Rep. Mary Murphy  
**Agenda:** To be announced.

**MinnesotaCare Finance Division/  
HEALTH & HUMAN SERVICES**

10 State Office Building  
Chr. Rep. Roger Cooper  
**Agenda:** Continuation of Feb. 13 agenda. Other bills to be announced.

8:30 a.m.

**ENVIRONMENT &  
NATURAL RESOURCES FINANCE**

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

10 a.m.

**GOVERNMENTAL OPERATIONS**

Basement Hearing Room  
State Office Building  
Chr. Rep. Phyllis Kahn  
**Agenda:** Completion of agenda from previous meeting.

**TAXES**

200 State Office Building  
Chr. Rep. Ann H. Rest  
**Agenda:** HF3063 (Rest) Environmental Efficiency and Pollution Reduction Act.

12:30 p.m.

**CAPITAL INVESTMENT**

500N State Office Building  
Chr. Rep. Henry Kalis  
**Agenda:** Committee bills with bonding recommendations from the K-12 Education Finance Division, Rep. Alice Johnson, chair; Higher Education Finance Division, Rep. Tony Kinkel, chair; University of Minnesota Finance Division, Rep. Becky Kelso, chair.  
HF2909 (Dawkins) State bond issuance provided for housing purposes, and constitutional amendment proposed.

**COMMERCE, TOURISM &  
CONSUMER AFFAIRS**

10 State Office Building  
Chr. Rep. John Sarna  
**Agenda:** To be announced.

**GENERAL LEGISLATION,  
VETERANS AFFAIRS & ELECTIONS**

300N State Office Building  
Chr. Rep. Loren Jennings  
**Agenda:** Senate bills to be announced.

**LOCAL GOVERNMENT &  
METROPOLITAN AFFAIRS**

200 State Office Building  
Chr. Rep. Dee Long  
**Agenda:** HF2670 (Schumacher) Relating to Minnesota Municipal Board.  
HF3012 (Long) Relating to metropolitan government.  
Other bills to be announced.

2:30 p.m.

The House meets in Session.

After Session

**WAYS & MEANS**

5 State Office Building  
Chr. Rep. Loren Solberg  
**Agenda:** To be announced.

**FRIDAY, Feb. 16**

8 a.m.

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

500S State Office Building  
Chr. Rep. Bernie Lieder  
**Agenda:** To be announced.

**Health & Human Services Finance Division/  
HEALTH & HUMAN SERVICES**

10 State Office Building  
Chr. Rep. Lee Greenfield  
**Agenda:** To be announced.

**K-12 Education Finance Division/  
EDUCATION**

5 State Office Building  
Chr. Rep. Alice Johnson  
**Agenda:** Agenda to be announced.

**Property Tax & Tax Increment Financing  
Division/TAXES**

200 State Office Building  
Chr. Rep. Ted Winter  
**Agenda:** To be announced.

8:30 a.m.

**University of Minnesota Finance Division/  
EDUCATION**

Basement Hearing Room  
State Office Building  
Chr. Rep. Becky Kelso  
**Agenda:** U of M Academic Health Center request.

10 a.m.

**ENVIRONMENT &  
NATURAL RESOURCES**

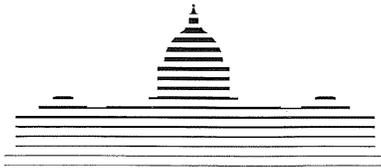
200 State Office Building  
Chr. Rep. Willard Munger  
**Agenda:** HF2194 (Weaver) Project Excellence and Leadership (XL).  
HF2393 (Ness) Project XL.

**JUDICIARY**

Basement Hearing Room  
State Office Building  
Chr. Rep. Wes Skoglund  
**Agenda:** Any bill not completed at Feb. 14 Judiciary Committee meeting.  
HF2357 (Dawkins) Requiring specificity in visitation orders; providing for the establishment of visitation dispute resolution programs (This bill will be heard only if it is passed by the Civil Law Subcommittee at its Feb. 13 meeting).  
HF2453 (Pugh) Reviving and extending certain civil actions barred by the statute of limitations (This bill will be heard only if it is passed by the Civil Law Subcommittee at its meeting of Feb. 13).  
HF2041 (Wejcmán) Requiring police officers to undergo training in community policing.  
HF2524 (Rhodes) Authorizing a third consecutive term for the chief judge of the Fourth Judicial District.  
HF2408 (McGuire) Auto theft prevention program.  
Other bills to be announced. Other bills will be scheduled based upon Senate action and progress in other House committees.

**TRANSPORTATION & TRANSIT**

10 State Office Building  
Chr. Rep. Jim Tunheim  
**Agenda:** Senate files will be heard.



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*Funding for Probation Services, January 1996, Office of the Legislative Auditor; 1994 Probation Survey, Minnesota Department of Corrections; Putting the Pieces Together, Probation Standards Task Force, December 1994.*

### For more information

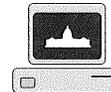


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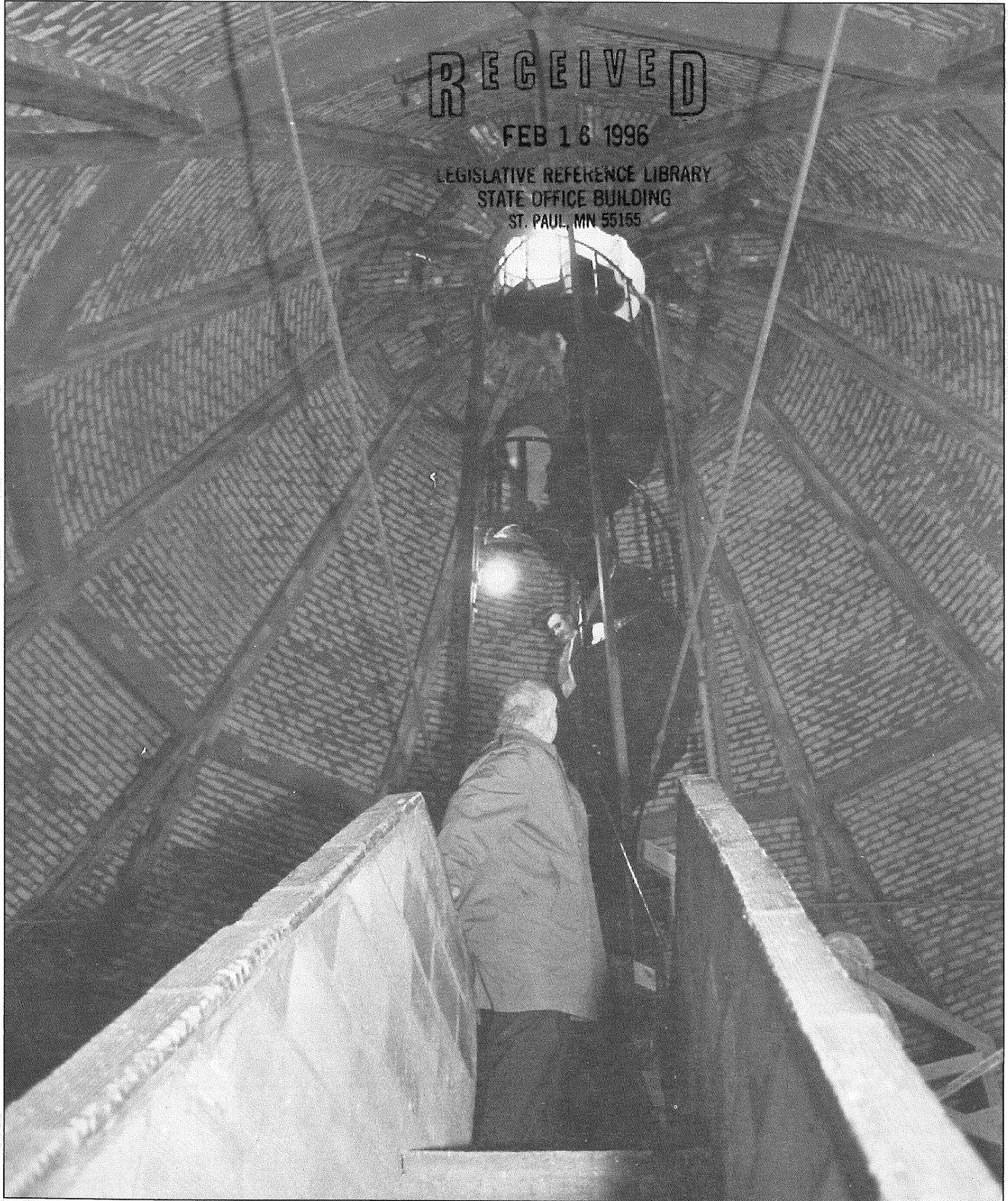
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# SESSION WEEKLY

A Non-Partisan Publication of the Minnesota House of Representatives ♦ February 16, 1996 ♦ Volume 13, Number 5



# SESSION WEEKLY

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## Week at a glance

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On the cover: Members of the House Capitol Investment Committee and the Senate Finance Committee got a first-hand look at the innards of the Capitol dome Feb. 9, courtesy of the Capitol Area Architectural Planning Board.

— Photo by Laura Phillips

# Highlights

Proposed referendum . . .

## Do metro-area residents want a new stadium?

A non-binding, November referendum to test the mood of metro-area voters on building a new baseball stadium is one step closer to law.

The House Local Government and Metropolitan Affairs Committee approved HF2974 on a 15-7 vote Feb. 13.

Proponents say voters should be allowed to register an opinion on the stadium issue, which ultimately could cost between \$200 million and \$250 million in a mixture of public and private funds. But opponents say the ballot question is vague and even misleading. Still others say all Minnesotans — not just metro residents — should have a voice in the matter.

Under HF2974, sponsored by Rep. Ann Rest (DFL-New Hope), the question on the November ballot would ask:

“Shall the Legislature provide by law for the construction of a stadium in the metropolitan area to be financed by: (a) contributions from the team using the stadium; (b) private sources; and (c) taxes imposed on and limited to hotel and motel lodging and liquor sales in the metro area and a surcharge on admissions to the stadium?”

Echoing concerns raised by some committee members, Rep. Phil Krinkie (R-Shoreview) asked how much the Minnesota Twins would be contributing and raising through private funds. His amendment would have deleted



Julian Empson Loscalzo, St. Paul, one of the original members of “Save the Met” held up one of the group’s sweatshirts. His group formed years ago to oppose moving baseball and football from Metropolitan Stadium indoors to the Metrodome. The Local Government and Metropolitan Affairs Committee Feb. 13 approved a bill calling for a referendum on whether a new baseball stadium should be built.

“When the details come out, the defense will be ‘Yeah, but the people said they wanted it,’” said Osskopp. “And here we’re going to the public and saying, ‘We don’t know how much this will cost, where it will be built or how we’re going to pay for it, but here, what do you think?’ I think the voters deserve better than that.”

place, I know,” said Savelkoul, who also chairs the Metropolitan Sports Facilities Commission. “At least this is an attempt to get some facts on the table.”

Funding for baseball stadiums in other major cities has ranged from 100 percent private financing in San Francisco to 100 percent public financing in Denver.

Rep. Gary Worke (R-Waseca) tried unsuccessfully to allow Minnesotans statewide to vote on the issue. He said the bond and credit ratings of outstate towns would be affected by the use of state bonds for a stadium.

“It certainly seems to me this is a statewide issue and as a matter of fairness it should be voted on throughout the state,” Worke said.

But some members disputed the “fairness” argument.

Rest noted Twins statistics which show 75 percent of home game tickets are sold to metro-area residents. She also said studies of Twins fans show most outstate residents do not stay at a hotel or motel but rather return home after attending a game.

“It’s a little bit of an overstatement . . . that people from greater Minnesota come in great droves to the Metrodome,” Rest said.

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*“This issue is between a rock and a hard place, I know. At least this is an attempt to get some facts on the table.”*

*—Henry Savelkoul, chair of the Metropolitan Sports Facilities Commission*

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the references to the team’s contributions and private funding sources.

“My concern is the public may believe there are significant contributions from the team and other sources, and from the information we got today we have no idea what those contributions are,” Krinkie said.

Rep. Mike Osskopp (R-Lake City) said the team’s contributions and other details need to be included in the referendum.

Krinkie’s move to change the wording of the ballot question failed.

Twins President Jerry Bell said the team will soon have a better idea of how much it can contribute and raise from private sources. Even without that information, a referendum is needed to gauge public opinion, said Henry Savelkoul, chair of the Advisory Task Force on Professional Sports in Minnesota.

“This issue is between a rock and a hard

In response to the "who pays, who gains?" debate that has marked the stadium issue, Rep. Steve Kelley (DFL-Hopkins) amended the bill to narrow the proposed hotel-motel and liquor tax from statewide to just the metro area. Such a limited tax does have historical precedent. Similar taxes levied on the seven-county metro area in 1977 to finance the proposed Metrodome were limited two years later to areas in close proximity to the stadium.

Officials from the hospitality industry spoke strongly against the tax provision, arguing that it will make the highly taxed Twin Cities even more unappealing to convention seekers.

"It's not fair to line-item tax one industry for something that benefits all," said Tom Day of the Minnesota Hotel Restaurant Association.

Another hospitality official said it would be cheaper for his industry to make up the \$9 million annual deficit claimed by the Twins rather than pay a proposed tax.

Although each of those testifying who questioned the bill had different interests, all mentioned the need for more details on the November ballot question.

Julian Empson Loscalzo, who spearheaded the unsuccessful "Save the Met" campaign, said information on team and private sector funding, availability of affordable seats, and even alternative plans, such as a state purchase of the Twins, should be considered. His consulting firm conducted an unscientific poll that found some Minnesotans want the state to buy the Twins.

"These are some things you could put on the ballot if you really truly want the public to have a sense of the deal they're getting into," he said. "You like to know who you're going to the dance with, and at this point, it's a blind date."

One legislator, Rep. Carlos Mariani (DFL-St. Paul), borrowed Loscalzo's mention of affordable seats to raise a larger issue.

"What is your commitment to keeping a portion of those seats affordable and accessible to low- and moderate-income fans?" asked Mariani, who is co-sponsoring the bill. "If we are going to go forward with this, the public is going to be asking for some quid pro quo that goes beyond economics. I think my constituents are looking for more."

The bill does not bind lawmakers to follow the results of the proposed referendum. In both Washington and Wisconsin, voters rejected new stadium proposals. Legislatures in both states later approved financing packages to allow for new facilities.

**HF2974** now goes to the General Legislation, Veterans Affairs and Elections Committee.

— Kendall Anderson



## AGRICULTURE

### Protecting dairy producers

A House committee has approved legislation that would establish a state dairy producers board.

**HF2982**, sponsored by Rep. Steve Wenzel (DFL-Little Falls), was approved Feb. 13 by the House Governmental Operations Committee.

"The Legislature finds that dairy producers in Minnesota have for many years received less than a fair return on their investment in livestock, equipment, and management skills," the bill reads. "One of the causes for this inequitable return is a lack of information on the part of producers about forces in the dairy marketplace that influence the farm gate price for raw milk.

"The Legislature further finds that dairy producers are willing and able to collaborate with each other through a respected, state-wide, legislatively authorized communication organization to improve the flow of economic and marketing knowledge."

The board would be charged with working within the dairy industry in Minnesota to set and maintain a raw milk price that will provide a fair return on dairy farmers' investment.

Board members would monitor economic aspects of the dairy production, processing, and marketing process, including the movement of milk by processors; price setting at the cheese exchange in Green Bay, Wis.; processor pricing schemes; producer check-offs and the use of checkoff funds; federal and state pricing policy; and other activities that affect the price of raw milk.

The bill would establish a board consisting of 11 members: one eligible family dairy producer from each of Minnesota's eight congressional districts, plus three members representing food consumer groups.

Board members would be appointed by the state agriculture commissioner. The bill specifies that members should be selected with the goal of achieving "broad diversity" in the processors to whom raw milk is sold.

Although board members would not be paid, they would be entitled to a "reasonable" per diem, comparable to that given to members of other Minnesota advisory councils and committees.

**HF2982** now heads to the House Environment and Natural Resources Finance Committee.

## No trespassing

A bill that modifies the state's trespassing law and aims to make it easier to punish violators unanimously passed the House Feb. 12.

**HF2411**, sponsored by Rep. Virgil Johnson (R-Caledonia), has generated strong feelings from both hunters and farmers. The bill that emerged was largely a compromise, with some victories for agricultural landowners and others for hunters.

Johnson said his bill makes it easier for local authorities to process trespassing complaints by changing the penalty from a criminal misdemeanor to a civil violation.

Under the bill, local sheriffs and wardens can issue trespassers civil citations on site. Violators would be fined \$50 for a first offense, \$200 for a second and could have their hunting license or other registration revoked for a third violation within three years. Under current statute, a violator found guilty of such a crime is punishable by up to \$700 fine and 90 days in jail.

Additionally, the trespassing exemption for hunters retrieving wounded game is expanded to include all lands. Current law applies to agricultural land only.

The bill also changes current statute that allows hunters to go onto private land to retrieve a dog "at bay" with a wild animal. The new provision allows entry to retrieve only a hunting dog and forbids the hunter from carrying a firearm.

Posting requirements also are eased slightly under **HF2411**. Landowners still would be required to post against trespassing once a year by marking a land parcel's corners and access roads and trails. They would not be required to post signs at areas accessible only through agricultural land.

The bill now moves to the Senate.



## BONDING

### Convention center expansion

Citing the entire state as a beneficiary, the city of Minneapolis began its push for state funds to expand and improve the Minneapolis Convention Center.

**HF2961**, sponsored by Rep. Richard Jefferson (DFL-Mpls), would mark \$35 million in bonds to fund the initial phase of the proposed expansion.

The bill was approved by the House Economic Development, Infrastructure and Regulation Finance Committee Feb. 14.

The project's total cost is expected to be between \$162 million and \$167 million,

depending on its completion schedule. Ultimately, the convention center would be expanded from 280,000 to 500,000 feet of exhibit space, requiring the acquisition of three city blocks between Clinton and Third avenues in south Minneapolis, the redirection of the affected portion of Third Avenue, and the relocation of certain utilities.

In the 1980s, Minneapolis requested state assistance for the initial construction of the convention center, but the request was denied. As a result, the city bonded for the convention center's construction.

Representatives of the city of Minneapolis view the current request as an opportunity for the state to directly invest in what is already a mutually beneficial partnership.

Minneapolis Mayor Sharon Sayles Belton testified to the success of the convention center, but said some potential tenants are turned away due to a lack of space. Consequently, according to Sayles Belton, all Minnesota businesses suffer because they're prevented from marketing their products. She noted that 80 percent of the 5,000 Minnesota businesses that exhibit at the convention center are from outside Minneapolis.

Sayles Belton went on to say that the expansion project would create 4,000 new jobs, not including construction jobs, and that the project has the support of the Minnesota branch of the AFL-CIO.

According to Alice Rainville, a Minneapolis City Council member, an expanded convention center would deliver 24 national and international events yearly. Failure to expand the convention center would result in fewer trade show buyers, increased competition for state and regional events with facilities in cities such as St. Paul, Rochester, and St. Cloud, and fewer dollars spent by visitors in Minneapolis.

Rainville said \$129 million is spent by out-of-state visitors each year due to convention center traffic. Expansion, she said, means "fresh new money" of an additional \$100 million.

No new taxes would be levied to pay for the proposed expansion or operation of the convention center. Current operating costs are primarily covered by revenue from Minneapolis' sales, restaurant, and hotel taxes. Post-expansion operating costs are estimated at \$3.4 million annually, compared to an estimated \$14.2 million annual benefit in tax revenue.

Rep. Carol Molnau (R-Chaska) asked if a \$35 million commitment at this time meant the state was committing to providing future funds for the project.

Kathleen O'Brien, Minneapolis city coord-

inator, said total expansion costs would need to be paid by the state.

O'Brien went on to say that Minneapolis had exhausted its bonding capacity in originally financing the convention center, and that any additional bonding would threaten the city's AAA credit rating.

Minneapolis is one of only two cities with a population over 300,000 that has an AAA credit rating, the loss of which, according to O'Brien, could potentially endanger the state's AA credit rating.

The bill now heads to the Capital Investment Committee.

## Expanding affordable housing

The creation of affordable housing on state-owned land is the goal of a bill approved by the House Economic Development, Infrastructure and Regulation Committee Feb. 13.

The bill (HF2268), sponsored by Rep. Andy Dawkins (DFL-St. Paul), calls for the use of \$2.5 million in state bonds to purchase land, dismantle, or rehabilitate any existing houses or apartments on the land, and then sell the housing at an affordable price.

Dawkins said the lack of affordable housing statewide is a primary concern of Minnesotans and he wants to see housing included in any discussion of how to spend available budget surplus money.

The \$2.5 million would be administered by the Minnesota Housing Finance Agency (MHFA) as part of the Neighborhood Land Trust Program, and will be available to individual cities in the form of loans.

At work is the idea of a land trust, whereby the land and the housing stock are under separate ownership. Anyone who purchases a housing unit is responsible for repaying the state only the cost of the house (estimated at three-quarters of the total property value). Meanwhile, the state maintains ownership of the land (one-quarter of the total property value), saving buyers from paying full price, and keeping housing affordable.

If an owner chooses to sell a housing unit, they must sell it back to the state. In return, they would receive the money they put into the house as well as appreciation based on the annual cost of living increase. This would allow the state to resell the house at an affordable rate since it wouldn't be necessary to repurchase the property at a potentially higher market value.

Eventually, according to Dawkins, the state would own \$2.5 million in land and families would own \$7.5 million in housing.

Dawkins said similar bonding efforts in the

past have proven successful.

The bill now heads to the Capital Investment Committee.



## BUSINESS

### Grant holders pay higher wages

A bill that would require companies receiving state grants to invest in job training and pay employees higher wages won approval from the International Trade and Economic Development Committee Feb. 14.

HF2894/SF2504\*, sponsored by Rep. Mark Mahon (DFL-Bloomington), is the second bill approved by the committee this session that mandates higher wages. It would require businesses receiving state economic recovery grants or loans to pay employees at least 175 percent of the minimum wage, or currently \$7.44 per hour. There is no such requirement in law today.

The bill, which the Department of Trade and Economic Development (DTED) opposes, changes the 1995 law on economic recovery grants by prohibiting retail-only businesses from obtaining aid. Mahon explained that the provision is aimed at keeping the state from benefiting one Minnesota business at the expense of another, and attempts to keep state aid from benefiting large retailers.

The proposal also would allow grants or loans to be awarded for the sole purpose of attracting out-of-state businesses or retaining existing businesses, something the 1995 law prohibited. However, in such a case the company must use the aid for workforce training. The current provisions in law awarding grants based on need would not change.

Rep. Tim Pawlenty (R-Eagan) said the job training provision is pointless because labor costs and tax burdens are the real factors in business relocation.

A DTED official said limiting aid to job training keeps aid from encouraging some job-generating efforts.

"Under this we're not able to help a company that wants to buy a piece of machinery to employ a few people," said Jeff Rageth, DTED deputy commissioner for business and community development.

Mahon said the job training provision applies only to those companies that don't fit the need-based profile.

He also tried to bolster his bill with a critical report on the Economic Recovery Fund just released by the legislative auditor's office.

That report, released Feb. 14, found the fund helped some businesses that could have financed their projects without state help, which goes against the need-based requirements in statute. The report also found the DTED exceeded the \$500,000 aid limit with some companies. The report recommended the Legislature "clarify the intended use of the Economic Recovery Grant program." It also recommended the DTED give preference to businesses offering higher-level wages.

Rageth responded to the report and Mahon's bill, saying his department has made livable wages a goal over the past 18 months. Aid goes only to businesses that pay employees an average hourly wage of \$10 in the metro area and \$8 in outstate Minnesota, he said. The auditor's report found that half of the jobs created by the economic recovery program pay less than \$7.20 an hour.

Rageth told the committee a wage provision doesn't address the real impediment to more well-paying jobs.

"Minnesota has been putting \$6 million into the economic development fund since 1985, while other states are putting in increasingly larger amounts," Rageth said. "The money that Minnesota puts up is dimes on the dollar for what other states are putting up."

The bill was referred to the Economic Development, Infrastructure and Regulation Finance Committee.

## Regulating pawnbrokers

The state of Minnesota would have the authority to regulate the state's 150 pawnbrokers under legislation approved Feb. 13 by a House committee.

**HF2752**, authored by Rep. Darlene Luther (DFL-Brooklyn Park), would set statewide minimum standards for cities and counties to regulate pawnbrokers. It was approved by the House Commerce, Tourism and Consumer Affairs Committee.

Under current state law, cities and counties have the option of whether to regulate pawnbroker operations. Under **HF2752**, municipalities would be allowed to set stricter standards for pawnbrokers.

"This gives a basis for many cities to provide a floor," Greg Brooker, an assistant Bloomington city attorney, told lawmakers. He pointed out that Bloomington, Minneapolis, St. Paul and other Minnesota cities have "very strict" pawnbroker ordinances already in place.

Under the new law:

- Pawnbrokers would be required to apply for and receive a license from the city or county in which they do business.
- The city or county would be able to revoke

a pawnbroker's license, and would be required to notify the appropriate law enforcement agency of such a revocation.

- In order to get a license, a pawnbroker would have to be 18 years of age or older; could not have been convicted of any crime directly related to the pawnbroker business, unless he or she showed "competent evidence of sufficient rehabilitation"; and would be required to be "of good moral character or repute."
- In any pawn or purchase transaction, the pawnbroker would be required to keep detailed records of the item pawned or sold, along with information about the customer and the cost of the transaction.
- Any personal property pledged to a Minnesota pawnbroker would be subject to sale or disposal when no payment was made for at least 60 days after the date of the transaction, renewal, or extension. Pawnshop customers would have no obligation to redeem pawned items.
- The customer would be required to attest that any pawned or sold item was not stolen and not subject to any liens.
- Pawnbrokers would be required to main-

tain a record of all transactions of pledged or purchased goods for three years, which would be available upon request to law enforcement agencies.

- Pawnbrokers would be able to charge a maximum monthly interest rate of 3 percent of the principal amount loaned in the pawn transaction, plus a "reasonable fee" for storage, if applicable, and services.

**HF2752** now moves to the House floor.

## Omnibus liquor bill

A House committee has approved an omnibus liquor bill, which includes changes in Minnesota laws governing liquor licenses, wine tastings, and warnings posted in the state's liquor establishments.

The House Commerce, Tourism and Consumer Affairs Committee approved an amended version of **HF2590**, sponsored by Rep. Jeff Bertram (DFL-Paynesville), on Feb. 13 and sent the bill to the full House.

Before approving the legislation, committee members amended a portion of the bill dealing with warning signs that must be posted in retail and municipal liquor stores.

Currently, liquor store owners must post notices notifying customers of the state's penalties for driving while intoxicated and underage drinking. As amended, liquor retailers would be required to post a single sign in a conspicuous place that includes those two warnings, plus a warning about the consequences of drinking alcohol while pregnant.

In addition, the omnibus liquor bill would:

- delete a state requirement that applicants for wholesaler or manufacturer liquor licenses must be United States citizens or resident aliens;
- allow Minnesota bed-and-breakfast facilities to give guests two complimentary glasses of wine per day, up to 4 ounces each, to drink on the premises. Although bed-and-breakfast owners would not have to obtain an on-sale liquor license for that purpose, he or she would have to register with the state's public safety commissioner;
- allow liquor stores to give customers free samples of distilled spirits in containers up to 15 milliliters. Current law allows free samples of wine, beer, cordials, and liqueurs. The new law also would allow a brewer to furnish a restricted amount of beer to off-sale retailers for samplings; and
- allow tour boats on the St. Croix and Mississippi rivers to receive on-sale liquor licenses between May 1 and Oct. 31. Currently, only tour boats on Lake Superior are allowed to receive such licenses.

(See Feb. 9, 1996, *Session Weekly*, page 4)



Three-year-old David Kaiser, Shoreview, got a firsthand look at a sparrow hawk in the Capitol rotunda during his visit Feb. 12. Other birds of prey on display from the University of Minnesota's Raptor Center included a bald eagle, a peregrine falcon, and a great horned owl. The display was part of a Department of Natural Resources program to promote the "Chickadee Checkoff" and to kick off the "1996 Checkoff for Wildlife" season.



## CONSUMERS

### Farmer-friendly fuel

The House Agriculture Committee approved a bill Feb. 9 that would allow gas stations outside the metropolitan area to devote one pump to ethanol-free premium gasoline.

Bill sponsor Rep. Doug Peterson (DFL-Madison) offered the proposal in response to another bill under consideration this year that would make ethanol-free gas available more widely.

"It's a bill I think people can live with," Peterson said of his compromise measure. The proposal also would allow ethanol-free gas to be sold at all Minnesota marinas.

Peterson's bill (HF3118) drew support from corn farmers and ethanol producers.

Those groups oppose Rep. Alice Johnson's (DFL-Spring Lake Park) proposal to allow ethanol-free premium gas to be sold statewide. Her bill (HF2205) is now pending on the House floor.

Current state law requires that all gas sold in the metropolitan area contain 2.7 percent oxygen. Corn-derived ethanol is the most common oxygenation agent used in the state.

State law also mandates that beginning in October 1997 all gas sold in Minnesota meet the 2.7 percent oxygen requirement.

Proponents argue that adding ethanol or another oxygenate to gasoline makes the gasoline burn cleaner and reduces harmful emissions.

Critics claim ethanol is harmful to snowmobile, boat, chain saw, and lawnmower engines and to motors in older automobiles.

Supporters of Johnson's proposal to make ethanol-free premium gas available statewide oppose Peterson's effort to allow the fuel only in outstate Minnesota.

Bill Strusinski, of the Minnesota Street Rod Association, said all Minnesotans should be able to choose whether to use ethanol-blended fuel.

"Everybody's a winner in that situation," he said. "What you've created here [under Peterson's bill] is winners and losers."

Opponents of Peterson's bill also said it would force metropolitan area owners of classic cars and recreational vehicles to travel as much as 60 miles just to purchase the ethanol-free gas their vehicles need.

Agricultural groups backed HF3118 as a way to protect a growing industry in the state. There are six ethanol plants currently operating in the state and four more are in the works.

"It's a jobs issue, an economic develop-

ment issue, and a key environmental issue," said Tom Cochrane of the Minnesota Agri-Growth Council.

The effort to make ethanol-free gas available throughout the state has drawn criticism from some because it is supported by Amoco Petroleum Products. Those critics claim Amoco is trying to boost company profits.

"When I drove home last weekend I saw a lot more corn stalks than I saw oil wells," said Rep. Marvin Dauner (DFL-Hawley), who joined others in support of Peterson's proposal as a way to resolve the dispute over ethanol.

"I hate to take one step backwards, but maybe this is the best we can do," Dauner added.

### Protecting privacy

Computer on-line information services and other businesses that maintain databases of customer information would no longer be allowed to sell such information without permission under a bill approved by a House panel.

HF2816, sponsored by Rep. Steve Kelley (DFL-Hopkins) and approved Feb. 13 by the House Commerce, Tourism and Consumer Affairs Committee, is designed to protect the privacy of consumers and users of on-line services.

"This is similar to a bill we passed two years ago about disseminating the records of people who rent videos," Kelley told the committee. "It gets worse when you get into the on-line information business, because the scope is much more extensive than just a person's taste in videos."

Such services have the capability of collecting a huge amount of information about an on-line user's preferences in a variety of areas, Kelley said.

Under HF2816, on-line services and companies that keep computerized records on their customers cannot disseminate information that identifies:

- a person by his or her home or electronic address or telephone number;
- a person as having requested or received specific materials or services from an information service;
- Internet sites visited by a person; or
- any of the contents of a subscriber's data storage devices.

The bill specifies that the only information an on-line service is entitled to seek from a customer is the person's name, home telephone number, home address and electronic address. Any other requested information may be given at the customer's discretion.

In order to get the informed, documented consent of a consumer to release such information, the information service must provide a privacy policy, as scripted by the state, to the subscriber. The customer must read and approve the policy before service can be provided.

The only exception to the law would be telecommunications services, which would be allowed to publish customer names, telephone numbers, and addresses in telephone directories without customer consent, but only if they offer the alternative of an unpublished listing.

Also, such information could be provided without customer consent under grand jury subpoena or court order.

HF2816 now goes to the House Judiciary Committee.

### No more slamming

The Minnesota House has passed legislation that would make it illegal for telecommunications companies to change a person's long-distance carrier without proper authorization.

HF2055, sponsored by Rep. Mike Delmont (DFL-Lexington), was approved Feb. 12 by the House on a vote of 132-0.

The bill would prevent "slamming" — essentially, the practice of tricking a telephone customer into changing his or her long-distance carrier.

Delmont listed some of the ways in which telecommunications companies have gotten Minnesotans to change their carriers.

In one such case, a Minneapolis man received a \$50 check in the mail from a long-distance company, not realizing that if he cashed the check, he would be giving the company permission to supplant the long-distance provider he was using.

Delmont quoted the man as saying that an unexpected \$50 check "looked pretty good right before payday," and so he didn't hesitate to deposit it into his bank account.

Other Minnesotans have received certificates for frequent-flyer airline miles, and "if you redeem them, you've been slammed," Delmont said.

HF2055 provides that a telephone customer may require that a long-distance provider receive his or her authorization before changing the long-distance service.

Delmont said the customer's authorization can be either written or verbal, but in cases of verbal agreements, if the customer files a complaint over the switch, the long-distance carrier will be required to provide proof that the agreement was made.

# Help Find Missing Children

NAME \_\_\_\_\_ Contest Entry Form PHONE # \_\_\_\_\_

## Long Distance Service Application

(PLEASE PRINT CLEARLY)

HOME PHONE# ( \_\_\_\_\_ ) \_\_\_\_\_ DATE \_\_\_\_\_ 19 \_\_\_\_\_

NAME THIS NUMBER IS LISTED UNDER \_\_\_\_\_

ADDRESS \_\_\_\_\_ APT# \_\_\_\_\_

CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_

SIGNATURE \_\_\_\_\_

(MUST BE SIGNED AND FULLY COMPLETED TO QUALIFY)

BUSINESS PHONE # ( \_\_\_\_\_ ) \_\_\_\_\_  YES, I WOULD LIKE A DISCOUNT LD TRAVEL CARD

### Marital Status

Married

Single

### Age

Under 18

18-20

21 & Over

### Income

\$0-\$20,000

\$20,000-\$30,000

\$30,000 +

### Credit Cards Used?

Visa  Mc

AmEx  Discover

By signing above I designate Home Owners Long Distance, Inc. (HOLD) as my agent to cancel my agreement with my existing carrier in favor of new service with HOLD, for my 1+ long distance service only, and understand that I can have only one 1+ long distance service and any previous selection of a 1+ long distance company made by me will be cancelled. I am the person legally responsible for charges on this telephone number written above. Charges for my 1+ long distance from HOLD will be billed by my local telephone company and I understand that my local telephone company may charge me a one time charge of up to \$5.00 plus tax for this selection.

This flyer, circulated by a long-distance provider, is one example of how telephone customers are "slammed."

"What we wanted to keep in this bill was giving a choice to each long-distance customer and not preventing long-distance companies from doing business in Minnesota," Delmont said.

If a long-distance carrier is found to have violated provisions of the anti-slamming law, the company must immediately return the customer to his or her original long-distance provider at company expense, and also pay for providing long-distance service to the customer during the period of unauthorized service.

HF2055 now heads to the Senate.

## CRIME

### Community notification

A bill that would notify the public when a serious sex offender moves into the neighborhood was approved by the House Judiciary Committee Feb. 14.

The bill (HF2045) attempts to balance the need to protect the public from sex offenders while protecting the rights of offenders upon release from prison, said sponsor Rep. Dave Bishop (R-Rochester).

Similar legislation passed the House last year but stalled in the Senate. This year, the bill already has passed the Senate Crime Prevention Committee.

If passed, Minnesota would follow some 20 other states with similar laws. The bill has been in the works for two years and support continues to mount.

The Minnesota family names of Hussey and Wetterling have followed the bill.

Grant Hussey, 15, of Eden Prairie, was

abducted and killed in 1993 by a trusted neighbor and Jacob Wetterling, 11, was abducted in 1989 from St. Joseph, Minn. Wetterling hasn't been seen since.

Under HF2045, each state prison and treatment facility would set up a committee to determine, on a case-by-case basis, the public risk posed by all sex offenders who are about to be released.

Offenders would be classified as either low, intermediate, or high risk to the community.

Law enforcement agencies in the area where the offender lives, expects to live, is employed, or is regularly found would inform the public if they determine the information is "relevant and necessary to protect the public and counteract the offender's dangerousness."

If the offender is considered low-risk, police may notify other law enforcement agencies and any victims of, or witnesses to, the offender's crime.

For intermediate-risk offenders, schools, day care centers, and other groups that serve women and children which the offender is "likely to encounter" could be notified.

Anyone a high-risk offender is "likely to encounter" could be notified.

Widespread notification, however, would not occur while an offender is living in a residential treatment home.

About 350 sex offenders are released from Minnesota prisons, the state's security hospital in St. Peter, or emigrate from other states each year, according to the Department of Corrections.

These and many other sex offenders already are required to register with the state so their residences are known. In all, no more

than about 40 would be classified as intermediate or high risk, according to estimates.

The prison committee assessing the offender's risk would make that determination based on several factors, including the seriousness of the crime should the offender repeat the offense, an offender's prior history, and the offender's response to treatment. If an offender disagrees with an assessment, they can appeal to an administrative law judge.

Both the offender and police would be given a copy of the final assessment 60 days before release.

It is unclear how much the bill will cost in terms of travel expenses for those on an offender's review committee as well as for new staff such as public defenders needed to represent offenders during their "end-of-confinement assessment."

The bill does not yet include an appropriation.

If enacted, the bill would become effective Jan. 1, 1997. By that date, the Department of Corrections would have to develop a scale to evaluate sex offenders before their release.

The concept of community notification has been debated publicly since 1994 when Minnesota Supreme Court rulings released two men who had been committed under the state's sexual psychopathic personality law. Lawmakers met in special session that year to pass legislation to keep sexual psychopaths off the streets.

An extension of that debate centered around all sex offenders and how to protect the public once released.

HF2045 now goes to the House floor.

### Victim notification

A bill that goes further to warn victims of domestic abuse when the perpetrator is about to be released won approval from the House Judiciary Committee Feb. 14.

Under current law, authorities are to "make a reasonable and good faith effort" to orally notify the victims of abuse when the alleged perpetrator is about to be released.

HF2842 would — at the request of the victim — extend the notification to a local battered women's shelter or sexual assault program and local law enforcement agencies known to be involved in the case.

The bill hopes to increase the chances of reaching victims, some of whom may not be at their usual residence after an assault.

Some lawmakers questioned how the bill would work, given that many alleged perpetrators are arrested at night and released

before lunch the next day. They questioned if authorities would have time to notify the victims and shelters involved.

In some cases, said Rep. Wes Skoglund (DFL-Mpls), there is only a small window of opportunity between the time when a judge determines whether to release a perpetrator pending a trial and when the perpetrator is actually released.

The bill, sponsored by Rep. Steve Kelley (DFL-Hopkins), also requires courts to make an effort to notify a victim when a person arrested (or a juvenile detained) for domestic assault or harassment has a pre-trial release hearing.

The bill further states that the prosecutor must present to the judge relevant information regarding the victim's account of the crime before the court decides whether to grant a pretrial release.

**HF2842** now moves to the House floor.



## DEVELOPMENT

### Friendly land use

Local governments would be encouraged to establish a sustainable development plan under a bill approved by the House Local Government and Metropolitan Affairs Committee Feb. 6.

Rep. Dee Long's (DFL-Mpls) proposal, which didn't make it out of conference committee last session, directs the state to draft a "model ordinance" for sustainable development and make it available to local governments.

Sustainable development — a concept promoted by Gov. Arne Carlson — involves the development of land and waters that minimizes environmental damage and provides for economic opportunities and community well-being. The goal of sustainable development is to preserve the environment for future generations.

There are no funding or enforcement provisions in the bill. Local governments adopting the model ordinance, however, would be advised that it would be the minimum regulation to guide all sustainable development.

The state Office of Strategic and Long-Range Planning would be in charge of creating the sustainable development plan.

**HF1800** now goes to the House floor.



## DWI

### Omnibus DWI bill

No longer would driving under the influence of alcohol or illegal drugs be the only routes to a DWI charge in Minnesota.

Under the omnibus DWI bill, approved Feb. 12 by the House Judiciary Committee, taking too much sinus medication, muscle relaxants, or other prescription and over-the-counter drugs could provoke an arrest. That is, if a specially trained officer determines that the drug or medication has impaired a driver's ability to operate a motor vehicle, all-terrain vehicle, snowmobile, or boat.

Under the bill (**HF2779**), it would be against the law to drive under the influence of any drug that affects the nervous system, brain, or muscles to the extent it impairs the person's ability to operate a vehicle.

This provision helps seal "a horrible loophole in the law," said Rep. Matt Entenza (DFL-St. Paul), sponsor of the omnibus DWI bill.

Currently, Minnesota law allows only for a person impaired by prescription or over-the-counter drugs to be charged with careless driving, Entenza said. Behind the wheel, some of these people can be just as dangerous as drunken drivers and need to face the same penalty, he said.

A first-time DWI results in a misdemeanor penalty punishable by a maximum 90 days in jail and a \$700 fine. All subsequent DWI offenses are gross misdemeanors which trigger a maximum penalty of one year in jail and a \$3,000 fine. Rarely does an offender receive the maximum penalty.

**HF2779** also makes it illegal to drive an automobile with any amount of a controlled substance classified as among the most addictive narcotics, stimulants, and depressants. Street drugs fit this category. That means to arrest someone police would have to prove only that the driver has an illegal drug in their system, not that he or she is under the influence.

The bill doesn't allow just any officer to determine whether someone is impaired. The officer must be specially trained as a Drug-Recognition Expert. The Peace Officer Standards Board would be required to develop a plan to train a "sufficient" number of officers as Drug-Recognition Experts (DRE) to ensure they are available statewide each day to evaluate suspected drug-impaired drivers. The plan would have to be submitted to the Legislature by Jan. 16, 1997.

The test administered by DRE officers

would be separate from the preliminary test performed on the side of the road. After a patrol officer stops a driver, performs a field test, and suspects the driver is under the influence, the driver would then be taken to a police or highway patrol station where a more extensive 12-step test would be performed by a DRE officer.

Some of **HF2779's** other provisions would:

- create a new gross misdemeanor crime for violating DWI laws while driving without insurance;
- provide a longer waiting period before a minor, who has already committed a DWI offense, is issued a limited driver's license. Under the bill the waiting period could be 90 days; twice the time period that an adult receives for the same violation; or until the minor's 18th birthday; whichever is longer; and
- shift hit-and-run crimes from the section in *Minnesota Statutes* dealing with traffic laws to the section dealing with criminal vehicular operation. While seemingly a technical change, the result will be a greater likelihood of a stiffer criminal sentences once convicted.

The bill was briefly heard in the House Judiciary Finance Committee Feb. 15.

### Plate impoundment

A bill designed to fill a loophole and keep more chronic DWI offenders off the roads passed the House Judiciary Committee Feb. 12.

Gov. Arne Carlson vetoed an identical bill in 1995 calling it an "unfunded mandate to the Department of Public Safety."

Since **HF2675** includes a yet-undetermined appropriation for the department, lawmakers believe it has a better chance of being signed into law this session.

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 have found a way around the law. Once their plates are impounded, they often begin to drive someone else'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 bill gives the plates back to the car

owner (if the car was reported missing), but the plates would be coded with specific letters, so that law enforcement officials would know the car had been involved in a prior DWI offense. The plates would remain on the car for a minimum of one year.

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

In his veto message last year, the governor 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.

**HF2675**, sponsored by Rep. Matt Entenza (DFL-St. Paul) and Rep. Wes Skoglund (DFL-Mpls), now heads for the House Economic Development, Infrastructure, and Regulation Finance Committee.



## EDUCATION

### Vouchers defeated

Gov. Arne Carlson's effort to create a school voucher pilot project in Minnesota suffered a setback Feb. 15 in the House.

The House Education Committee's Subcommittee on Quality Initiatives rejected a bill (**HF2084**) that would have allowed parents to use state money for private school tuition.

Eight members of the subcommittee voted against the proposal. Only one voted for it, and that was bill sponsor Rep. Leroy Koppendray (R-Princeton).

But the vouchers issue appears anything but dead for this year.

The bill voted down by the House subcommittee was Carlson's original "school choice" proposal. It would have set up pilot programs in St. Paul, Minneapolis, Brooklyn Center, and one rural district.

After seeing the measure rejected by a Senate subcommittee earlier this month, Carlson developed an alternate vouchers pitch that focuses on St. Paul.

The governor's new proposal, which he first proposed Feb. 12, has yet to be intro-

duced in either the House or the Senate. Many expect it to come up for debate (perhaps in the form of an amendment) before the end of the 1996 Legislative Session.

"All there appears to be is a press release at this point," said Rep. Matt Entenza (DFL-St. Paul).

That proposal, pitched to the St. Paul School Board Feb. 13, would give the city \$12 million, only a portion of which would need to be marked for a voucher pilot program.

Come what may, members of the House subcommittee who criticized the governor's initial proposal seem unlikely to accept a scaled-down proposal.

"There is no support for vouchers. I guess that's absolutely clear," Entenza said. "... I don't see a lot of prospects for it in the future."

Entenza offered broad criticism of the vouchers proposal. In his view, vouchers would hurt public education and provide little help to students and parents.

"Is there really choice for parents and children when private schools decide who gets accepted?" Entenza asked.

Koppendray compared the voucher proposal to previous state efforts to initiate open enrollment, charter schools, and other progressive projects.

"I'm saying let's dare to take one more small step," Koppendray said.



## EMPLOYMENT

### Higher minimum wage

Minnesota's minimum wage would increase to \$5.35 per hour under a scaled-back bill that narrowly passed the House Feb. 15. The vote was 69 to 64.

**SF302**, sponsored in the House by Rep. Tom Rukavina (DFL-Virginia), passed the House but only after it was altered to cut the wage back a bit.

The current proposal would increase the \$4.25 minimum wage for large businesses to \$5 per hour in July 1996 and to \$5.35 per hour in July 1997.

Small businesses also would see an increase in the \$4 hourly minimum they are currently required to pay. For employers with gross annual sales under \$500,000, the minimum wage would jump to \$4.75 per hour in July 1996 and to \$5.10 in July 1997.

Originally, the bill called for the hourly minimum wage to increase \$2.75 over the next two years, peaking at \$7 per hour for large businesses. The proposal was later cut in the House Ways and Means Committee.

That committee also scrapped provisions that would have allowed employers to pay lower wages in exchange for providing benefits.

Supporters of the bill argued that raising the minimum wage would help people better support their families, especially the "working poor" — people who work two or three minimum-wage jobs but still need help.

Others argued that the wage hike would cost the state jobs and exacerbate economic problems.

Rep. Hilda Bettermann (R-Brandon) argued that the bill artificially increased wages for all workers, not just those earning the minimum wage. If workers on the lower end of the pay scale receive a raise, she said, those in the middle and upper brackets will want an increase, too. That, she said, costs employers too much and forces many to close their doors.

Wages, Bettermann said, should be adjusted based on an employee's productivity.

"Wouldn't that be nice," said Rep. Robert Leighton (DFL-Austin). But he asked lawmakers who believed that to "join us in the real world."

Increases in an employee's productivity haven't meant a wage increase for years, he said, adding that it may have in the 1950s, but it doesn't any longer.

Gov. Arne Carlson vetoed a 75-cent minimum wage increase in 1994. It is unclear if he would accept any such measure this year.

Minnesota last increased the minimum wage in 1991, when it was bumped from \$3.95 per hour to \$4.25.

In 1995, Rukavina sponsored a bill that would have increased the hourly minimum by a dollar over a two-year period. That measure passed out of committee but never came up for a vote on the House floor.

(See Jan. 26, 1996, *Session Weekly*, page 6 and Feb. 9, 1996, *Session Weekly*, page 14.)



## ENVIRONMENT

### Saving white pines

After a spirited debate between environmentalists and timber interests, the House Environment and Natural Resources Committee approved the proposed "restore the white pine act" Feb. 9.

The bill, sponsored by Rep. Willard Munger (DFL-Duluth), mandates a 22-month moratorium on the logging of white pine on state land. The moratorium would end in December 1997 if the Department of Natural Resources (DNR) creates a restoration plan by that time.



Jack Rajala, center, of Rajala Lumber in Deer River, Minn., and Howard Hedstrom, right, of Hedstrom Lumber in Grand Marais, Minn., testified Feb. 9 against a bill before the Environment and Natural Resources Committee sponsored by Rep. Willard Munger, left, to protect and restore white pine in the state.

Environmentalists spoke in favor of the bill, citing statistics that show Minnesota has lost nearly all of its original white pines — more than 3 million acres. Loggers and forestry trade group officials said the bill spells lost jobs and other economic problems for forested areas.

DNR officials disputed claims that white pines are in significant danger and said they've taken survival and other steps to ensure their survival. The bill would require the DNR to create the restoration plan and seek funding in 1997 or 1998 for the plan.

Committee members said the bill would not significantly harm logging. Some said regaining past levels of white pines could actually create economic opportunities.

**HF1897** now goes to the Environment and Natural Resources Finance Committee.

## GAMBLING

### Gambling on card clubs

A bill to allow card clubs to operate at Canterbury Park in Shakopee, Minn., was approved Feb. 15 by a House committee.

**HF2176**, sponsored by Rep. Chuck Brown (DFL-Appleton), was approved by the House Governmental Operations Committee, two days after the committee's State Government Finance Division approved an earlier version of the bill, which prompted some heated debate on whether the legislation constituted an expansion of gambling in Minnesota.

"If I thought for an instant that this proposal expanded gambling significantly, I

wouldn't be carrying the bill," Brown told division members. "This is a revenue raiser; that's why the bill is before you. They need some money to keep the doors of this facility open."

Canterbury Park, formerly Canterbury Downs, has struggled financially in recent years to keep its doors open to horse-racing fans.

The 1991 Legislature approved off-track betting — in which people bet on and watch nationwide horse races on big-screen televisions in betting parlors — at up to four off-track sites in Minnesota. However, the law was subsequently declared unconstitutional by the Minnesota Supreme Court.

In 1994, the Legislature voted to put the off-track betting question to voters, asking whether the state constitution should be amended to allow it. The measure failed by more than 56,000 votes.

However, backers still expect off-track betting to be approved at some point, which they say would breathe new life into Canterbury Park. Brown testified that card clubs at Canterbury, formed mainly for the purpose of playing poker, would be a stopgap measure to keep the park afloat until voters approve off-track betting.

**HF2176** would allow patrons to play card games on the park's premises on an "unbanked" wagering system, in which individual participants compete against one another and not against the sponsor or the house, which has no interest in the outcome of games. However, card club operators would pay fees to Canterbury Park for the right to play cards on its property.

As approved by the State Government Finance Division, the bill would have placed no limit on the amount that could be wagered. After considerable debate about bet limits and the enforcement of rules, the full committee approved a compromise amendment authorizing the Minnesota Racing Commission, in cooperation with the state attorney general, to make rules governing card clubs.

The amendment also would set a limit of 50 tables of card players at any one time; an opening-wager limit of \$10; and a maximum raise amount limit of \$10.

Card-club backers estimate that Canterbury Park could earn between \$3 million and \$5 million a year in fees paid by card clubs.

An amendment offered by Rep. Tom Osthoff (DFL-St. Paul), also approved by the committee, would increase the number of members of the Minnesota Racing Commission by two: one member each of the Minnesota House and Senate, appointed by their respective legislative bodies.

Both Brown and Rep. Mike Osskopp (R-Lake City) downplayed several lawmakers' predictions that allowing card clubs at Canterbury might lead to the further expansion of gambling in the state.

"I am not enjoying supporting another form of gambling," Osskopp said. "But this is about keeping the horse-racing industry alive in Minnesota; it's about keeping jobs. You've never seen (a card club) in operation, and if you had, you'd know it wasn't anything to worry about."

Rep. Mindy Greiling (DFL-Roseville) wasn't convinced. "You might find that you voted to let the genie out of the bottle by voting for this," she warned Osskopp, predicting that if the bill wins approval from the full House, other groups will seek legislative permission to operate similar card clubs.

The bill now heads to the House Taxes Committee.

## GOVERNMENT

### Bridging the gap

State agencies that work with Minnesotans who don't speak English would be asked to identify the most pressing needs of those residents and work together to provide them under a bill approved Feb. 15 by a House committee.

**HF1303**, sponsored by Rep. Carlos Mari-ani (DFL-St. Paul), directs the state Spanish-Speaking Affairs Council, the Council on Asian-Pacific Minnesotans, the Council on Black Minnesotans, the Indian Affairs Coun-

cil, and other groups that work with non-English-speaking Minnesotans to identify the languages of the clients they most frequently serve.

The liaisons for each group would then formulate a plan that includes the current status of the agency's compliance with Minnesota laws governing communications services for non-English-speaking residents and suggestions for improving those services.

The plans would be reviewed by the attorney general and the state Department of Administration before being submitted to the Legislature by Jan. 15, 1997.

Mariani told lawmakers that the purpose of the bill is to evaluate how well Minnesota laws are working and how cost-effective they are.

Rep. Mark Olson (R-Big Lake) told Mariani that he is concerned about non-English-speaking Minnesotans failing to learn English. "If these services had been available when our forefathers came to this country, we wouldn't be Americans now," he said. "We all learned to speak one language; that's how we grew to be one country.

"I have no problem helping people get established here, but it seems that part of getting established is learning English."

Mariani told Olson that the purpose of his legislation is not to keep people from speaking English, but to make sure the state is effectively communicating with those who don't speak it.

HF1303's next stop is the House floor.

## HIGHER EDUCATION

### Lowering college tuition

A bill to use \$50 million of the state's projected revenue surplus to lower college tuition next year failed to emerge from the Education Committee's Higher Education Finance Division Feb. 12.

Rep. Myron Orfield (DFL-St. Paul) said his bill (HF 2568) would have brought a much-needed 12 percent decrease to college students throughout the state. His proposal was supported by more than 40 students from technical, community, four-year and graduate institutions who filled the hearing room.

But many committee members strongly criticized Orfield's proposal, saying it was a short-lived solution to a long-term problem. Rep. Peggy Leppick (R-Golden Valley) said the bill "sounds . . . like a very ill-thought-out plan and frankly [sounds like] an election year gimmick."

Orfield, however, pressed hard for the measure, which was not acted on.



Students from the Minnesota State University Student Association marched to the Capitol Feb. 15 and rallied outside the House chamber in support of lower tuition costs.

"More than anything, this is a bill about opportunity. It acknowledges the fact that college or technical training is absolutely essential today," said Orfield. "College and technical training are the tools to getting a good job and they are rapidly moving out of reach of the middle class."

Since 1982, inflation has increased 64 percent, Orfield said. Over the same period, tuition has increased 183 percent at the University of Minnesota and 334 percent at technical colleges, he said. As it stands, the price of higher education in Minnesota is well above the national averages for all institutions, he said.

But committee members like Rep. John Tuma (R-Northfield) said relief should be targeted to those most in need — not offered to rich and poor students alike through tuition cuts. He and others said giving tuition relief through financial aid instead of tuition reduction would be more effective.

Orfield said a tuition cut made more sense than a needs-based approach because such programs both produce resentment of the neediest and don't survive politically from one year to the next.

"I have seen need-based programs used as powerful political weapons. And I do not know of any need-based entitlements that aren't in danger right now," Orfield said.

Most students who testified before the committee said they couldn't qualify for financial aid because they or their parents make too much. But they said they still had trouble dealing with double-digit tuition hikes each year.

One student representing College Democrats from 30 campuses told such a story about his friend, "Molly." He said Molly got straight A's in high school but now spends

two terms working as a waitress to earn enough to attend classes for one quarter.

"I figure she'll get her degree in maybe 12 years on that plan," Jeff Bauer told the committee.

Rep. Lyndon Carlson (DFL-Crystal), a bill supporter who is sponsoring a separate bill (HF2058) that aims to help families save for college, said there is a need "to address the issue on both sides of the equation, tuition and aid."

Orfield said there is value in one-year tuition relief.

"Any little bit can help people get ahead . . . if you look at the threads that students are hanging by, a little bit in the short term can make a difference," he said. "This is arguably more important than tax cuts for machinery parts. I think it's more worth doing than a lot of things we've done."

## HOUSING

### Allowing larger loans

Homeowners seeking a home improvement loan from the local housing authority could get twice as much as current statute allows under a bill the Housing Committee approved Feb. 12.

The proposal (HF2129/SF1925\*) is sponsored by Rep. Karen Clark (DFL-Mpls).

The bill would hike the maximum rehabilitation loan amount for low- and moderate-income families from \$10,000 to \$20,000. Housing agency officials told the committee the current limit hinders their program.

"We're asking for this because sometimes the labor and material costs really spike up,"

said Tonja Orr of the Minnesota Housing Finance Agency, referring to increased costs in recent years. "We want the ability to react to the market more quickly to make this program more user friendly."

Rep. Dan McElroy (R-Burnsville) said he was concerned that increasing the maximum loan amount could decrease the number of people helped by the program.

Orr said there could be a slight decrease in those helped. But she said under the current minimum, some people are being turned away because the agency has determined \$10,000 won't adequately finance their project.

Another provision clarifies the agency's loan program for nonprofits. Under the current policy, nonprofits can qualify for special loans if they rehabilitate single or multifamily housing and show "the demonstration of new techniques for energy efficient construction." The bill would strike that language and broaden the program to include "innovations" in general, not just energy-efficient innovations.

"Some of the nonprofits thought the innovation had to be aimed at energy efficiency," Orr said.

**HF2129/SF1925\*** now goes to the House floor.



## HUMAN SERVICES

### Background checks for all

A bill to extend criminal background checks to all nursing home employees, including housekeeping staff and maintenance workers, won approval from the House Health and Human Services Committee Feb. 13.

**HF2303**, sponsored by Rep. Lee Greenfield (DFL-Mpls), expands current law which requires that state criminal histories be checked for employees in nursing homes, home care agencies, and boarding care homes who have direct contact with patients.

A 1995 law that increased penalties for people who neglect or abuse vulnerable adults required such background checks for some nursing home employees.

Since its passage, the Department of Human Services has initiated more than 8,100 background checks and uncovered 67 people who were disqualified from working in a nursing home.

Those individuals had criminal convictions that included murder, criminal sexual conduct, assault, and theft. Some also had substantiated claims of abuse and neglect against them.

"If we can keep the costs down," this is a

very useful tool to avoid potential problems, said Greenfield, adding that as yet, it is unclear how the state will pay for the additional background checks called for in the bill.

In 1995, nursing homes were scheduled to receive a reduction in the license fee they pay the state in order to operate. Last year, lawmakers decided to give them less of a reduction than had been planned and apply the savings to pay for the background checks.

Under the bill, a background check would search the previous 15 years.

In addition, the Department of Human Services would be required to conduct checks on personal home care aides working through unlicensed agencies. The department could charge a fee to recoup its costs for such searches.

The bill now travels to the House Judiciary Committee.



## INSURANCE

### Long-term care credit

Two bills that would provide an income tax credit or deduction for premiums paid on long-term care insurance are on their way to the House Taxes Committee.

The bills — **HF2885**, sponsored by Rep. Roxann Daggett (R-Frazee), and **HF2985**, sponsored by Rep. Alice Johnson (DFL-Spring Lake Park) — were considered Feb. 14 by the Taxes Committee's Sales and Income Tax Division.

Daggett's bill would allow Minnesota taxpayers to claim up to the lesser of \$100 or 25 percent of premiums paid on long-term care policies purchased for themselves, their spouses, their parents or their spouses' parents. The credit would be subtracted from the person's calculated tax liability.

Johnson's bill would allow taxpayers to subtract up to \$500 each year of the amount they pay in long-term care insurance premiums from their taxable income.

"The elderly in Minnesota are feeling the pressure," Daggett told lawmakers. "We need to give them an incentive to protect their assets and the confidence that they can pay for their care without becoming impoverished."

The state demographer has projected that between 2005 and 2010, the number of Minnesotans ages 65 to 74 will jump by almost 16 percent, from 298,650 to 345,920 — an increase attributable to the aging baby boomer population.

Between 2010 and 2015, the number will take an even more dramatic leap: from

345,920 to 434,790, an almost 26 percent increase. And from 2015 to 2020, the number of Minnesotans 65 to 74 will rise by almost 23 percent, from 434,790 to 533,630.

Long-term care insurance, which — depending on the policy — provides money to help pay the cost of a nursing home, an assisted-living facility, home health care, or adult day care, is a practical solution to the thousands of baby boomers who will require such care, Daggett said.

However, under current Minnesota law, there is no incentive to buy such coverage. In fact, it's remarkably easy for Minnesotans with sizable estates to transfer all or most of those assets before they enter a nursing home, leaving the state to pick up the cost under Medical Assistance.

The state now spends approximately \$1 billion a year on long-term care for Minnesotans who don't have the money to pay for it themselves, either because they gave away or transferred their assets or because they simply don't have it.

Paul Sailer, Wadena County's social services director, said two-thirds of current Minnesota nursing home residents are on Medical Assistance, and most of them transferred or gave away assets to become eligible.

Jerry Dock, an insurance agent in Anoka, Minn., testified that for every \$1 that the state would lose in revenue through Daggett's tax credit legislation, the state and its counties would save \$4.06 in Medical Assistance nursing home costs.

Both **HF2885** and **HF2985** were re-referred to the Taxes Committee for possible inclusion in the omnibus taxes bill.

### Protected from discrimination

Victims of domestic abuse would be protected from discrimination by insurance companies under a bill approved Feb. 15 by the House. The vote was 133-0.

**HF2344**, sponsored by Rep. Dee Long (DFL-Mpls), would prohibit insurance companies from using domestic abuse as a negative underwriting factor for life or health insurance.

Such discrimination is occurring, Long has said, and that sends the wrong message to abuse victims.

In most circles, abuse victims are encouraged to speak out and to seek help. Insurance companies, however, are sending a message that abuse victims should stay silent or face consideration as a high risk and denial of coverage.

## Covering state employees

Minnesota's commissioner of employee relations would be directed to look into the possibility of offering a long-term care insurance benefit to state employees under a bill approved Feb. 15 by a House committee.

**HF2953**, sponsored by Rep. Linda Wejman (DFL-Mpls), would direct the commissioner to consider the benefit, which would be an option offered to retiring state employees.

The House Governmental Operations Committee approved the bill, which will be placed on the House consent calendar.

Language that might have been interpreted as mandating long-term care insurance for state workers was removed from the bill at the request of Rep. Tom Osthoff (DFL-St. Paul), Financial Institutions and Insurance Committee chair.



## LAW

### Highway patrol colors

The scores of highway motorists practiced in the art of spotting those familiar maroon state patrol cars may soon have to rely on other distinguishing marks.

A bill that would allow the Minnesota State Patrol to purchase white cars as well as maroon was approved Feb. 9 by the House Transportation and Transit Committee.

Current law mandates that state patrol cars "shall be predominantly maroon."

The bill (**HF2292**), sponsored by Rep. Leslie Schumacher (DFL-Princeton), aims to provide a substantial savings in annual car purchases made by the state patrol.

The patrol purchases about 200 new vehicles each year. Maroon is not a standard color for the model lines used by troopers, so taxpayers get stuck with the bill for custom painting.

It costs \$700 to \$800 per vehicle for the paint jobs, according to Schumacher. That means allowing the patrol to use white cars could save the state as much as \$160,000 a year.

Several committee members challenged the conventional wisdom that camouflaged patrol cars that are difficult to spot in traffic help enforce speed limits.

Rep. Don Frerichs (R-Rochester) said making state patrol cars more identifiable on the roads may have a chilling effect on speeding motorists.

Using white cars may be one way to make troopers more visible to other motorists, he said.

The bill now goes to the Economic Development, Infrastructure and Regulation Finance Committee.



## METRO AFFAIRS

### Noise mitigation

A bill requiring the Metropolitan Airports Commission to make yearly reports to the Legislature on noise mitigation projects was passed Feb. 15 by the full House on a 132-0 vote.

**HF2285**, sponsored by Rep. Edwina Garcia (DFL-Richfield), would require the commission to make its legislative report by March 15 each year on noise mitigation projects implemented in the previous year at all Twin Cities airports and the amount of money spent on those projects.

**HF2285** also specifies that 40 percent of the money raised through passenger facilities charges during 1997 be devoted to noise mitigation projects. Under current law, the commission is required to spend the same amount on projects this year.

The bill now moves to the Senate.



## TAXES

### Tax breaks extended

Speeding up the elimination of one state tax and preventing the double taxation of certain services are among the provisions of a bill heard by the House Taxes Committee Feb. 13.

Sponsored by Rep. Ann Rest (DFL-New Hope), **HF3173** will be included in the omnibus tax bill on which the committee is scheduled to vote Feb. 23. Its provisions would cost the state \$12 million in lost revenue over the current biennium. The House Ways and Means Committee has recommended that the bill's cost not exceed \$10 million.

**HF3173** aims "to get us thinking about the next four years," Rest said. "Perhaps the discussion can lead to some fundamental changes in sales tax policy and also give us an opportunity to work with the [Department of Revenue] on some compliance and administrative issues in an open environment . . ."

The Department of Revenue estimates that the bill would cost the state an additional \$46.8 million in the 1998-99 biennium. Changes in the taxation of capital equipment alone would cost about \$34 million through 1999, according to initial revenue department estimates.

The bill would phase out the sales tax on replacement capital equipment over a four-year period. That provision, also included in the governor's tax initiative proposal

(**HF2433**), would speed up the current phase-down of the tax on replacement equipment.

In 1994, the Legislature began reducing the rate from 6.5 percent to a proposed 2 percent in 1998. Under Rest's bill, the rate would drop to 3.8 percent in 1997 and be eliminated in 1999.

Additionally, the current sales-tax exemption on used farm machinery, which will expire in July, would become permanent. Currently, new farm machinery is taxed at 2.5 percent. The permanent exemption would cost the state \$5 million in lost revenue through 1999.

**HF3173** also attempts to simplify the current tax on out-of-state purchases. Under current law, any purchase made in person or through mail order from another state for non-business purposes is subject to the state sales tax. The bill would exempt purchases up to \$770. The state would lose about \$200,000 in revenue through 1999.

"It is an effort to ensure that individuals who are buying things in another state aren't inadvertently breaking the law," Rest said.

While Rest's provision aims to keep law-abiding citizens from becoming "scofflaws," a related bill by Rep. Bill Haas (R-Champlin) — not acted on by the committee — aims to encourage reporting of out-of-state purchases that exceed the minimum. **HF2812** would put a space on income tax forms in which to report out-of-state taxable purchases.

The third major provision in **HF3173** extends the current exemption on materials used in the production of taxable products to taxable services. The goal is to prevent "tax pyramiding," or taxing something more than once. Initial revenue department estimates indicate the change will mean about \$20 million in lost revenue through 1999.

### Easing the tax burden

A House panel is considering three bills that would offer property tax relief to cabin owners in Minnesota.

The House Taxes Committee's Property Tax and Tax Increment Financing Division on Feb. 12 considered **HF3213**, sponsored by Rep. Ann Rest (DFL-New Hope); **HF2797**, sponsored by Rep. Eileen Tompkins (R-Apple Valley); and **HF2967**, sponsored by Rep. Bill Macklin (R-Lakeville).

Currently, the owners of seasonal recreational property in Minnesota pay 2 percent in property taxes on the first \$72,000 of market value per property, and 2.5 percent on the portion over \$72,000 of market value.

Last year's Legislature voted to reduce the 2 percent rate to 1.9 percent for taxes payable

in 1997, and 1.8 percent for taxes payable in 1998 and thereafter.

Rest's bill would reduce the class rate on non-commercial seasonal recreational property to 1.75 percent of market value for taxes payable in 1997, and 1.5 percent of market value for taxes payable in 1998 and thereafter.

Tompkins' bill would reduce the property tax class rates on seasonal recreational property with a market value of up to \$72,000 to 1.67 percent for taxes payable in 1997, 1.33 percent for taxes payable in 1998, and 1 percent for taxes payable in 1999 and thereafter.

The property tax class rates on property with a market value of more than \$72,000 would be reduced to 2.33 percent for taxes payable in 1997, 2.16 percent for taxes payable in 1998, and 2 percent for taxes payable in 1999 and thereafter.

Macklin's bill would reduce the class rate on all seasonal recreational property to 1.15 percent, effective with taxes payable in 1997.

All three of the bills provide that Minnesota's homestead and agricultural credit aid would not be increased to compensate local taxing jurisdictions for tax base reductions resulting from the legislation.

Rest told division members that her constituents believe that property tax relief on cabins should be one of the Legislature's main priorities.

The Property Tax and Tax Increment Financing Division also considered two other bills that would affect cabin owners:

- **HF2965**, sponsored by Rep. Kevin Goodno (R-Moorhead), would exempt cabins from any voter-approved levies, such as school district referendums, that are required to be assessed against their market value.

"The concept is that people who own such property are not allowed to vote in such referendums, so they shouldn't be required to pay," Goodno told the panel. "It's getting to the point now where middle- and low-income people can't afford to own lake property, and this bill addresses how to make it more affordable for them to enjoy these properties."

- **HF2966**, sponsored by Rep. Phil Krinkie (R-Shoreview), proposes a constitutional amendment that would allow Minnesotans who own cabins to vote in that property's precinct on matters dealing with property taxes or issuance of bonds.

"This is the basic premise of taxation without representation," Krinkie said. "These property owners are paying taxes in these jurisdictions without the opportunity to vote on them and express their opinions."

The five bills will be considered for possible inclusion in the House Taxes Committee's omnibus tax bill.

## New carbon fuel tax

A bill to impose a tax on carbon-based fuels and use the revenues to buy down property taxes was heard Feb. 15 in the House Taxes Committee.

**HF3063** attempts to shift the tax burden from property to energy consumption. It is revenue neutral.

Under the bill, sponsored by Rep. Ann Rest (DFL-New Hope), coal, natural gas, liquid fuels and mixed municipal solid waste would be taxed at \$10 per ton of carbon content beginning next year. The tax would increase \$10 every year until it reached \$50 per ton in 2001. Revenues from the tax would be used to both reduce property taxes through school levies and refund employers a portion of their payroll tax. The property tax rebates would be appropriated from the state's general fund.

Proponents say the bill is a good example of using tax policy to encourage efficiency and ease property taxes. Critics say it might hurt low-income people and doesn't guarantee long-term tax relief.

Bill Blazer of the Minnesota Chamber of Commerce said revenue from the tax could disappear over the long term if the "behavior-changing" law works, causing fewer utilities to use coal and other taxable fuels. He said tax policy should not be based primarily on changing behaviors.

Rep. Dee Long (DFL-Mpls) objected to Blazer's criticism, saying businesses often support changes in property taxes which are aimed at changing behavior.

"Is it only in this case that the business community doesn't support changing the tax structure to shape behavior?" she asked.

Rest said tax policy should be used to encourage things that are "good" for the economy or environment and discourage those that are "bad."

The Minneapolis-based Institute for Local Self-Reliance, which supports the bill, estimates the average Minnesota home-owning family would see a \$265 annual increase in their energy expenses under **HF3063**. The family would see an equal drop in property and payroll taxes, according to David Morris of the institute.

Both renters and low-income people, the latter of whom often live in older housing and are marginally employed, could see a bigger increase in energy costs and a smaller drop in property tax and payroll benefits, Morris said.

Wayne Cox, of Citizens for Tax Justice, called the tax "regressive" and said it could hurt the poor.

Rest's bill also allocates \$80 million from the general fund for the low-income weatherization and energy programs.

Rep. Tom Bakk (DFL-Cook) said the bill "has some potentially devastating effects on the mining industry in northern Minnesota where our high-wage jobs exist."

**HF3063** will be considered for inclusion in the omnibus tax bill next week

## Reinstating a tax exemption

A bill that would make all counties, cities, towns, and special districts in Minnesota exempt from sales and use taxes was heard Feb. 14 by a House panel.

**HF3035**, sponsored by Rep. Kevin Goodno (R-Moorhead), would reinstate a tax exemption that the state's local governments enjoyed until the Legislature abolished it in 1992.

"What we're doing now is taxing a taxing entity," Goodno told the House Taxes Committee's Sales and Income Tax Division. "It's just good public policy to exempt them from these taxes."

Beginning in June 1992, sales and purchases by local units of government in Minnesota have been subject to the state's sales and use taxes. School districts, the University of Minnesota, state colleges and universities, local government-run hospitals and nursing homes and the purchase of books, periodicals and other circulation items by public libraries remain exempt from sales and use taxes.

But exempting all governmental units from the taxes again would mean an estimated revenue loss to the state of \$76.8 million in the 1996-97 biennium and \$181.1 million in the 1988-99 biennium.

During the panel's brief discussion of **HF3035**, Goodno did not suggest how the state could make up the difference if his bill became law.

Gary Carlson, representing the League of Minnesota Cities, urged lawmakers to support the bill, pointing out that Minnesota is one of only seven states that imposes sales tax on local government purchases.

Carlson called the law inefficient and confusing.

The Sales and Income Tax Division took no action on Goodno's bill, but referred it to the House Taxes Committee for possible inclusion in the omnibus tax bill.

## Extending the wind exemption

A bill that would make Minnesota's sales tax exemption for wind energy conversion systems permanent was considered Feb. 14 by a House panel.

The House Taxes Committee's Sales and Income Tax Division laid over **HF2654**, sponsored by Rep. Ted Winter (DFL-Fulda), to be considered for possible inclusion in the Taxes Committee's omnibus tax bill.

The sales tax exemption, which became law in 1992, is due to expire on July 1. Winter's bill would make the exemption permanent.

"We want to try to continue to develop the wind generation capacity in the southwest corner of the state," Winter told the panel. "We'll have a competitive business that will continue to prosper and grow in Minnesota."

According to the Minnesota Department of Revenue, Winter's proposal would mean a revenue loss of \$400,000 for the state in the current biennium and \$1.1 million in the 1998-99 biennium.

Northern States Power Co. (NSP) is required to expand its wind farm power capacity to 400 megawatts by the year 2000. Currently, 100 megawatts of capacity is operational, with another 100 megawatts scheduled to be installed this year.

No installation is scheduled for 1997, but 200 megawatts are planned for installation during 1998 and 1999. NSP has asked the Minnesota Public Utilities Commission for permission to accelerate its planned installation.

Also, a number of cooperatives are seeking to establish operations as independent wind power producers in Minnesota. The American Wind Energy Association says the cooperatives expect to purchase about \$1 million worth of wind energy conversion system equipment between July 1, 1997, through 2002.



## TRANSPORTATION

### Changing the rules

The Minnesota House has passed legislation that exempts truck drivers transporting agricultural commodities or farm supplies from some federal regulations.

**HF2163**, sponsored by Rep. Roger Cooper (DFL-Bird Island), was passed Feb. 12 by the House on a 132-0 vote.

The bill specifies that truck drivers transporting such items during planting and harvesting seasons, from March 15 through Dec. 15 each year, are not subject to federal rules

that specify the maximum driving and on-duty times for truck drivers.

Drivers are limited to an area within a 100-mile radius from the source of the commodities or the distribution point for the farm supplies.

**HF2163** also sets out new conditions under which the state's public safety commissioner can grant medical waivers to truck drivers.

The new law provides that the commissioner can grant a waiver for intrastate transportation only. The applicant must meet a set of guidelines and provide requested medical information before such a waiver is granted.

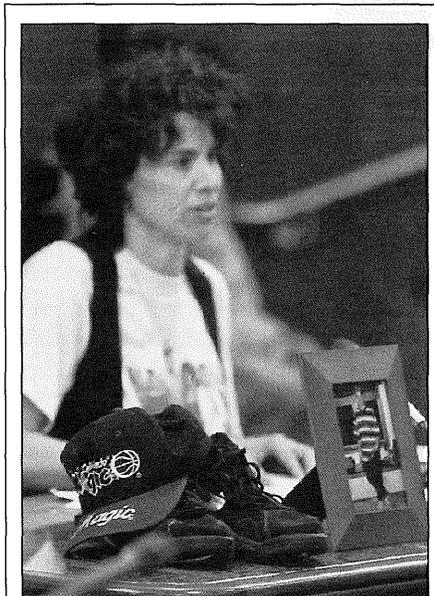
**HF2163** now heads to the Senate.

## Memorial roadways

Four stretches of Minnesota highway have been granted special designations by the Minnesota House.

On Feb. 12, lawmakers unanimously approved **HF2068**, which designates Anoka County Road 7 from its intersection with Grant Street in Anoka to its intersection with Anoka County Road 24 in St. Francis as the POW/MIA Memorial Highway. The vote was 128-0.

Sponsored by Rep. Tom Hackbarth (R-



Cheryle Matis, the mother of Brandon Block, a 14-year-old Plymouth boy accidentally shot and killed by a classmate in 1994, testified before the House Judiciary Committee Feb. 9 in support of a bill that would have required guns to be stored unloaded and locked where children live. The bill was amended and now would expand a current gun storage law. Under the bill, an adult who negligently stores a firearm that ends up in the hands of someone under 18 would be guilty of a gross misdemeanor. Current law sets the limit at 14.

Cedar), **HF2068** now moves to the Senate.

The House, on a 131-0 vote, also passed **HF2410/SF1946\*** sponsored by Rep. Kris Hasskamp (DFL-Crosby). It names three highways:

- Trunk Highway 169, from its intersection with Trunk Highway 10 near Elk River to its intersection with Minnesota Highway 18 near Garrison, and Minnesota Highway 18 from its intersection with Trunk Highway 169 to its intersection with Trunk Highway 371 near Brainerd, also was designated a POW/MIA Memorial Highway.
- Trunk Highway 115 was designated Veterans Memorial Highway.
- A segment of old County Road 21, from its intersection with Trunk Highway 73 to the Moose Lake Psychopathic Center, was designated John Riley Memorial Boulevard.

John Riley, former commissioner of transportation and chief of staff under Gov. Arne Carlson, died of brain cancer in March 1994.

## Amish buggy byway

A portion of road in southeastern Minnesota may become safer and raise cultural awareness if a bill approved by a House panel Feb. 13 becomes law.

**HF2092/SF1909\*** sponsored by Rep. Greg Davids (R-Preston) would designate Highway 52 in Fillmore County the Amish Buggy Byway. The stretch would be marked by road signs.

Supporters of the bill hope it will make drivers aware of the possible presence of Amish buggies on the busy stretch of road and more cautious.

A recent *Rochester Post-Bulletin* article quotes Fillmore County Sheriff Jim Connolly as saying there have been three or four minor accidents on the road in the past year, as well as other unreported accidents.

There are approximately 700 Amish residents in Fillmore County.

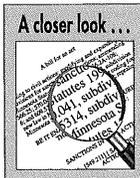
The bill calls for local residents to reimburse the Department of Transportation (MnDOT) the cost of marking the highway, estimated to be about \$3,000.

The mayor and city council of Harmony said they would like to see the state foot the bill since signs formerly marking the route as a buggy area were taken down by MnDOT prior to repair of Highway 52. Also, they said, the signs will encourage interest in local culture, adding more tourist dollars to southeastern Minnesota.

The bill, approved by the Economic Development, Infrastructure and Regulation Committee, now heads to the House floor.

A closer look . . .

## Omnibus K-12 bill provides technology grants



A \$26 million education spending proposal advancing in the House aims to bolster technology in Minnesota's public schools and to provide new programs for the state's most needy students.

The omnibus education bill (HF2156), sponsored by Rep. Alice Johnson (DFL-Spring Lake Park) was approved Feb. 14 by the K-12 Finance Division of the House Education Committee.

"We wanted to continue on the path we started last year," said Johnson, who chairs the panel. "We're looking at technology, accountability, discipline, and early intervention."

The proposal does not include funding for some of Gov. Arne Carlson's major education initiatives, and the bill would spend only about half of what the governor recommended.

Left out were the \$15 million Carlson proposed to spend on a school voucher pilot program and money he wanted to spend on computer hardware and other programs.

But the bill would spend \$11 million to bolster the use of technology and would devote funds to after-school programs, full-day kindergarten, and other projects designed to help disadvantaged students.

And the measure would allow more decision-making power at the school site level and narrow the focus of the state's proposed graduation standards.

The bill now moves to the full Education Committee.

### Boosting technology

A total of \$11 million would be spent on technology programs under the bill. Most of that money — some \$8 million — would be used to expand Internet access in schools and libraries.

The 1995 Legislature passed a law that included a \$10.5 million grant program to connect schools and regional public library systems to the information superhighway.

HF2156 would make an additional \$8 million in grant funding available in 1997.

Another \$1.4 million would be devoted to training teachers in the use of technology so they can pass on those skills to their students.

Groups of at least 10 teachers would be allowed to independently seek grants to pursue training for the use of computer hardware and software.

Providing such training will help ensure

that the state gets a good return on its investments in technology, according to Johnson. "Otherwise it sits out there and doesn't get used," she said.

Another of the bill's provisions — although a seemingly minor one — could greatly help to improve Internet access in rural Minnesota schools.

The measure would allow telephone companies to provide service to schools and libraries at reduced prices or for no cost.

Such a change could make a significant impact in rural areas where a long-distance call is required to connect to the worldwide communications network.

Several of the major technology-related proposals in the omnibus bill came from a separate bills (HF2500 and HF2616) sponsored Rep. Steve Kelley (DFL-Hopkins).

Under the omnibus bill another grant program would be set up to enhance the use of technology in after-school programs.

A total of \$1 million would be offered in grants to school districts, private schools,

Rep. Matt Entenza (DFL-St. Paul) said the goal of the expanded kindergarten proposal is to make sure students arrive in first grade prepared to handle academic basics such as reading and writing.

Proponents of the measure also said it would have benefits that reach far beyond the first grade. They argued that kids who fall behind at a young age often end up with serious academic and behavioral problems in later grades.

"We need to get to those problems early, and I think this is a very good way [to do it]," Johnson said.

Schools with the highest percentage of students on free and reduced-price lunch programs would be first in line to receive a share of the grant money.

The \$3.2 million in the education bill would be enough to fund expanded kindergarten in about 45 schools throughout the state. At least 75 percent of students at all of those schools receive free or reduced-price lunches.

Schools receiving grant funds would decide whether to use the money for all-day kindergarten programs or to initiate half-day kindergarten for 4-year-olds, which would put kids in the classroom a year earlier than usual.

Many of the kindergarten proposals in the omnibus bill came from a separate bill

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*"We wanted to continue on the path we started last year. We're looking at technology, accountability, discipline, and early intervention."*

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—Rep. Alice Johnson

and community organizations that operate after-school programs giving children access to computers.

The program was included in the governor's education proposals and was part of a separate bill (HF2118) sponsored by Rep. Bob Ness (R-Dassel).

### All-day kindergarten

The bill includes a provision crafted to ensure that disadvantaged children are ready for first grade by having them spend more time in a kindergarten classroom.

Under the bill, \$3.2 million in grant funding would allow certain schools to offer full-day kindergarten or to provide half-day kindergarten for 4-year-olds.

(HF2147) sponsored by Rep. Jean Wagenius (DFL-Mpls).

### Afternoon activities

Children in some of the state's poorest areas would be the beneficiaries of \$2.5 million included in the bill for after-school programs.

The governor, in his January State of the State Address, identified after-school enrichment programs as a top spending priority.

Carlson requested \$5 million to finance after-school programs in Minneapolis and St. Paul neighborhoods with especially high rates of poverty, teen pregnancy, and juvenile crime.

The House bill would spend half of that

amount on a pilot program to provide grant funding for after-school programs run by community organizations.

Grants would go to programs in three Minneapolis and three St. Paul neighborhoods that meet criteria to be set by the Department of Children, Families, and Learning. Up to 10 percent of the grant money would go to programs in neighborhoods outside of Minneapolis and St. Paul.

Children ages 8 to 13 who live in troubled neighborhoods would be the target of programs aiming to reduce juvenile crime and school behavioral problems.

The programs also would seek to increase academic achievement, school attendance, and skills in computers, the arts, and athletics.

The after-school enrichment provisions come from a separate bill (HF2251), sponsored by Rep. Rich Stanek (R-Maple Grove).

### Local control

The bill includes provisions that would give school sites more authority to make budget and programming decisions.

Under the proposal, school site councils would control a small share of the per-pupil revenue given to districts, and the site councils would be eligible to receive additional grant funding from the state.

"It all points to improving learning for kids," Kelley said. "It just gives a different group of people a voice as to what constitutes improved learning."

Current law allows site councils to be established, but the powers given to them depend on agreements worked out with the local school district.

Site councils usually include teachers, administrators, other school employees, students, parents, and community members.

The bill would give site councils, where they are established, control of about \$160 per pupil at the school. The money could be spent on programs, equipment, or a variety of other things.

Additionally, site councils would be eligible to receive a share of \$1.1 million in grant funding included in the bill. Grant funding would have to be used in an effort to reach performance goals.

Measurable performance goals for anything from improved test scores to increased graduation rates to reduced truancy would have to be set by the site council.

The council would be able to use grant funding of up to \$50,000 in the effort to achieve its goal.

Kelley initiated his effort to give site coun-

cils more control in a separate bill (HF2707) introduced this year.

"What you're actually getting is more democracy and not more bureaucracy," he said.

### Graduation standards

The bill includes \$1.7 million for continued development of the state's graduation rule, but the bill would narrow the scope of the proposed standards.

The state has spent about \$20 million developing and testing the new graduation standards.

Requirements for reading and math proficiency are slated to take effect beginning with the ninth-grade class in 1996-97. Those students will have to meet math and reading requirements before they can receive a diploma.

Ninth graders in 1997-98 were expected to have been tested on writing and science standards in addition to the math and reading requirements. Other tests in government, geography, and physical health and safety were expected to follow.

But the omnibus education bill would change that.

Minimum proficiency tests would be limited to the subjects of math, reading, and writing.

Assessment of performance in the other subjects would be shifted from minimum standards testing to the Profile of Learning, a broad analysis of each student's overall performance.

The changes in the graduation standards follow the direction taken in recent months by the newly created Department of Children, Families, and Learning.

Johnson described the standards as a method to ensure school accountability because the standards will demonstrate whether schools are doing their job.

"I believe that is what the public is expecting out of the graduation rule," she said.

### Creative discipline

The bill includes \$300,000 to help schools address behavior problems before they get out of hand.

The money would be distributed in grants to schools that implement constructive discipline policies that are focused on early intervention.

The bill would encourage schools to engage parents in a collaborative effort to alter inappropriate behavior and to see that such misbehavior does not become chronic.

It also would encourage schools to penalize students for misbehavior but to work

toward returning them to their regular classrooms.

Grant recipients would be required to remove from regular classrooms students who violate the school's conduct code, to provide an alternative education site within the school for those students, and to make the alternative education constructive.

The grant program was originally proposed in a separate bill (HF3033) sponsored by Johnson.

### Easy expulsion

The omnibus bill includes a provision that would make it easier to expel students who step out of line at school.

Schools would be able to expel students who violate sexual, religious, or racial harassment policies or other school conduct policy.

Ness said the measure is intended to make it clear that school attendance is a privilege and not a right.

Under the bill, school districts would have to hold a hearing before a student could be expelled, unless the student's parents waive that right. A decision to expel could be appealed to the commissioner of the Department of Children, Families, and Learning.

After a student is expelled, the pupil and parents would have 30 days to get the student admitted to another school. Failing that, the school district would take over and place the student in a public school in another district or in a private school.

The expulsion provisions are similar to those in a separate bill (HF2544) sponsored by Ness.

### Gang resistance

Finally, the bill would allow existing tax revenue to pay for education programs that teach children how to resist gangs.

Currently, school districts can collect an extra \$1 per resident in taxes to help pay for school police officers and drug abuse prevention programs.

The optional levy provides funding for efforts such as the DARE (Drug Abuse Resistance Education) program, which teaches fifth and sixth graders about the dangers of drugs.

The education bill would simply expand the law to allow districts to pay for gang-resistance education with money collected through the tax.

A similar proposal was included in a separate bill (HF2495), sponsored by Rep. Bob Milbert (DFL-South St. Paul).

—Nick Healy

Bonding proposal . . .

## Deteriorating State Capitol needs extensive repairs

The masterful combination of art and architecture that is the Minnesota State Capitol carried a hefty price tag for turn-of-the-century times.

It cost \$4.5 million to fulfill St. Paul architect Cass Gilbert's vision for the state's third capitol building.

More than 90 years later, that amount of money would hardly cover one of the large-scale maintenance projects required to keep the building structurally sound and aesthetically pleasing.

"It is going to cost more than traditional repair because it is a uniquely designed building," said Rep. Henry Kalis (DFL-Walters). "I think most people want to keep this unique building in good condition."

Kalis chairs the House Capital Investment Committee, which will decide this year if bonds should be sold to raise revenue for a proposed \$12.7 million in repairs to the Capitol.

### Ninety years ago

Original construction of the Capitol spanned more than five years and, under Gilbert's watchful eye, was completed in 1905. The building easily outdistanced its predecessors in size and grandeur.

The state's first Capitol, a relatively modest two-story brick building at the corner of Tenth and Cedar streets in downtown St. Paul, was destroyed by fire in 1881.

A second Capitol was completed in 1883 on the same site, but the building was instantly unpopular because of overcrowding and poor ventilation.

About a decade later, a seven-member citizen panel dubbed the Board of State Capitol Commissioners selected a hilltop site just outside the downtown core for the new Capitol.

Gilbert's design for the structure was eventually selected from a pool of entries from across the nation, and the architect set about the task of building a structure he hoped would serve as a source of pride for Minnesotans.

Since the Capitol's completion, other government buildings have been built on the Capitol grounds. The city has since grown around the Capitol, and an interstate highway now runs between the building and downtown.

To the casual observer, the Capitol appears

to have weathered well. But deferred maintenance, combined with years of wear and tear, has left the building with multiple problems that demand remedies.

"Minnesotans have been lucky so far that it isn't in worse shape than it is," said Mary Duroche, a planner for the Capitol Area Architectural and Planning Board (CAAPB).

### Capitol caretakers

The CAAPB was established in 1967 to guide maintenance and repair of public and ceremonial areas in the Capitol (including the House, Senate, and Supreme Court chambers, the governor's reception room, and the rotunda) and to oversee use of the surrounding grounds.

The commission did not consider design plans for the structures. The result was construction of two modern (and some say ugly) office buildings. Legislators took the brunt of the criticism surrounding the addition of the buildings to the Capitol area landscape.

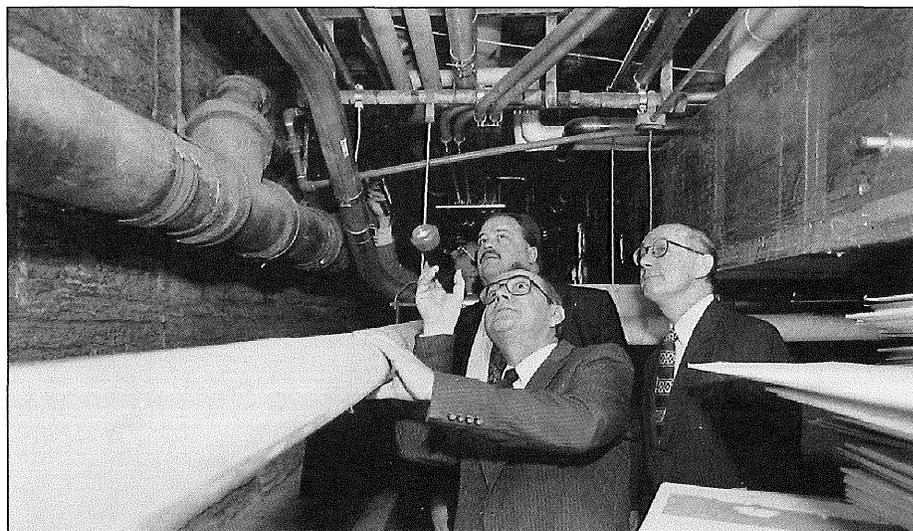
Lawmakers still decide which projects should be undertaken at the Capitol and how much should be spent on the work. But the planning board provides a cohesive, long-range strategy for work on the building and grounds.

### Renovation projects

In recent years, the board has initiated several highly visible renovation projects at the Capitol.

The 1994 Legislature passed a bonding bill that provided about \$5 million to repair the Capitol roof and exterior and to restore the Quadriga — the golden horses atop the building.

The new Capitol roof was completed in 1995, and the Quadriga also was returned to its perch after about a year's absence.



Rep. Henry Kalis, with flashlight, Rep. Greg Davids, left, background, Rep. Jerry Dempsey, right, and other members of the House Capital Investment Committee looked Feb. 5 at rusty steel girders holding up the Capitol. Replacement of the girders is expected to be part of the House's 1996 bonding bill.

Prior to the creation of the board, legislators assumed more responsibility for care of the Capitol, and an advisory commission aided in land-use decisions for the Capitol complex.

That commission approved plans to build the Transportation Building (1956) and the Centennial Office Building (1958) on Capitol grounds in decisions based purely on land-use issues.

The 10,000-pound statuary — placed above the Capitol's main entrance in 1907 — is the work of Edward C. Potter, a noted sculptor of animals, and Daniel Chester French, who created the seated Abraham Lincoln at the Lincoln Memorial in Washington, D.C.

Age and weather led to deterioration of the Quadriga's internal steel supports and its gilded coat. The statuary was restored and



The Quadriga, the golden horses and carriage atop the State Capitol, was returned to its perch in June 1995 after a year-long repair. Age and weather had eroded the Quadriga's internal steel supports and the gilded coat of the structure as well.

regilded by a Connecticut company at a cost in excess of \$600,000.

This year the board is seeking about \$12.7 million in bonding funds largely to repair deteriorating structural elements. (Gov. Arne Carlson recommended that \$4.8 million be included in the 1996 bonding bill for Capitol projects.)

Duroche identified two top priorities in the board's proposal: replacement of corroded support structure under the terraces that ring the Capitol and repair of cracking stone surfaces in the lantern atop the Capitol dome.

Serious damage to the terrace support structures was discovered during 1994 construction of accessibility ramps at the south carriage entry on the Capitol's ground floor.

Water leaking through stones from above

corroded some of the support beams so badly that even a moderate swing of a hammer could knock a hole through the rusted steel.

Subsequent inspections showed moderate to heavy damage to the beams supporting terraces on all sides of the building. The board is seeking \$7.2 million to revamp the terraces.

Trouble with the terrace supports is one more example of the problems caused by weather and water, according to Kalis.

Extreme weather conditions increase the likelihood leaks will develop, he said, and that can lead to serious damage to the building's structural and decorative elements.

Another \$1.4 million is being sought this year to repair the lantern, the 39-foot tall columned structure that sits atop the Capitol dome.

Topped by a gold gilded roof and an ornamental ball, the lantern features 12 columns clad with marble and precast concrete panels. Inspections conducted during 1994 and 1995 revealed serious cracking in the stone and marble pieces and in the joints between them.

The planning board also has developed long-range plans for bond-funded repairs and renovations to the Capitol. Duroche hopes the building will be in tip-top shape for its centennial in 2005.

"It would be kind of nice to give it a second chance," she said.

### Looking to the future

Plans call for a 1998 bonding proposal to fund restoration of the Capitol cafeteria (once a unique spot fashioned after a German rathskeller) and to pay for work to re-open the east carriage entrance and east ground floor corridor. Both closed long ago to make way for additional office and storage space.

The board plans to seek funding in 2000 to upgrade the Capitol's mechanical and electrical systems and to rehabilitate the east wing. Plans call for subsequent bonding requests to fund restoration of all public corridors (2002) and restoration of the rotunda (2004).

The needs of the Capitol may seem costly and many, but Kalis contends repairing and maintaining the building should be of vital interest to lawmakers and others.

"That building really signifies Minnesota," he said. "Our forefathers had the courage to build a very ceremonial building, and I believe that we have to have the courage to keep it in good condition."

— Nick Healy

## Minnesota State Agencies

Agriculture ..... 297-2200  
 Commerce ..... 296-4026  
 Corrections ..... 642-0200  
 Education ..... 296-6104  
 Employee Relations ..... 297-1184  
 Job Information ..... 296-2616  
 Finance ..... 296-5900  
 Gaming  
 Gambling Control Division... 639-4000  
 MN State Lottery Division .... 635-8100  
 Toll Free ..... 1-800-475-4000  
 MN Racing Commission ..... 341-7555  
 Health ..... 623-5000

Human Rights ..... 296-5663  
 Toll Free ..... 1-800-657-3704  
 Human Services ..... 296-6117  
 Economic Security ..... 296-3711  
 Labor and Industry ..... 296-6107  
 Military Affairs ..... 282-4662  
 Natural Resources ..... 296-6157  
 Public Safety ..... 296-6642  
 Driver and Vehicle Services .. 296-6911  
 Fire Marshal ..... 643-3080  
 Liquor Control ..... 296-6159  
 State Patrol ..... 297-3935  
 Pollution Control ..... 296-6300

Public Service ..... 296-7107  
 Revenue  
 Taxpayer Assistance ..... 296-3781  
 Toll Free ..... 1-800-652-9094  
 Trade and  
 Economic Development ..... 297-1291  
 Office of Tourism ..... 296-5029  
 Transportation ..... 296-3000  
 Veterans Affairs ..... 296-2562  
**State Information ..... 296-6013**  
 House Information ..... 296-2146  
 Senate Information ..... 296-0504



Visiting the Minnesota State Capitol complex can be a rewarding and educational experience for everyone. There are buildings to explore and tours to take almost any time you choose to visit. And when the Legislature is in session during the first part of every year, there are floor sessions to observe, committee meetings to attend, and legislators to meet. Remember that this is your state Capitol, and you are always welcome.

## How to get here

### Location

The Capitol complex is to the north of I-94 just minutes from downtown St. Paul. It is accessible from the east and west on I-94, and from the north and south on I-35E.

**I-94 eastbound:** Exit at Marion Street. Turn left. Go to Aurora Avenue and turn right. Go one block, cross Rice Street, and enter Parking Lot D.

**I-94 westbound:** Exit at Marion Street. Turn right. Go to Aurora Avenue and turn right. Go one block, cross Rice Street, and enter Parking Lot D.

**I-35E northbound:** Exit at Kellogg Boulevard. Turn left. Go to John Ireland Boulevard and turn right. Metered parking spaces line both sides of the boulevard.

**I-35E southbound:** Exit at University Avenue. Turn right. Go to Rice Street and turn left. Go one block and turn left to enter Parking Lot D.

### Parking

Public metered parking is available in Lot Q, north of the Capitol at Cedar Street and Sherburne Avenue; Lot D, next to the State Office Building off Rice Street on Aurora Avenue; and on the orange level of the Centennial Office Building Ramp at Cedar Street and Constitution Avenue. All-day parking is available in Lot Q and in the Centennial Office Building Ramp. Capitol Security personnel will issue tickets for expired parking.

Outdoor handicapped parking is available in Lot N, which is directly behind the Capitol; in Lot D, which is off Rice Street on Aurora Avenue; and in Lot F, which is directly behind the Transportation Building.

Indoor handicapped parking is available on the lower level of the State Office Building Ramp (use the call box at the ramp entrance to gain entry); on the blue level of the Centennial Office Building Ramp; and on

the entry level of the Administration Building Ramp (two stalls).

There soon will be two handicapped entrances to the Capitol. One is on the north side of the building, just off Lot N; the other, a drop-off entrance under the south portico at the front of the building, is scheduled to open Feb. 29.

Since parking is limited during legislative sessions, busing may be easier. Freeway express bus service is available. Bus number 94B takes you to the Capitol and the State Office Building. Call the Transit Information Center at (612) 349-7000 for schedule and route information.

## What to do

### Tours

Tours of the Capitol are offered through the Capitol Historic Site Program of the Minnesota Historical Society.

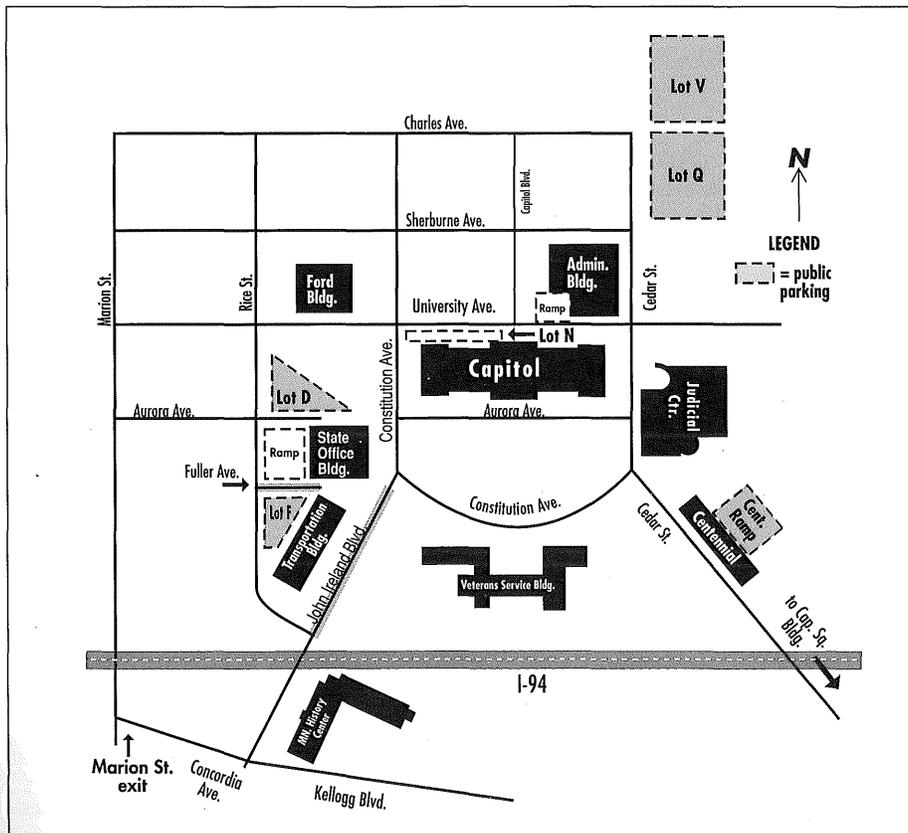
Tour guides lead the 45-minute tours on the hour Mondays through Fridays between 9 a.m. and 5 p.m. (last tour leaves at 4 p.m.); Saturdays between 10 a.m. and 4 p.m. (last tour leaves at 3 p.m.); and Sundays between 1 p.m. and 4 p.m. (last tour leaves at 3 p.m.). The tours are free of charge and begin at the Capitol's information desk at the end of the corridor to the right of the main entrance. Brochures in about 15 foreign languages also are available there.

Tour participants may request customized tours that emphasize either the building's art and architecture or state government. Also, tours can be customized for senior citizens or grade school students.

The society offers "Voice of the People: Your Role in Minnesota Government," a half-day educational session for students in grades 7-12.

Historical society officials ask that groups of 10 or more call at least two weeks in advance to reserve a tour time.

For more information about the tours or to reserve a time, call the Capitol Historic Site Program, (612) 296-2881.



## Legislative sessions

Members of the House of Representatives and the Senate debate bills when the Legislature is in session.

At the beginning of a legislative session, the pace of floor sessions is generally slow as new bills are assigned to committees and non-controversial items are discussed. At about the session's midpoint, however, the legislative pace quickens.

The House meets at 2:30 p.m. Mondays and Thursdays, and the Senate meets at 10 a.m. Mondays and at 8 a.m. Thursdays during the first few weeks. House floor sessions are scheduled for the afternoon because committees meet in the morning and early afternoon. As the session nears the end, however, both bodies may meet several times a day, often into the night.

All House and Senate floor sessions are open to the public. Visitors interested in observing these sessions may call the House Chief Clerk's Office, (612) 296-2314, or Senate Information, (612) 296-0504, with questions. Spectators may sit in the galleries of either chamber.

## Committee meetings

Committees still consider bills several weeks after the session starts. Visitors wanting to attend a committee meeting may call the committee hotlines for prerecorded messages with the meeting times and agendas for each day: House, (612) 296-9283; Senate, (612) 296-8088. Printed agendas for the week also appear in each issue of the *Session Weekly* and the *Senate Briefly*.

Committee meetings are open to the public. When a public hearing is scheduled the committee may listen to comments from the audience (when time permits) in addition to the scheduled speakers. Committees have different policies on hearing testimony depending upon their size and workload. Some committees hear general testimony at the subcommittee level, while others allow general testimony during meetings of the full committee. Informational handouts that committee members receive during meetings or hearings are considered public information and are available to the audience on a first-come, first-served basis.

Major proposals on issues such as open enrollment or groundwater legislation often have several public hearings so committee members may listen to all arguments for and against a bill.

Each committee has a chair, vice chair, administrator, and legislative assistant. A list of committees and members is available in the

House Public Information Office in Room 175 of the State Office Building or the Senate Information Office in Room 231 of the State Capitol.

Groups and individuals wishing to testify before a committee should call the appropriate committee's legislative assistant well in advance of the meeting and ask to be placed on the agenda. Committees prefer requests one week in advance but will accept later notification when unexpected issues appear on the committee schedule. A brochure containing tips on testifying at legislative committee hearings is available from the House Public Information Office.

## Legislators

Representatives are busy but look forward to meeting with their constituents. You should contact your legislator's office to set up an appointment.

## Dining

All buildings in the Capitol complex have their own cafeterias. The Capitol and State Office Building cafeterias are in the basement. The Transportation and Centennial buildings' cafeterias are on the ground floor of each building. The Veterans Service Building cafeteria is on the fifth floor, and the Capitol Square Building's dining area is on the lower level. The Capitol also has a snack bar on the second floor (where the House and Senate chambers are located) during the session. The Café Minnesota is on the first level of the new Minnesota History Center. All cafeterias serve breakfast and lunch.

## Group visits

Sometimes groups plan a "legislative day" at the Capitol in order to express a particular viewpoint to legislators.

Rooms for special conferences or speakers can be reserved by calling Betty Langenberger, (612) 296-5974, room scheduler for the State Office Building; or Marilyn Hall, (612) 296-0866, or Marge Collins, (612) 296-4154, both room schedulers for the Capitol Building.

If group members would like to meet with their individual legislators or testify before a committee (see "Committee meetings"), arrangements should be made at least a week in advance.

Oftentimes, such groups have members wear a distinctive name tag or badge to indicate their concern about a particular issue.

Groups planning a trip to the Capitol should remember that seating is fairly limited in some committee rooms — particularly when the topic is controversial.

## Where to find information

### House Public Information Office

175 State Office Building  
(612) 296-2146 or  
1-800-657-3550

**Committee schedule:** The *Session Weekly* includes the upcoming week's schedule, and the office has a prerecorded message, (612) 296-9283, that provides up-to-date information on meeting agendas, times, and locations.

**Legislator information:** The office has a complete listing of telephone and room numbers for the representatives.

**Informational brochures:** Many brochures for all ages are available at no charge.

### Chief Clerk's Office

211 State Capitol  
(612) 296-2314

**Copies of bills:** This office provides copies of bills at no charge, all agendas for House sessions, and the *Journal of the House*.

### House Index Department

211 State Capitol  
(612) 296-6646

**Bills:** The House Index Department, a part of the Chief Clerk's Office, has a computerized index available for public use. House Index lists bills by committee, topic, author, file number, and other categories.

**Bill status:** House Index can also tell you the current status of legislation.

### Senate Information Office

231 State Capitol  
(612) 296-0504

This office is responsible for all information about the Senate, including the committee schedule, bill status, legislator information, and the distribution of bill copies.

### Senate Media Services

B-44 State Capitol  
(612) 296-0264

This bipartisan office produces television programs, multi-media production, scriptwriting, photography and graphics. It offers live coverage of the Senate floor sessions and some committee hearings.

### Public Access Computer Room

181 State Office Building  
The room houses computers that the public may use to obtain legislative information on a variety of subjects.

# Bill Introductions

HF3164-HF3213

## Monday, Feb. 12

**HF3164—Schumacher (DFL)**  
**Environment & Natural Resources Finance**  
Benton County landfill cleanup provided, and money appropriated.

**HF3165—Ozment (R)**  
**Judiciary**  
Anoka, Carver, Dakota, Scott, and Washington county attorneys required to provide prosecution services for nonfelony violations in certain small cities.

**HF3166—Huntley (DFL)**  
**Health & Human Services**  
Human Services intermediate care facility reimbursement county geographic designation provisions modified.

**HF3167—Sarna (DFL)**  
**Economic Development, Infrastructure & Regulation Finance**  
Ethanol-blended gasoline study provided, and money appropriated.

**HF3168—Murphy (DFL)**  
**Judiciary Finance**  
State agency violence prevention plans and impact statements required, and money appropriated.

**HF3169—McGuire (DFL)**  
**Financial Institutions & Insurance**  
Insurance fraud prohibited, enforcement provided, and penalties prescribed.

**HF3170—Girard (R)**  
**Financial Institutions & Insurance**  
Credit union place of business location changes authorized.

**HF3171—Tuma (R)**  
**Environment & Natural Resources**  
Mill Towns Trail established in Rice, Dakota, and Goodhue counties.

**HF3172—Rest (DFL)**  
**Transportation & Transit**  
Trunk Highway No. 100 reconstruction priority established.

**HF3173—Rest (DFL)**  
**Taxes**  
Sales and use tax refund time limit provisions modified, sales tax advisory council duration extended, used farm machinery sales tax exemption extended permanently, and capital equipment tax rate reduction and exemption provided.

**HF3174—Clark (DFL)**  
**Health & Human Services**  
Birth defect surveillance system project appropriated money.

**HF3175—Rest (DFL)**  
**Taxes**  
County capital improvement bonding authority duration extended.

**HF3176—Bettermann (R)**  
**Education**  
Public school attendance option policy established.

**HF3177—Weaver (R)**  
**Taxes**  
Coon Rapids tax increment financing district established, and requirement exemption provided.

**HF3178—Johnson, V. (R)**  
**Environment & Natural Resources Finance**  
Retiring farmer farm transfer pilot project established, and money appropriated.

**HF3179—Pugh (DFL)**  
**Taxes**  
Property tax referendum notice information requirements modified.

**HF3180—Murphy (DFL)**  
**Environment & Natural Resources Finance**  
Snowmobile trails and enforcement account grants-in-aid provided, and money appropriated.

**HF3181—Dorn (DFL)**  
**Taxes**  
Unsold pulltab and tipboard ticket tax refund or credit provided, and money appropriated.

**HF3182—Winter (DFL)**  
**Taxes**  
Unsold pulltab and tipboard ticket tax refund or credit provided, and money appropriated.

**HF3183—Dehler (R)**  
**Taxes**  
Unsold pulltab and tipboard ticket tax refund or credit provided, and money appropriated.

**HF3184—Kinkel (DFL)**  
**Taxes**  
Unsold pulltab and tipboard ticket tax refund or credit provided, and money appropriated.

**HF3185—Rukavina (DFL)**  
**Taxes**  
Unsold pulltab and tipboard ticket tax refund or credit provided, and money appropriated.

**HF3186—Tomassoni (DFL)**  
**Taxes**  
Unsold pulltab and tipboard ticket tax refund or credit provided, and money appropriated.

**HF3187—Entenza (DFL)**  
**Education**  
Student Bill of Rights Task Force established to develop effective learning rights and responsibilities.

**HF3188—Cooper (DFL)**  
**Environment & Natural Resources Finance**  
University of Minnesota appropriated money for an anaerobic digestion demonstration unit, and bonds issued.

**HF3189—Carlson, L. (DFL)**  
**Education**  
Higher education appropriation restrictions removed.

**HF3190—Jennings (DFL)**  
**Economic Development, Infrastructure & Regulation Finance**  
Northwest Company Fur Post Interpretive Center construction provided, bonds issued, and money appropriated.

**HF3191—Peterson (DFL)**  
**Environment & Natural Resources**  
Lac Qui Parle Lake boundary dispute resolved by natural resources commissioner.

**HF3192—Johnson, V. (R)**  
**Environment & Natural Resources Finance**

Snowmobile grooming grants-in-aid provided, and money appropriated.

**HF3193—Murphy (DFL)**  
**Capital Investment**  
Correctional facility improvements provided, bonds issued, and money appropriated.

**HF3194—Murphy (DFL)**  
**Judiciary Finance**  
Probation officer caseload reduction provided, and money appropriated.

**HF3195—Murphy (DFL)**  
**Judiciary Finance**  
Community Corrections Act county fund allocation provisions modified.

**HF3196—Murphy (DFL)**  
**Health & Human Services**  
Medical Assistance program institutionalized spouse income treatment provisions modified.

**HF3197—Anderson, R. (DFL)**  
**Education**  
Independent School District No. 545, Henning, special levy provided.

**HF3198—Brown (DFL)**  
**Capital Investment**  
Omnibus environment and natural resources capital improvements bill, and bonds issued.

**HF3199—Greenfield (DFL)**  
**Capital Investment**  
Omnibus human services infrastructure capital improvements bill, bond issuance authorized, and money appropriated.

## Thursday, Feb. 15

**HF3200—Worke (R)**  
**Taxes**  
Owatonna tax increment housing district financing requirements modified.

**HF3201—Olson, E. (DFL)**  
**Taxes**  
Homestead property treatment extended to property owned by individuals required to occupy a residence provided by their employers.

**HF3202—Finseth (R)**  
**Taxes**  
County gravel crushing sales tax exemption provided.

**HF3203—Rest (DFL)****Taxes**

Corporate franchise tax credit provided for participation in certain job training programs.

**HF3204—Rest (DFL)****Taxes**

Low income rental housing property taxation provisions modified.

**HF3205—Munger (DFL)****Environment & Natural Resources**

St. Louis river board established, and powers, duties, and membership requirements provided.

**HF3206—Kahn (DFL)****Governmental Operations**

State high school league governing board appointing authority modified.

**HF3207—Schumacher (DFL)****Governmental Operations**

Legislative toll-free telephone service established, and money appropriated.

**HF3208—Winter (DFL)****Environment & Natural Resources**

Deer; extended muzzleloader deer hunting season repealed.

**HF3209—Larsen (R)****Local Government****& Metropolitan Affairs**

Municipal annexation and detachment order statewide moratorium imposed.

**HF3210—Rukavina (DFL)****Governmental Operations**

Gambling Control Board granted license issuance, renewal, and revocation authority.

**HF3211—Milbert (DFL)****Taxes**

Indoor ice arena construction material sales tax exemption extended.

**HF3212—Perlt (DFL)****Taxes**

Woodbury tax increment financing district duration provisions modified.

**HF3213—Rest (DFL)****Taxes**

Seasonal recreational property tax class rate reduced.

There's more than one Charles Lindbergh in Minnesota's past.

The one that most people can readily identify is Charles Lindbergh Jr. — Lucky Lindy, the fearless pilot who thrilled the world with the first solo transatlantic airplane flight in 1927.

But before Charles Augustus Lindbergh Jr. came Charles Augustus Lindbergh Sr.: Lucky Lindy's father, a five-term U.S. representative from Minnesota's Sixth Congressional District, a staunch champion of the farmer and the laborer, and a stalwart supporter of politics' progressive movement.

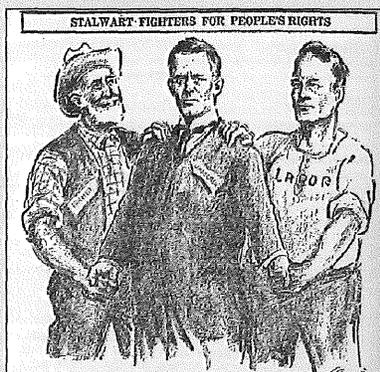
Though he was overshadowed by the exploits of his famous son, the elder Lindbergh played a significant role in the development of Minnesotan and American reform politics.

He was born Jan. 20, 1859, in Stockholm, Sweden, and immigrated with his parents to the United States a year later. They settled on a farm near Melrose, Minn., and Charles Augustus — later to be known most familiarly as C.A. — graduated from St. Cloud Normal School and earned a law degree from the University of Michigan.

Lindbergh began practicing law in Little Falls, Minn., where he also worked on the family farm. He served as Morrison County's prosecuting attorney from 1891-1893.

In 1907, Lindbergh, already an outspoken critic of money and banking, insurgency, and the farmer's plight, ran successfully for his first term as a U.S. representative from Minnesota. He was elected to four more successive terms

## Do you know?



Before Charles Lindbergh Jr. — Lucky Lindy, the fearless pilot who was the first to fly solo over the Atlantic in 1927 — there was his father, Charles Augustus Lindbergh Sr. The senior Lindbergh was a five-term U.S. representative from Minnesota's Sixth Congressional District.

From the *Minnesota Leader*, June 1, 1918.  
Courtesy Minnesota Historical Society

before abandoning the U.S. House to seek a U.S. Senate seat. He was unsuccessful in that quest, and also failed to win the governor's office in Minnesota.

Many disliked Lindbergh for his opposition to American involvement in World War I, a position that earned him the epithet "Communist" from his detractors. He would not compromise his beliefs to gain votes; his steadfast refusal to back down, and his commitment to progressive politics, contributed to the birth of the Republican Party's progressive wing, the Non-partisan League and the Farmer-La-

bor Party.

Bruce L. Larson, who wrote *Lindbergh of Minnesota: A Political Biography* in 1971, suggests that it might have been Lindbergh's inability to dissemble that kept him from further political success.

"A reserved, serious, lawyerlike person, Lindbergh was an unlikely prospect for political success," Larson wrote. "He was not a spellbinding speaker. His campaign style was not flamboyant.

"The image of the stubborn Swede was true for Lindbergh as a politician. His adamant refusal, for example, to compromise on issues and policies no doubt inhibited his political career somewhat. The total commitment of the man to his views and his people, however, more than offset any disadvantages.

"People would listen to his long discourses for two hours in the hot sun, probably not understanding the meaning of all his words, yet convinced that he knew what he was talking about and that he had a good plan for the common people."

C.A. Lindbergh died in 1924, having left an enduring mark on Minnesota's political landscape.

"C.A. Lindbergh could be nothing but what he was," Larson wrote. "His career clearly demonstrated the depth of his convictions and the absence of merely personal ambition. Time and again he opposed the way things were and proposed specific change without a thought to what it would do to his own political future."

# Committee Schedule

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

To have the daily and weekly schedules delivered to your e-mail address, send a message to:

[listserv@hsched.house.leg.state.mn.us](mailto:listserv@hsched.house.leg.state.mn.us)

In the body of the message type:

**subscribe h-schedules**

## MONDAY, Feb. 19

8 a.m.

### ECONOMIC DEVELOPMENT, INFRASTRUCTURE & REGULATION FINANCE

300N State Office Building  
Chr. Rep. Jim Rice

**Agenda:** HF2294 (Opatz) Relating to economic development; providing for transfer of assets and liabilities of Minnesota Business Finance, Inc.; appropriating money.

HF2668 (Anderson, I.) Relating to cold weather research, requiring a study of cold weather research needs; appropriating money to the commissioner of trade and economic development.

Other bills to be announced.

### Health & Human Services Finance Division/ HEALTH & HUMAN SERVICES

10 State Office Building  
Chr. Rep. Lee Greenfield

**Agenda:** Budget allocations.

### Property Tax & Tax Increment Financing Division/TAXES

200 State Office Building  
Chr. Rep. Ted Winter

**Agenda:** HF1725 (Otremba) Providing for assessment of platted land in certain municipalities.

HF2119 (Boudreau) Reorganization, administration and operation of a Rice County hospital district.

HF2299 (Rukavina) Allocation among governmental units of increases in the assessed value of C/I property within the taconite relief area.

HF2665 (Koppendrayner) Allowing county boards to allow abatements for economic development.

HF2458 (Kelley) Providing for self-executing special service district procedures.

HF2593 (Jennings) Modifying powers of sanitary districts.

HF2605 (Dauner) Collection of revenues by watershed districts.

HF2718 (Jefferson) Shorter period for the purchase of tax forfeited property.

HF2830 (Sviggum) Setting a permanent taconite production tax.

HF2884 (Dawkins) Reducing county property tax by funding fiscal year cost shifts for state takeover of income maintenance programs.

HF3027 (Dawkins) Extending the St. Paul Rental Tax Equity Program.

HF3059 (Osskopp) Providing for payment in lieu of taxes for certain acquired natural resource lands.

HF3142 (Goodno) Extending the duration of border city enterprise zones.

HF3145 (Winter) Wind energy property taxes.

HF3179 (Pugh) Requiring additional truth in taxation information on proposed notices for pending referendums.

### Sales & Income Tax Division/TAXES

500S State Office Building  
Chr. Rep. Bob Milbert

**Agenda:** HF2814 (Winter) Increasing the sales tax on alcoholic beverages; dedicating a portion to a chemical dependency treatment account.

HF3143 (Bertram) Tax on pre-mixed alcoholic beverages.

HF3050 (Milbert) Tax refund on unsold pulltabs.

HF3075 (Wenzel) Tax refund on unsold pulltabs.

HF3181 (Dorn) Tax refund on unsold pulltabs.

HF3182 (Winter) Tax refund on unsold pulltabs.

HF3183 (Dehler) Tax refund on unsold pulltabs.

HF3184 (Kinkel) Tax refund on unsold pulltabs.

HF3185 (Rukavina) Tax refund on unsold pulltabs.

HF3186 (Tomassoni) Tax refund on unsold pulltabs.

HF3203 (Rest) Tax credit for certain employee training and retention.

HF3211 (Milbert) Extending the sales tax exemption for construction materials used in building certain ice facilities.

### University of Minnesota Finance Division/ EDUCATION

300S State Office Building  
Chr. Rep. Becky Kelso

**Agenda:** 1996 supplemental appropriations bill.

8:30 a.m.

### ENVIRONMENT & NATURAL RESOURCES FINANCE

Basement Hearing Room  
State Office Building

Chr. Rep. Chuck Brown

**Agenda:** HF3180 (Murphy) Relating to snowmobiles.

HF2031 (Ness) Relating to ag. food license.

HF2126 (Gunther) Relating to ag. food license.

HF2594 (Munger) Relating to frogs.

HF2547 (Cooper) Relating to agriculture; passing on the farm.

HF2512 (Johnson, V.) Relating to game and fish; emergency deterrent materials.

HF2746 (Otremba) Relating to agriculture; research on potato blight.

HF2227 (Trimble) Natural resources grant.

HF1661 (Clark) A study of environmental justice.

10 a.m.

### JUDICIARY FINANCE

Basement Hearing Room  
State Office Building

Chr. Rep. Mary Murphy

**Agenda:** HF2604 (Pugh) Recalled judge service authorized for judges who have resigned in good standing, and law practice admission examination fee set by Minnesota Supreme Court.

HF3194 (Murphy) Probation officer caseload reduction provided, and money appropriated.

HF3195 (Murphy) Community corrections act county fund allocation provisions modified.

HF2041 (Wejman) Peace officer community policing training required (contingent upon action by the Judiciary Committee).

HF2303 (Greenfield) Human services and health care provider criminal background check provisions reconciled (contingent upon action by the Judiciary Committee).

HF2161 (Skoglund) Omnibus Crime Bill.

Working group recommendations. (This meeting will continue after session in room 500N State Office Building.)

### State Government Finance Division/ GOVERNMENTAL OPERATIONS

400S State Office Building  
Chr. Rep. Tom Rukavina

**Agenda:** Omnibus State Government Finance Bill.

12:30 p.m.

### GENERAL LEGISLATION, VETERANS AFFAIRS & ELECTIONS

300N State Office Building  
Chr. Rep. Loren Jennings

**Agenda:** SF153 (Reichgott Junge); HF343 (McCollum) Proposing an amendment to the Minnesota Constitution; providing for recall of elected state officers.

2:15 p.m.

### RULES & LEGISLATIVE ADMINISTRATION

118 State Capitol  
Chr. Rep. Phil Carruthers

**Agenda:** Special Orders. Any other business.

2:30 p.m.

The House meets in Session.

After Session

**WAYS & MEANS**

5 State Office Building  
Chr. Rep. Loren Solberg  
**Agenda:** HF2902 (Bakk) Emergency deer feeding appropriation.

4 p.m.

**Higher Education Finance Division/  
EDUCATION**

300S State Office Building  
Chr. Rep. Tony Kinkel  
**Agenda:** HF1170 (Kelley) Distance learning. 1996 supplemental appropriations bill.

**TUESDAY, Feb. 20**

8 a.m.

**Health & Human Services Finance Division/  
HEALTH & HUMAN SERVICES**

10 State Office Building  
Chr. Rep. Lee Greenfield  
**Agenda:** Budget allocations.

**Higher Education Finance Division/  
EDUCATION**

200 State Office Building  
Chr. Rep. Tony Kinkel  
**Agenda:** Final action on 1996 supplemental appropriations bill.

**JUDICIARY FINANCE**

5 State Office Building  
Chr. Rep. Mary Murphy  
**Agenda:** Continuation of Feb. 19 agenda, if necessary. Allocations. (If session is scheduled, this meeting will continue after session.)

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

500S State Office Building  
Chr. Rep. Bernie Lieder  
**Agenda:** HF3137 (Lieder) Appropriating money for metropolitan area and transportation purposes.

8:30 a.m.

**ENVIRONMENT &  
NATURAL RESOURCES FINANCE**

Basement Hearing Room  
State Office Building  
Chr. Rep. Chuck Brown  
**Agenda:** Continuation of Feb. 19 agenda, if needed.  
Additional bills may be added.

10 a.m.

**CAPITAL INVESTMENT**

500N State Office Building  
Chr. Rep. Henry Kalis  
**Agenda:** HF2058 (Carlson, L.) College savings bonds.  
HF3198 (Brown) Environment and Natural Resources Finance Committee bonding recommendations.

**HEALTH & HUMAN SERVICES**

10 State Office Building  
Chr. Rep. Bob Anderson  
**Agenda:** To be announced.

**State Government Finance Division/  
GOVERNMENTAL OPERATIONS**

400S State Office Building  
Chr. Rep. Tom Rukavina  
**Agenda:** Omnibus state government finance bill.

**TAXES**

200 State Office Building  
Chr. Rep. Ann H. Rest  
**Agenda:** HF2417 (Jefferson) omnibus pension bill.  
HF3055 (Long) MHFA low-income tax credit changes.  
HF2156 (Johnson, A.) omnibus education finance bill.

2 p.m.

**Legislative Commission on Pensions and  
Retirement**

5 State Office Building  
Chr. Rep. Richard Jefferson  
**Agenda:** Summary of 1995 actuarial valuations for the statewide and major local public pension plans, Thomas Custis, F.S.A., consulting actuary, Milliman & Robertson, Inc. Other items may be added by chair.

4 p.m.

**University of Minnesota Finance Division/  
EDUCATION**

200 State Office Building  
Chr. Rep. Becky Kelso  
**Agenda:** Final action on 1996 supplemental appropriations bill.

**WEDNESDAY, Feb. 21**

8 a.m.

**ECONOMIC DEVELOPMENT,  
INFRASTRUCTURE &  
REGULATION FINANCE**

300N State Office Building  
Chr. Rep. Jim Rice  
**Agenda:** Committee omnibus bill.

**EDUCATION**

5 State Office Building  
Chr. Rep. Lyndon Carlson  
**Agenda:** Higher education finance bills.

**Health & Human Services Finance Division/  
HEALTH & HUMAN SERVICES**

10 State Office Building  
Chr. Rep. Lee Greenfield  
**Agenda:** Budget allocations.

**JUDICIARY FINANCE**

500N State Office Building  
Chr. Rep. Mary Murphy  
**Agenda:** Allocations.

8:30 a.m.

**ENVIRONMENT &  
NATURAL RESOURCES FINANCE**

Basement Hearing Room  
State Office Building  
Chr. Rep. Chuck Brown  
**Agenda:** Omnibus supplemental allocations.

10 a.m.

**CAPITAL INVESTMENT**

5 State Office Building  
Chr. Rep. Henry Kalis  
**Agenda:** Bonding recommendations from the following:  
Higher Education Division (HF3038), Economic Development, Infrastructure & Regulation Finance Committee, State Government Finance Division.

**State Government Finance Division/  
GOVERNMENTAL OPERATIONS**

400S State Office Building  
Chr. Rep. Tom Rukavina  
**Agenda:** Omnibus state government finance bill.

After Session

(House session may be scheduled.)

**EDUCATION**

200 State Office Building  
Chr. Rep. Lyndon Carlson  
**Agenda:** Continuation of higher education finance bills.

**THURSDAY, Feb. 22**

8 a.m.

**ECONOMIC DEVELOPMENT,  
INFRASTRUCTURE &  
REGULATION FINANCE**

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

8:30 a.m.

**ENVIRONMENT &  
NATURAL RESOURCES FINANCE**

Basement Hearing Room  
State Office Building  
Chr. Rep. Chuck Brown  
**Agenda:** Omnibus supplemental allocations.

10 a.m.

**CAPITAL INVESTMENT**

5 State Office Building  
Chr. Rep. Henry Kalis  
**Agenda:** "Must Do" list.

**Government Efficiency & Oversight Division/WAYS & MEANS**

300S State Office Building  
Chr. Rep. Howard Orenstein  
**Agenda:** To be announced.

**HEALTH & HUMAN SERVICES**

10 State Office Building  
Chr. Rep. Bob Anderson  
**Agenda:** To be announced.

**JUDICIARY FINANCE**

500N State Office Building  
Chr. Rep. Mary Murphy  
**Agenda:** Omnibus Judiciary Finance and Crime Prevention Finance Bill. (This meeting will continue after session.)

**State Government Finance Division/ GOVERNMENTAL OPERATIONS**

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

**TAXES**

200 State Office Building  
Chr. Rep. Ann H. Rest  
**Agenda:** HFXXXX (Rest) Low income housing reform.

12 Noon

**GENERAL LEGISLATION, VETERANS AFFAIRS & ELECTIONS**

300N State Office Building  
Chr. Rep. Loren Jennings  
**Agenda:** HF2974 (Rest) Providing for an advisory referendum on a metropolitan sports facility.

2:30 p.m.

The House meets in Session.

After Session

**HEALTH & HUMAN SERVICES**

10 State Office Building  
Chr. Rep. Bob Anderson  
**Agenda:** To be announced.

**WAYS & MEANS**

5 State Office Building  
Chr. Rep. Loren Solberg  
**Agenda:** Omnibus K-12 Education Finance Bill.  
HF2206 (Pelowski) Remove mandates from higher education.

**FRIDAY, Feb. 23**

8 a.m.

**JUDICIARY FINANCE**

500N State Office Building  
Chr. Rep. Mary Murphy  
**Agenda:** Final adoption of Omnibus Judiciary Finance and Crime Prevention Finance Bill.

**TAXES**

200 State Office Building  
Chr. Rep. Ann H. Rest  
**Agenda:** To be announced.

12:30 p.m.

**HEALTH & HUMAN SERVICES**

10 State Office Building  
Chr. Rep. Bob Anderson  
**Agenda:** To be announced.

"What goes around comes around" is a phrase that often can be applied to legislative proposals.

Since July 1, 1995, every public higher education campus in Minnesota (except the U of M and its branches) has been a part of MnSCU, the Minnesota State Colleges and Universities system. This collection of state universities and technical and community colleges is run by the Higher Education Board, a "superboard" that serves as its administrative umbrella.

In 1976, Sen. Nicholas Coleman of St. Paul, then the Senate majority leader, was calling for the same thing.

Based on the Wisconsin Board of Regents model, Coleman envisioned a "superboard" with powers to "approve, disprove, or modify budget requests . . . plan for construction or acquisition of facilities . . . for the purpose of relating present resources . . . to the state's present and long range needs."

Proponents said the move would prompt savings, cut bureaucracy, and benefit students.

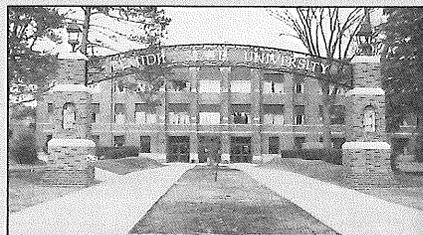
"Our state would be better served by having one voice making higher educa-

**It's a fact!**

tion requests to the Legislature. . . . We need better control of our higher education delivery system and one good way to do that is through a single, integrated group of colleges," Coleman wrote in a *Minneapolis Star* editorial.

Coleman saw the University of Minnesota as a part of this combined system as well. (A tough sell, since the territorial charter gives the U of M separate legal status that still exists in today's state constitution.)

Critics, such as Rep. Rod Searle, questioned whether such a system



A proposal to merge the state's colleges and universities, which became a reality in July 1995, was thought of more than 20 years ago.

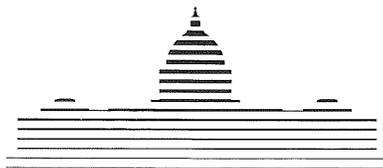
Photo from Bemidji, First City On The Mississippi

run by a "superboard" would produce the savings hailed by its supporters.

The same pro and con arguments as those heard in 1992 and 1993 were heard on the House floor during the 1995 session as representatives voted to repeal the higher education merger.

The Senate, whose majority leader, Sen. Roger Moe (DFL-Ada), was the chief architect of the merger when it passed in 1991, did not agree to the repealer.

The prophet in this evolution of the "superboard" is G. Theodore Mitau, a former chancellor of the state university system, who, in 1977, wrote: ". . . what will not go away is the urge to engage in some form of continued 'administrative engineering' with respect to the management of this state's post-secondary systems of education. Reasons for this impulse lie deep in a widely shared public concern about rising educational costs, underutilizations of plants and facilities, and doubts about the very purposes and goals of colleges and universities in a setting of shrinking resources, competing social needs and clashing priorities."



MINNESOTA HOUSE OF REPRESENTATIVES  
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 Majority Leader: Phil Carruthers  
 Minority Leader: Steven A. Sviggum

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Sources: *Department of Human Rights, January 1996, Office of the Legislative Auditor.*

### For more information



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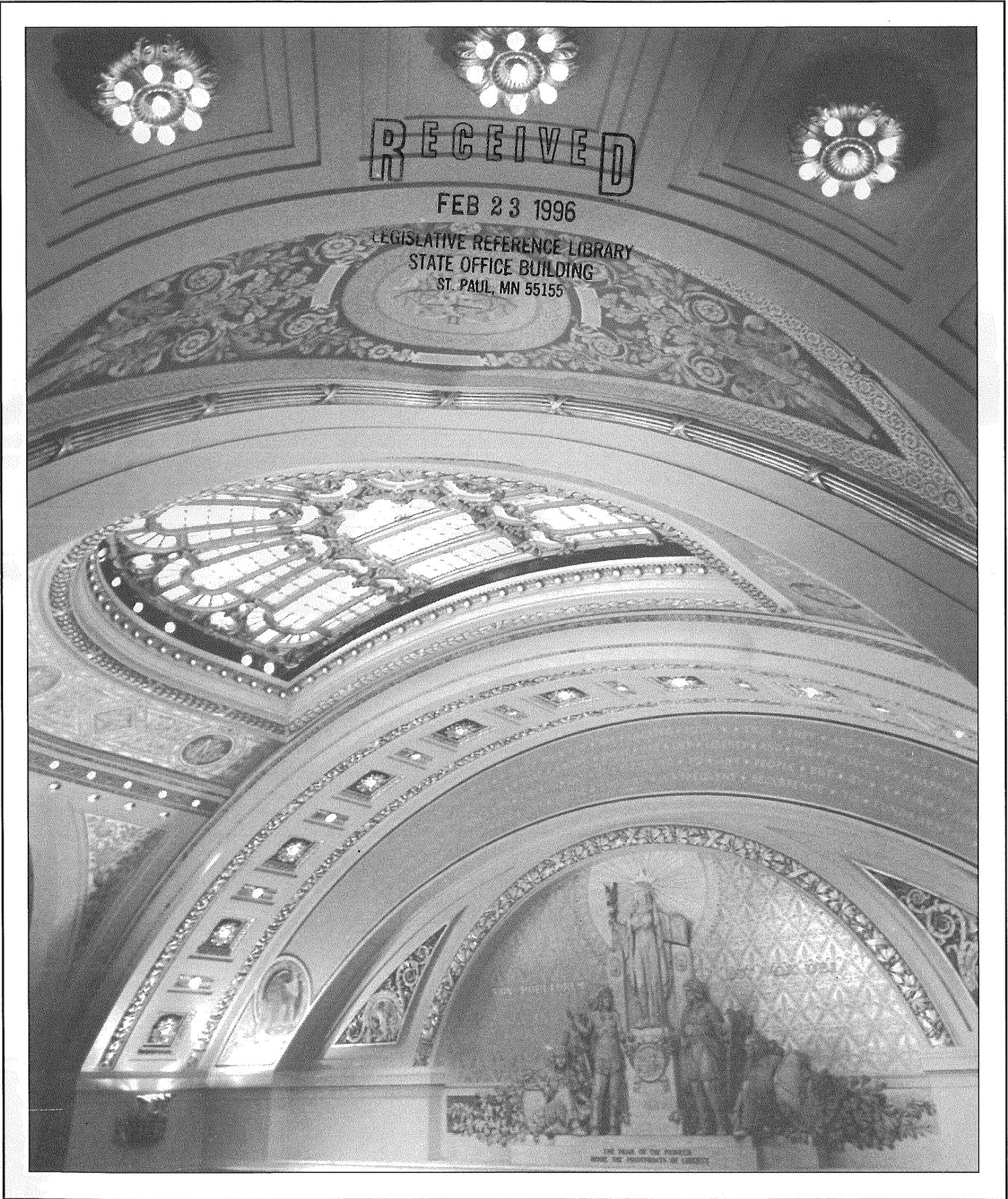
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# SESSION WEEKLY

A Non-Partisan Publication of the Minnesota House of Representatives ♦ February 23, 1996 ♦ Volume 13, Number 6



# SESSION WEEKLY

Minnesota House of Representatives • February 23, 1996 • Volume 13, Number 6

**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.

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## Week at a glance

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**Investigating physicians** — Investigating Minnesota physicians accused of sexual misconduct would become a more open process under a bill approved Feb. 16 by a House committee. .... Page 8

**Expediting visitation** — Minnesota parents who have been illegally denied visitation with their children would be able to more easily gain their rights under a bill approved by a House committee. .... Page 12

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**Omnibus Human Services** — Hundreds of disabled Minnesotans who expected to be cut from a program that helps them live independently at home instead of in a state institution may be spared the budget ax. A \$21 million Health and Human Services supplemental budget bill contains \$7.8 million to restore cuts made by the 1995 Legislature. It won approval from the House Health and Human Services Committee Feb. 22. .... Page 16

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**Money-back license guarantee** — A bill to encourage the state to make obtaining a driver's license hassle-free won approval from the House Economic Development, Infrastructure and Regulation Finance Committee. Under the proposal, if hassles were to ensue, applicants would be compensated for their frustration. .... Page 20

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On the cover: Much of the legislative action during the next several weeks will switch from committee hearing rooms to beneath the dome of the House chamber, as daily floor sessions begin Feb. 26.

— Photo by Tom Olmscheid

# Highlights

Omnibus crime bill . . .

## Lawmakers urge tougher gun laws, stiffer sentences

A bill that bans certain convicted felons from owning a handgun for life, establishes a college-student monitoring program for juvenile delinquents, and makes it more difficult for people to conceal an arrest or conviction record is moving through the House.

**HF2161**, sponsored by Rep. Wes Skoglund (DFL-Mpls), chair of the House Judiciary Committee, contains the omnibus crime bill. It currently awaits official action by the Judiciary Finance Division which is expected to fold the crime bill into the 1996 supplemental budget bill for criminal justice.

The budget bill, which has not yet been assigned a bill number, was not completed by press time for this edition of *Session Weekly* and was expected to be available sometime Feb. 23.

Below are some of the crime bill's highlights:

### Tougher gun penalties

Certain convicted felons could not own a handgun for life and anyone carrying a firearm without a permit would face a felony charge rather than a gross misdemeanor charge.

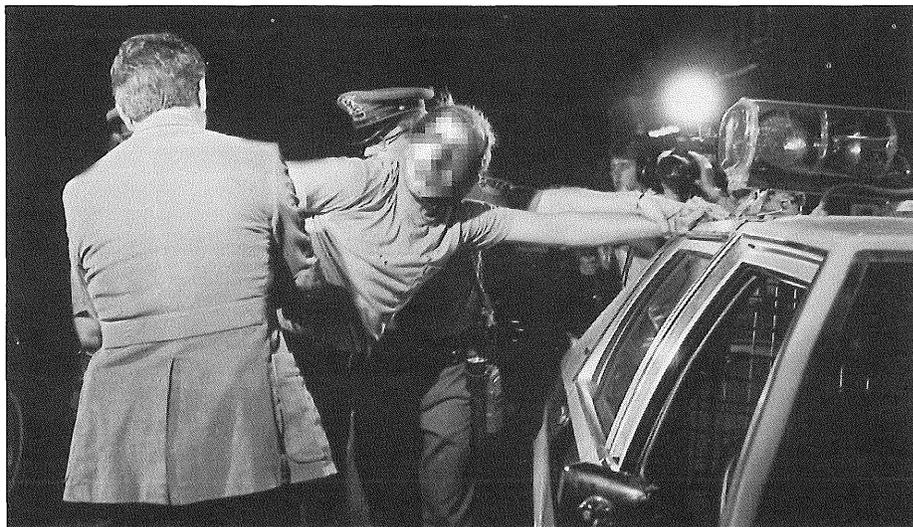
The tough new gun penalties come in the wake of mounting gun violence in Minnesota's inner cities as well as in rural towns.

The provisions, originally part of **HF2578** by Skoglund, are not designed to limit the rights of law-abiding citizens to own a gun, but punish criminals caught with guns, Skoglund has said.

The provisions are timely considering the recent shooting death of a St. Joseph police officer and the imprisonment of a Fargo-Moorhead family by gunmen.

Under these provisions:

- Those convicted of a crime of violence (a category which includes more than two dozen offenses, such as murder, various degrees of assault, robbery, kidnapping, criminal sexual misconduct, burglary, harassment and stalking) would be banned from possessing a handgun or an assault weapon for the rest of their lives. Currently, those individuals have to wait 10



Lawmakers continue their tough stance on crime with a new bill that would require Minnesotans convicted of stalking or violating protection orders to surrender their pistols for three years. It also would deny certain convicted felons the right to own a handgun for life and make it a three-year felony to possess a code-grabbing device with the intent to use it to commit a crime.

years after their sentence expires to legally possess those weapons.

- Certain kinds of felony theft would be added to the list of "crimes of violence" prohibiting those individuals from possessing a handgun or assault weapon for life.
- A felon who has been convicted of a crime of violence who is later found to be illegally possessing a firearm would receive a mandatory prison sentence of at least three years and a maximum of 20 years.

This provision is loudly applauded by county prosecutors who say it will make their jobs easier. Under the provision, it doesn't matter if the felon is using the firearm to commit another crime or has it sitting in his or her car — it is an automatic three-year minimum sentence.

- The penalty for carrying a handgun without a permit would increase from a gross misdemeanor to a felony, punishable by up to five years in prison and a \$10,000 fine. The attorney general's office would receive \$500,000 to run a public information campaign on gun violence.

### Penalizing abusers

Minnesotans convicted of stalking or violating protection orders would have to surrender their pistols for three years.

The provision also specifies that if defendants in such cases use a firearm while violating the protection order or stalking a victim, they will be required to surrender the gun and could be barred from owning any firearm for the rest of their lives.

"In 1995, 25 Minnesota women were killed by people who supposedly loved them," Ellen Ade of the Minnesota Coalition for Battered Women told the House Judiciary Committee. "[With this provision], we will never know how many lives we've saved; we can only count the ones who died as a result of domestic violence."

The proposal, originally part of **HF2643**, sponsored by Rep. Mary Jo McGuire (DFL-Falcon Heights) contains other elements which include:

- The county in which a domestic abuse offense is committed would conduct a domestic abuse assessment and submit a report to the court for any defendant convicted of domestic abuse or any defendant arrested for domestic abuse but convicted of another crime connected to the incident.

- Defendants sentenced for domestic abuse would be required to pay a \$125 domestic abuse assessment fee.
- Anyone who commits domestic assault knowing that a child younger than 18 is likely to witness the assault would be guilty of a gross misdemeanor, punishable by up to a year in jail and a \$3,000 fine.

### Code-grabbing devices

The bill provides a three-year felony penalty for possessing a code-grabbing device with the intent to use it to commit a crime.

Criminals use the devices to gain access to locked cars, garages, and other things that use a remote control and radio wave security code.

Once a home or car owner presses a remote control to open a garage door or unlock a car from a distance, the code grabbing device scrambles to find the code. Once the code is in hand, the criminal can gain easy access to a home or car.

This provision was originally part of **HF2086** sponsored by Skoglund.

### Proof of insurance

Currently, Minnesota motorists cited for failing to provide proof of insurance when stopped by police have 10 days to come up with the proof or face a minimum 30-day license suspension and a misdemeanor conviction.

Under the bill, citizens would have until the day of their first court appearance to provide proof. Often a first court appearance is scheduled 10 to 21 days after a ticket is issued.

Proof of insurance usually consists of a letter or policy card provided by an insurance agent.

Rep. Tom Pugh (DFL-South St. Paul) has explained that current law confuses drivers because their tickets record both the date of the offense and the date of their court appearance. Trouble is, they wait until the court hearing to present proof and miss the 10-day deadline.

Pugh, who sponsored the proposal originally as **HF1224**, said there are more than 1,000 cases each year that result in license suspensions when the drivers actually have proof of insurance but present it too late.

Currently, some judges dismiss a license suspension if a driver shows up to the first court appearance with proof of insurance. Other judges, however, stand by the minimum 30-day suspension simply because drivers missed the 10-day deadline.

Under the law, if a person is stopped without proof of insurance and indeed has

none, the license suspension will stay in effect at least 30 days and until they can prove they have purchased insurance.

### Guns and kids

An adult who negligently stores a loaded firearm that ends up in the hands of someone under age 18 would be guilty of a gross misdemeanor.

Current law applies only to minors under the age of 14.

Sponsored by Rep. Jean Wagenius (DFL-Mpls) as **HF3030**, the much-debated firearms bill was significantly weakened when a provision to require guns and ammunition to be locked and stored separately in households with minors was defeated.

### Guns on buses

To combat continued crime on public buses, the bill would increase the penalty for firing a gun "in" a public transit vehicle or facility.

The proposal expands current law which makes it a crime to recklessly discharge a firearm "at" a public transit vehicle or facility.

Penalties would range from up to a three-year felony and a \$6,000 fine to up to a five-year felony and a \$10,000 fine, depending on whether the vehicle or facility was occupied by individuals other than the offender.

The provision stems from recent incidents of gunfire inside buses and transit stations.

In addition, the proposal, originally spon-

### Sexual conduct

The bill expands the definition of "sexual contact" in state law to include instances when a person causes another to touch the person's intimate body parts.

The provision, originally part of **HF2538** sponsored by Rep. Bill Macklin (R-Lakeville), was prompted by a Dakota County case in which prosecutors couldn't charge a boy who placed a girl's hand on an intimate part of his body. Such an offense would be fifth degree criminal sexual conduct under the bill.

### Aiding juvenile delinquents

A \$250,000 program to pair up college and graduate students with juvenile delinquents in an effort to keep teens on the right track is also a part of the omnibus crime bill.

The program, originally part of **HF2360** sponsored by Skoglund, would establish four separate two-year pilot programs across the state.

College students would work with a juvenile's probation officer and serve as a "big brother" or a "big sister" to a teen who has committed, or is at risk for committing, delinquent acts or crimes.

"After-care is not going on with kids who enter the [criminal and court] system," Skoglund has said.

The Department of Corrections would determine the particulars of the monitoring program. In addition, the department would work with colleges and universities to estab-

---

*"In 1995, 25 Minnesota women were killed by people who supposedly loved them . . . [With this provision], we will never know how many lives we've saved; we can only count the ones who died as a result of domestic violence."*

—Ellen Ade of the Minnesota Coalition for Battered Women

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sored as **HF2034** by Rep. Darlene Luther (DFL-Brooklyn Park), would increase the maximum felony penalty for intentionally discharging a firearm under "dangerous circumstances" to five years imprisonment, up from the current two-year penalty. (Dangerous circumstances are defined by the jury in any given case.)

Under current law, it is a felony, punishable by a maximum of five years imprisonment and a \$10,000 fine, to intentionally discharge a firearm in a school zone, park zone, or public housing project.

Tom Sather, of the Metropolitan Council Transit Operations, has said gun fire on MCTO property is "happening with an alarming degree of frequency."

lish the criteria for which college students can participate in the program, what kind of training they should receive, and how they should be compensated.

Skoglund has said he envisioned paying college students \$7 or \$7.50 an hour. Their responsibilities could include checking on the juvenile in the morning, reminding them about homework, checking on them after school to ensure they're not hanging out with the wrong crowd, and helping them with homework several times a week.

The college student would then report back to the probation officer so the officer could determine which juveniles need more help.

It is also possible, he said, that some col-

leges would offer credit to students who participate in the program, which would be ideal for those majoring in criminal justice, education, psychology, social work, and other fields.

### Indecent exposure

Under the omnibus bill, it would be a felony to commit a second indecent exposure offense in the presence of a minor under age 16. Under current law, the penalty is a gross misdemeanor regardless of how many times the offense is repeated. The maximum penalty would increase from a one-year jail sentence and a \$3,000 fine to a five-year prison sentence and a \$10,000 fine.

The proposal was originally sponsored as **HF2506** by Skoglund.

### "Kiddie porn"

Another section of the bill would expand the state's sex offender registration law to include individuals who are convicted of or adjudicated guilty for a "kiddie porn" offense or another offense arising out of the same set of circumstances.

Minnesota law requires certain sex offenders to register their address with a probation officer for at least 10 years following release from a Minnesota prison. Individuals convicted of sex offenses in other states who choose to move to Minnesota also are required to register.

The proposal was originally sponsored as **HF2029** by Skoglund.

### Assessing crime impact

In addition to considering public safety and the number of available prison beds, the Minnesota Sentencing Guidelines Commission should take into account the "adverse social and economic impacts" crime has on the community when adjusting prison sentence guidelines.

That provision was the original **HF2161** sponsored by Skoglund and became the vehicle for the omnibus crime bill.

Skoglund has acknowledged that this provision is "not going to make a giant-size difference," but said it was important for the commission to look at exactly what crime does to a community.

Many crimes, such as drug dealing, affect whether children can play in the yard, a worker can safely wait for a bus on a street corner, a business can operate, and even the market value of neighborhood homes.

Skoglund has said he isn't necessarily looking for longer sentences. Instead, he'd like the sentences already on the books to be enforced. In addition, he said, he hopes the bill

might help prevent the commission from watering down current sentence guidelines.

In 1995, some on the commission moved to reduce sentences for certain drug offenses. It did not succeed.

The commission recommends to the Legislature sentencing guidelines for trial court judges. The guidelines are advisory to the judges, who can (and do) depart upward and downward from the recommendations depending on individual circumstances.

### Expunging criminal records

It would be more difficult for people to conceal an arrest or conviction record under the bill.

People petition the courts to have their records expunged for a variety of reasons — some were arrested but never charged, others were charged but found not guilty. There are also cases where an individual who was found guilty wants the record sealed for personal or employment reasons.

Law enforcement agencies and prosecutors generally oppose the practice because it takes records and information out of the system that could provide leads in current and future criminal investigations.

Under the provision, expungement would be defined as sealing a record and opening it only under a court order or statutory authority. It would not include the complete destruction of arrest or conviction records or their return to the defendant.

Currently, there is no definition on the books and the provision tries to address some existing case law that allows judges to return records to defendants or have them destroyed.

The measure was sponsored originally as **HF2215** by Rep. Phil Carruthers (DFL-Brooklyn Center).

Carruthers, a prosecutor, has called himself a "conservative" on expungements and said that while it may not be constitutionally possible to prohibit expungements, it is possible to limit them.

His provision would set out a uniform procedure for people who petition to have their records sealed. Currently, procedures differ depending on the judicial district.

Under the proposal, an individual would have to:

- file a petition under oath and pay the regular civil filing fee;
- provide not only their full legal name but aliases as well;
- provide all addresses from the date of the offense or alleged offense to the date of the petition;
- explain why they want their records expunged and specifically if it is to help them

obtain a job or a license. Many professions rely on criminal history checks such as teachers, child care workers, and police officers. And, those checks also are necessary when applying for some licenses such as gambling, insurance sales, and liquor licenses;

- explain, in the case of a conviction, what steps he or she has taken since the crime toward rehabilitation;
- provide a complete criminal conviction record including all convictions for misdemeanors, gross misdemeanors, and felonies in Minnesota as well as all comparable convictions across the country and the world; and
- include information on all prior requests for expungement in Minnesota, the United States, or the world; whether granted or not.

The provision goes on to set a new standard that expungement would be granted "only upon clear and convincing evidence that it would yield a benefit to the petitioner commensurate with the disadvantages to the public . . ."

Sealed records would be opened only by court order or with statutory authority and the bill spells out several specific circumstances. For instance, records could be opened for a criminal investigation, prosecution, and to evaluate a police officer job applicant or other public safety employee.

In addition, the provision would repeal a law that states a person convicted of a felony, gross misdemeanor, or misdemeanor before age 21 may have their record sealed under certain circumstances.

— K. Darcy Hanzlik



## BANKING

### Interest rate hike

Minnesota banks would be able to charge higher interest rates on credit cards they issue under a bill approved Feb. 21 by the House. The vote was 80-51.

The omnibus financial institutions bill (**HF2369**), sponsored by Rep. Don Ostrom (DFL-St. Peter), would allow financial institutions in the state to charge up to 21.75 percent interest annually on credit cards.

Current state law caps the credit card interest rate for Minnesota financial institutions at 18 percent.

The catch is that federal law does not allow the state to limit the interest on credit cards issued to Minnesotans by financial institutions in other states. And most other states

allow higher interest rates than Minnesota currently does.

As a result, very little issuing of credit cards is done in the state. Most Minnesota banks that do offer credit cards make arrangements with out-of-state financial institutions so higher rates can be charged.

Supporters claim allowing a higher interest rate in Minnesota will simplify business for financial institutions in the state. And proponents say the change could help create more jobs in the state.

The omnibus bill also includes a measure crafted to make "payday loans" more attractive to lenders and consumers.

A 1995 law permits small, tightly regulated, short-term consumer loans. The law sets maximum interest rates and other charges for "payday loans," named for the paycheck-to-paycheck consumers they may benefit.

The law allows the loans to be for no more than \$350 and requires a 30-day term.

Ostrom's bill would give lenders more flexibility by allowing shorter terms for the loans.

**HF2369** now goes to the Senate.



## BONDING

### New science museum

The Science Museum of Minnesota's plans to construct a new museum on St. Paul's waterfront hinge on the financial support of outside sources, including the state.

The museum is seeking \$33.8 million from the state to be included in the 1996 bonding bill.

Museum officials on Feb. 20 presented their plans to the House Capital Investment Committee, which is now working to compile this year's bonding bill.

The city of St. Paul already has promised to acquire the land for the museum and to provide \$10.5 million for construction. The rest of the project's \$96 million price tag would come from private donors.

"It's everybody kind of leaning on everyone else," said Jim Peterson, president of the science museum.

So far, the museum project has won support from state officials.

Gov. Arne Carlson included the full amount requested for the museum in his 1996 bonding recommendations. He touted the museum as "nothing short of a statewide treasure" during his January State of the State Address.

"[A new museum] will serve as a draw for the entire area, bringing worldwide tourists

and economic vitality with it," Carlson said. "The science museum models how interdependent quality of life and economic success are."

The House Environment and Natural Resources Finance Committee followed suit by including the full \$33.8 million for the museum in **HF3198**, the committee bonding recommendations bill sponsored by Rep. Chuck Brown (DFL-Appleton).

The science museum project is considered by many as a crucial step in the effort to revitalize St. Paul's riverfront. The new facility would be built into the river bluff east of the Civic Center parking ramp in downtown St. Paul.

Peterson told members of the committee that the museum has outgrown its current downtown facility.

The new building would provide more space and more flexible space to accommodate changing uses. Outdoor walkways and plazas would more closely connect the museum to the Mississippi River and create new opportunities for programs associated with the river.

"It will become an attractive, engaging, and lively place for people to come and learn," Peterson said.

The museum also plans to spend \$5 million to build a parking ramp serving the new building, which would alleviate a common complaint about the current facility.

Rep. Henry Kalis (DFL-Walters), who chairs the committee, expressed concern that construction of a new museum will result in increased requests for future operating expenses.

Peterson said he expects enough revenue to be generated through membership fees, admission charges, and other sources to cover increases in operating costs.

Museum attendance is expected to jump from 900,000 visitors a year at the current site to as many as 1.5 million at the new facility.

The committee took no action on the museum's request. If the museum does receive state funding, construction at the new site of the new building could begin this fall and it could open in fall 1999.



## BUSINESS

### Playing our song

Copyright owners of songs would sing a new tune under a bill passed by the full House Feb. 19. The vote was 132-0.

Sponsor Rep. Tom Pugh (DFL-South St. Paul) said the bill puts some order in the

process in which performing rights societies, such as the American Society of Composers, Authors and Publishers (ASCAP), enter into contracts with businesses that play their music for commercial gain.

Under federal copyright laws, there is a royalty charge for playing copyright-protected music for commercial gain in bars, hotels, restaurants, and other businesses. This charge and the manner of its collection has been the cause of many disputes over the years, according to business owners and artist representatives.

The bill (**HF732**) would prohibit societies from attempting to collect rates that are higher than those set forth in contracts. Under the bill, the copyright holders would have to provide the schedule of rates and the list of works that are covered by the contract at least 72 hours before entering a contract. Representatives of societies also would have to identify themselves to proprietors upon entering affected establishments.

The bill would not apply to contracts between copyright owners or performance societies and broadcasters licensed by the FCC or to contracts with cable operators, programmers, or other transmission services. Musical works for karaoke performances are exempt as well, according to the bill.

Pugh stressed that the legislation is a compromise between artists and bars, restaurants, and the hospitality industry.

**HF732** now moves to the Senate.



## CHILDREN

### Amending adoption rules

Minnesota laws governing adoption would undergo a number of changes under a bill approved Feb. 16 by the House Judiciary Committee.

**HF2069**, sponsored by Rep. Linda Wejman (DFL-Mpls), would:

- allow grandparents in stepparent adoption cases to petition the court for a visitation order. The court, in turn, would determine whether visits by a child's grandparents would be in the best interests of the child and would not interfere with the parent-child relationship;
- require that a birth parent who intends to give up a child for adoption give notice to the other birth parent either before the adoption or within 72 hours of placing the child. The birth parent who receives the notice would have 60 days after placement of the child to either consent or refuse to consent to the adoption;

- limit criminal background checks on prospective adoptive parents and everyone else 13 and older living in the home to the previous 10 years. When the Legislature made criminal background checks mandatory in 1994, the law included no time frame.

The background checks would seek to uncover substantiated cases of maltreatment of a child or a vulnerable adult and domestic violence information from law enforcement agencies, social services offices and district courts. For every person in the home younger than 25, juvenile court records would be examined;

- allow prospective adoptive parents to pay for transportation, meals and lodging related to payment of counseling, medical and legal fees, which are now permitted under state law. The bill also would remove a six-week limitation for paying pregnancy-related expenses of the birth mother;
- make adoption records public on the 75th anniversary of the granting of the adoption decree; and
- allow the state health commissioner to provide adoptees age 65 and older who were adopted before Aug. 1, 1982, with information contained in his or her original birth certificate, unless the birth parent has filed an unrevoked affidavit that they don't want the information disclosed.

Wejcman told lawmakers that **HF2069** is the product of a year of work by a task force charged with revising and updating the state's adoption laws.

Rep. Wes Skoglund (DFL-Mpls), chair of the House Judiciary Committee, told members that, because of the work that went into the legislation and the compromises involved, the bill will be laid over until next session if other lawmakers attempt to amend it when it reaches the House floor.

**HF2069** now moves to the House floor.



## CONSUMERS

### Protecting computer users

Minnesotans who subscribe to on-line computer information services would have greater privacy under a bill approved Feb. 16 by a House committee.

Under **HF2816**, sponsored by Rep. Steve Kelley (DFL-Hopkins), purveyors of on-line services would be required to get a subscriber's permission before selling or disseminating any personal information about the subscriber.

Kelley's bill was approved by the House Judiciary Committee after Kelley offered an

amendment that narrowed the bill's focus.

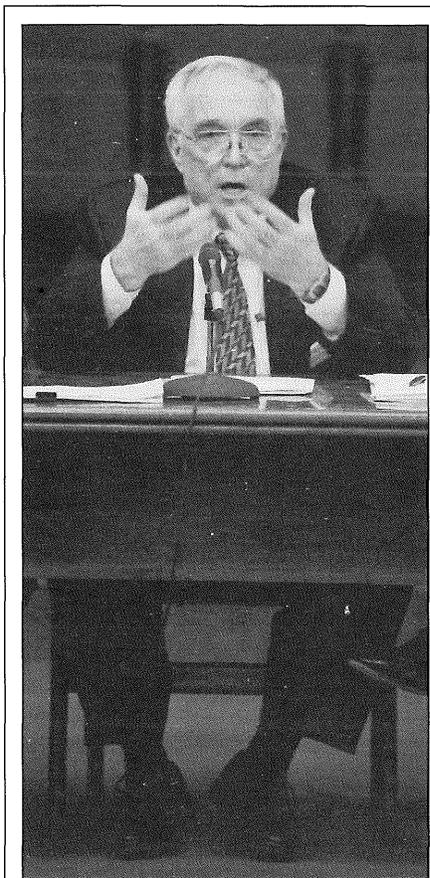
"We're talking here about a person who pays for an information service, not a person who purchases goods or services through it," Kelley told the Judiciary Committee.

Kelley compared **HF2816** to a bill passed by the 1994 Legislature that prohibits video rental companies from disseminating information about their customers and the videos they rent.

The owners and operators of on-line information services have the potential to amass a huge amount of information about on-line users' preferences in a variety of areas, according to Kelley.

Under Kelley's legislation, on-line service providers would be prohibited from disseminating information that identifies:

- a person by his or her home or electronic address or telephone number;
- a person as having requested or received specific materials or services from an information service;



Chuck Williams, Minnesota Pollution Control Agency commissioner, testified in support of a bill before the Environment and Natural Resources Committee Feb. 16 that would establish the Minnesota XL program. The program offers companies the flexibility needed to meet environmental standards beyond what the state currently requires.

- Internet sites visited by a subscriber; or
- any of the contents of a subscriber's data storage services.

**HF2816** specifies that the only information an on-line service is allowed to seek by law is a subscriber's name, home telephone number, home address and electronic address. Any other requested information may be given at the customer's discretion.

The bill now heads to the House floor. (See Feb. 16, 1996, *Session Weekly*, page 7)

## Protecting immigrants

A bill that requires notary publics hired by non-English speaking immigrants to advertise that they are not licensed attorneys passed the House Feb. 22. The vote was 132-0.

**HF2478** was prompted by more than two dozen reported incidents of notary publics abusing their authority, often involving immigration paperwork cases, said sponsor Rep. Carlos Mariani (DFL-St. Paul).

Because notary public means "super attorney" in Spanish, Mariani said many Spanish-speaking immigrants mistakenly believe notaries are the same as attorneys.

"This is a problem here in Minnesota and even more of a problem in other states," Mariani has said, adding that states with higher Spanish-speaking populations have seen thousands of cases of fraud by notary publics.

In addition to the advertising provision, the bill requires a written contract (in both English and the customer's native language) that explains services to be performed, all charges, and a statement that the documents provided by the customer cannot be kept by the notary public for any reason — not even to guarantee payment.

Besides stating that they are not attorneys, the signs posted by notary publics must be in every language in which the notary does business and state that he or she cannot give legal advice or accept money for legal advice. The signs must also state that the contract can be canceled within three working days.

Besides the ban on giving legal advice, the bill prohibits notary publics from stating they have special influence with immigration authorities and from using a title that implies they are a special immigration experts.

The bill carries a misdemeanor penalty for the first offense and a gross misdemeanor penalty for any subsequent offense within five years.

**HF2478** now heads to the Senate.



## Penalizing domestic abusers

Minnesotans convicted more than once of domestic assault would be more severely penalized under legislation approved Feb. 16 by a House committee.

Under **HF2325**, sponsored by Rep. Tim Pawlenty (R-Eagan), anyone convicted of gross misdemeanor domestic assault would be sentenced to a mandatory minimum of 20 days in jail, with eight of them required to be served continuously.

Those convicted of felony domestic assault would be required to spend at least 45 days in jail, 15 of them continuously.

"I don't think I need to provide a lecture on the importance of addressing the problems of domestic assault and domestic violence," Pawlenty told members of the House Judiciary Committee.

Pawlenty said his research has found that prosecutors across Minnesota are concerned about "lenient or inconsistent" treatment of repeat domestic assault offenders.

Pawlenty was echoed by Sharon Hills, an assistant city attorney in Apple Valley, Minn., for the last five years. "I've seen the same faces come through our office repeatedly for domestic assault," she said. "And it's rare that a defendant with prior convictions receives any jail time whatsoever."

"I've become disheartened by this. A repeat drunk driver in Minnesota would see more time in jail than a person convicted of domestic abuse."

Current law mandates a minimum of 30 days in jail for repeat convicted drunk drivers, but no mandatory minimum jail term for Minnesotans convicted more than once of domestic assault.

One reason for that, Hills said, is that repeat drunk drivers are most often sentenced to home detention with electronic monitoring. For obvious reasons, those convicted of domestic assault are not eligible for home detention.

Research done by the Minnesota Coalition for Battered Women has found that most residents convicted of domestic assault receive supervised probation sentences, with little or no jail time. The system is "failing to hold domestic abusers accountable," at the expense of battered women and their children, coalition spokeswoman Patty Schneider told the committee.

Schneider referred to last week's murder of Kami Talley, who was gunned down in her Twin Cities workplace. Police suspect her ex-

boyfriend, Louis Buggs, in the murder; Buggs, who served three months in the workhouse last year after beating Talley, remains at large.

"Minnesota women are not safe on our streets, in their workplaces and definitely not in their homes," Schneider said. "We need to make sitting in jail the consequence of choosing to assault again."

Committee members approved **HF2325** and referred it to the House Judiciary Finance Committee.

## Offering drug treatment

Minnesota law officers would be able to knock on the doors of so-called crack houses and offer chemical dependency treatment to addicts under a bill considered by a House committee.

The House Judiciary Finance Committee approved **HF2038**, sponsored by Rep. Karen Clark (DFL-Mpls), on Feb. 19.

The project, modeled after a similar program in New Haven, Conn., is specifically aimed at cleaning up a south Minneapolis neighborhood where a crack cocaine "epidemic" has been identified, Clark told lawmakers.

Technically, police officers already have the authority to offer such assistance. But Clark wants a "street outreach and assessment pilot program" to target the troubled area.

"We want to do strong intervention at the street level that hasn't been done before," she said.

Many of the people who spend their time in crack houses, particularly women with children, find themselves in an "intimidating" situation and don't know how to extricate themselves, Clark said. Sometimes elderly people have their houses taken over by crack users and become addicted themselves, but "don't know there's anyone out there who cares about them," she said.

Under the program, officers would be able to approach homes that have been identified as crack houses and offer to transport crack users to treatment programs. If they refuse, Clark said, the officers can come back a second time and arrest those who are using crack.

Clark's bill, originally intended to allow police or health officers to transport anyone "intoxicated by alcohol or controlled substances," was substantially amended after the crack emergency in south Minneapolis was identified.

"We need to do something to deal with this barrage of problems, and this is a good place

to start," Clark told the committee.

**HF2038** will be considered for inclusion in the omnibus crime prevention and judiciary finance bill.

## Suing a public nuisance

A bill that would allow a property owner or neighborhood group to file a civil nuisance suit and seek monetary damages against a drug dealer, prostitute, john, or other individual, passed the House Feb. 19. The vote was 132-0.

Under current law, only a prosecutor can file a nuisance action which usually involves trying to shut down a property or evict a tenant for two separate incidents in a 12-month period involving gambling, prostitution, or drug and firearms offenses outlined in law.

**HF2204** proposes to open the door for citizens to sue, seek monetary damages, and combat "nuisance behavior" that is not necessarily tied to one specific building.

Under the bill, sponsored by Rep. Andy Dawkins (DFL-St. Paul), to win a nuisance civil action it must be proven that the individual has two or more convictions within the previous 12 months for prostitution, illegal gambling, keeping a disorderly house, drug dealing, or another offense listed in the existing nuisance law. Or, "two or more separate behavioral incidents within the previous 12-months that would constitute a nuisance" under existing law must be proven.

If a suit is won, the court must permanently prohibit the perpetrator from continuing the activity and award actual damages or \$500, whichever is greater. In cases where a homeowner or neighborhood group wins, defendants would be forced to pay their attorneys fees. (See Feb. 9, 1996, *Session Weekly*, page 6)

**HF2204** now goes to the Senate.

## Investigating physicians

Investigating Minnesota physicians accused of sexual misconduct would become a more open process under a bill approved Feb. 16 by a House committee.

**HF2633**, sponsored by Rep. Lee Greenfield (DFL-Mpls), would require a probable cause hearing to be held before an administrative law judge in cases where a doctor is accused of sexual misconduct.

Current law requires no such hearing.

If a judge determines that the physician is guilty of violating Board of Medical Practices rules governing such behavior, the notice of

and order for hearing filed by the board would become public, allowing other victims to come forward with new information for the board to consider.

"The major thrust of this legislation is to increase the ability of the board to inform the public," Robert Leach, the board's executive director, told the House Judiciary Committee.

Leach said the bill also would improve the board's ability to keep complainants and victims — who are not always the same in such cases — informed of the progress of an investigation into allegations of sexual misconduct.

Under current law, only the person filing the complaint can be given information about the status of an investigation.

**HF2633** would provide that probable cause hearings be closed to the public. However, the board must make public a notice of the hearing; findings of fact, conclusions, and recommendations issued by the administrative law judge and arguments before the board in cases where the judge finds a violation of the state's sexual misconduct rules; and any final order of the board.

The bill would add a seven-year statute of limitations for all complaints filed with the Minnesota Board of Medical Practice except for sexual misconduct cases, which would be subject to no statute of limitations.

**HF2633** now moves to the full House.

## No cloning allowed

A bill to make it a crime to engage in cellular phone "cloning" was passed by the House Feb. 19. The vote was 131-0.

The bill (**HF2526**), sponsored by Rep. Chuck Brown (DFL-Appleton), addresses what phone company officials say has become an increasingly popular crime.

Cellular phone cloning — or counterfeiting — would be a felony under the bill, punishable by up to five years imprisonment and a \$10,000 fine. Current statute prohibits cellular phone eavesdropping but does not specifically address any other wireless phone violations.

"Cellular phone cloning is a \$500 million illegal industry. . . . This is a very, very serious issue, and I believe as a public policy it warrants our attention," Brown has said.

Cellular phone cloning occurs when someone acquires a phone identification number — assigned by the manufacturer — and alters it. Cloners either use the number or provide it to a computer network system for others to use. Some use a combination of

scanners, cables, computer chips, and software to create identification numbers themselves.

(See Feb. 2, 1996, *SessionWeekly*, page 8)  
**HF2526** now heads to the Senate.



## EDUCATION

### Omnibus education proposal

A \$26 million education spending proposal headed for the House floor aims to bolster technology in Minnesota's public schools and to provide new programs for the state's most needy students.

The omnibus education bill (**HF2156**), sponsored by Rep. Alice Johnson (DFL-Spring Lake Park), was approved Feb. 21 by the House Ways and Means Committee.

The proposal does not include funding for some of Gov. Arne Carlson's education initiatives, and the bill would spend about half of what the governor recommended.

Left out were the \$15 million Carlson proposed to spend on a school voucher pilot program and money for computer hardware and other programs.

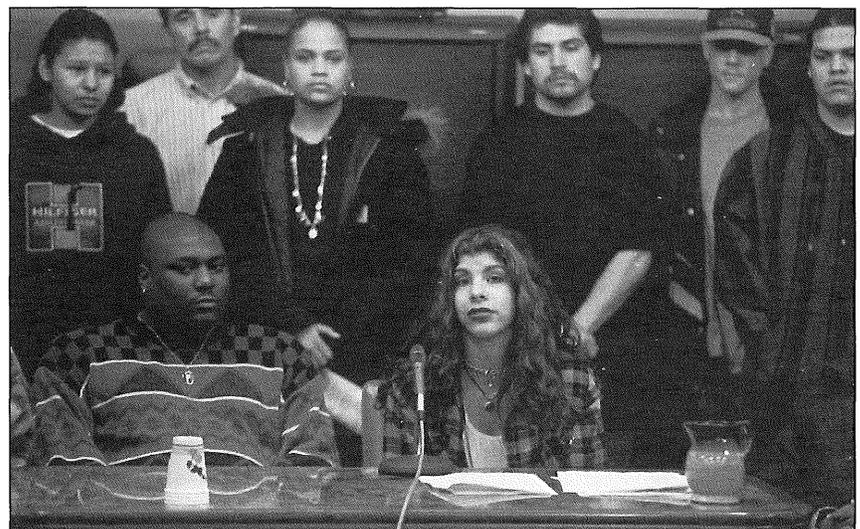
The bill would spend \$11 million to bolster the use of technology and would devote funds to after-school programs, full-day kindergarten, and other projects designed to help disadvantaged students. (See Feb. 16, 1996, *SessionWeekly*, page 17)

Here's a look at the bill's major provisions.

- A total of \$11 million would be spent on technology programs. Most of that money

— some \$8 million — would be used to expand Internet access in schools and libraries. Another \$1.4 million would be devoted to training teachers in the use of technology so they can pass on those skills to their students. Another \$1 million would be offered in grants to school districts, private schools, and community organizations that operate after-school programs giving children access to computers.

- Under the bill, \$3.2 million in grant funding would allow certain schools to offer full-day kindergarten or to provide half-day kindergarten for four-year-olds. Schools with the highest percentage of students on free and reduced-price lunch programs would be first in line to receive a share of the grant money.
- Children in some of the state's poorest areas would be the beneficiaries of \$2.5 million for after-school programs. Grants would support programs run by community organizations in three Minneapolis and three St. Paul neighborhoods that meet criteria to be set by the Department of Children, Families, and Learning. Up to 10 percent of the grant money would go to programs in neighborhoods outside of Minneapolis and St. Paul.
- School sites would have more authority to make budget and programming decisions. Under the bill, school site councils would control a small share of the per pupil revenue given to districts, and the site councils would be eligible to receive additional grant funding from the state.
- The bill includes \$1.7 million for continued



Veronica Zubiran, right, a student in the pre-apprentice carpentry program at the Youthbuild Skills School in Minneapolis, told the House Capitol Investment Committee Feb. 21 how important it is to offer youth job-training opportunities. Project leader Willy Wallace, left, once a student of the program, also testified before the panel along with other students and teachers.

development of the state's graduation rule, but the bill would narrow the scope of the graduation standards. Minimum proficiency tests would be limited to the subjects of math, reading, and writing. Assessment of performance in the other subjects would be shifted from minimum standards testing to the Profile of Learning, a broad analysis of each student's overall performance.

The House Education Committee on Feb. 16 deleted language in the bill that would have made it easier to expel students who step out of line at school.

The provision would have allowed schools to schools to expel students for violations of sexual, religious, or racial harassment policies or other school conduct policy.



## EMPLOYMENT

### Job training tax credit

Minnesota businesses that employ workers who are graduates of some job training programs would be eligible for corporate franchise tax credits under a bill considered Feb. 19 by a House panel.

**HF3203**, sponsored by Rep. Ann Rest (DFL-New Hope), would allow participating Minnesota companies credits of up to \$20,000 per trainee, including placement and retention fees.

The House Taxes Committee's Sales and Income Tax Division took no action on Rest's bill, but will consider it for inclusion in the omnibus tax bill.

To qualify for the corporate franchise tax credit, training programs would be required to be certified by the state revenue commissioner to meet certain standards.

A program must be operated by a charitable organization and must spend at least \$5,000 on each of its graduates. Education and training must cover basic skills, thinking skills, and "personal qualities" and last at least six months.

Additionally, income supplements must be made available to cover the basic expenses incurred by trainees, who must be older than 18, have earned less than \$10,000 in income in the previous two years, and have less than \$5,000 in assets. They cannot be dependents of others.

The jobs in which graduates are placed must pay at least \$9 an hour in the first year and \$10 an hour in the second and third years.

Total available tax credits under the program would be limited to \$1.5 million over

five years.

Representatives of Twin Cities RISE! — a nonprofit job-training program that focuses on applicants who have long histories of unemployment — spoke in support of **HF3203**.

Jackie Copeland-Carson gave lawmakers a hypothetical example of the type of client who would benefit from the Twin Cities RISE! program: a 35-year-old American Indian man, employed between five and 10 years of his adult life, recently released from jail, earning minimum wage, and unable to support his family.

If accepted in the program, the man would undergo an intensive admissions process and would take tests to establish his achievement levels. He would work one-on-one with a coach to establish a development plan, and then would become involved in training while holding a part-time job.

"This is not just a job placement program; we give people the skills they need to get and keep a job," Copeland-Carson said. "Our long-term goal is to have an impact on poverty."

### Livable wage

A bill requiring certain companies that receive \$25,000 or more in state aid to pay their employees at least \$7.21 per hour continues to progress through the House.

**HF2562**, sponsored by Rep. Karen Clark (DFL-Mpls), was approved by the House Economic Development, Infrastructure and Regulation Finance Committee Feb. 21.

Companies affected by the bill are medium- and large-sized companies that receive \$25,000 or more in state aid through loans, grants, or tax increment financing (TIF). Also affected are large non-profit organizations with a salary ratio between the highest- and lowest-paid employee of 25 to 1 or greater. Exempt are other nonprofits, businesses employing 20 people or less, and companies that have received bonafide offers of financial assistance to relocate to another state.

The bill requires qualifying companies to pay wages equal to federal poverty level guidelines, now at \$7.21 for a family of four.

Chris Jacobs of the Jobs Now Coalition said the bill would set performance measures at a time when the trend is toward the creation of low-wage jobs.

Rep. Carol Molnau (R-Chaska) said she's worried about the effect the bill could have on outstate areas, stating that new businesses do more than pay wages; they also provide economic stimulation and revitalize communities.

According to Clark, the bill is an attempt to bring about accountability for corporate public assistance and a way to begin moving individuals off of public assistance.

The bill now heads to the House floor.



## ENVIRONMENT

### Omnibus finance bill

The environment and natural resources supplemental budget bill, which includes \$8.1 million in allocations, won approval from the Environment and Natural Resources Committee Feb. 21.

The governor's target for the committee's supplemental budget is \$2.7 million.

Big-ticket items in the proposal include \$850,000 for improved recreation areas for all-terrain vehicles on the Iron Range, \$689,000 for landfill clean-up, and \$410,000 for the acquisition and development of the Chippewa County regional trail.

Also included in **HF3231**, sponsored by Rep. Chuck Brown (DFL-Appleton):

### Timber damage

Northern Minnesota would get \$313,000 in fiscal year 1996 for damage done by a pair of July 1995 thunderstorms, under the bill. The money would be used to reimburse costs incurred in timber damage, clean-up, reconstruction, and debris removal, among other things.

An estimated 250,000 acres in northern Minnesota were hit — including state, county, federal, and private lands. One hundred seventy-five miles of roads were destroyed in the process.

The storms ranged from an area west of Itasca State Park eastward through Clearwater County to south of Grand Rapids.

And while the 100 mph winds are no longer toppling, bending or snapping trees, they will cause problems in northern Minnesota for years.

One DNR figure puts a \$22.5 million price tag on the value of the timber that was lost or damaged. Nearly one-half of the annual wood supply needed by the state's forest industries was damaged or destroyed, the DNR has said.

### Beaver damage

Local governments would share \$300,000 to study statewide beaver damage under the bill. The grant is contingent on \$80,000 in matching funds from the Beaver Damage Control Joint Powers Board.

Beaver dams in ditches, rivers, and coulees

have created flooding in the flat terrain up north.

Last year, Gov. Arne Carlson vetoed a \$150,000 appropriation for the Beaver Damage Control Joint Powers Board in northern Minnesota.

### Frog study

A state study on deformed frogs and a statewide learning project at Hamline University would get \$200,000 under **HF3231**. Under Rep. Willard Munger's (DFL-Duluth) proposal, originally introduced as **HF2594**, the Pollution Control Agency (PCA) would get \$50,000 to study recently discovered deformed frogs as "indicators of environmental pollutants." Hamline University's Center for Global Environmental Education would get \$28,000 to launch statewide student participation in the study. The deformed frogs were discovered last summer by junior high students who attend the Minnesota New Country School near Henderson, Minn. Another \$123,000 would be appropriated under the Legislative Commission on Minnesota Resources for the frog study, to be conducted by the PCA.

Rep. Tom Osthoff (DFL-St. Paul) questioned why Munger's initial request for \$50,000 wasn't sufficient.

Munger, who was visited at the meeting by Henderson students, said PCA and University of Minnesota officials told him \$50,000 was needed to accomplish even a minimal study. PCA officials said the additional money would enable them to study sites that have been reported to them since the initial frog discoveries.

Chair Rep. Chuck Brown (DFL-Appleton) emphasized the importance of a "thorough" study.

"Our communities in rural Minnesota have sent us a message," he said. "And it's the chair's belief that when it's completed it ought to be thorough and ought to be well done. My concern is that the study is done properly."

### River basin funding

The bill calls for \$100,000 in continued funding of the Minnesota River Basin Joint Powers Board. The 37-county board is charged with keeping the river clean through public education and local environmental projects. It was established more than a decade ago when the Department of Natural Resources (DNR) found that the river exceeded acceptable phosphorous and nitrate levels.

Osthoff asked why the joint powers board couldn't be financed by the 37 local municipalities instead of the state.

DNR officials said the state has a history of

financing joint powers boards, such as the North Shore Management Board. In addition, efforts by the 37 counties help hold sewage treatment costs down in the metro area, said Ron Nargang of the DNR.

### Fighting river sedimentation

Morrison County would get \$100,000 to address water flow problems along the eastern shoreline of the Mississippi River. The University of Minnesota would use the money at its St. Anthony Falls laboratory to learn about and solve accelerated sedimentation in the river.

### Save potatoes

The bill would expand a state study on potato blight. Under Rep. Ken Otremba's (DFL-Long Prairie) plan, originally introduced as **HF2746**, \$75,000 would go toward studying both the effectiveness of current treatments for potato blight and the development of disease-resistant spud varieties. The study, which is ongoing at Central Lakes Agriculture Center in central Minnesota, is aimed at curbing a problem that contributes to the use of \$12 million annually in fungicides, Otremba said.

### Pest control

An urban, integrated pest management development and promotion program would be created with Metropolitan State University at a cost of \$75,000. The goal of the program is to promote integrated pest management in urban areas.

### Environmental justice

The establishment of an environmental justice study, originally proposed by Rep. Karen Clark (DFL-Mpls) as **HF1661**, would cost the state \$20,000. Such a study would explore the equitable or inequitable distribution of environmental efforts among different socioeconomic and ethnic groups. The measure includes a \$20,000 appropriation for the Environmental Quality Board to study the issue and report to the Legislature by Jan. 1, 1997.

About 38 other states are considering similar legislation in an effort to get federal funding for community-based projects that address environmental equity, Clark said. President Bill Clinton issued an Executive Order in 1994 urging states to explore the concept of environmental justice.

### Minnesota resources

Projects aimed at preserving the state's resources would get \$4.4 million under the bill. The appropriations would fund \$1 million for acquisitions and renovations to metro-

area parks, \$1 million in state park and recreation area acquisitions and \$895,000 in local grants for the same purposes.

Also included in the \$4.4 million appropriation is \$750,000 for the Reinvest in Minnesota program, which aims to acquire and preserve wetlands and other conservation lands.

Additionally, the PCA and the DNR would get \$360,000 to develop a joint Internet program aimed at increasing public access to information. Also included in the Minnesota resources provision is \$57,000 for the Upper Mississippi River Assessment Project.

### Improving scenic lands

A proposal increasing the maximum grant available to local governments and school districts to acquire and improve natural and scenic areas is also included in the bill. Rep. Steve Trimble (DFL-St. Paul) said his measure helps save prairie, shorelands, wetlands, and wooded areas that can't be acquired under the current \$50,000 matching grant program. The grant could reach \$200,000 under Trimble's proposal.

### Home cookin'

Relaxed restrictions in the state's food licensing law would allow many small-time vendors to forgo paying \$100 or more for licensing. Under Rep. Bob Ness' (R-Dassel) proposal, introduced as **HF2031**, vendors selling home-baked foods at community events would not have to buy a license as long as they gross less than \$1,000 annually and do not sell their goods for more than 10 days a year.

### Human waste

A provision brought forth by Rep. Dennis Ozment (R-Rosemount), (introduced as **HF2260**) would restate current law which makes it a misdemeanor to discharge untreated waste into surface water is included in the bill. The bill aims to enforce "zero tolerance" for discharging human wastes into surface waters. Under current law, such a crime is punishable by up to 90 days in jail and a \$700 fine.

## RIM program changes

A bill that supporters say will allow the state to better target wetlands and other lands for the Reinvest in Minnesota (RIM) program won approval Feb. 22 in the House. The vote was 131-0.

Under the RIM program, landowners are paid to retire certain lands from agricultural production or place wetlands into conservation.

**HF2282**, sponsored by Rep. Ted Winter (DFL-Fulda), seeks to increase the flexibility of current laws governing water and soil resources.

The bill would eliminate minimum acreage requirements on lands included in the RIM reserve. Current law keeps land parcels out of the RIM program if they are less than five acres or more than 20 percent of the county's average farm size.

And the bill would allow the state to obtain "flowage easements" on lands adjacent to wetlands in the RIM program. The bill would allow a landowner who does not want to commit their land to conservation every year to commit just once every few years. Current law allows only perpetual easements.

Supporters consider the RIM program the state's best shot at fighting harmful soil erosion.

**HF2282** now goes to the Senate.

## Petrofund changes

Mom and Pop gasoline station owners would get some relief from expensive environmental clean-up costs under a bill unanimously passed by the House Feb. 21. The vote was 132-0.

**HF2519**, sponsored by Rep. Gene Pelowski (DFL-Winona), would make more clean-up projects eligible for the state's Petroleum Tank Release Cleanup program. The so-called Petrofund program, financed by a 2-cent-per-gallon fee on wholesale petroleum, was established by the 1987 Legislature to help the owners of storage tanks recover some of the costs of a site's cleanup.

The bill would make eligible for the program:

- a site where less than one million gallons was dispensed in each of the last three calendar years;
- sites owned by a person who owns no more than five sites in Minnesota; and
- a person who has discontinued operation of all petroleum tank sites in Minnesota.

An amendment by Rep. LeRoy Koppenrayer (R-Princeton) extends more limited financial relief to petroleum operators who are still in business. Under his amendment, 90 percent of the first \$250,000 and 100 percent of any amount thereafter would be reimbursed to anyone in the petroleum business if less than 600,000 gallons were dispensed in a year.

The bill, which now goes to the Senate, would be retroactive to June 4, 1987.



## FAMILY

### Expediting visitation

Minnesota parents who have been illegally denied visitation with their children would be able to more easily gain their rights under a bill approved Feb. 16 by a House committee.

**HF2357**, sponsored by Rep. Andy Dawkins (DFL-St. Paul), was approved by the House Judiciary Committee and sent on to the full House for consideration.

Dawkins' bill would allow a parent who was illegally denied visitation to appeal to a visitation expeditor, a court official who serves as a mediator to help resolve such disputes. Under current law, both parties must request intervention by a visitation expeditor.

At an administrative hearing, which serves to ensure that court-ordered visitation schedules are followed, a mediator can mandate "compensatory visitation," additional visitation time to a parent who has been wrongly denied such privileges.

Under **HF2357**, a decision resolving a compensatory visitation motion would be handed down in five days or less after the final meeting with the parties in the dispute.

Should compensatory visitation be awarded, the decision must include a finding that visitation was wrongfully denied.

If a parent is illegally denied compensatory visitation after a decision has been issued, a law enforcement agency may be directed to deliver the child to the parent entitled to visitation.

Also under the bill, if a parent who is liable for past-due child support has made complete and timely payments for 36 consecutive months of the current support amount due plus court-ordered payment of past-due support, interest on the remaining past-due amount will stop accruing.

Dawkins told the committee that he had reworked his original bill so that it will not cost the state of Minnesota any additional money.

The bill was praised by Rep. Dave Bishop (R-Rochester) as an example of "legislative courage."

"This is a most difficult, emotional and contentious issue," Bishop said. "I hope it proves to be blessed with wisdom [when it reaches the House floor]."



## GAMBLING

### Pulltab tax refunds

Minnesota charitable organizations that operate pulltab and tipboard games would be able to claim sales tax refunds on unsold pulltabs and tipboard tickets under a bill considered Feb. 19 by a House panel.

The House Taxes Committee's Sales and Income Tax Division laid over **HF3050**, sponsored by Rep. Bob Milbert (DFL-South St. Paul), for possible inclusion in the omnibus taxes bill.

The division also will refer seven other identical bills to the full committee: **HF3075**, **HF3181**, **HF3182**, **HF3183**, **HF3184**, **HF3185** and **HF3186**.

Under current Minnesota law, the state's 1,575 organizations that operate pulltab and tipboard games pay a 2 percent tax on the projected gross revenues to distributors of such games, and are not allowed to claim refunds on unsold pulltabs and tickets.

The tax was originally imposed by the Legislature in 1989. A year later, legislators directed organizations to begin posting winners in pulltab and tipboard games, which alerted prospective gamblers to the odds of winning if they participated in those games.

The mandatory posting law was repealed in 1991, but customers still demand that winners be posted, according to King Wilson, executive director of Allied Charities of Minnesota. That means that once winners have claimed the prizes in a single game, customers have no interest in participating.

"It's a simple problem: We believe we've been unfairly taxed on unsold pulltabs and tipboards," Wilson told lawmakers.

Rep. Steve Sviggum (R-Kenyon), noting that this is the only example in the state of taxes being levied on unsold items, called it a "most unfair situation" and expressed his support for Milbert's bill.

The Minnesota Department of Revenue estimates that **HF3050** would cost the state \$5 million in the 1996-97 biennium and \$10.2 million in the 1998-99 biennium.

The refund would be effective for pulltabs and tipboard tickets played on or after July 1, 1996.



## GAME & FISH

### Saving starving deer

A total of \$750,000 would be devoted to an emergency deer feeding program in northern Minnesota under a bill approved Feb. 19 by the House Ways and Means Committee.

**HF2902**, sponsored by Rep. Tom Bakk (DFL-Cook), aims to help a deer population that could be hurt by this year's unusually cold and snowy conditions.

Frigid temperatures and deep snow pose a serious threat to the deer herd in northern Minnesota, which is economically important not just to northern Minnesota, but to the entire state, according to Bakk.

Northeastern Minnesota has more than three feet of snow on the ground and has had record-breaking low temperatures this year.

The House passed a resolution (**HR11**) in January requiring the Department of Natural Resources to start an emergency feeding program in the northern one-third of the state (areas north of State Highway 210 and U.S. Highway 10).

Bakk's bill would provide the funding to carry out that order, requiring that \$750,000 from the state game and fish fund (which is funded by the sale of hunting and fishing licenses) be used for emergency deer feeding.

The DNR currently runs a deer feeding program in agricultural areas of northwestern Minnesota but hasn't fed deer in the forested areas of the northeastern part of the state since 1989. The department expects to use \$260,000 this biennium for deer feeding in northwestern Minnesota. (See Feb. 2, 1996, *Session Weekly*, page 11)

DNR officials say it's very difficult to increase deer populations in the state's northeastern forest areas because the animals are hard to locate and difficult to reach by road.

"The deer are harder to access in the forested region, but there is a real army of volunteers that want to help," Bakk said.

The Ways and Means Committee rejected an amendment proposed by Rep. Phil Krinkie (R-Shoreview) that would have scrapped the emergency deer feeding plans and instead called for threatened deer to be hunted and donated to low-income people.

**HF2902** now goes to the House floor.



## GOVERNMENT

### Tying funds to performance

Cities and towns could either increase or decrease their share of state aid under a bill that encourages the use of performance standards.

**HF2801**, sponsored by Rep. Andy Dawkins (DFL-St. Paul), was approved by the House Taxes Committee Feb. 22.

Under the bill, homestead and agricultural credit aid (HACA) currently given to cities would be contingent on the city's establishment of "performance measures." Dawkins said performance measures aim to increase the accountability of local governments by requiring cities or towns to adopt goals and work toward them. Performance plans can range from a system that counts the number of city applications for library cards to one that measures individual progress and overall effectiveness of a juvenile crime prevention program, Dawkins said.

The bill would abolish the current HACA aid program which gives \$2 per capita to cities and counties (for a total of about \$197 million in statewide HACA aid). It makes that amount (plus an inflationary adjustment) available to cities and counties that indicate there are performance measures in place.

Under the bill, a form currently used by the Department of Revenue to determine a city or county's HACA appropriation would include a line to indicate the establishment of a performance program.

Cities could actually get more money than the current HACA program provides because Dawkins' bill includes a \$400,000 appropriation for inflationary adjustments. Revenue for HACA funds comes from income and sales taxes.

Rep. Ted Winter (DFL-Fulda) liked the bill.

"It does make a real good connection between the people who pay taxes for services and the government officials who are producing the services," Winter said.

Some legislators have suggested cities and towns could easily report that they've adopted performance measures when they haven't. Rep. Skip Carlson (R-Fridley) said he feared the measure could confuse cities that may also have a complicated waste management tax change to deal with this year (the so-called SCORE tax changes proposed in **HF2552**).

Dawkins said he would be working with the League of Minnesota Cities to help cities to understand the bill. He has also said the commissioner of revenue can investigate cit-

ies that aren't being honest about their program.

Many cities establish goals in their comprehensive development plans. But Dawkins said his plan would be "a quantum leap forward" in making cities accountable to taxpayers.

An amendment to the bill would redirect \$6.4 million in HACA funding now going to regional railroad authorities to criminal justice aid for counties. In offering the amendment, Rep. Ann Rest (DFL-New Hope) mentioned a recent newspaper editorial that criticized the state for giving HACA to regional railroad authorities. The state originally based those HACA dollars on levies related to now-dormant light rail proposals. In all fairness, Rest said, the railroad authorities shouldn't be getting the HACA money.

The amendment reduces to zero the amount of HACA money going to railroad authorities. It does not change the amount of HACA funds going to counties, however, because railroad authorities are county entities.

**HF2801** will be considered for inclusion in the omnibus tax bill.

### Recalling errant politicians

Minnesota voters would decide if they should have the right to recall errant lawmakers under a bill approved Feb. 19 by the House General Legislation, Veterans Affairs and Elections Committee.

**HF343**, sponsored by Rep. Betty McCollum (DFL-North St. Paul), would place on the 1996 ballot a proposed constitutional amendment to allow voter-initiated recall of state officials.

If approved by voters, legislators, the governor, constitutional officers, and judges could be subject to recall elections.

Efforts to pass a recall bill this year have led to controversy.

As originally drafted, the bill would have allowed recall of only those officials determined by the Minnesota Supreme Court to be guilty of "malfeasance," willfully committing an unlawful act in the course of executing duties of the job, or "nonfeasance," failure to perform the duties of the position.

Critics said those conditions alone were too narrow and would not have allowed the recall of officials guilty of illegal or unethical acts outside of the prescribed role of the office.

Specifically, critics pointed to the shoplifting and spousal abuse charges recently leveled against state lawmakers. Such actions, critics said, should be considered reasonable grounds for a recall but likely would not

constitute "malfeasance" or "nonfeasance" in office.

In response, the bill has been broadened and clearly states that officials convicted of a serious crime or guilty of serious ethical misconduct could be subject to a recall vote.

"We were criticized for having it be too cryptic," said Rep. Tim Pawlenty (R-Eagan), a co-sponsor of the bill, "... so we opened it up."

If voters were to approve the proposed constitutional amendment, a recall effort could be prompted by filing a petition with the secretary of state.

That petition would have to specifically state the conduct that warrants a recall and would have to be signed by a number of eligible voters equal to 25 percent of the total that voted in the most recent election for the affected office.

If the Minnesota Supreme Court finds sufficient grounds for a recall, the governor would be required to schedule a vote. A recall election could not be held within the final six months of the targeted official's term.

A successful bid to amend the state constitution would allow Minnesota to join North Dakota, Wisconsin, and 15 other states that already have recall for state officials.

**HF343** now goes to the House Rules and Legislative Administration Committee.

## Remembering suffrage

The women's suffrage movement, which observed its 75th anniversary last summer, would be commemorated in a memorial garden on the grounds of the Minnesota State Capitol under legislation approved Feb. 20 by a House panel.

The legislation, sponsored by Rep. Phyllis Kahn (DFL-Mpls), was approved to become part of **HF3214**, the omnibus state government finance bill, now being assembled by the House Governmental Operations Committee's State Government Finance Division.

"This is a struggle that has not been adequately recognized by the state and the country," Kahn told division members, describing the proposed memorial garden as "a very nice, contemplative" addition to the Capitol grounds.

Plans call for the garden to be constructed on a 100-foot-by-150-foot section of land located immediately south of Constitution Avenue near Cedar Street, close to the location of the 1996 Winter Carnival ice slide, according to Paul Mandell, a planner with the Capitol Area Architectural and Planning Board.

As originally proposed to division members, the legislation called for an appropriation of \$150,000 for design and construction of the memorial garden. However, Mandell said, that was a preliminary budget number, and he estimated the actual cost of the completed project at between \$200,000 and \$250,000.

Rep. Tom Osthoff (DFL-St. Paul) moved to add another \$100,000 to the requested appropriation, pointing out that giving the project \$250,000 would bring it in line with previous appropriations for memorials to veterans of the Korean and Vietnam wars.

"It gives parity and equity to other displays in the capitol area," Osthoff said. "It's a fairness issue, if nothing else."

After further discussion, division members agreed to make the final \$50,000 of the state appropriation contingent on private efforts to raise \$50,000 in non-public matching funds. The private money will be used for plaques, benches, and educational materials to be distributed in connection with the memorial garden.

## Clearing the backlog

Minnesota's human rights commissioner would be required to come up with a plan to eliminate a case backlog in the Department of Human Rights under legislation considered Feb. 20 by a House panel.

**HF3083**, sponsored by Rep. Matt Entenza (DFL-St. Paul), would direct Commissioner David Beaulieu to report back to the Legislature by Jan. 15, 1997, on how the office plans to clear up the backlog.

Members of the House Governmental

Operations Committee's State Government Finance Division laid over the bill, which will be considered for inclusion in the omnibus state government finance bill, **HF3214**.

Entenza called his bill a "simple and straightforward" recipe for trying to solve the Department of Human Rights case backlog, which was discussed at length in a report issued last month by the Office of the Legislative Auditor.

"Our study found that the department has not handled charges of discrimination in a timely manner and that there is a growing inventory of open cases," Legislative Auditor James Nobles wrote. "We also found that the department lacks the expertise to properly use its own case-tracking system and needs to show more tangible progress in developing the new system funded recently by the Legislature."

The most important recommendation contained in the study is that Beaulieu and the department "take whatever steps are necessary" to eliminate the backlog.

Beaulieu has criticized the report, saying it doesn't acknowledge that his department has, in the last four years, "increased its efficiency and is now doing more with fewer resources." He claims that the department has become more productive and that the restructuring moves he has taken have helped the department maximize the use of its resources.

**HF3083** includes a \$100,000 appropriation for the department to prepare plans for clearing the case backlog, making probable cause determinations quickly using a minimum amount of department resources, and processing future cases on a timely basis.

Rep. Kevin Knight (R-Bloomington), a



U.S. Senator Paul Wellstone, left, and U.S. Rep. David Minge, right, listened Feb. 20 as Rep. Doug Peterson and other state lawmakers released nine principles they say are essential to protect "The Right to be Rural." As written, the principles are "a blueprint to bring the needs of rural areas to the forefront of public policy debate in St. Paul and Washington."

former member of a city human rights commission in Bloomington, acknowledged that Beaulieu's department is overburdened, but blamed part of that on the department's unwillingness to pass on complaints to individual cities.

"I've heard nothing but excuses from the human rights department and seen nothing but poor results from the commissioner," Knight said. "Until things are cleaned up at the Department of Human Rights, I don't think we should be giving them more money."

## HIGHER EDUCATION

### Omnibus budget bill

The House Education Committee approved \$10 million for campus-based technology, a pilot job skills program, and a statewide on-line information library Feb. 21.

Rep. Tony Kinkel's (DFL-Park Rapids) higher education budget bill (**HF3239**) now goes to the House Ways and Means Committee. It meets the target amount set for his committee.

Among the major appropriations:

#### Technology grants

The bill includes \$4.6 million for individual technology grants to campuses. The grants would be awarded to state colleges and universities on a competitive basis by a review panel. The review panel would include mostly faculty, students, and a member of the Minnesota High Technology Council.

Both the governor and lawmakers have established technological upgrades at educational institutions — at all grade levels — as a high priority.

#### Work skills curriculum

A pilot program at an unspecified technical college would get \$600,000 for a work skills program — \$300,000 for curriculum development and \$300,000 for the development of an on-line "demonstration site." Under the provision, initially proposed by Rep. Howard Orenstein (DFL-St. Paul), at least one technical college would develop a pilot program next year aimed at improving employability through a core group of classes. The program would be shared statewide through the on-line system.

#### Statewide on-line library

The bill includes \$150,000 for the establishment of a statewide, on-line library system for 1996-97. Rep. Steve Kelley's (DFL-Hopkins) proposal would fund a library plan-

ning task force whose goal would be to establish a statewide system for colleges, public libraries, and K-12 schools.

#### Law school reimbursement

The proposal marks \$50,000 to repay law school loans for graduates who practice in certain Minnesota communities and/or practice lower-paying public policy work. Rep. Becky Kelso's (DFL-Shakopee) proposal requires the private bar association to match the repayments.

Under **HF 3239**, any surplus in state grant appropriations would be transferred to the work study program. Under current law, surpluses go back into the general fund.

### Tuition buy-down

A proposal to use \$50 million of the state's projected budget surplus to lower college tuition for students was cut to \$10 million by the House Higher Education Finance Committee Feb. 21.

Sponsored by Rep. Myron Orfield (DFL-Mpls), **HF2568** was subsequently approved by the Education Committee Feb. 22 and now heads to the Rules and Legislative Administration Committee.

Orfield, who had aimed to reduce tuition next year at all public post-secondary schools by about 12 percent, reluctantly accepted the modified bill.

"I'm ashamed we couldn't take a bigger step," he said. "My major intent was to lower tuition in public institutions . . . but I realize sometimes you have to compromise to keep ideas moving forward."

An amendment by Higher Education Finance Division Chair Rep. Tony Kinkel (DFL-Park Rapids) reduced the bill's funding to \$10 million and divided it equally between tuition reduction and targeted financial aid. The amendment responded to critics of Orfield's plan who said plan didn't reach the neediest of students. Orfield, citing Minnesota's above-average post-secondary school tuition, has argued that across-the-board reductions are necessary and need-based programs are politically risky.

The bill includes:

- \$5 million in grants targeted for both dependent students and independent students with a dependent child whose family incomes are less than \$20,000. About 27,000 students, many of whom already receive some aid, would receive around \$180 next year, under the provision;
- \$3.5 million for tuition relief at Minnesota's State Colleges and Universities. Recipients

would get less than \$50 under the provision;

- \$1.5 million for tuition relief at the University of Minnesota. Recipients would get less than \$50 under the provision.

Rep. Becky Kelso (DFL-Shakopee) questioned the division of tuition reduction dollars between students at the University of Minnesota and other schools. Under Kinkel's provision, University students get about one-third of the tuition reduction money, which reflects their percentage of total post-secondary students in the state (about 30 percent).

Kelso recommended they get a larger share of tuition relief because they pay higher tuition on average than other post-secondary students. The committee took no action on her suggestion.

Reps. Steve Dehler (R-St. Joseph) and Howard Orenstein (DFL-St. Paul) amended the bill to allow independent students with children to receive aid. Orenstein said offering the targeted grants to both dependent and independent students with children "gets to a population that really needs the help."

Debate over Orfield's bill was characterized by repeated references to the "bigger problem" of skyrocketing tuition. Tuition at all of Minnesota's higher education institutions is above average. University of Minnesota tuition is 24 percent above the national average, Orfield has said.

"I applaud this effort but I think it's a sad commentary," said Kelso. "The fact that there are unacceptable tuition increases simply indicates spending [at] our higher education institutions is going up faster than we're able to provide money to them. Unfortunately Orfield's bill is not the whole answer.

At least one of more than a dozen students who have testified on the bill agreed.

"We have a permanent problem with financial aid and we really need a permanent solution," said Dawn Hilliard of the Minnesota Technical Colleges Student Association.

### Education savings bonds

Minnesota parents would be able to buy tax-free bonds to help pay for a child's college education under a bill approved Feb. 20 by the House Capital Investment Committee.

**HF2058**, sponsored by Rep. Lyndon Carlson (DFL-Crystal), would require the Minnesota Department of Finance to establish a college savings bond program.

The bill aims to help middle-class parents pay for their children's education, Carlson said.

"The middle-income family that is neither wealthy enough nor doesn't qualify for vari-

ous forms of aid is kind of left out," Carlson said. "This would give them incentive to save."

Under the bill, the state would offer bonds attractive to parents saving for higher education expenses. Many specifics of the bond programs would be set by the finance department, but considerably more affordable bonds would be made available.

Currently, general obligation bonds are sold at a minimum \$5,000 denomination, the amount the bond is worth upon maturity. The bill would require denominations as small as \$500 to be made available. As with their more costly counterparts, the smaller bonds would be tax exempt.

Similar programs are already in place in 24 other states, according to Carlson.

The bill would require the finance department and the Higher Education Advisory Council to develop a marketing plan to inform parents about the bonds.

The bill would allow students to have up to \$25,000 in bonds without having it count against them in determining eligibility for state higher education grants.

The bonds would be available to parents, grandparents, and others. In fact, the bill does not call for enforcement to ensure the smaller bonds are purchased for college savings.

Also, there would be no penalty if a child decided not to seek a higher education.

The bill now goes to the Ways and Means Committee.



## HOUSING

### Deterring illicit activity

Vacant houses in the inner city could lose their allure to criminals under a bill approved by the House Feb. 19. The vote was 115-16.

The bill (HF2039/SF1812\*) would require that owners of vacant buildings pay for at least one of the following: external lighting; "no trespassing" signs; a resident caretaker; or an alarm system. The cost of securing the building would become a lien against the property if an owner couldn't be found.

Besides inviting the danger of drug dealing and prostitution, vacant buildings cost tax dollars in frequent police calls, lost homeowners, and increased refurbishing costs due to wire-stripping and plumbing removal, proponents argue.

While the bill applies to all cities in Minnesota, it's estimated there are about 400 abandoned houses alone in the Phillips neighborhood of Minneapolis. That neighborhood —

home to bill sponsor Rep. Karen Clark's district — is bounded by Lake Street and Interstate 94 and Hiawatha Avenue and Interstate 35W.

"The city is going to save so much money . . . rather than letting buildings get broken into, ransacked, the plumbing stripped and architectural features taken," said Clark (DFL-Mpls). "This is a money-saving measure."

Rep. Phil Krinkie (R-Shoreview) said the bill penalizes mortgage holders. He also said it's a city — not a state — issue.

"This is a situation that should be handled in Minneapolis and not brought in front of the state of Minnesota," he said.

Rep. Dee Long (DFL-Mpls) agreed that Minneapolis City Council should be tackling the problem. But she said that doesn't justify the Legislature turning its back.

"It is a very, very needed measure and if we need to do it because (Minneapolis) City Council will not, I hope you will join me in passing it," she told Krinkie.

Current Minneapolis regulations require building owners to secure and sometimes board up property left vacant because it is condemned or foreclosed. But owners can be hard to find and unwilling to pay — a reality that costs.

The Minneapolis Police Department spent about \$30,000 last year to board up vacant buildings. Police have said that price is much cheaper than the legal costs of pursuing property owners.

(See Jan. 26, 1996, *Session Weekly*, page 9)

HF2039/SF1812\* now moves to the Senate.

### Problem tenants

A bill that aims to help landlords and residents fight drugs and prostitution passed the House Feb. 21. The vote was 129-2.

HF2040, sponsored by Rep. Karen Clark (DFL-Mpls), would make it easier for community members to get the names and addresses of suspicious drivers in the neighborhood. It also attempts to give landlords an easier route to both keeping out bad tenants and evicting drug dealers.

The bill's specific provisions include:

- waiving the \$1.50 fee required to obtain motor vehicle registration information. Community members who work to fight crime would be able to learn the identities of suspicious-looking drivers in their areas at no charge, Clark said. Neighborhood groups would use this information to send "notice" letters to the drivers which would

put them on alert that they are being watched. Minneapolis Police already do this, Clark said, but the bill would allow more letters to be sent by enlisting the help of community members;

- adding to lease provisions the "purchase" of a drug as grounds for eviction. According to Clark, community crime officers have said there is a loophole under current law that prevents landlords from evicting tenants due solely to a drug purchase. She said it is easier to evict when drugs are found in a tenant's apartment, for instance; and
- specifying that tenant screening agencies must get the full name and date of birth of those seeking housing. Full names and dates of birth are required by the FBI to do criminal history searches. Full names are also required to do an accurate background check on previous residences, Clark said. She said many landlords end up with problem tenants because they didn't get such information before offering the tenant a lease.

The bill now moves to the Senate.



## HUMAN SERVICES

### Omnibus human services bill

Hundreds of disabled Minnesotans who expected to be cut from a program that helps them live independently at home instead of in a state institution may be spared the budget ax.

A \$21 million Health and Human Services supplemental budget bill contains \$7.8 million to restore cuts made by the 1995 Legislature. It won approval from the House Health and Human Services Committee Feb. 22.

Last year, at the urging of Gov. Arne Carlson, lawmakers cut a program that provides in-home personal care attendants (PCA) for the disabled. The cuts were scheduled to go into effect July 1, 1996.

The 1995 law tightened eligibility requirements and limited some services. One section required that those receiving the help of a personal care attendant be capable of directing their own care or be cared for by family members or placed in an institution.

Another section directly affected mentally ill adults by eliminating services their PCA could provide. Specifically, the 1995 law cut what are called "prompting" and "monitoring" services. That meant mentally ill adults could no longer rely on a PCA to remind them to take medication, prepare meals, or help them get to and from the psychologist or doctor.

**HF2818** restores PCA cuts by eliminating the requirement that recipients be able to direct their own care and by reinstating services such as prompting and monitoring.

Some argued these provisions were headed for trouble with federal health officials and may have been challenged in court.

According to the state Department of Human Services, federal officials expressed concern that the 1995 law may have discriminated against children because many cannot direct their own care simply because they are children and need help from adults. In addition, there was concern the law also discriminated against those with a mental illness who cannot direct their own care.

Below are some of the highlights from the supplemental budget bill.

### **Welfare reductions**

Welfare programs would see a \$33 million reduction. These are not cutbacks, but savings. Forecasts used to put together the 1996-1997 two-year budget for human services last year overestimated how many people would participate in public assistance.

Reliance on welfare has lessened because Minnesota's job market is in good shape, according to state officials. Also, officials credit MinnesotaCare for keeping more people off welfare. MinnesotaCare is a state subsidized health plan that allows certain low-income families and individuals to buy health insurance at reduced costs.

The reductions in welfare costs can be found in the state's Aid to Families with Dependent Children, General Assistance, and other public assistance programs.

### **Criminal checks**

The bill would spend \$54,000 to extend criminal background checks to all nursing home employees, including housekeeping staff and maintenance workers.

The provision expands current law which requires that state criminal histories be checked for employees in nursing homes, home care agencies, and boarding care homes who have direct contact with patients.

A 1995 law that increased penalties for people who neglect or abuse vulnerable adults required such background checks for some nursing home employees.

Since its passage, the Department of Human Services has initiated more than 8,100 background checks which uncovered 67 people who were disqualified from working in a nursing home.

### **Adoption assistance**

More parents wanting to adopt children with disabilities or other special needs could see some financial help from the state. The state would set aside another \$1.5 million to help families adopt those children.

### **Senior nutrition**

The bill marks \$500,000 to expand programs that offer meals and groceries to the elderly across the state. Committee members were told that good nutrition can help keep senior citizens out of nursing homes.

A portion of the money would go to the Minnesota Board on Aging to expand elderly food programs statewide. Another portion would be given to local agencies on aging to help pay for such elderly services as the home delivery of meals, groceries, and prescriptions; transportation to supermarkets and congregate dining sites; vouchers for meals at selected restaurants in isolated rural areas; food stamp outreach; and nutrition screening and counseling.

Senior citizens quickly suffer from dehydration and become malnourished if they don't eat properly, proponents said, adding that minor illnesses can worsen and broken bones take longer to heal due to poor eating.

Home delivery of meals to "shut-ins" as well as congregate meals at senior centers and other sites, are invaluable, they said, noting that they not only keep many seniors healthy, but the latter is especially helpful in getting seniors out and socializing.



**Dan Cain, executive director of Eden Programs, a chemical dependency treatment center in Minneapolis, testified before the Judiciary Finance Committee Feb. 19 in support of a bill that would develop a public health approach to addressing the crack-cocaine problem and would connect community police officers with drug treatment specialists.**

### **Child care**

Money to train child care workers as well as help more parents afford child care is included in the supplemental budget bill.

Specifically, \$500,000 would be set aside to help train child care workers who work in centers and homes that serve low-income children. Another \$1.5 million would be set aside to help expand the basic sliding fee child care program which subsidizes child care costs for low- and moderate-income families, thus removing a barrier to their returning to work.

### **Lead poisoning**

Money to help relocate families whose homes are affected by lead poisoning is also part of **HF2818**.

In all, \$150,000 would be appropriated to the Department of Health to help clean up lead. Part of the money would be used to help relocate families whose children or other members are experiencing lead poisoning stemming from sources such as nearby dirt, water, or paint chips. Affected residents would relocate while their old home undergoes a cleanup.

Another portion of the money would help fund a study of the legal responsibilities for landlords and tenants in the area lead poisoning and clean up.

### **Nursing home reimbursement rates**

Medical Assistance reimbursement rates paid by the state to nursing homes and intermediate care facilities for persons with mental retardation would increase by 75 cents per resident per day.

The bill sets aside about \$7.3 million to accomplish this task and delay more severe reimbursement cuts slated for fiscal year 1997.

Currently, the statewide average reimbursement for nursing homes is \$95.56 per resident, per day. The statewide average for intermediate care facilities for persons who are mentally retarded is \$125.18 per resident, per day.

### **Birth defects registry**

The bill would appropriate \$201,000 to develop a statewide birth defects registry to collect, analyze, and distribute information on birth defects. It would be up to the Department of Health to put the registry together.

According to the department, about 3 percent of babies are born with a birth defect and without a surveillance system, studies to establish causes are not possible.

The purpose of the registry is to monitor the trends in birth defects, investigate clusters of birth defects to address concerns with

scientific data, identify cases of birth defects for study to establish a cause, increase public awareness, and evaluate the effectiveness of certain prevention programs.

### Restaurant license fees

Despite strong objections from the Department of Health, the supplemental budget bill contains a provision cutting back certain restaurant inspection license fees.

The bill would cut to \$125 the license fee for restaurants with 10 or fewer employees. The current average is about \$222, according to the department.

The department has said the reduction would have a "potentially devastating effect on inspection activities at the state level."

"Since over 90 percent of all establishments have 10 or fewer employees — and since it would be legally impossible to substitute other revenue sources — the loss of revenue for the state inspection program would be an estimated \$434,736," according to a department position statement.

The bill also contains a proposal to cut license fees for temporary food stands — those at fairs and similar events — that operate seven days per year or less. Those establishments would pay \$60 for an inspection compared to the current fee of \$130.

Currently, county and city health departments inspect food, beverage, and lodging establishments in 42 counties. The state Department of Health inspects those establishments in the remaining 45 counties.

Department concerns center on the spread of food-borne illness. Without a solid inspection program, the threat of food-related disease is greater, according to health officials. The agency typically evaluates more than 200 food-borne illness complaints every year and the volume is increasing. In 1995, the figure topped 250.

anyone in the executive, legislative, or judicial branches.

Insurance agents Gary Kemp and Mary McClure claim they were trying to do the right thing when they backed legislation crafted to protect insurance consumers. It cost them their jobs.

Both long-time agents for American Family Insurance, Kemp of West St. Paul, and McClure of Mankato, became active in an effort to pass a legislative proposal that the company opposed.

The agents backed a measure to bar insurance companies from requiring agents to meet quotas on the sale of certain types or mixes of policies. The 1995 Legislature passed a law freeing independent agents from such quotas.

Kemp and McClure were pushing for lawmakers to extend the quota ban to cover agents who sell policies directly for companies such as American Family and State Farm.

Proponents of such measures argue quotas can put unreasonable demands on insurance agents and can be detrimental to the service consumers receive.

American Family said that Kemp and McClure engaged in "conduct prejudicial to the company." On Jan. 11, 1996, the agents were abruptly fired.

(See Feb. 9, 1996, *Session Weekly*, page 14)

The bill now moves to the Senate.

### Lyme coverage

A bill that would require insurers to cover the treatment for diagnosed cases of Lyme disease passed the House Feb. 19. The vote was 86-47.

The disease — a bacterial illness transmitted by the bite of an infected deer tick — affects the skin, joints, and other parts of the body. It can have serious results including chronic arthritis and neurological impairment.

Rep. Mary Murphy (DFL-Hermantown), sponsor of **HF219**, said some insurers won't pay for adequate antibiotic treatment for the disease.

"We know that antibiotics can kill it if you get enough [medication] for a long enough time," according to Barb Jones, a registered nurse who recently testified in support of Murphy's bill.

The bill now moves to the Senate.

(See Feb. 2, 1996, *Session Weekly*, page 14 and Feb. 9, 1996, *Session Weekly*, page 14)



## LAW

### Extending the statute

Minnesota hemophiliacs who were treated with HIV-infected blood products and became infected with the virus that causes AIDS would have an additional year to file lawsuits under legislation approved Feb. 16 by a House committee.

**HF2453**, sponsored by Rep. Tom Pugh (DFL-South St. Paul), would extend the statute of limitations until June 1, 1997, for affected hemophiliacs.

Hemophilia is a hereditary disorder characterized by excessive, sometimes spontaneous, bleeding. A hemophiliac's blood doesn't carry the clotting factor that enables a non-hemophiliac to stop bleeding after a short time.

Pugh told members of the House Judiciary Committee that in the early to mid-1980s, some of the donated blood that is used to create the clotting factor to treat hemophiliacs was contaminated by the AIDS virus.

In Minnesota, about 110 hemophiliacs and their spouses have died of AIDS-related illnesses acquired through the tainted clotting factor, Pugh said.

Because it sometimes takes years to discover that a person is HIV-infected, the current six-year statute of limitations for filing lawsuits against companies that provided the contaminated clotting factor is not long enough, Pugh said. His bill adds one more year in those cases.

Not included in the statute of limitations extension are patients who were infected with the AIDS virus through direct blood transfusions. "Transfusion problems did affect certain hemophiliacs, but also society in general," Pugh told the committee. "We could more effectively narrow down on this group who used the clotting factor."

Pugh admitted that his bill has opponents, including companies that manufacture the clotting factor for use by hemophiliacs and question the statute of limitations extension on constitutional grounds.

Win Borden, an attorney representing the American Blood Resources Association, asked the Judiciary Committee to defeat **HF2453**, saying it is "manifestly arbitrary" and thus unconstitutional.

But Pugh quoted a letter written by Minnesota Assistant Attorney General Scott Strand, which says that in that office's view, the legislation does not run afoul of the state constitution.

The Judiciary Committee approved **HF2453** and sent it on to the full House.



## INSURANCE

### Job protection

The House Feb. 19 passed a bill that attempts to help protect insurance agents from being fired after contacting the Legislature. The vote was 132-0.

Under current state law, insurance companies are prohibited from firing agents who contact a state agency or department about a problem.

**HF3052**, sponsored by Rep. Don Ostrom (DFL-St. Peter), would simply make it clear that the law protects agents who contact

## Regulating veterinarians

The board that oversees Minnesota's veterinarians would be given powers and protections similar to the bodies that oversee other medical practitioners under a bill passed Feb. 19 by the House. The vote was 124-8.

**HF2059**, sponsored by Rep. Steve Kelley (DFL-Hopkins), would alter provisions governing the State Board of Veterinary Medicine.

The board issues licenses for veterinarians and can take disciplinary action against license holders who run afoul of proper conduct.

The bill would grant board members and employees immunity from civil or criminal sanctions for actions performed in the course of their jobs. And immunity would be extended to people who make reports to the board or otherwise help an investigation.

Also, the disciplinary actions available to the board would be expanded. In addition to existing authority to suspend or revoke licenses, the board would have the new option of placing limits on a veterinarian's license.

The grounds for disciplinary action would be clarified. Existing law allows action against veterinarians for "conviction of a crime involving moral turpitude or conviction of a felony" and for, among other things, "chronic inebriety."

The bill would replace those provisions with measures allowing disciplinary action for conviction of a felony or gross misdemeanor or for being unable to properly practice because of illness, use of alcohol or drugs, or as a result of any mental or physical condition. (See Jan. 26, 1996, *Session Weekly*, page 12)

The bill now goes to the Senate.



## LOCAL GOVERNMENT

### Pay up for permits

Anyone who seeks a city permit to remodel a home or business would need to have all outstanding taxes, penalties, or interest paid up under a bill the House passed Feb. 21. The vote was 131-1.

**HF2355**, sponsored by Rep. Dee Long (DFL-Mpls), allows town and county boards to require applicants for such permits to certify that all property and/or special assessment district taxes, penalties, and interest due are paid. Local governments would not be required to adopt the regulation.

The bill aims to collect long overdue taxes and fines. Under the bill, property owners who are appealing a tax levy or penalty are exempt.

The bill now moves to the Senate.



## METRO AFFAIRS

### Eliminating a perk

Prominent Minnesotans who for years have enjoyed free, heated, valet parking at Minneapolis-St. Paul International Airport would lose that privilege under a bill passed Feb. 21 by the full House.

**HF2321**, sponsored by Rep. Howard Orenstein (DFL-St. Paul), passed the House 129-3.

The action came after the House Ways and Means Committee's Government Efficiency and Oversight Division, which Orenstein chairs, questioned members of the Metropolitan Airports Commission (MAC) last month on the reason for the free parking privileges.

About 100 people, including a handful of prominent Minnesota politicians, are on MAC's list of those who can park free in a heated underground garage anytime they have business that takes them to the airport.

Jeffrey Hamiel, MAC's executive director, told members of the Government Efficiency and Oversight Division that MAC intended to take up the free parking issue at its February or March meeting and discuss changing its policy.

However, Orenstein said on the House floor, MAC met Feb. 20 and apparently decided to table the issue and let the Legislature handle it.

"The Legislature was misled," Orenstein said. "The commission is not going to act to change these perks; under the circumstances, it's time for the Legislature to act."

Orenstein said it's grossly unfair for a "handful of the most powerful and wealthy Minnesotans" to park free in heated spots close to the airport terminal, while a mother with four children must park a mile away and shepherd her children and luggage through the cold.

Rep. Phil Carruthers (DFL-Brooklyn Center) told lawmakers that he was indignant to learn that his name was on MAC's free-parking list, since he had not requested the privilege, and urged the House to approve **HF2321**.

The bill now goes to the Senate. (See Feb. 2, 1996, *Session Weekly*, page 14 and Jan. 26, 1996, *Session Weekly*, page 13)



## SAFETY

### Stopping for pedestrians

It's been more than five years since Phil McDonald's wife of 40 years was hit by a Metropolitan Council Transit Operations

(MCTO) bus while she tried to cross a busy St. Paul intersection.

McDonald's wife was doing nothing illegal on that September afternoon in 1990. She was in a crosswalk at the intersection of Cleveland Avenue and Ford Parkway when the bus slammed into her, swept her off the crosswalk and dragged her 30 feet.

She died two hours later. The bus driver was not cited.

Since that time, McDonald has become a tireless crusader on behalf of safer Minnesota crosswalks. On Feb. 16, with a framed picture of himself and his wife displayed on the witness table, McDonald implored members of the House Judiciary Committee to pass a law that would require Minnesota drivers to come to a full stop and yield the right-of-way to pedestrians in crosswalks.

The panel approved a bill (**HF2930**) to do that.

Under current law, drivers must yield the right-of-way to pedestrians in crosswalks where there are no traffic signals or where signals are not operating, but they are required only to slow down or stop when necessary.

"What we're trying to do is change people's behavior," bill sponsor Rep. Jim Farrell (DFL-St. Paul) told lawmakers. "We have to bring people back to the concept of Minnesota Nice and start looking out for pedestrians in crosswalks."

In 1994, the most recent year for which statistics are available, three Minnesotans were killed as they legally tried to cross streets in crosswalks; another 245 were injured.

Farrell's bill would make failure to stop and yield to pedestrians in crosswalks a misdemeanor, which carries a maximum penalty of 90 days in jail and a \$700 fine. A driver who violates the law more than once within a year of a previous conviction would be guilty of a gross misdemeanor, punishable by up to one year in jail and a \$3,000 fine.

"Our object is not to arrest people for this," Farrell said. "We just want to make crosswalks safer for pedestrians."

The bill now moves to the House floor.



## TAXES

### Liquor tax increase

A 3-percent increase in the sales tax levied on alcohol in Minnesota bars and liquor stores would be partially earmarked for chemical dependency treatment under a bill considered Feb. 19 by a House panel.

**HF2814**, sponsored by Rep. Ted Winter (DFL-Fulda), would increase the state sales

tax on liquor and 3.2 beer from 9 percent to 12 percent. The tax would apply to liquor sold by the drink and by the bottle.

Winter's bill provides that the additional revenues generated by the additional sales tax would be split among a newly created consolidated chemical dependency treatment account, which would pay for treatment of needy Minnesotans; the health care access fund (which funds MinnesotaCare); and the general fund for use in providing emergency services to battered women and children.

"This is not an egregious cost for the people of Minnesota to spend on people in need who are saddled with a dependence on alcohol," Winter told members of the House Taxes Committee's Sales and Income Tax Division. "I believe we need to make treatment available to people who can't get it."

Winter estimates that the additional tax would raise \$3.2 million a year. Currently, the state spends more than \$20 million a year on chemical dependency treatment for Minnesotans who can't pay for it themselves.

Some members of the division expressed concern about not only the prospect of raising taxes, but on the bill's non-specific wording of where the extra money will go.

"While I have great sympathy for what you're trying to do, I certainly don't support raising the tax," Rep. Bob Milbert (DFL-South St. Paul), the division's chair, told Winter. "It's not a trivial step when you look at the impact it will have on the [liquor] industry."

Industry representatives were quick to agree.

"This is an economically regressive tax targeting those who can least afford to pay," said John Berglund, who represents the Minnesota Licensed Beverage Association. "We don't deny that this is a problem that needs to be looked at, but this is a regressive tax for an industry that's already heavily burdened."

Between 1990 and 1993, the amount of liquor sold by the drink in Minnesota has dropped by 22 percent, Berglund said. He attributed part of the decrease to competition from Indian-run casinos, but said most of it is due to taxes.

For example, people who buy liquor in Minneapolis pay a total of 15.5 percent in taxes, which includes not only state sales tax but state and federal excise taxes and a city sales tax.

Rep. Ron Erhardt (R-Edina) questioned why the proposed tax would also be spent on the state's health care access fund and services to battered women and children.

"If you look at the total picture of people who are chemically dependent, other family

members are affected as well," Winter replied. "They were included as a way to divide up the money between the actual needs of a chemically dependent person and those of their family."

Erhardt suggested eliminating those two recipients from the bill; Milbert said the bill will be debated by the House Taxes Committee, and advised Erhardt to offer his amendment then.

Division members laid over **HF2814** to be considered for inclusion in the omnibus tax bill.

## Changing the formula

Legislation to change the way Minnesota calculates excise taxes to be paid on low-alcohol distilled spirits was considered Feb. 19 by a House panel.

**HF3143**, sponsored by Rep. Jeff Bertram (DFL-Paynesville), would levy excise taxes only on the portion of the alcohol contained in the drink or product, including coolers and premixed cocktails containing 7.5 percent or less alcohol.

Bertram told members of the House Taxes Committee's Sales and Income Tax Division that he was prompted to sponsor the bill after a Minnesota-based company planning to produce a creme de menthe ice-cream bar sought a change in the excise tax calculation.

Currently, Minnesota law considers premixed drinks (and any other product containing alcohol) to be distilled spirits, subject to the full volume tax. That tax currently is \$1.33 per liter or \$5.03 per gallon on distilled spirits manufactured, imported, sold, or possessed in the state.

**HF3143** would change that calculation to charge an excise tax only on the portion of low-alcohol products that contain alcohol.

Although the legislation would reduce some liquor excise taxes in Minnesota, representatives of the liquor industry testified against Bertram's bill, saying there are "monumental implications" in setting up a new tax category.

The Minnesota Department of Revenue estimates that the state would lose \$600,000 per year if **HF3143** were to become law.

Members of the Sales and Income Tax Division took no action on the bill, which will be considered for inclusion in the omnibus tax bill.



## TRANSPORTATION

### Money-back guarantee

A bill to encourage the state to make obtaining a driver's license hassle-free won approval Feb. 22 from the House Economic Development, Infrastructure and Regulation Finance Committee. Under the proposal, if hassles were to ensue, applicants would be compensated for their frustration.

**HF2895**, sponsored by Rep. Phil Carruthers (DFL-Brooklyn Center), guarantees a refund of the fees paid by qualified applicants if they don't receive a driver's license, instruction permit, or Minnesota I.D. card within six weeks of application. Receipt would be defined as the day the license is mailed.

Gov. Arne Carlson vetoed similar legislation last year, saying the bill was unnecessary since the problems which prompted its passage were to be rectified within the Department of Public Safety. Hooking up to a federal computer system that cross-checks driver's license applications proved problematic last summer, creating a backlog.

Katherine Burke Moore, director of driver and vehicle services for the Department of Public Safety, spoke against passage of the bill, saying that past problems had been rectified, and that current applicants were receiving licenses within 15 days, soon to be two weeks.

According to Carruthers, testimony heard earlier this session in the House Ways and Means Committee's Government Efficiency and Oversight Division disputes Burke Moore's assertions, and the bill is simply an attempt to keep pressure on the department and serve the public.

Burke Moore said that the date a license or I.D. card is mailed out is currently recorded only on paper by the department, and that developing a dated tracking system to catalog the records electronically would cost approximately \$20,000 (the bill doesn't include an expenditure), or create a cumbersome, labor-intensive process of hand-checking the records.

According to Rep. Jim Rice (DFL-Mpls), committee chair, last year's committee appropriations bill included funding for the additional costs.

Carruthers said the department can't have it both ways; if the licenses are being mailed out in two weeks, then the department doesn't have anything to worry about, and additional expenses, or labor, won't be required.

The bill now heads to the Rules and Legislative Administration Committee.

## Legislative coverage to be broadcast statewide

A lot of people are jealous of Chris Cowman. Specifically, they covet the equipment that Cowman, director of television services for the Minnesota House of Representatives, has at his disposal, and what he's able to produce with it.

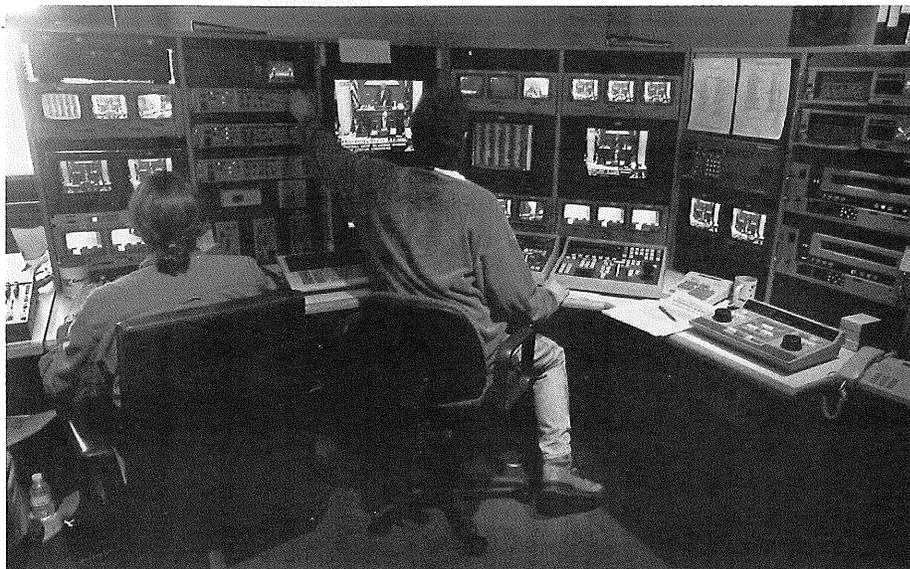
At a recent meeting in California of television services directors for legislatures in six states, Cowman's counterparts expressed envy over the Minnesota House's robotic cameras — and the fact that Minnesota has become the first-ever state to air legislative proceedings over broadcast television, rather than a cable channel.

"There are 10 states in the country that do a lot of legislative coverage," says Cowman, who has been House television services director since January 1994. "But we're the only state doing it over broadcast TV."

Beginning with this year's legislative session, coverage of the House and Senate began airing in the Twin Cities area on KTCI-TV, Channel 17. Previously, House and Senate sessions and coverage of committee hearings aired on metro-area cable Channel 6, and were available only to cable subscribers.

With the change, Cowman and his five-person staff (which includes one session-only employee) noticed an immediate difference.

The number of potential viewers more than doubled, from 1.2 million to 2.5 million, and the calls to the office's comment line increased dramatically: Since Jan. 16, when the 1996 Legislative Session began, more than 2,000



House Television Technical Services Director David Dittman, right, focuses one of the House chamber's remote-controlled cameras from the television control room during a Feb. 21 broadcast of the floor session. Production Assistant Matt Flick prepares to focus another camera on the next legislator to present a bill.

half-hour during legislative coverage in a small box on the lower portion of the screen.)

Since Feb. 22, the House has been broadcasting its business via satellite statewide. Outstate residents should check with local cable operators for time and channel information.

It's all pretty heady stuff for the television services staff, especially considering that the entire project began in mid-1993 with one staff member, Rebecca Balzer, and no equipment at all.

Cowman, whose arrival in January 1994

broadcasting floor sessions and committee hearings since 1988, the 1994 session was the first time that TV came to the House. Cowman and Balzer had only two weeks to finalize negotiations with Senate television personnel, but on the first day of the 1994 session, the House was on the air, using Senate equipment and the expertise of Senate staff.

In 1995, Cowman was allowed to hire more staff members. He developed a plan and a budget so the House could acquire its own broadcasting equipment instead of having to share with the Senate.

When the expenditures were approved, Cowman made arrangements for robotic cameras to be installed both in the House chamber and in Room 10 of the State Office Building, the largest committee room in the building.

Robotic cameras enable technicians in the House television control room (located across the street in the State Capitol) to push the appropriately numbered key and have the camera automatically zoom in to a House member's seat; although the camera settings in the House chamber change only when new members are elected, they change several times a week in Room 10 and must be reprogrammed each time.

But first he had to assure the Minnesota Historical Society that he wouldn't make any structural changes in the House chamber to

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*"There are 10 states in the country that do a lot of legislative coverage. But we're the only state doing it over broadcast TV."*

*—Chris Cowman, director of House Television Services*

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callers have registered their opinions.

Although most of the calls — 74 percent — are comments on issues that come before the Legislature, another 12 percent have come from viewers applauding the coverage and the switch to broadcast TV.

(Seven percent of the calls have come from confused viewers — apparently accustomed to watching Channel 17 for its continuous weather information before it began devoting eight hours every weekday to the Legislature — wondering where the weather went. Cowman says the weather's still there, appearing every

doubled the House television staff, had ample experience in television, including five-and-one-half years working for CNN's political unit, covering presidential and senatorial campaigns, and another five years at Conus Communications in St. Paul, the satellite division of Hubbard Broadcasting Inc.

In fact, Cowman says, this is the first presidential election year since 1984 that he hasn't covered the Iowa caucuses, the New Hampshire primary, and the national political conventions.

Although the Minnesota Senate had been

*House TV continued on page 19*

Introducing Ignatius Donnelly . . .

## Lawyer, poet, fiery orator leaves mark on Minnesota

Ignatius Donnelly's name doesn't leap from the pages of Minnesota history like those of Alexander Ramsey or Hubert Humphrey.

There is no Donnelly Highway anywhere in the state, nor a building that bears his name. His statue doesn't stand on the grounds of the state Capitol. His name isn't commonly invoked in the halls of government.

Nevertheless, Ignatius Donnelly — Minnesota's second lieutenant governor, a lawyer, a poet and a fire-breathing orator, a believer in the legend of Atlantis and known by admirers as "the Sage of Nininger" — left his mark.

Donnelly, the son of Irish immigrants, was born in Philadelphia on Nov. 3, 1831. Following his graduation from public schools, he talked his way into a clerkship in the law offices of Benjamin Brewster, who later would serve as U.S. attorney general.

Donnelly got an unusually early start on his twin careers as poet and politician: He published his first book of poetry, *The Mourner's Vision*, at 19 and was admitted to the Pennsylvania bar at 21.

Although he would later use his law degree to distinguish himself in politics, Donnelly was far from a successful attorney. Clients found it remarkably easy to get credit from Donnelly, who found it correspondingly difficult to be a hard-nosed bill collector: "If you have the slightest wish ever to pay me, call and see me," he wrote timidly to one client.

In 1855, he married Catherine McCaffrey, much to the apparent displeasure of her mother, who spent the next 15 years avoiding all contact with her daughter.

Shortly after his marriage, Donnelly invested in a series of cooperative building association schemes. At some point during his involvement, but before any of the projects were completed, Donnelly decided to leave Philadelphia and take his family west; however, before he left, he came under attack by detractors who accused him of fraud and misappropriating funds. Although he volunteered to open his books to satisfy his accusers, the false rumors left permanent scars on the idealistic Donnelly.

Donnelly headed west to seek his destiny. As an avid abolitionist who made hundreds of speeches during the Civil War in support

of the Union, he ruled out making his home in Kansas because of slavery; he also decided against living in Iowa because of an unpleasant experience with stagecoach travel. But after a scenic steamboat trip to scope out the area, Donnelly and his family visited the booming Minnesota territory in 1857 and decided to settle there.

Donnelly soon formed a partnership with Minnesota entrepreneur John Nininger, acquired extensive land holdings and made plans to develop his dream town, Nininger

town, it never prospered due partly to the nation's economic woes and partly to the proximity of established towns like Hastings. Donnelly, however, built his family a home in Nininger in 1857 and lived there for the rest of his life.

Late that same year, Donnelly's aversion to slavery prompted him to switch political allegiances from the Democratic to the Republican Party. He unsuccessfully sought seats in the Minnesota Territorial Senate in 1857 and 1858, despite his burgeoning oratorical skills, which he utilized by resuming his practice of law in Dakota County.

In 1859, following Minnesota's admission to the union, Donnelly took another stab at politics, announcing his candidacy for lieutenant governor. The move worried his budget-conscious wife, who heard the news while visiting Philadelphia and wrote back wistfully, "Does the office pay? I wish it would, as that is my great anxiety."

Donnelly was just 28 when he was elected Minnesota's second lieutenant governor. Although many Republicans had opposed his nomination, his fiery speeches won over most of them, and in 1860, the state central committee bent its rules and offered to pay for Donnelly to accompany Gov. Alexander Ramsey on a trip around the state, promoting Republican candidates in the upcoming election.

In one debate that year with Willis A. Gorman, a former territorial governor, Donnelly illustrated what he believed would happen if Democrats won the election by telling a story of a man asking a boy for directions. "Well," the boy said, "if you take this road, you will wish you were in hell. If you take *that* road, you will wish that you took the first."

Donnelly won a second term as lieutenant governor in 1861, serving briefly as acting governor while Ramsey was back east.

In 1862, Donnelly made the jump from state to national politics, winning election to Minnesota's Second District seat in the U.S. House and becoming the youngest congressman in the nation at the age of 32. He was re-elected in 1864 and 1866.

But the Republicans, fearing that the in-



Ignatius Donnelly was a poet, novelist, and pugnatius politician in the early days of Minnesota's statehood.

Photo courtesy Minnesota Historical Society

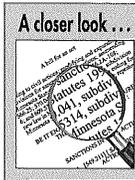
City, 17 miles south of St. Paul on the Mississippi River. It was a plan applauded by Nininger's wife, who remarked on the German-Irish affiliation: "Two heads are better than one, even if one should be a 'sour Kraut' and the other a 'Paddy.'"

Donnelly made trips back to Philadelphia to talk up Minnesota's advantages and encourage easterners to settle in Nininger. Although he worked tirelessly to promote the

*Donnelly continued on page 24*

A closer look . . .

## Tackling tenure, scrutinizing the University



Concerns over academic freedom and the autonomy of the University of Minnesota prompted the House Education Committee to soften a proposal that would have tied state money to changes in the tenure code at the U of M.

Rep. Steve Kelley's (DFL-Hopkins) controversial provision, contained in **HF3238**, approved by the panel Feb. 22, would have made \$4 million in state money to the U of M's academic health center contingent on cost-saving changes in the school's tenure code, as determined by the commissioner of finance. That proposal was modified to allow U of M trustees — not the state — to manage changes in "personnel policies" — not the tenure code specifically.

"We make clear the Legislature's interest in the University adopting changes in the tenure code but we also include language that respects the internal process that's already begun," Kelley said.

Modifications to the proposal came after strong criticism from the U of M and other higher education officials who fear legislation mandating tenure code changes could lead to a loss of both the institution's autonomy and individual academic freedom.

The changes address some of those concerns. But by indirectly tying state funds to changes in personnel policies, Minnesota legislators have joined an increasing number of states that are focusing on tenure systems.

Arizona, Florida, and Wisconsin are looking at their tenure systems in an effort to increase efficiency and the quality of education, according to national education organizations.

Gov. Arne Carlson has said the tenure system not only needs examining, but needs changing. In his State of the State Address, Carlson said loosening tenure would spur better teacher performance and help keep the best teachers in the classroom.

Whether it's loosening the tenure code to save dollars or changing the criteria for tenure from research to teaching efforts, the issue is a hot one, said Robert Diamond, Syracuse University professor and director of the National Project on Institutional Priorities and Faculty Rewards.

"The public is saying, 'Hey you folks in the universities aren't doing a particularly good job. In the public universities you're given

money to do one thing and you're not doing it and in the private ones, the public is saying you're charging me three times the price," Diamond said.

Under the U of M's tenure code, it is very difficult to terminate or adjust the salaries of tenured faculty. The U of M has formed a committee to explore tenure reform but that committee — comprised primarily of professors — has recently voiced opposition to layoffs or pay cuts.

Established in the 1920s by the American Association of University Professors, tenure is used in many colleges and has been viewed as a prerequisite for academic freedom and expression. Most of the higher education officials who testified against mandating changes to the tenure code cited academic freedom and legislative "micromangement."

But bill sponsor Rep. Becky Kelso (DFL-Shakopee) said academic freedom won't be affected by the bill, with or without Kelley's amendment. The bill now says that before

"When tenure reaches the point where it's job security, at that point it becomes something other than academic freedom. We need to know that when we're talking about taxpayer dollars," Kelso said. "The University of Minnesota has tremendous financial problems and I wouldn't be talking about this slight tenure change if I felt they had the ability to deal with their financial problems."

Kelso said the modified bill was a step in the right direction but a small one. She reminded the committee "the university's 'Let us do it — don't tell us how to do it' is not a new argument at all. . . . These are very everyday arguments we hear at the Legislature."

Several other legislators expressed concern over modifying the initial bill.

Rep. LeRoy Koppendrayner (R-Princeton) said changes to the tenure code will be forgotten under the new language.

"I don't know that I was as concerned about 'personnel policies' as I was with the tenure code, which is what straps the university with jobs that cost a lot of money," he said. "I don't see where this language is really going to change that."

Larry Litecky, of the Minnesota Community College Faculty Association, critical of what he called "micromangement" by the

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*"We make clear the Legislature's interest in the University adopting changes in the tenure code but we also include language that respects the internal process that's already begun."*

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—Rep. Steve Kelley

getting the \$4 million for the health center, U of M trustees must certify "that changes have been made in the *personnel policies* for clinical faculty . . . which enable the U of M to alter clinical compensation and base salary and provide a streamlined due process procedure for separation . . . without infringing on academic freedom."

To support her bill, Kelso cited the surplus of tenured faculty members that resulted when the U of M closed its Waseca campus in 1991. Of the 26 tenured faculty affected by the closing, 20 were transferred to the U of M's main campus and six opted for a two-year salary termination package, according to the university.

state, suggested the U of M draw up a report on their progress on tenure reform.

Rep. Howard Orenstein (DFL-St. Paul) told Litecky that reports often don't equal action.

"I'd like to know why you think my job as a legislator is to give a lot of money to an institution and then not worry about what happens to it," Orenstein asked. "There is a frustration that the Legislature has no role to play except signing the check."

The Legislature has limited powers when directing the U of M due to its autonomy granted by the Minnesota Constitution. In many places in state statute, where other higher education systems are mandated to do

*Tenure continued on page 24*

## Donnelly *continued from page 16*

creasingly popular Donnelly had his sights set on Ramsey's U.S. Senate seat, backed off in their support, and Donnelly lost his House seat in 1868. Although he failed to win re-nomination by the Republicans that year, he was nominated by an agrarian-oriented splinter group from the party; as a result of the split, both Republican candidates lost to the Democrat that year.

Donnelly then tried and failed to win Ramsey's vacant seat in the Senate, despite the help of his agrarian allies in the Legislature.

By that time, the Civil War was over and slavery had been abolished. Donnelly, who had been an ardent abolitionist, surprised many people by advocating lenient treatment of the former Confederacy and supporting liberal appropriations by Congress to feed the starving South.

"Government must rest upon the love of the people," Donnelly said in 1867. "I am sorry to hear these appeals made to the natural prejudices and natural bitterness which exists in our hearts. So I say now, in the presence of this suffering and death, I have not the heart to remember anything save only that these people are human, and being human, pitiable."

In 1873, Donnelly joined the Grange, an agrarian-rights group formed in Minnesota in 1868. He helped form the Anti-Monopolist Party, which combined the principles of the Democratic Party and the Grange, and ran successfully for the state Senate in 1873 as a member of the new party.

He held that office until 1878 as an anti-monopolist and a "greenbacker," one who advocated the use of inconvertible paper money. His last political victory came in 1886, when he won a seat in the Minnesota House of Representatives.

Donnelly combined his political career with one as a writer. In 1882 he published *Atlantis, the Antediluvian World*, a book that had 21 printings in the U.S. and 23 in England and was translated into French. The book was Donnelly's attempt to prove that the island of Atlantis once existed; he claimed that the destruction of Atlantis lay behind all the flood legends of mankind.

Donnelly published several more successful tomes. In 1883, his second book, *Ragnarok: The Age of Fire and Gravel*, went through 11 American printings. Five years later, *The Great Cryptogram; or Francis Bacon's Cipher in the Shakespeare Plays* earned him more acclaim. In the book, Donnelly sought to prove that Bacon was the real author of

some of Shakespeare's works.

Donnelly also wrote *Caesar's Column: A Story of the Twentieth Century*, which sold more than 60,000 copies in the U.S. within a month of its publication, and *The Huguet*.

In 1894, Donnelly's wife, Catherine, died. Historians believe it was his loneliness that led him to marry a 20-year-old Scandinavian woman, Marian Olive Hanson, four years later when he was 67.

Donnelly died on New Year's Day 1901.

—Betsy Gerboth

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## House TV *continued from page 17*

install the cameras. Cowman solved that dilemma by putting up brackets to hold the equipment; both cameras and brackets are removed each year at the end of a legislative session, preserving the chamber's historical integrity.

Another of the department's projects was to establish an interactive television site in Room 5 of the State Office Building. Connected to more than 40 sites throughout Minnesota, the technology allows members of the public to testify before the Legislature while in locations such as Duluth or Marshall, saving time and money by avoiding a trip to St. Paul.

Each day, Cowman meets with his Senate counterpart, Steve Senyk, director of Senate Media Services, to decide which committee hearings should be broadcast. Often, if two meetings conflict with each other, one will be broadcast live and the other taped to be aired later.

Cowman hopes to be able to install robotic cameras in at least one more hearing room this summer, and eventually he'd like to see more committee rooms and possibly a press conference room equipped with cameras.

Ultimately, he says, the main focus should be on the quality of what viewers see on Channel 17. "That's what we're mainly concerned about," he says. "Everyone who works here is really concerned about our on-air product."

—Betsy Gerboth

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## Tenure *continued from page 18*

something, the U of M is "requested" to do so. Such language reflects the unique status of the U of M.

Mankato State Professor Edgar Twedt issued a warning to lawmakers.

"I remember driving into Rochester and seeing the sign, 'Impeach Earl Warren,'" said

Twedt, expressing gratitude that the former chief justice of the U.S. Supreme Court couldn't be removed because of lifelong tenure. "It ought to be difficult to get rid of an academic faculty member in order to preserve academic freedom . . . this is a slippery slope here."

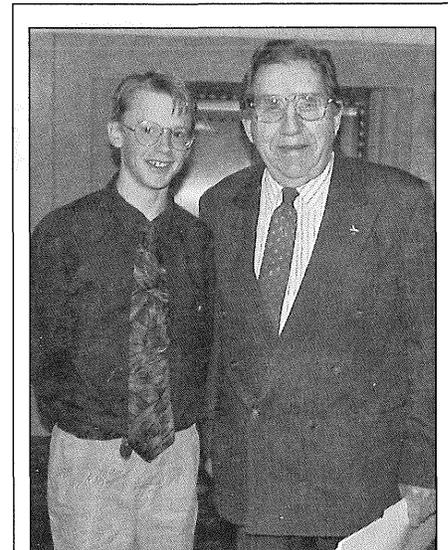
Rep. Alice Johnson (DFL-Spring Lake Park) said tying funds in any way to the tenure system could discourage the U of M from awarding tenure.

"Why would the University grant tenure anymore because their funding could be tied to getting rid of it?" she said.

Because tenure systems vary widely from state to state, a state could put itself at a competitive disadvantage if it curbed its tenure program, said Diamond of Syracuse University.

Diamond, who has not reviewed HF3238 said it sounds like something legislators will be addressing more and more in the future, given dwindling public dollars and rising tuition costs.

—Kendall Anderson



Jeff Fish from the Minnesota New Country School in the LeSueur-Henderson School District and Rep. Willard Munger pose at a Feb. 19 hearing of the Environment and Natural Resources Finance Committee. Though they represent different generations of "frog pickers," both are concerned about proposals involving research on deformed frogs. Munger said he used to "pick" thousands of frogs to sell for food when he was Jeff's age. Frogs aren't as bountiful now and some are deformed, he said. Fish, who calls himself "Mr. Hothands," caught the first deformed frog while on a nature hike near Henderson, Minn., last summer. In testimony, he has said, "We're looking for frogs and answers." (See story, page 11)

Current U.S. House Speaker Newt Gingrich has proposed that all limits on campaign contributions be eliminated.

"One of the greatest myths of modern politics is that campaigns are too expensive," Gingrich recently told a House committee. "The political process, in fact, is not overfunded, it's underfunded."

While a state ethics panel convened by Gov. Orville Freeman in 1959 didn't say the campaign process needed more money, it did want to abolish all statutory limitations on campaign spending.

"Since it is an advantage to the state to have the voters hear and see the candidates, and since radio and television now make possible a much wider audience,

## Do you know?

we think it is a matter of good public policy not to impose such unrealistic limits on expenditures for state candidates," the Governor's Committee on Ethics in Government wrote. It went on to say that any specific dollar limitation would be very hard to justify, "and would probably soon be out of date."

Even in 1959, the panel called the amounts spent on campaigns to be "truly staggering." This in itself was not a bad thing, the panel decided, as long as the money was spent to inform or educate the public.

Instead of limits on spending, the ethics committee wanted full disclosure of campaign contributions that would be open to public inspection. It wouldn't be until 1974 that such a state agency — the Ethical Practices Board — would be created to compile such data. At the same time, the federal government was refining its own tool for campaign law enforcement (the Federal Elections Commission) in the wake of Watergate.

And what about lobbyists? The 1959 ethics panel wanted them to register themselves, identify their clients, and reveal how much they were being paid for their services. Minnesota made that the law in 1974. The U.S. Congress passed similar requirements in 1995.

## Minnesota House and Senate Membership

<b>1</b> A • Jim Tunheim-DFL B • Tim Finseth-R Sen. LeRoy A. Stumpf-DFL	<b>15</b> A • Tom Van Engen B • Roger Cooper-DFL Sen. Dean E. Johnson-R	<b>29</b> A • Jerry Dempsey-R B • Mike Osskopp-R Sen. Steve L. Murphy-DFL	<b>43</b> A • Tom Workman-R B • Barbara Sykora-R Sen. Edward C. Oliver-R	<b>57</b> A • Walter E. Perl-DFL B • Sharon Marko-DFL Sen. Leonard R. Price-DFL
<b>2</b> A • Bernie Lieder-DFL B • Edgar Olson-DFL Sen. Roger D. Moe-DFL	<b>16</b> A • Joe Opatz-DFL B • Jim Knobloch-R Sen. David Kleis-R	<b>30</b> A • Fran Bradley-R B • Dave Bishop-R Sen. Sheila M. Kiscaden-R	<b>44</b> A • Steve Kelley-DFL B • Jim Rhodes-R Sen. Ted A. Mondale-DFL	<b>58</b> A • James I. Rice-DFL B • Richard H. Jefferson-DFL Sen. Carl W. Kroening-DFL
<b>3</b> A • Irv Anderson-DFL B • Loren Solberg-DFL Sen. Bob Lessard-DFL	<b>17</b> A • LeRoy Koppendrayner-R B • Leslie Schumacher-DFL Sen. Dan Stevens-R	<b>31</b> A • Don L. Frerichs-R B • Gregory M. Davids-R Sen. Kenric J. Scheevel-R	<b>45</b> A • Ron Abrams-R B • Peggy Leppik-R Sen. Martha R. Robertson-R	<b>59</b> A • John J. Sarna-DFL B • Phyllis Kahn-DFL Sen. Lawrence J. Pogemiller-DFL
<b>4</b> A • Bob Johnson-DFL B • Anthony G. "Tony" Kinkel-DFL Sen. Harold R. "Skip" Finn-DFL	<b>18</b> A • Jim Rostberg-R B • Loren Jennings-DFL Sen. Janet B. Johnson-DFL	<b>32</b> A • Gene Pelowski Jr.-DFL B • Virgil J. Johnson-R Sen. Steven Morse-DFL	<b>46</b> A • Ann H. Rest-DFL B • Lyndon R. Carlson-DFL Sen. Ember D. Reichgott Junge-DFL	<b>60</b> A • Dee Long-DFL B • Myron Orfield-DFL Sen. Allan H. Spear-DFL
<b>5</b> A • Tom Rukavina-DFL B • David Tomassoni-DFL Sen. Jerry R. Janezich-DFL	<b>19</b> A • Mark Olson-R B • Bruce Anderson-R Sen. Mark Ourada-R	<b>33</b> A • Arlon Lindner-R B • Rich Stashek-R Sen. Warren Limmer-R	<b>47</b> A • Darlene Luther-DFL B • Phil Carruthers-DFL Sen. Don Kramer-R	<b>61</b> A • Karen Clark-DFL B • Linda Wejman-DFL Sen. Linda Berglin-DFL
<b>6</b> A • Thomas Bakk-DFL B • Thomas Hunley-DFL Sen. Douglas J. Johnson-DFL	<b>20</b> A • Robert Ness-R B • Tony Onnen-R Sen. Steve Dille-R	<b>34</b> A • Steven Smith-R B • H. Todd Van Dellen-R Sen. Gen Olson-R	<b>48</b> A • Bill Haas-R B • Alice M. Johnson-DFL Sen. Don Betzold-DFL	<b>62</b> A • Lee Greenfield-DFL B • Wesley J. "Wes" Skoglund-DFL Sen. Carol Flynn-DFL
<b>7</b> A • Willard Munger-DFL B • Mike Jaros-DFL Sen. Sam G. Solon-DFL	<b>21</b> A • Jim Girard-R B • Richard Mulder-R Sen. Ariene J. Lesewski-R	<b>35</b> A • Carol Molnau-R B • Becky Kelson-DFL Sen. Terry D. Johnston-R	<b>49</b> A • Charlie Weaver-R B • Eldon H. Warkentin-R Sen. Gene Meriam-DFL	<b>63</b> A • Jean Wagenius-DFL B • Edwina Garcia-DFL Sen. Jane B. Ranum-DFL
<b>8</b> A • Mary Murphy-DFL B • Becky Lourey-DFL Sen. Florian W. Chmielewski-DFL	<b>22</b> A • Ted Winter-DFL B • Elaine Harder-R Sen. Jim Vickerman-DFL	<b>36</b> A • Eileen Tompkins-R B • Dan McElroy-R Sen. David L. Knutson-R	<b>50</b> A • Tom Hackbarth-R B • Teresa Lynch-R Sen. Paula E. Hanson-DFL	<b>64</b> A • Matt Entenza-DFL B • Howard Orenstein-DFL Sen. Richard J. Cohen-DFL
<b>9</b> A • Kevin Goodno-R B • Marvin Dauner-DFL Sen. Keith Langseth-DFL	<b>23</b> A • Barb Vickerman-R B • Howard Swenson-R Sen. Dennis R. Frederickson-R	<b>37</b> A • Dennis Ozment-R B • Bill Macklin-R Sen. Pat Pariseau-R	<b>51</b> A • Mike Delmont-DFL B • Doug Swenson-R Sen. Jane Krentz-DFL	<b>65</b> A • Andy Dawkins-DFL B • Carlos Mariani-DFL Sen. Sandra L. Pappas-DFL
<b>10</b> A • Bob Anderson-DFL B • Hilda Bettermann-R Sen. Cal Larson-R	<b>24</b> A • John Dorn-DFL B • Don Ostrom-DFL Sen. John C. Hottinger-DFL	<b>38</b> A • Tim Commers-R B • Tim Pawlenty-R Sen. Deanna Wiener-DFL	<b>52</b> A • Skip Carlson-R B • Richard Pellow-R Sen. Steven G. Novak-DFL	<b>66</b> A • Tom Osthoff-DFL B • Alice Hausman-DFL Sen. Ellen R. Anderson-DFL
<b>11</b> A • Roxann Daggett-R B • Ken Otremba-DFL Sen. Dallas C. Sams-DFL	<b>25</b> A • John Tuma-R B • Lynda Boudreau-R Sen. Thomas M. Neuville-R	<b>39</b> A • Thomas Pugh-DFL B • Bob Milbert-DFL Sen. James P. Metzger-DFL	<b>53</b> A • Phil Krinkie-R B • Sherry Broecker-R Sen. Linda Runbeck-R	<b>67</b> A • Jim Farrell-DFL B • Steve Trimble-DFL Sen. Randy C. Kelly-DFL
<b>12</b> A • Kris Hasskamp-DFL B • Stephen G. Wenzel-DFL Sen. Don Samuelson-DFL	<b>26</b> A • Bob Gunther-R B • Henry J. Kalis-DFL Sen. Tracy L. Beckman-DFL	<b>40</b> A • Mark P. Mahon-DFL B • Kevin Knight-R Sen. Phil J. Rivenness-DFL	<b>54</b> A • Mary Jo McGuire-DFL B • Mindy Greiling-DFL Sen. John Marty-DFL	
<b>13</b> A • Chuck Brown-DFL B • Doug Peterson-DFL Sen. Charles A. Berg-DFL	<b>27</b> A • Ron Kraus-R B • Robert Leighton Jr.-DFL Sen. Pat Piper-DFL	<b>41</b> A • Alice Seagren-R B • Ken Wolf-R Sen. William V. Belanger Jr.-R	<b>55</b> A • Harry Mares-R B • Betty McCollum-DFL Sen. Kevin M. Chandler-DFL	
<b>14</b> A • Steve Dehler-R B • Jeff Bertram-DFL Sen. Michelle Fischbach-R	<b>28</b> A • Gary D. Worke-R B • Steven A. Sviggum-R Sen. Dick Day-R	<b>42</b> A • Ron Erhardt-R B • Erik Paulsen-R Sen. Roy W. Terwilliger-R	<b>56</b> A • Mark Holsten-R B • Peg Larsen-R Sen. Gary W. Laidig-R	

Unofficial list as of February 12, 1996

# Bill Introductions

HF3214-HF3239

## Monday, Feb. 19

### HF3214—Rukavina (DFL) Governmental Operations

State government debt collection enterprise placed under the authority of the Department of Revenue.

### HF3215—Rest (DFL) Taxes

Obsolete tax laws and references removed.

### HF3216—Bishop (R) Capital Investment

Local voter-approved bond proceed use requirements specified.

### HF3217—Olson, E. (DFL) Ways & Means

Corrections, human services, natural resources, transportation, and veterans affairs departments claims payment provided.

### HF3218—Sykora (R) Local Government & Metropolitan Affairs

Airport construction restricted, noise mitigation plan inclusion and soundproofing provided, transitway construction required, met center purchase authorized, and money appropriated.

### HF3219—Macklin (R) Local Government & Metropolitan Affairs

Airport construction restricted, noise mitigation plan and soundproofing provided, transitway construction required, met center purchase authorized, and money appropriated.

HF3220—McCullum (DFL)  
Transportation & Transit  
Wild and scenic river bridge construction restrictions provided.

HF3221—Schumacher (DFL)  
Judiciary  
School notification of juvenile incidents by law enforcement agencies provisions modified.

HF3222—Peterson (DFL)  
Education  
Collaborative telecommunication plan development provided, and money appropriated.

## Wednesday, Feb. 21

HF3223—Dawkins (DFL)  
Taxes  
Police and Firefighter Relief Association state aid provisions modified.

HF3224—Tompkins (R)  
Health & Human Services  
Disabled and elderly services regional planning and development established.

HF3225—Vickerman (R)  
Taxes  
Property tax prepayment discount authorized.

HF3226—Johnson, V. (R)  
Taxes  
Alternative fuel powered motor vehicle registration tax reduction provided.

HF3227—Seagren (R)  
Local Government & Metropolitan Affairs  
Airport construction restricted, noise mitigation plan inclusion and soundproofing provided, transitway construction required, met center purchase authorized, and money appropriated.

HF3228—Smith (R)  
Local Government & Metropolitan Affairs  
Airport construction restricted, noise mitigation plan inclusion and soundproofing provided, transitway construction required, met center purchase authorized, and money appropriated.

HF3229—Holsten (R)  
Local Government & Metropolitan Affairs  
Airport construction restricted, noise mitigation plan inclusion and soundproofing provided, transitway construction required, met center purchase authorized, and money appropriated.

HF3230—Kelley (DFL)  
Taxes  
Commercial-industrial property tax class rate reduction provided in certain areas.

## Thursday, Feb. 22

HF3231—Brown (DFL)  
Ways & Means  
Omnibus environment and natural resources, and agriculture appropriations bill.

HF3232—Farrell (DFL)  
Judiciary  
Peace officer disciplinary procedures extended to include correctional officers.

HF3233—Smith (R)  
Financial Institutions & Insurance  
Financial institutions required to pay an annual subrogation and indemnification claim assessment.

HF3234—Bakk (DFL)  
Taxes  
Taconite concentration tax proceeds appropriated to the University of Minnesota natural resources research institute.

HF3235—Pawlenty (R)  
Taxes  
Dependent child income tax credit allowed.

HF3236—Hausman (DFL)  
Regulated Industries & Energy  
Nuclear waste dry cask storage property tax provisions modified, and money appropriated.

HF3237—Larsen (R)  
Taxes  
MinnesotaCare tax rate reduced for persons providing dental services.

HF3238—Kelso (DFL)  
Ways & Means  
University of Minnesota board of regents appropriated money.

HF3239—Kinkel (DFL)  
Ways & Means  
Omnibus higher education appropriations bill.

## Minnesota State Agencies

State Information .....	296-6013
Agriculture .....	297-2200
Commerce .....	296-4026
Corrections .....	642-0200
Education .....	296-6104
Employee Relations .....	297-1184
Job Information .....	296-2616
Finance .....	296-5900
Gaming	
Gambling Control Division ...	639-4000
MN State Lottery Division ...	635-8100
Toll Free .....	1-800-475-4000
MN Racing Commission .....	341-7555

Health .....	623-5000
Human Rights .....	296-5663
Toll Free .....	1-800-657-3704
Human Services .....	296-6117
Economic Security .....	296-3711
Labor and Industry .....	296-6107
Military Affairs .....	282-4662
Natural Resources .....	296-6157
Public Safety .....	296-6642
Driver and Vehicle Services ..	296-6911
Fire Marshal .....	643-3080
Liquor Control .....	296-6159
State Patrol .....	297-3935

Pollution Control .....	296-6300
Public Service .....	296-7107
Revenue	
Taxpayer Assistance .....	296-3781
Toll Free .....	1-800-652-9094
Trade and	
Economic Development .....	297-1291
Office of Tourism .....	296-5029
Transportation .....	296-3000
Veterans Affairs .....	296-2562
House Information .....	296-2146
Senate Information .....	296-0504

# Committee Schedule

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

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## MONDAY, Feb. 26

8:30 a.m.

### CAPITAL INVESTMENT

Basement Hearing Room  
State Office Building  
Chr. Rep. Henry Kalis  
Agenda: "Must Do" list.

9 a.m.

### TAXES

200 State Office Building  
Chr. Rep. Ann H. Rest  
Agenda: Omnibus Tax Bill.

10 a.m.

### WAYS & MEANS

10 State Office Building  
Chr. Rep. Loren Solberg  
Agenda: Transportation Finance Division Bill.  
Economic Development Infrastructure & Regulation Finance Committee Bill.  
Other bills to be announced.

11 a.m.

### INTERNATIONAL TRADE & ECONOMIC DEVELOPMENT

5 State Office Building  
Chr. Rep. Mike Jaros  
Agenda: Economic development opportunities for women: MN and worldwide connections. Aviva Breen, executive director, Legislative Commission on Economic Status of Women. Nazrin Jewell, professor of economics, College of St. Catherine. Mary Jo Czapski, National Council on Family Relations. Jan Stevens, MN Rural Futures. Report on MN women-owned businesses: An Analysis of Access to Capital. Bob Isaacson and Christi Petersen, Department of Trade and Economic Development.

12:15 p.m.

### RULES & LEGISLATIVE ADMINISTRATION

118 State Capitol  
Chr. Rep. Phil Carruthers  
Agenda: To be announced.

12:30 p.m.

The House meets in Session.

## TUESDAY, Feb. 27

8:30 a.m.

### Permanent School Fund Advisory Committee

300N State Office Building  
Rep. Lyndon Carlson  
Agenda: Update on Permanent School Trust Fund, Jim Heidelberg, State Board of Investment. Land exchange item.

### WAYS & MEANS

10 State Office Building  
Chr. Rep. Loren Solberg  
Agenda: Health & Human Services Finance Division Bill.  
State Government Finance Division Bill.  
Other bills to be announced.

10 a.m.

### TAXES

200 State Office Building  
Chr. Rep. Ann H. Rest  
Agenda: To be announced.

10:30 a.m.

### CAPITAL INVESTMENT

Basement Hearing Room  
State Office Building  
Chr. Rep. Henry Kalis  
Agenda: To be announced.

12:15 p.m.

### RULES & LEGISLATIVE ADMINISTRATION

118 State Capitol  
Chr. Rep. Phil Carruthers  
Agenda: To be announced.

12:30 p.m.

The House meets in Session.

After Session

### CAPITAL INVESTMENT

Basement Hearing Room  
State Office Building  
Chr. Rep. Henry Kalis  
Agenda: To be announced.

## WEDNESDAY, Feb. 28

8:30 a.m.

### WAYS & MEANS

10 State Office Building  
Chr. Rep. Loren Solberg  
Agenda: Judiciary Finance Bill (Murphy).  
Tax bill.  
Other bills to be announced.

12:30 p.m.

The House meets in Session.

## THURSDAY, Feb. 29

8 a.m.

### EDUCATION

200 State Office Building  
Chr. Rep. Lyndon Carlson  
Agenda: Report from Vocational High School Planning Council.

8:30 a.m.

### WAYS & MEANS

10 State Office Building  
Chr. Rep. Loren Solberg  
Agenda: To be announced.

10 a.m.

### TAXES

200 State Office Building  
Chr. Rep. Ann H. Rest  
Agenda: To be announced.

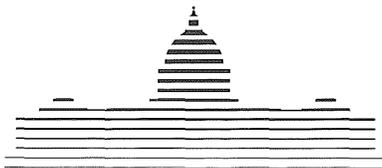
12:30 p.m.

The House meets in Session.

## FRIDAY, March 1

9 a.m.

The House meets in Session.



MINNESOTA HOUSE OF REPRESENTATIVES  
PUBLIC INFORMATION OFFICE  
175 STATE OFFICE BUILDING  
ST. PAUL, MN 55155-1298

Speaker of the House: Irv Anderson  
Majority Leader: Phil Carruthers  
Minority Leader: Steven A. Sviggum

## MINNESOTA INDEX

### Minnesota State Fair

State representatives who volunteered to work at the House of Representatives booth at the 1995 Minnesota State Fair .....	40
Amount the 1885 Legislature appropriated to the state Agricultural Society for buildings at what is now the permanent fairgrounds site (formerly the Ramsey County Poor Farm) .....	\$100,000
Dollars the state has appropriated to the state fair since 1949 .....	0
Dollars the state appropriated in 1949 for the building of the Hippodrome, or present-day Coliseum .....	\$400,000
Year the Legislature passed a resolution asking that the State Fair be closed on Sundays .....	1921
Length of time Minnesotans stood politely in 90-degree heat before they interrupted then-Vice-President Calvin Coolidge, forcing him to abandon his speech on America's economic state in 1922, in minutes .....	45
Cities where the fair has been held outside of St. Paul or Minneapolis (Owatonna, Red Wing, Rochester, Winona) .....	4
Shade trees and shrubs planted on the fairgrounds in 1892 .....	1,000
Year that gas lighting first made evening events at the fair possible .....	1899
State Fair speeches canceled by Teddy Roosevelt due to laryngitis, 1912 .....	1
Pies, cookies, and cakes exhibited at the 1918 State Fair (due to wartime sugar rationing) .....	0
Visitors to the 1995 State Fair, most in fair history .....	1,673,312
Dollars taken in from gate receipts, 1995, in millions .....	\$6.5
Receipts from the 1895 State Fair .....	\$49,775
Ribbons awarded for State Fair competitions, 1995 .....	29,848
Piglets born during the fair's run, 1995 .....	32
Rides at the Midway and Kidway .....	67
Tree carvings now present on the fairgrounds .....	28
Plastic cups recycled during the fair, in millions, 1995 .....	3
as a percentage of all cups used during the fair .....	67
Gallons of milk served at the American Dairy Association's "All the milk you can drink" stand, 1995 .....	20,000
Pounds of butter used to sculpt the likenesses of 11 dairy princesses, 1995 .....	990
Different foods on a stick available at the 1995 State Fair (including gefilte fish, cheesecake, and walleye) .....	25
Tons of sand used to create the 1995 sand sculpture .....	380
Vehicles formerly owned by Marilyn Monroe on display in 1995 (a 1955 coral pink Lincoln Capris) .....	1

Sources: *Minnesota State Fair, January 1996*, Minnesota State Agricultural Society; *Minnesota State Fair: The History and Heritage of 100 Years*, Ray Speer, Harry Frost.

### For more information

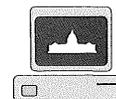


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# SESSION WEEKLY

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# SESSION WEEKLY

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## Week at a glance

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**Vocational education** — Vocational training at the high school level must not be considered a dumping ground for students who are not college bound, a member of a planning committee created to study the subject told lawmakers. .... **Page 10**

**Feeding hungry deer** — The House narrowly rejected legislation Feb. 26 for a \$750,000 emergency deer feeding program in northern Minnesota, but did an about-face the next day. The vote on Feb. 27 was 87-46. .... **Page 10**

**Omnibus state government bill** — A \$7.7 million omnibus state government finance bill cleared the House floor Feb. 28. The vote was 88-45. .... **Page 11**

**Reducing mandates** — If there is a foot of fresh snow on the ground and travel is dangerous in Bemidji, the president of the local state university may want to close the campus for the day. But, he or she can't without approval from St. Paul. The House passed a bill Feb. 27 that would change that and do away with all sorts of state mandates on colleges and universities. .... **Page 12**

**College bonds** — Minnesota parents would be able to buy tax-free bonds to help pay for a child's college education under a bill approved Feb. 29 by the House Ways and Means Committee. .... **Page 14**

**Rejected referendum** — The Minnesota Twins suffered a shutout Feb. 23 at the hands of a House panel. Lawmakers rejected a bill to test the mood of metropolitan-area voters on building a new baseball stadium. .... **Page 15**

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On the cover: As spending bill after spending bill passed between the House and the Senate throughout the week, lobbyists hovered just outside the chambers waiting to make that last-ditch pitch to lawmakers before a floor vote.

— Photo by Andrew Von Bank

# Highlights

## Omnibus tax bill . . .

### Cabin owners would see property tax bills drop

**T**ax cuts for cabin owners and apartment owners, which would lead to tax hikes for homeowners and businesses, are among the items contained in the 1996 omnibus tax bill. The proposal (HF3249) won approval from the House Ways and Means Committee Feb. 28.

Sponsored by Rep. Ann Rest (DFL-New Hope), chair of the Taxes Committee, the bill also includes greater exemptions for business equipment and a tax refund on unsold pulltabs for charitable organizations.

The bill's \$8.3 million cost to the state for this biennium is well below the governor's \$24.2 million supplemental budget recommendation and House leadership's \$10 million recommendation.

Rest's bill would cost \$40 million for the 1998-99 biennium, below the governor's \$69.3 million target.

Heavy debate on the measure centered on proposed changes in property tax rates. Rest's proposal to reduce the tax rate by 0.05 percent on cabins, or seasonal recreational property, inspired a flood of amendments to extend the reduction to other properties as well.

Overall, the bill would result in double-digit decreases in property tax bills for apartments, an 8-percent drop for cabin owners, and a 7-percent dip for residential non-homestead property. Those owning agricultural non-homestead property would see a property tax hike of 5 percent, and all other classes — including homeowners — would see an increase of 1 to 3 percent, according to the House Research Department.

"What this bill does is shift taxes from seasonal property owners to homeowners and I think that's wrong," Rep. Irv Anderson (DFL-Int'l Falls) said. "Why should homesteaders have to bear the burden of those that can afford a second home?"

Anderson then successfully added an amendment to reduce the state-imposed tax rate on the first \$72,000 of residential home value from 1 percent to 0.95 percent.

Seasonal recreational property owners would see an 8-percent drop in property taxes under the bill as amended. Last year,

the 2-percent rate on the first \$72,000 in cabin value was cut to 1.9 percent for taxes payable in 1997. For taxes payable in 1998, it will decrease to 1.8 percent, due to last year's legislation. Those changes will mean a loss of \$24.1 million in property tax revenue over the 1998-1999 biennium.

Anderson's amendment was followed by a successful amendment by Rep. Ron Abrams (R-Minnetonka) to reduce the rate from 2 percent to 1.9 percent on higher-valued homes. Rep. Ted Winter (DFL-Fulda) then lowered the rate on agricultural property from 0.45 percent to 0.4 percent. Rates on other classes of property would also be cut by the proposal. (See chart.)

Other major provisions in HF3249 include:

#### Capital, farm equipment exemption

The phase-down of the sales tax on replacement capital equipment would be stepped up and completely phased out by 1999 under the bill. Proponents have said taxing such replacement equipment inhibits economic development.

In 1994, the Legislature began reducing the rate from 6.5 percent to an eventual 2 percent in 1998. Under the bill, the rate would drop to 1.5 percent in 1998 and eventually hit zero in 1999. (The phase-out also is part of the governor's tax initiative proposal but the bill's implementation sched-

**Class Rates Under HF 3249\***

Property Classification	Current Law pay '97	HF 3249 Pay '97	HF 3249 after phase-ins
Residential homestead: Less than \$72,000 Greater than \$72,000	1.0% 2.0	0.95% 1.9	0.95% 1.9
Residential Non-homestead	2.3	2.2	2.0
Market-rate Apartments: Small cities All other	2.3 3.4	2.3 3.2	2.3 2.8
Subsidized Apartments: Title II* Farmer's home admin.**	2.3 2.0	2.3 2.0	1.5 1.5
Commercial/Industrial/Public Utility: Less than \$100,000 Greater than \$100,000	3.0 4.6	2.9 4.4	2.9 4.4
Seasonal Recreational Commercial: Seasonal resorts Homestead resorts	2.3 1.0	2.3 1.0	2.3 1.0
Seasonal Recreational Residential: Less than \$72,000 Greater than \$72,000	1.9 2.5	1.75 2.25	1.5 2.0
Disabled homestead Less than \$32,000	0.45	0.45	0.45
Agricultural: Homestead: House, garage & 1 acre: Less than \$72,000 Greater than \$72,000 Agricultural land & bldgs: Less than \$115,000 Greater than \$115,000: Less than 320 Acres Greater than 320 Acres Non-homestead (incl. timber)	1.0 2.0 0.45 0.45 1.0 1.5 1.5	0.95 1.9 0.4 0.4 0.95 1.45 1.5	0.95 1.9 0.4 0.4 0.95 1.45 1.5

\*Some of these class rate changes are made in article 4.  
\*\*Note: Not all properties currently receiving this classification will qualify for the new 1.5 percent class rate.

source: House Research Department

ule differs from his plan.) The provision would cost \$4.7 million in lost revenue in the 1998-99 biennium.

The current sales-tax exemption on used farm machinery, set to expire in July, would become permanent under the bill. (The tax rate on new farm machinery is 2.5 percent.) The permanent exemption, which is limited to equipment used in the business of farming, would cost the state \$5 million in lost revenue through 1999.

### Disabled homeowners

The omnibus bill expands the number of disabled homeowners who could qualify for reduced property taxes. Currently, a person who is permanently or totally disabled must get 90 percent of their income from public pension sources in order to qualify for the reduced tax rate of 0.45 percent. Under the new provisions, private pensions and other financial sources could be included in the 90 percent figure. The bill also includes a \$50,000 annual income cap for those who qualify for the reduced rate. Currently, there is no income limit.

The salary change would disqualify about 26 people currently covered under the rate.

### Uniform low-income rate

Subsidized and low-income housing units could see up to an 18 percent drop in property taxes and cooperatives could pay more under the bill. Much of the relief for subsidized and low-income properties comes from Rest's extensive low-income housing provision.

Under the provision, certain properties occupied by tenants with incomes at or below 60 percent of the statewide median income; with a rent restriction with the Minnesota Housing Finance Agency for at least five years; and meeting minimum housing standards would be taxed at 1.5 percent instead of 2 or 2.3 percent.

Those that don't meet the qualifications would see a four- or five-year phased-in property tax increase. Tax increases could range from a 0.5 to 0.8 percent on the class rate.

The provision aims to simplify what Rest says is a complicated, time-consuming process that plagues the subsidized and low-income housing markets. The measure would cost \$500,000 this biennium and \$1.5 million in the next biennium in lost revenue. It would affect taxes payable in 1998.

The measure imposes a moratorium on new leasehold cooperatives — a group that raised concerns over the bill. In an effort to address those concerns, the bill also calls for a study of the effectiveness of leasehold cooperatives by the Department of Revenue.

## Overall effect of class rate changes in HF3249

Property class	Change in current tax bill, in percent
residential non-homestead property	-7
market-rate apartments	-11
low-income apartments	-18
seasonal recreational property	-8
agricultural non-homestead property	+5
all other classes	+ 1 to 3

source: House Research Department

As the bill now stands, some leasehold cooperatives, which involve strong tenant participation in building management, would not qualify for the new low class rate.

### Tax deferral for seniors

Senior citizens with incomes under \$30,000 and property taxes that exceed 5 percent of that income could defer property taxes under a provision in the bill.

The state would temporarily cover the deferred taxes, which would become a lien on the property. The deferred taxes, including interest owed would be collected if the property is sold, the homeowner dies, or the property is no longer a homestead.

The provision aims to ease financial troubles for seniors who own homes in areas with rapidly increasing property values. The measure would affect property taxes payable beginning in 1997.

A similar provision was passed by the House last year, but did not survive conference committee.

### Job training credit

Employers who hire graduates of state-approved training programs could get up to a \$20,000 tax credit under a provision in the bill.

Tax credits would come from the corporate franchise tax and would be limited to \$1.5 million over five years. An employer could get an \$8,000 credit for placing a trainee and up to a \$6,000 credit for retaining the employee over a two-year period.

To qualify for the tax credit, an employer would have to hire a graduate from a training program that meets certain requirements.

The program must be at least six months long, spend at least \$5,000 per trainee, help trainees finance basic expenses, include trainees who are older than 18, not dependent, have less than \$10,000 in income over the past two years, and have less than \$5,000 in assets, among other requirements.

Employers would also have to pay graduates \$9 per hour in the first year and \$10 in

the second and third years in order to qualify for the tax break.

The tax credit would sunset in 2001.

### Cogeneration

High-efficiency electric power generation plants would be exempt from equipment property taxes under a provision in the bill.

The measure, initially proposed by Rep. Loren Jennings (DFL-Harris) has been touted as a way of keeping Koch Refining Co. from leaving the state with its proposed \$300 million cogeneration project.

The provision would affect all prospective cogeneration plants in the state. It would cost \$10,000 in lost revenue this biennium and \$40,000 in the 1998-99 biennium.

Under the bill, electric generation plants that achieve levels of high-efficiency would be exempt from property taxes on equipment used in cogeneration. Cogeneration is a combustion process that uses heat more efficiently than a conventional power plant does.

The commissioner of revenue would calculate the plant's level of efficiency by using a complex formula involving electrical power and thermal energy output and energy inputs. Wind energy conversion systems would not qualify for the exemption.

Critics of the proposal have included Northern States Power Co. and other energy-generators that would not, under current practices, get the tax break. Proponents have said the measure will offset Minnesota's steep property taxes and make the state appeal to cogeneration facilities, which are more efficient than traditional power plants.

### Wind energy

A proposal by Rep. Ted Winter (DFL-Fulda) both establishes a new property tax rate for large wind generation facilities and allows facilities to recover such taxes through rates charged.

The measure comes as the state anticipates the construction of large-scale wind generation facilities by Northern States Power Co. and possibly other companies in southwest-

ern Minnesota. NSP was mandated to pursue wind generation as part of the 1994 Prairie Island dry-cask storage legislation.

Wind generation facilities were exempt from property taxes until last year to encourage the development of renewable energy. Current law exempts more than 85 percent of a wind energy system that produces more than two megawatts of energy.

Small- and medium-scale wind energy systems would see no tax change under the bill.

Small-scale facilities are defined as those systems producing less than two megawatts of energy, and remain tax exempt. Medium-scale facilities, to be defined as those producing between two and 12 megawatts, would be taxed as they are today: on less than 15 percent of their total market value.

The newly defined tax for large-scale facilities (those producing more than 12 megawatts of energy) would be assessed on 40 percent of the market value of the system.

The bill also includes a "pass through" provision which states that a facility can recoup property taxes paid through the rates it charges. A large-scale facility currently operating in southwestern Minnesota was built when the state exempted such facilities from property taxes. The pass through provision aims to help such facilities.

### **Northwest Airlines break**

Northwest Airlines would get a tax break beginning in 1998 under a provision that exempts some "leased movable property" from Minnesota taxes.

Under the provision, a leased airplane, motor vehicle or railroad car that is used in another state would not be subject to Minnesota's sales tax. Current law requires a Minnesota-based company to pay sales and other taxes on airplanes, cars, or other leased movable property whether or not it is used in Minnesota. Under the bill, the Minnesota company would be responsible for paying another state's sales tax on such property, if that state required it.

The provision, which is also in the Senate omnibus tax bill, would cost the state \$3.6 million in tax revenue in the next biennium.

### **Out-of-state purchases**

Minnesotans could buy up to \$770 worth of out-of-state goods and not pay sales taxes on them under the bill. Under current law, any purchase made in person or through mail order from another state for non-business purposes is subject to the state sales tax. The bill would exempt purchases up to \$770 and would cost the state about \$200,000 through 1999, according to the Department of Revenue.

### **Simpler sales tax refunds**

Companies could skip a step in the process of getting sales tax refunds under a provision in the bill. Currently, when a company makes a sales tax-exempt purchase — from a vendor, for example — the company pays the sales tax and later seeks a refund through the vendor. The bill's provision would allow the company to apply directly to the Department of Revenue for the refund, as long as the total refund request exceeds \$500. Supporters of the provision have said the change will mean less paperwork and tedious record-keeping for companies.

### **Exempting taxable services**

Preventing "tax pyramiding" or double-taxing is the goal of a provision that exempts materials used in providing taxable services from sales or use taxes. The provision simply extends the current exemption on materials used in the production of taxable products to taxable services including: laundry and dry cleaning, car washing and cleaning, building and residential cleaning, exterminating and disinfecting, detective and security, pet grooming, and lawn and gardening.

The exemption would be effective Dec. 31, 1996.

### **Iron Range tax sharing**

Taconite producers and other Iron Range businesses could get some tax relief under a proposal that establishes a fiscal disparities tax-sharing program for the Iron Range.

The program would be modeled after the metro area's fiscal disparities program, which requires municipalities to contribute a percentage of their commercial-industrial tax base growth to an area-wide "pool." The pool is then used to equalize disparities in property wealth per capita between districts.

Areas with strong commercial-industrial growth often subsidize other areas under such a program.

Under the provision, commercial-industrial properties would pay a split tax rate in all of Cook and Lake counties, most of Itasca and St. Louis counties and a small part of Aitkin, Crow Wing and Koochiching counties. Part of the tax would be based on the local tax rate and the other part would be based on the area-wide rate. Under the proposal, the area-wide portion of the tax rate would not exceed 40 percent of the total tax rate.

### **Taconite relief**

Koochiching and Carlton counties are among the northern Minnesota areas that would see increased environmental development grants under a provision to help the Iron Range.

Under a provision aimed at the Iron Range economy by Reps. Steve Sviggum (R-Kenyon) and Tom Bakk (DFL-Cook), the share of taconite tax revenues paid to the Iron Range Resources and Rehabilitation Board (IRRRB) would be increased. Currently, the revenues from one cent of the production tax on mining companies goes to the board. The bill increases the amount to 1.5 cents. The increase would cost \$200,000 this biennium and \$400,000 in 1998-99.

The IRRRB was established in 1941 to encourage economic diversification on the Iron Range.

### **SCORE taxes**

Disparities in the remittance of local waste collection and disposal taxes would be studied but not corrected under a provision in the bill. The provision is scaled back from Rep. Jean Wagenius' (DFL-Mpls) plan to credit counties that paid too much in SCORE taxes and collect from those that have underpaid.

SCORE, which stands for Select Committee on Recycling and the Environment, refers to the taxes counties and local governments pay on public and private mixed municipal solid waste management. There are wide disparities in the amounts of SCORE taxes paid, with some local governments reporting either overpayments or underpayments.

Under HF3249, a task force established by the Office of Environmental Assistance would make recommendations to the Legislature on how to improve the collection of the SCORE tax. The Department of Revenue could not implement any plan to end disparities until June 1997.

### **Special service districts**

Cities and towns could establish on their own special service districts for commercial or housing improvement projects. Currently, local governments must get legislative approval before establishing any special service district.

Such districts allow for additional tax levies to be imposed, with the additional revenue used for housing improvements.

The measure, proposed by Rep. Steve Kelley (DFL-Hopkins), aims to let cities — instead of the state — govern themselves.

The bill also requires local governments to inform affected communities of their intent to create a special housing improvement district.

### **Redirecting county funds**

More than \$6 million in state aid to county rail authorities would be redirected to county criminal justice efforts.

Several years ago the state appropriated homestead and agricultural credit aid (HACA)

funds to county railroad authorities for their role in planning and providing for light rail transit in the metro area.

Rest has proposed redirecting \$6.8 million in HACA funds because the light rail project is not being actively pursued. Rest does not know what the rail authorities have done with the money, but said they should stop getting it. The proposal comes at same time several local media outlets have raised the issue.

### Performance goals

Cities and towns could either increase or decrease their share of state aid under a provision in the bill. Rep. Andy Dawkins' (DFL-St. Paul) measure would require that cities establish "performance measures" in order to get homestead and agricultural credit aid (HACA). The provision aims to increase the accountability of local governments by requiring cities or towns to adopt goals and work toward them.

The measure would abolish the current HACA aid program which gives \$2 per capita to cities and counties. It makes that amount plus an inflationary increase available to cities that indicate on their HACA form that there are performance measures in place.

The measure would cost \$400,000 this biennium and \$1.1 million in the next biennium.

### Pulltab refunds

An organization that purchases pulltabs and tipboard games could get a refund on unsold tickets under a provision in the bill.

Under current law, the state's 1,575 pulltab and tipboard game operators, which must be run by charitable organizations, pay a 2-percent tax on projected gross revenues to distributors of such games.

Rep. Bob Milbert's (DFL-South St. Paul) proposal would appropriate \$2.5 million this biennium and \$10.2 million in 1998-1999 to refund taxes paid on unsold tickets.

Rep. Phyllis Kahn (DFL-Mpls) said at the Ways and Means Committee meeting that she would like to work with Rest to ensure that the refunds go to charitable purposes. Current law requires between 40 and 50 percent of bingo and gambling profits to go toward charitable purposes, including donations to non-profits, the homeless, or anti-gambling programs, among others.

### Motor fuels taxes

Unlike the Senate omnibus tax bill, **HF3249** does not include a statewide gas tax.

Among the House bill's mostly technical motor fuel provisions is a measure that clarifies when a tax should be collected on the sale

of motor fuel. The provision, which is in response to a recent decision by the U.S. Supreme Court, mandates that the first distributor of motor fuel is responsible for the tax.

The measure aims to protect Minnesota against challenges to the current practice of collecting the motor fuels tax on reservation sales to individuals who don't live on the reservation.

### School referendums

A measure aimed at reaffirming the state's commitment to "truth in taxation" policy would affect school districts holding bond referendums. Under the provision, county auditors must indicate on a school referendum ballot that approval of a bond issue could result in a higher tax than the school district has proposed.

— Kendall Anderson



## BUSINESS

### Women-owned businesses

Women business owners make 38 percent less than their male counterparts and they apply for fewer bank loans, according to a study by the Department of Trade and Economic Development (DTED).

The findings in "Minnesota Women-owned Businesses: An Analysis of Access to Capital" led to department recommendations for programs to help women improve their business plans and work more closely with banks. The department presented their report to the House International Trade and Economic Development Committee Feb. 26. The study was done by DTED and members of the Women-owned Business Study Advisory Committee.

Among its major findings:

- The average personal income level for female business owners is \$33,559 compared to \$46,412 for men.
- Fifty-five percent of women business owners use commercial loans compared to more than 71 percent of male business owners, despite similar rates of loan approval.
- Loan amounts for women business owners are less than half what they are for men.
- Male business owners have an average of four more years of experience compared to female business owners in the same kind of business.

The study concluded that women's lack of experience relative to men's was directly related to their lower levels of commercial loan

use. Women business owners have "significantly less" experience in management and in writing business plans which are needed to get credit. Female-owned businesses are, on average, six years younger and much smaller than those owned by men.

Despite the disparity in experience levels, the study found Minnesota's women business owners have about the same education level as their male counterparts. And their firms, while being smaller than men's, are seeing sales growth that outpaces that in male-owned companies.

The fact that fewer women than men apply for loans despite similar acceptance rates — 86 percent for men and 87 percent for women — points to several reasons women don't seek loans, the report concluded. Many women assume they won't be approved for a loan and more women than men are likely to use alternative sources of financing, such as credit cards or personal savings.

According to the report, 30 percent of women business owners report using credit cards for financing compared to 20 percent of male business owners.

DTED's recommendations suggest that the state should:

- design training programs for women on ways to write better business plans, apply for loans, and negotiate with lenders if loans are rejected;
- increase information given to women business owners regarding the different ways to finance a business. Information should include details on SBA loans, factoring, margin accounts, leasing equipment, and supplier/leser credit;
- help financial institutions understand the different ways in which women conduct business compared to men. Women, according to the report, don't go back to a bank to negotiate if they are turned down for a loan, are reluctant to disclose some financial information because of privacy concerns, and ask for smaller loans because they are more risk averse than men; and
- encourage banks and other financial institutions to work with the growing service sector, where women are highly concentrated, and where debt financing is difficult because of a lack of fixed asset collateral.

### Regulating pawnbrokers

The state of Minnesota would have the authority to regulate the state's 150 pawnbrokers under legislation passed by the House Feb. 28. The vote was 108-22.

**HF2752**, sponsored by Rep. Darlene Luther

(DFL-Brooklyn Park), would set statewide minimum standards for cities and counties to regulate pawnbrokers.

Under current state law, cities and counties have the option of whether to regulate pawnbroker operations. Under **HF2752**, municipalities would be allowed to set stricter standards for pawnbrokers.

"This gives a basis for many cities to provide a floor," Greg Brooker, an assistant Bloomington city attorney, has told lawmakers. He pointed out that Bloomington, Minneapolis, St. Paul, and other Minnesota cities have "very strict" pawnbroker ordinances already in place.

Among the provisions of the bill, pawnbrokers would be required to apply for and receive a license from the city or county in which they do business. Also, the city or county would be able to revoke a pawnbroker's license and required to notify the appropriate law enforcement agency of such a revocation.

Additionally, in order to obtain a license, a pawnbroker would have to be 18 years of age or older; could not have been convicted of any crime directly related to the pawnbroker business, unless he or she showed "competent evidence of sufficient rehabilitation"; and would be required to be "of good moral character or repute." (See Feb. 16, 1996, *Session Weekly*, page 6)

**HF2752** now moves to the Senate.



## CHILDREN

### Tobacco penalties stalled

Controversy lit up the House Feb. 27 and ended with no action on a proposal to crack down on tobacco sales to minors.

The focus of the debate was a bill **HF108/SF558\***, sponsored in the House by Rep. Loren Jennings (DFL-Harris). The bill would require training for all clerks, use stiff fines and, in some cases, tobacco license suspensions to penalize retailers who violate state law by selling tobacco to minors.

"There is no state in the union with a tougher law," Jennings said.

But some anti-smoking forces and local government officials are less than enthusiastic about the bill.

The controversy centers on a provision that would prohibit local units of government from enacting tobacco sales ordinances tougher than those contained in the bill. (Under the bill, all existing local ordinances would be allowed to continue.)

So-called "pre-emption" laws of varied



Nasrin Jewell, a professor of economics at the College of St. Catherine, presented the International Trade and Economic Development Committee Feb. 26 with an international perspective on the economic status of women.

strengths are already on the books in at least 26 states. And pre-emption has been a debated topic of late in state legislatures across the country. At least 28 states, including several of those that already have some pre-emption measure on the books, considered pre-emption bills during 1995.

Anti-smoking forces view pre-emption laws with great skepticism because they often are supported by tobacco companies. Critics of pre-emption argue the companies are accepting some sales restrictions and penalties as part of uniform statewide policies to halt varied and often stricter local ordinances.

Bill proponents say statewide, uniform penalties are necessary, and that blanketing the state with penalties for retailers is an improvement given that just 108 municipalities have imposed penalties to date.

Rep. Ann Rest (DFL-New Hope) proposed an amendment that would give local units of government the authority to pass ordinances that are more restrictive than those set forth in the bill. Jennings argued that removal of the pre-emption provision would erase retailer support for the bill. He stressed that shop owners want uniformity in tobacco regulations.

Rest, refuting Jennings' assertion that the proposed law would be the "strongest in the nation," said local officials should have the authority to take a tougher stance to prevent kids from smoking.

After the amendment passed on a 76-54 vote, Jennings exercised a parliamentary option to halt debate on the bill.

It is unclear whether the proposal will be resubmitted for further consideration this session.



## DEVELOPMENT

### Omnibus development bill

Money aimed at community development, offsetting federal budget cuts, and increasing higher-paying jobs was approved by the House Feb. 28 as part of the omnibus economic development bill. The vote was 68-66.

The bill, **HF3243**, would appropriate over \$15 million for fiscal years 1996-1997 to different state departments and agencies, with the majority, almost \$11.8 million, coming from the state's general fund.

Rep. Jim Rice (DFL-Mpls), the bill's sponsor, said the bill meets its desired appropriation targets.

Among the provisions in the bill:

#### Trade, economic development

The bill includes \$2.9 million for the Department of Trade and Economic Development (DTED) to go to the Minnesota Investment Fund, formerly known as the Economic Recovery Grant Program. The fund would allow DTED to extend grants of up to \$500,000 to local units of government and recognized Indian tribal governments to help communities create and maintain private-sector jobs, increase local tax bases, and stimulate environmentally safe economic growth. Among other things, the grant money could go toward loans for private business and industry, the creation or improvement of local infrastructure, and interest buy-downs. Any loan to a private entity could not exceed one-half of the cost of the project for which financing is sought.

The grant money will be administered as part of the Small Cities Development Block Grant Program. Any portion of a grant that exceeds \$100,000 must be repaid to the state after it is repaid to a unit of local government or a recognized Indian tribal government by the recipient.

To receive grant money, private entities would have to make a case for the need of public funds, and provide job creation goals, and an established rate of return on any investment of public money.

The bill comes on the heels of a critical legislative audit report that found DTED has given grants when it should not have. The report, which has been denounced by the commissioner, also found half of the jobs created through the grant program pay less than \$7.20 an hour.

The bill requires that recipients of a loan pay their employees at least \$7.44 per hour. According to Jay Novak, DTED commissioner, the department doesn't currently con-

sider funding development projects unless prospective employers in the metro area pay employees at least \$10 per hour, and employers in outstate areas pay their employees at least \$8 per hour.

An amendment on the House floor by Rep. Jim Girard (R-Lynd) to remove the provision requiring prospective employers to pay \$7.44 per hour (175 percent of the current minimum wage) was defeated. Supporters of the amendment said that despite current DTED policy, past development projects which have benefited rural Minnesota would never have survived under the language of the current bill. They also said that the language could prove problematic in the event of an economic downturn, or an increase in the minimum wage.

Opponents of the amendment stated that private companies that receive state assistance should be required to pay decent wages. Otherwise, prospective employees would still seek state assistance to pay health care, housing, and other costs.

### **Cold weather research**

Under the bill, DTED would also receive \$125,000 to study cold weather research needs and opportunities in consultation with the Minnesota Cold Weather Research Center.

Recently, Kelsey-Hayes, a company that conducts cold weather testing, moved its operations from International Falls to the Upper Peninsula of Michigan, costing the city \$1 million in lost revenue.

The study will address ways to encourage cold weather research in Minnesota funded by non-state entities, and the possible economic benefits for the state.

Rep. Irv Anderson (DFL-Int'l Falls) testified earlier that a larger market exists for cold weather research, and he'd like to see the state do more in that area.

DTED must submit the findings of the study to the Legislature by Jan. 1, 1998.

### **Economic security**

The largest portion of money appropriated from the general fund (\$5.47 million) would go to the Department of Economic Security, primarily for the Minnesota Youth Program. A total of \$4.5 million would be used to offset a federal cut to Title 2B of the Job Training Partnership Act, formerly a parallel program funded by the federal government.

The primary component of the Minnesota Youth Program is a summer youth employment and training program. This program allows disadvantaged youth to work in a variety of settings in all 87 Minnesota counties. The work primarily takes the form of

public works projects: the construction of park retaining walls, environmental cleanup, and wetland restoration. Cooperating communities provide the necessary materials. The program funds site supervision so that participants can obtain the necessary skills to complete the projects. Participants receive training in team building skills and conflict resolution as well.

One-half of the program participants are 14- and 15-year-olds who can't yet work in the private sector and are receiving their first employment experience.

There is also an academic enrichment component to the program, where kids struggling in school receive help in improving their communication and math skills.

And kids who drop out of school can receive help in obtaining their diploma, getting a GED, resume building, and the acquisition of work maturity skills.

According to John Olson of the Department of Economic Security, heading into the summer of 1996, only Minnesota and Michigan out of the nine-state midwestern region still have these types of training programs.

### **Employment, training services**

A total of \$450,000 also would be given to the department to augment the Minnesota Workforce Center System. The system is relatively new and aims to combine the delivery of employment and training services (mostly administered by the department) under one roof whenever possible, saving money formerly spent on separate lease and phone and data lines. It also streamlines customer access to services and programs, according to Jane Brown, department commissioner.

Six workforce centers exist currently, with more planning to open. The department hopes that other state agencies that deliver services related to employment and training will want to locate their operations at the various workforce centers.

The specific appropriation within the bill would assist the department in hooking up to the MnNet System and data lines to establish a cohesive computer system among the operations located within a workforce center. This way, people applying for services offered by the department — employment or job training services, Services for the Blind, vocational rehabilitation — would have to fill out only one application which could then be accessed by agencies throughout the department, thus eliminating paperwork, saving money through the combination of resources, and matching up applicants and services more effectively.

Eventually, customers would be able to tie

into the computer system to access information regarding employment, including job listings, current employment trends, and job training provided by different institutions. Businesses also would be able to access certain information to help meet their employment needs.

The remaining money appropriated to the department would go to employment support services for the mentally ill and the creation of transitional housing.

### **Labor and industry**

The bill appropriates \$2.8 million from the Special Compensation Fund to the Department of Labor and Industry to be used for the Daedalus Electronic Imaging Systems Project.

The aim of the project is to provide a comprehensive computer reference system for workers' compensation files. This way, people needing access to the files (judges and case specialists) could do so via computer, and access could be provided simultaneously. Past research was done by hand.

The department hopes this will lower the number of disputes by getting good information to people more quickly. All paper files would eventually be eliminated.

The Special Compensation Fund is administered by the department, primarily covering system administrative costs, the reimbursement of second injuries, benefits to employees of uninsured employers, and supplemental costs. The fund is supported by required employer contributions resulting from the work-related death of an employee, or different types of work-related injuries.

### **Historical society**

Under the bill, the Minnesota Historical Society would receive \$1 million, \$850,000 of which would go to employee compensation. This translates into a one-year salary supplement for historical society employees, unlike the two-year supplement which is going to other state employees.

The House eliminated a provision within the bill that would have given the St. Anthony Falls Heritage Board approval over any project undertaken within the heritage interpretive zone that would have affected significant historical sites. The heritage zone runs along a two-mile stretch of the Mississippi River in Minneapolis.

Opponents of the provision were concerned that it could lead to the restriction of industrial development, and possibly inhibit the University of Minnesota from upgrading its steam plant.

## Natural resources

A total of \$750,000 would be appropriated to the Department of Natural Resources from the Taconite Environmental Protection Fund to help fund the purchase and development of the Iron Range off-road vehicle park.

The park would be located east of Gilbert, Minn., for use by all-terrain and four-wheel drive vehicles, and off-road motorcycles. It would be on the site of a former natural ore mine.

The fund was created for the purpose of reclaiming, restoring, and enhancing areas in northeast Minnesota adversely affected by the mining of taconite and iron ore. The fund is supported by a production tax on iron ore.

Operation and maintenance costs associated with the park would be covered by licensing and gas taxes paid by users.

## Minnesota Technology Inc.

The Natural Resources Research Institute in Duluth would receive \$700,000. The money would be administered by Minnesota Technology, Inc. The institute promotes environmentally safe economic development within Minnesota as a means of creating private sector employment. They oversee approximately \$10 million per year for research and development activities.

## Housing Finance Agency

A total of \$500,000 dollars would go to the Minnesota Housing Finance Agency. Part of the money would be to supplement prior appropriations aimed at community rehabilitation. A total of \$250,000 would be used to purchase, tear down, or rehabilitate multi-unit residential rental property in an effort to combat concentrations of substandard housing.



## EDUCATION

### Moment of silence

Public school students could be asked to observe a moment of silence at the beginning of each school day under a \$26 million education spending proposal approved by the House Feb. 26. The vote was 96-34.

**HF2156**, sponsored by Rep. Alice Johnson (DFL-Spring Lake Park), would spend about half of what Gov. Arne Carlson recommended for elementary and secondary education programs.

The bill does not include funding for some of Carlson's major education proposals, including the \$15 million he proposed be spent on a school voucher pilot program and funds for computer hardware.

The measure would spend \$11 million to bolster the use of technology and expand Internet access for schools. It also would devote funds to after-school programs, full-day kindergarten, and other projects designed to help disadvantaged students.

A provision authorizing a daily moment of silence in public school classrooms was attached to the bill with a floor amendment offered by Rep. Dan McElroy (R-Burnsville).

Opponents of the amendment, which passed on a 102-31 vote, argued that it's a thinly veiled attempt to bring religion into schools.

"This is another example of the Legislature going into the area of religion [in schools] through the back door," said Rep. Matt Entenza (DFL-St. Paul).

But McElroy said his amendment stays clear of the school prayer issue. The measure would simply allow teachers to ask for voluntary participation in a moment of silence, he said.

"We concentrate on the ability to read, write, and do mathematics," he said. "This will give people an opportunity to also think."

The House has approved similar proposals in the past. In 1995, language allowing a moment of silence was attached to the K-12 education bill that passed the House, but the provision failed to survive in conference committee.

On Feb. 27, the Senate passed a K-12 education bill that also includes the moment of silence provision.

This year's House bill also includes \$1.7 million for continued development of the state's graduation rule. House members re-

jected an amendment that would have required districts to use a single statewide test to measure whether the standards are being met.

Rep. Leroy Koppendrayner (R-Princeton) backed the statewide test, which he claimed would provide a reliable measurement of school performance.

But opponents argued that results of such a statewide test would be used as political ammunition against schools, especially those with high numbers of disadvantaged students.

The bill also would narrow the scope of the proposed graduation standards. Minimum proficiency tests would be limited to the subjects of math, reading, and writing.

Last year, lawmakers called for standards in an additional four subject areas. Assessment of performance in the other subjects would be shifted from minimum standards testing to the Profile of Learning, a broad analysis of each student's overall performance.

Here's a look at the bill's other major provisions:

- A total of \$11 million would be spent on technology programs, under the bill. Most of that money — a total of \$8 million — would be used to expand Internet access in schools and libraries. Another \$1.4 million would be devoted to training teachers in the use of technology so they can pass on those skills to their students. A total of \$1 million would be offered in grants to school districts, private schools, and community organizations that operate after-school programs giving children access to computers.



Margot Imdieke, an accessibility advocate for the Minnesota Council on Disability, tried out the new ramp constructed at the historic porte cochere (coach port) entrance of the State Capitol. The covered entrance, on the Capitol's north side, serves as a "drop off" point for visitors. It was originally used by those arriving by horse and carriage. Imdieke participated in the ramp's opening Feb. 29.

- Under the bill, \$3.2 million in grant funding would allow certain schools to offer full-day kindergarten to ensure that students are equipped with the basic skills needed to succeed in first grade. Schools with the highest percentage of students on free and reduced-price lunch programs would be first in line to receive a share of the grant money.
  - Children in some of the state's poorest areas would be the beneficiaries of \$2.5 million for after-school programs. Grants would support programs aiming to reduce juvenile crime and school behavioral problems in six Minneapolis and St. Paul neighborhoods and other selected areas.
  - School sites would have more authority to make budget and programming decisions. Under the bill, school site councils would control a small share of the per pupil revenue given to districts, and the site councils would be eligible to receive additional grant funding from the state.
- (See Feb. 16, 1996, *Session Weekly*, page 17 and Feb. 23, 1996, *Session Weekly*, page 9)

## Vocational education

Vocational training at the high school level must not be considered a dumping ground for students who are not college bound, according to a member of a planning committee created to study the subject.

Instead, vocational programs should be part of an effort to prepare students for the job market of the future, said George Copa, a University of Minnesota professor and planning committee member.

"For too long this state has forced people to make a choice between a strong academic education and a strong vocational education," he said. "[A vocational high school] would not be a place that would limit opportunities. It would open opportunities."

Copa and other members of the planning committee made a preliminary report on their efforts to the House Education Committee Feb. 29.

The planning group was established under a provision in the 1995 K-12 education funding law.

The 21-member committee includes lawmakers, other state officials, students, parents, teachers, school administrators, and representatives of industry and labor.

Their job is to develop a preliminary plan for a state-of-the-art vocational high school in Minnesota.

Some had envisioned the formation of a vocational institution akin to the state's arts high school — a single location offering

specialized courses of study in addition to normal academic requirements.

But planning committee members say they are already on a course that could lead to a recommendation to provide advanced vocational high school programs at multiple sites across the state.

Central to their task will be changing the role of vocational education and the opinions people have about it, they said.

"We want to change the culture here in Minnesota," said Christine Matuzek-Rivas, education director for the state AFL-CIO and a planning committee member. "We want students, parents, and the community to view vocational education as prestigious."

Planning committee members said vocational education must put a premium on the skills that will be crucial in the future job market.

Technical knowledge and adaptability will be vital whether the student goes on to college or not, according to Matuzek-Rivas.

Planning Committee member Lynda Forbes, a senior consultant for Northern States Power Co., said improved vocational training at the high school level would bolster the state's work force.

"Vocational high school can be an essential ingredient in this state's ability to sell itself to potential new employers," Forbes said.

And Rep. Alice Seagren (R-Bloomington), a member of the planning committee, said high school students should be given more career counseling and training without being locked into one specific course.

"We wouldn't have as many dropouts if kids had an idea of what they are shooting for," Seagren said.

Rep. John Dorn (DFL-Mankato) urged planning committee members to look for ways to integrate improved vocational education at current high schools.

The shop classes of old are gone, Dorn said. And high schools are working to deliver technical training.

"Some of this is happening because we see the world changing," he said.



## ENVIRONMENT

### Petrofund changes

Some former gas station owners and other former dispensers of petroleum could get more state aid for clean-up projects under a bill passed by the House Feb. 21. The vote was 132-0.

Bill sponsor Rep. Gene Pelowski (DFL-Winona) said **HF2519** aims to help small-time petroleum dispensers who are no longer

in business pay for costly clean-ups at their former business sites. He said such operators often have to tap into life savings to fund the state-mandated clean-ups.

The bill would provide 100 percent reimbursement from the state's Petroleum Tank Release Cleanup Program for costs in excess of \$250,000 at sites if an individual:

- did not own more than three locations within the state at which motor fuel was dispensed into motor vehicles; and
- has sold all locations that were used to store petroleum products and has discontinued operation of all petroleum retail operations.

An amendment by Rep. LeRoy Koppen-drayner (R-Princeton) extends more relief to petroleum operators who are still in business. Under the amendment, an individual could get 90 percent reimbursement on the first \$250,000 of clean-up costs and 100 percent of any additional costs at a site where less than 600,000 gallons of fuel have been dispensed annually.

The "Petrofund" program is financed by a 2-cent-per-gallon fee on wholesale petroleum and was established by the 1987 Legislature to help owners of storage tanks recover cleanup costs.

The bill now moves to the Senate.



## GAME & FISH

### Feeding hungry deer

The House narrowly rejected legislation Feb. 26 for a \$750,000 emergency deer feeding program in northern Minnesota, but did an about-face the next day. The vote on Feb. 27 was 87-46.

House sponsor Rep. Tom Bakk (DFL-Cook) said the proposal (**HF2902/SF2596\***) would help a deer population that could be hurt by this year's record-breaking low temperatures and deep snow.

The House passed a resolution (**HR11**) in Jan. 29 requiring the Department of Natural Resources (DNR) to start an emergency feeding program in the northern one-third of the state (areas north of State Highway 210 and U.S. Highway 10). Bakk's bill would provide the funding to carry out that order, requiring that \$750,000 from the state game and fish fund (which is funded by the sale of hunting and fishing licenses) be used for emergency deer feeding.

Rep. Charlie Weaver (R-Anoka), speaking against the bill Feb. 26, pointed out that the state's deer population is currently around 200,000, or about four times larger than it

was a few decades ago. Opponents also said that DNR biologists estimate the emergency program would help only 3 percent of the deer population, making the effort an unwise expenditure of game and fish fund dollars. Long-range creation of natural habitats is a more effective approach to helping deer, some said.

But proponents said a band of willing volunteers is ready to bring the feed to where it is needed most.

The DNR currently runs a deer feeding program in agricultural areas of northwestern Minnesota but hasn't fed deer in the forested areas of the northeastern part of the state since 1989. The department expects to use \$260,000 this biennium for deer feeding in northwestern Minnesota. DNR officials say it's very difficult to increase deer populations in the state's northeastern forest areas because the animals are hard to locate and difficult to reach by road. However, Rep. Steve Sviggum (R-Kenyon), who made the motion to reconsider the bill, said snowmobile trails are in good enough shape to help volunteers and the DNR reach the deer. (See Feb. 2, 1996, *Session Weekly*, page 11).

The bill now goes to the governor.



## GOVERNMENT

### Omnibus state government bill

A \$7.7 million omnibus state government finance bill cleared the House floor Feb. 28. The vote was 88-45.

The governor had recommended \$20.3 million in spending.

Rep. Tom Rukavina's (DFL-Virginia) bill (HF2857) differs most from the governor's recommendations because it appropriates less money for statewide computer projects. The bill allocates \$4.3 million for the continued implementation of a new statewide computer system, for which the governor's wanted \$12.9 million.

Absent from the bill is Rep. Phyllis Kahn's (DFL-Mpls) proposal to require the University of Minnesota to get legislative approval before moving forward on their controversial steam plant project. An amendment by Rep. Dennis Ozment (R-Rosemount) struck the provision, which is also contained in HF2351, now pending on the House floor.

Another amendment by Rep. Phil Krinkie (R-Shoreview) stripped \$1 million from the statewide systems project dollars, which is supported by the governor. The only other major successful amendment came from Rep. Mike Osskopp (R-Lake City), who wanted

\$150,000 for broadcasting House sessions and committee meetings. The \$150,000 is included in the bill's \$3.2 million appropriation for public television and radio matching grants.

Projects that survived heavy debate include a \$250,000 monument on the Capitol grounds to honor women's suffrage and a requirement that metal shredders get a completed environmental impact statement before obtaining a permit.

The House bill includes \$3 million in additional state revenue, including \$2 million from stepped-up revenue audits. Another \$1 million is expected from the Department of Finance because of a court case the House won last year. The House took the governor to court when he tried to line-item veto \$1 million from the budget of the Department of Finance.

Major provisions in HF2857 include:

#### Remembering suffrage

The women's suffrage movement, which observed its 75th anniversary last summer, would be commemorated in a memorial garden on the grounds of the Minnesota State Capitol. The proposal to use \$250,000 in conjunction with \$50,000 in private dollars survived a spirited floor debate.

Rep. Carol Molnau (R-Chaska) tried unsuccessfully to strike the provision, originally sponsored by Rep. Phyllis Kahn (DFL-Mpls).

"To spend a quarter of a million dollars on a garden that volunteers could do is very frivolous," Molnau said.

Supporters such as Rep. Mindy Greiling (DFL-Roseville) said the monument would give women a much-needed presence at the Capitol.

The private money would be used for plaques, benches, and educational materials to be distributed in connection with the memorial garden.

Plans call for the garden to be constructed on a 100-foot-by-150-foot section of land located immediately south of Constitution Avenue near Cedar Street, close to the location of the 1996 Winter Carnival ice slide, according to Paul Mandell, a planner with the Capitol Area Architectural and Planning Board.

#### Kondirator

Under the bill, metal shredding companies would have to get an environmental impact statement before moving forward on a project in areas of north and northeast Minneapolis and west St. Paul. Currently, there is a project pending along the river in north Minneapolis to build a kondirator. The company has

completed an environmental impact worksheet. The provision would require an environmental impact statement, which is more extensive than a worksheet.

Rep. Jim Girard (R-Lynd) said the worksheet is sufficient, but his amendment to strike the provision failed.

#### Statewide information system

Under the bill, \$3.4 million will go toward continued funding of a statewide computer system that became operational just this year. Computer software and hardware needed for the state's operations, such as payroll, would be funded.

#### Year 2000 Project

One million would fund the governor's Year 2000 Project under the House bill. About 80 percent of the computer programs used by the state will require modifications when the year changes from 1999 to 2000. Many computer programs cannot perform arithmetic operations or sort data fields when working with years outside of 1900 to 1999.

#### Technology provision in budget

The bill requires the governor to submit a separate information technology expenditure as part of the biennial budget.

The new component of the budget would include detailed recommendations on the state's technology initiatives for the current and following biennium. It would also require the governor to prioritize each project.

#### Celebrating emancipation

June 19, the date officially celebrated in other areas of the nation as Juneteenth, would become a day of recognition in Minnesota, under the bill.

Juneteenth is observed as the day the Emancipation Proclamation was first publicly read in Texas in 1865. Although historians have never been able to determine the exact date that year when the proclamation abolishing slavery was read, they believe it was sometime between June 13 and 19.

(The same provision unanimously passed the House Feb. 7 as HF1889 sponsored by Rep. Richard Jefferson (DFL-Mpls)).

Jefferson has said that because the Civil War was going on when President Abraham Lincoln issued the Emancipation Proclamation, it took another two years and the end of the war before every state acknowledged it. "The plantation owners were fearful that if they made it known, the slaves would leave," he has said.

As a state day of recognition, Juneteenth would be similar to Arbor Day and Ethnic

American Day, which are not celebrated as official state holidays.

### Clearing the backlog

Under the bill, Minnesota's human rights commissioner would be required to come up with a plan by Jan. 15, 1997, to eliminate a case backlog in the Department of Human Rights.

The provisions were originally introduced as **HF3083**, sponsored by Rep. Matt Entenza (DFL-St. Paul).

Entenza has called the proposal a "simple and straightforward" recipe for trying to solve the Department of Human Rights case backlog, which was the subject of a January report by the Office of the Legislative Auditor.

"Our study found that the department has not handled charges of discrimination in a timely manner and that there is a growing inventory of open cases," Legislative Auditor James Nobles wrote. "We also found that the department lacks the expertise to properly use its own case-tracking system and needs to show more tangible progress in developing the new system funded recently by the Legislature."

The most important recommendation contained in the study is that Commissioner David Beaulieu and the department "take whatever steps are necessary" to eliminate the backlog.

**HF2587** includes a \$100,000 appropriation for the department to prepare plans for clearing the case backlog, making probable cause determinations quickly using a minimum amount of department resources, and processing future cases on a timely basis.

Another \$75,000 would be marked for the department to establish an alternative dispute resolution program to resolve disputes arising under the state's human rights act.

### Claims against the state

A bill to pay individuals who have claims against the state for overdue war veteran bonuses and injuries sustained while performing community service work passed the House Feb. 27. The vote was 129-3.

The bill (**HF3217**), totaling about \$93,000, appropriates \$4,000 to one individual who spent \$8,000 to build a useless stone wall to prevent erosion based on erroneous information from the Department of Natural Resources. The remaining \$4,000 will come from the department's existing budget.

The Claims Committee, a joint panel composed of House and Senate members, considers claims made against the state each year.



It was a photo opportunity for Lenny (holding grandson Shane) and Ruth Loeffler as their daughter, Diane Loeffler, received a *Marvelous Minnesota Woman Award* at the Capitol Feb. 26. The award is given each year to women who have made significant contributions to the quality of life in Minnesota.

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 bill, sponsored by Rep. Edgar Olson (DFL-Fosston), contains claims that range from \$7.50 to \$4,000.

Most of the claims contained in the bill apply to the Department of Veterans 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 would appropriate \$80,093 for the bonuses.

Among other money in the bill is \$7,120 for pre-paid claims against the Department of Corrections as well as for three people who were injured while performing court-ordered community work.

The claims bill awaits a Senate vote.

## HIGHER EDUCATION

### Reducing mandates

If there is a foot of fresh snow on the ground and travel is dangerous in Bemidji, the president of the local state university may want to close the campus for the day.

But he can't do it on his own. Current state law requires the ultimate decision be made by officials 220 miles south in St. Paul.

The House approved a bill Feb. 27 that would change all that.

**HF2206**, sponsored by Rep. Gene Pelowski (DFL-Winona), would do away with all sorts of state mandates on colleges and universities.

The bill, which passed on a 129-3 vote, aims to get rid of state mandates that neither bolster education nor improve accountability at the state-funded higher education institutions, according to Pelowski.

"I think it's about time we stop micro-managing and let them run their own shop," he said.

Pelowski, chair of the House Education Committee's Higher Education Mandates Subcommittee, said the bill grew out of a collaboration between lawmakers, system officials, college students, faculty, and administrators.

The result, he added, is a proposal that would allow higher education institutions to devote more of their energy educating and less time and resources wrestling with unnecessary state regulations.

Changes proposed in the bill would represent a philosophical shift in government's role in the delivery of higher education, according to Pelowski. The state still would set performance expectations for the systems and campuses, but the institutions would be given more decision-making authority to meet those expectations.

One simple example of the changes proposed in the bill would simplify procedures for closing campuses in weather emergencies.

Under the bill, officials at Minnesota State

Colleges and Universities (MnSCU) system campuses would no longer have to get approval from the Department of Employee Relations to close a campus because of bad weather.

Here's a look at some changes the bill would make:

- Purchasing by MnSCU institutions would be made more efficient and cost effective. Under current law, campuses have the authority to make purchases only up to \$1,500, and most purchases must be made through the state Department of Administration. But campus officials claim that many times they pay the state more than they would pay local merchants for the same products, whether it's toilet paper or computer disks. The bill would exempt the institutions from state purchasing requirements.
- Many reporting requirements would be dropped. Officials from the colleges and universities consider some of the reports currently required to be especially onerous. For example, campuses now must file a report any time refreshments are served at a meeting. The report must list the names of all in attendance and disclose what was served and its cost. The report then must be signed by appropriate campus officials and filed with the Department of Finance. The bill would exempt the MnSCU system and its campuses from this and many other reporting requirements.
- Proof of immunization mandates would be altered to spare colleges and universities a lot of paperwork. Current law requires that each student produce evidence of immunization in order to register for classes. The bill stipulates that beginning in 1997 the schools would not have to get immunization records from students who are graduates of Minnesota high schools. Determining if students are properly immunized would be done at the high school level.
- Common calendar requirements now on the books also would be changed by the bill. A 1995 law required all MnSCU campuses to begin the school year at the same time. The law sought to ease transfers between schools. But some college officials complained the change would complicate local arrangements, such as those between technical colleges and school districts. The bill would stipulate that co-located institutions (most often community and technical colleges) must be on the same calendar, but all institutions would otherwise be free to set a calendar in the best interests of the students.

Pelowski said the collaborative effort to

reduce mandates on higher education institutions demonstrates that reform "doesn't have to be a partisan affair."

HF2206 now goes to the Senate.

## Examining tenure

The state would spend \$4.4 million to revamp the Academic Health Center at the University of Minnesota, under a bill approved by the House. But the U of M would have to make certain tenure code changes in order to receive much of the money.

The bill (HF3239/SF2849\*) sponsored by Rep. Tony Kinkel (DFL-Park Rapids), would provide \$10 million in supplemental funding for the U of M and the Minnesota State College and Universities (MnSCU) system. The bill passed the House Feb. 28 on a 124-7 vote.

The measure would give about \$4.9 mil-

lion to the U of M, with \$4.4 million earmarked for the academic health center.

The bill aims to bolster the restructuring of the academic health center, which includes the schools of medicine, dentistry, public health nursing, and other pursuits. Funds for the center would be used to improve technology and update curriculum.

Ninety percent of the \$4.4 million—about \$3.9 million—would be contingent on the U of M making changes to the tenure code for the center.

The bill states that the Legislature "requests" the school pursue changes in the tenure code for the academic health center without infringing on academic freedom.

Specifically, U of M trustees would have to make changes in the tenure code for clinical faculty to enable adjustment of clinical compensation and base salary and provide streamlined procedures for separation.

The remaining 10 percent of the \$4.4 million for the academic health center money would be earmarked for the University of Minnesota-Duluth (UMD) medical school.

But the money would hinge on the continued development of the medical school as a rural health center, which aims to produce more medical professionals to serve small-town America.

Under the bill, UMD would have to expand the training of rural nurse practitioners, pharmacists, physician assistants, and general practitioners. The school also would have to develop electronic links to facilitate video conferences and the transmission of images and other information.

The provisions related to the U of M originally were included in a separate bill (HF3238) sponsored by Rep. Becky Kelso (DFL-Shakopee).

Kinkel's bill also includes \$4.8 million to bolster technology on MnSCU campuses. The money would be made available for grants for the use of technology to improve learning in the classroom.

Grants of up to \$250,000 would be awarded to state colleges and universities on a competitive basis. A review panel, including faculty, students, and a member of the Minnesota High Technology Council, would decide who gets the grants.

Both the governor and lawmakers have established technological upgrades at educational institutions — at all grade levels — as a high priority this year.

Additionally, the bill includes \$150,000 for the establishment of a statewide on-line library system. The proposal would fund a library planning task force whose goal would be to set up an on-line system to serve col-



Margie Michael of Cambridge set up her music stand on the second floor of the Capitol rotunda Feb. 27 and played her piano accordion as she waited for a rally in support of mental health awareness to begin.

leges, public libraries, and public schools.

Finally, the proposal would spend \$50,000 to repay college loans for graduates of Minnesota law schools who practice low-paying, public-interest law. The bill requires the private bar to match the state funds for loan payment.

**HF3239/SF2849\*** now goes to the Senate.

## College bonds

Minnesota parents would be able to buy tax-free bonds to help pay for a child's college education under a bill approved Feb. 29 by the House Ways and Means Committee.

**HF2058**, sponsored by Rep. Lyndon Carlson (DFL-Crystal), would require the Minnesota Department of Finance to establish a college savings bond program.

Under the bill, the state would offer bonds attractive to parents who are saving for higher education expenses. Many specifics of the bond programs would be set by the finance department, but considerably more affordable bonds would be made available.

Currently, general obligation bonds are sold at a minimum denomination of \$5,000, which is the amount the bond is worth upon maturity. The bill would require denominations as small as \$500 to be made available. As with their more costly counterparts, the smaller bonds would be tax exempt.

The bill would require the finance department and the Higher Education Advisory Council to develop a marketing plan to inform parents about the bonds. (See Feb. 23, 1996, *Session Weekly*, page 15)

It is unclear whether the bill will go to the House floor or be attached to this year's bonding bill.



## HUMAN SERVICES

### Omnibus human services bill

After hours of debate, House members Feb. 27 attached a 30-day residency requirement for certain welfare benefits to the Health and Human Services supplemental budget bill. The vote was 116-16.

Under the bill (**HF2818**), most individuals would have to reside in Minnesota for 30 days before they could receive Medical Assistance, General Assistance, or Aid to Families with Dependent Children (AFDC).

Opponents of the amendment said it would prove unconstitutional based on court rulings in recent years. Supporters said it would prove constitutional and maintain the provi-

sion as needed to protect Minnesota taxpayers from individuals in other states who simply move here for better welfare benefits.

Another successful amendment directs the departments of health, human services, and administration to develop a plan to provide prescription drugs at discounted prices to individuals whose income is 200 percent below the federal poverty level.

For a family of two, that means an annual income of \$20,060 and for a family of four, \$30,300. The departments are to submit the report to select legislative committees by Oct. 1, 1996.

Still another new provision cuts \$50 from the Department of Health's budget. Specifically, the money is to be taken from the department's support of the Minnesota AIDS Project because of what sponsor Rep. Arlon Lindner (R-Corcoran) termed "sexually explicit, graphic, and offensive advertisements."

Lindner called the amendment, which originally sought a reduction of \$500, a "token amendment to tweak the department."

In all, the Health and Human Services supplemental budget bill contains \$21 million and includes \$7.8 million to restore cuts made by the 1995 Legislature to programs for people with disabilities.

Hundreds of disabled Minnesotans who expected to be cut from a program that helps them live independently at home instead of in a state institution may be spared the budget ax.

Last year, at the urging of Gov. Arne Carlson, lawmakers cut a program that provides in-home personal care attendants (PCA) for the disabled. The cuts were scheduled to go into effect July 1, 1996.

The 1995 law tightened eligibility requirements and limited some services. One section required that those receiving the help of a personal care attendant be capable of directing their own care or be cared for by family members or placed in an institution.

Another section directly affected mentally ill adults by eliminating services their PCA could provide. Specifically, the 1995 law cut what are called "prompting" and "monitoring" services. That meant mentally ill adults could no longer rely on a PCA to remind them to take medication, prepare meals, or help them get to and from the psychologist or doctor.

**HF2818** restores PCA cuts by eliminating the requirement that recipients be able to direct their own care and by reinstating services such as prompting and monitoring.

Below are some of the highlights from the supplemental budget bill which is now on its way to the Senate.

## Welfare reductions

Welfare programs would see a \$33 million reduction. These are not cutbacks, but savings. Forecasts used to put together the 1996-1997 two-year budget for human services last year overestimated how many people would participate in public assistance programs.

Reliance on welfare has lessened because Minnesota's job market is in good shape, according to state officials. Also, officials credit MinnesotaCare for keeping more people off welfare. MinnesotaCare is a state subsidized health plan that allows certain low-income families and individuals to buy health insurance at reduced costs.

The reductions in welfare costs can be found in the state's Aid to Families with Dependent Children, General Assistance, and other public assistance programs.

## Criminal checks

The bill would spend \$54,000 to extend criminal background checks to all nursing home employees, including housekeeping staff and maintenance workers.

The provision expands current law which requires that state criminal histories be checked for employees in nursing homes, home care agencies, and boarding care homes who have direct contact with patients.

A 1995 law that increased penalties for people who neglect or abuse vulnerable adults required such background checks for some nursing home employees.

Since its passage, the Department of Human Services has initiated more than 8,100 background checks which uncovered 67 people who were disqualified from working in a nursing home.

## Adoption assistance

More parents wanting to adopt children with disabilities or other special needs could see some financial help from the state. The state would set aside another \$1.5 million to help families adopt those children.

## Senior nutrition

The bill marks \$500,000 to expand programs that offer meals and groceries to the elderly across the state. Committee members were told that good nutrition can help keep senior citizens out of nursing homes.

A portion of the money would go to the Minnesota Board on Aging to expand elderly food programs statewide. Another portion would be given to local agencies on aging to help pay for such elderly services as the home delivery of meals, groceries, and prescriptions; transportation to supermarkets and

congregate dining sites; vouchers for meals at selected restaurants in isolated rural areas; food stamp outreach; and nutrition screening and counseling.

Senior citizens quickly suffer from dehydration and become malnourished if they don't eat properly, proponents said, adding that minor illnesses can worsen and broken bones take longer to heal due to poor eating.

Home delivery of meals to "shut-ins" as well as congregate meals at senior centers and other sites, are invaluable, they said, noting that they not only keep many seniors healthy, but the latter is especially helpful in getting seniors out and socializing.

### Child care

Money to train child care workers as well as help more parents afford child care is included in the supplemental budget bill.

Specifically, \$500,000 would be set aside to help train child care workers who work in centers and homes that serve low-income children. Another \$1.5 million would be set aside to help expand the basic sliding fee child care program which subsidizes child care costs for low- and moderate-income families, thus removing a barrier to their returning to work.

### Lead poisoning

Money to help relocate families whose homes are affected by lead poisoning is also part of **HF2818**.

In all, \$150,000 would be appropriated to the Department of Health to help clean up lead. Part of the money would be used to help relocate families whose children or other members are experiencing lead poisoning stemming from sources such as nearby dirt, water, or paint chips. Affected residents would relocate while their old home undergoes a cleanup.

Another portion of the money would help fund a study of the legal responsibilities for landlords and tenants in the area lead poisoning and clean up.

### Nursing home reimbursement rates

Medical Assistance reimbursement rates paid by the state to nursing homes and intermediate care facilities for persons with mental retardation would increase by 75 cents per resident, per day.

The bill sets aside about \$7.3 million to accomplish this task and delay more severe reimbursement cuts slated for fiscal year 1997.

Currently, the statewide average reimbursement for nursing homes is \$95.56 per resident, per day. The statewide average for

facilities for persons who are mentally retarded is \$125.18 per resident, per day.

### Restaurant license fees

Despite strong objections from the Department of Health, the supplemental budget bill contains a provision cutting back certain restaurant inspection license fees.

The bill would cut to \$125 the license fee for restaurants with 10 or fewer employees. The current average is about \$222, according to the department.

The department has said the reduction would have a "potentially devastating effect on inspection activities at the state level."

"Since over 90 percent of all establishments have 10 or fewer employees — and since it would be legally impossible to substitute other revenue sources — the loss of revenue for the state inspection program would be an estimated \$434,736," according to a department position statement.

The bill also contains a proposal to cut license fees for temporary food stands — those at fairs and similar events — that operate seven days per year or less. Those establishments would pay \$60 for an inspection compared to the current fee of \$130.

Currently, county and city health departments inspect food, beverage, and lodging establishments in 42 counties. The state Department of Health inspects those establishments in the remaining 45 counties.

Department concerns center on the spread of food-borne illness. Without a solid inspection program, the threat of food-related disease is greater, according to health officials. The agency typically evaluates more than 200 food-borne illness complaints every year and the volume is increasing. In 1995, the figure topped 250.



## SPORTS

### Rejected referendum

The Minnesota Twins suffered a shutout Feb. 23 at the hands of the House General Legislation, Veterans Affairs and Elections Committee.

Committee members rejected a bill to test the mood of metropolitan-area voters on building a new baseball stadium. The bill (**HF2974**), sponsored by Rep. Ann Rest (DFL-New Hope), would have required a non-binding referendum in November 1996 on the stadium issue.

Rest, Twins officials, and other supporters of the bill said voters should be allowed to register an opinion on whether the Legislature should pass a law to build a new stadium with public and private money.

Proposed ballot language in the bill stipulated that taxes on liquor and hotel and motel lodging in the metro area, along with a surcharge on tickets for events at the stadium, would help finance the project.

The Twins are looking to construct a new stadium at an estimated cost of \$200 million to \$250 million to solve the club's financial troubles. The team lost totaled \$13.5 million last year and losses this year are expected to reach \$8 million, according to the team.

But the bill ran into opposition from several committee members with a variety of interests. Some decried the proposed tax hike on liquor and lodging. Some argued for a statewide vote. And some called for more details about the stadium and how much of the cost will be paid by the Twins.

Rep. Loren Jennings (DFL-Harris), who chairs the committee, questioned the need for a public vote on the issue. The job of legislators is to consider the opinion of their constituents on the issues, he said.

Rep. Tom Osthoff (DFL-St. Paul) attached an amendment to the bill removing the proposed liquor and lodging tax as a way to help pay for the stadium.

Still, Osthoff said he wished legislators were debating whether to build a new stadium rather than whether to proceed with a ballot referendum that some say would be meaningless regardless of the result.

The bill failed on a convincing voice vote.

Twins President Jerry Bell testified that the Metrodome does not provide the team with enough revenue from advertising, parking, and concessions. And, he said, the stadium has fewer good seats than most other major league parks.

A clause in the Twins' lease would allow the team to leave after the 1998 baseball season.

New stadiums have helped other small-market teams, such as Cleveland and Baltimore, improve their financial health. Bell said the Twins could reap similar rewards.

"The only reason we're here today is to sustain the team," Bell said. "Clearly, no one is going to purchase this team and continue to suffer these kinds of losses."

A closer look . . .

# Omnibus bill provides funding for crime programs



A \$15.4 million proposal for public safety, corrections, and crime prevention programs won approval Feb. 28 from the House Ways and Means Committee.

HF3242, sponsored by Rep. Mary Murphy (DFL-Hermantown), now also includes HF2161 (the omnibus crime bill), sponsored by Rep. Wes Skoglund (DFL-Mpls), which was incorporated into the bill. (See Feb. 22, 1996, *Session Weekly*, page 3)

Murphy noted that most of the appropriations in the bill are "one time" measures, which would not hold the state to future funding commitments.

The bill also includes provisions to notify neighbors when serious sex offenders are released into the community, and prohibiting kids under age 16 from getting tattoos.

The bill now goes to the House floor.

Below are some of the bill's highlights:

## Community notification

A major part of the bill, co-sponsored by Rep. Dave Bishop (R-Rochester) and Rep. Wes Skoglund (DFL-Mpls), would authorize local law enforcement agencies to notify the public when a sex offender is released from prison. The concept of community notification has been debated publicly since 1994 when Minnesota Supreme Court rulings released two men who had been committed under the state's sexual psychopathic personality law. Lawmakers met in special session that year to pass legislation to keep sexual psychopaths off the street.

The level of notification would depend on a risk assessment of the offender. Offenders would be classified as either low, intermediate, or high risk to the community.

If the offender is considered low-risk, police may notify other law enforcement agencies and any victims of, or witnesses to, the offender's crime. For intermediate-risk offenders, schools, day care centers, and other groups that serve women and children which the offender is "likely to encounter" could be notified. Anyone a high-risk offender is "likely to encounter" could be notified. Widespread notification, however, would not occur while an offender is living in a residential treatment home.

The provision also amends the sex offender registration law to include persons whom the courts have convicted of a "kiddy porn" offense or other offenses stemming from the same set of circumstances.

If passed, Minnesota would follow some

20 other states with similar laws. Similar language is contained in the crime bill which passed the Senate on Feb. 28.

The legislation would provide \$245,000 to ensure the program's implementation.

## Prevention and safety

Community safety and law enforcement grants are a key feature of the bill and would receive \$2.65 million in funding. The grant process set forth in the bill ensures statewide distribution of funding, said Murphy. Under the bill, a committee would review grant applications to determine which ones receive funding. The committee would consist of both state and police officials.

## COPS

The grant package would establish community-oriented policing programs, known as "COPS," which increase the amount of officers in local law enforcement agencies, allowing them to assign officers with community experience to investigate and prevent juvenile crime. COPS also would expand community policing duties, such as block clubs and community-based crime watch programs. In the seven-county metropolitan area, COPS would assign overtime officers to high crime areas within their jurisdictions.

## Weed and Seed

Weed and Seed, another grant program in the bill, would assist local communities in eradicating violent crime, illegal drug activity, and illegal gang activity in targeted neighborhoods. The Weed and Seed program also would aim to revitalize neighborhoods, both economically and physically. Local law enforcement agencies would work with members of targeted neighborhoods to develop plans and apply for funding.

## Community intervention

The bill provides over \$2 million in financing for community intervention grants that aim to encourage, expand, or enhance com-

munity alternatives for at-risk children and youth.

Grant applicants, expected to have broad community representation, could include school districts, counties, public health entities, other municipalities, existing culturally specific community organizations, family services collaboratives, and others.

Communities that apply for grants must also give priority to the following areas: juvenile restitution, prearrest or pretrial diversion, probation innovation, teen courts, community service, truancy prevention, curfew enforcement, or post-incarceration alternatives to assist youth in returning to their communities.

The Children's Cabinet, which is composed of several state agency commissioners, would approve local plans and ensure that funded programs do not conflict with any state law and do not negatively impact future state budgets.

## Victims of violence

In accordance with the state's policy of "zero tolerance" for violence, the bill outlines state goals that would give crime victims access to the following services: crisis intervention services, including a 24-hour emergency telephone line; safe housing; counseling and peer support services; assistance in pursuing legal remedies, and appropriate medical care.

The goals also include giving children who are witnesses to abuse and/or victims of violence access to crisis child care; safe supervised child visitation, when needed; age-appropriate counseling and support; and assistance with legal remedies, medical care, and needed social services.

In an effort to increase efficiency in the administration of victim services, the bill requires several offices that deal with crime victims to meet four times a year. The so-called "crime victims services roundtable" will discuss methods for improving the delivery of services, in addition to securing increased funding.

The witness and victim protection fund would receive \$100,000 in grant money from the bill.

## Juvenile monitoring

The bill would allot \$240,000 for an intensive juvenile monitoring pilot program that focuses on juveniles who have committed or

are at risk to commit crimes. Peace officers, juvenile courts, and juvenile probation officers would refer certain juveniles to the program. Qualified college and graduate students with related majors would monitor and supervise the juveniles.

College students would work with a juvenile's probation officer and serve as a "big brother" or a "big sister" to a teen who has committed, or is at risk for committing, delinquent acts or crimes.

The Department of Corrections would determine the particulars of the monitoring program. In addition, the department would work with colleges and universities to establish the criteria for college students to participate in the program, what kind of training they should receive, and how they should be compensated.

Their responsibilities could include checking on the juvenile in the morning, reminding them about homework, checking on them after school to ensure they're not hanging out with the wrong crowd, and helping them with homework several times a week.

The college student would then report back to the probation officer so the officer could determine which juveniles need more help.

### **Truancy, curfew**

A total of \$400,000 would be available to eligible counties for the creation and expansion of programs for curfew enforcement,

### **Home visits**

As part of the state's on-going effort to prevent child abuse and neglect, the bill appropriates \$200,000 to the Department of Health for grants to home visiting projects. The funding would increase efforts of public health nurses who visit homes with at-risk babies, giving advice on nutrition and other parenting issues.

### **Media campaign**

Violence in the media also received a response from the committee. The legislation would appropriate \$10,000 to the commissioner of public safety to contract with an advertising firm to develop an advertising campaign to reduce violence and to counteract violence in the media.

### **Group conferencing**

A pilot program for family group conferencing programs in Dakota County would receive \$150,000 under the bill. The program would provide forums as an alternative to prosecution. In the forums, persons accused of crimes would meet with victims, family members of victims or the offender, law enforcement agencies, prosecutors, and community members. The forums would focus on the impact that crimes have on victims and the community. Members of the conference would then determine an appropriate sanction for offender reparations, including community service and other options.

The CCA, adopted in 1973, aims to help counties develop, implement, and operate community-based corrections programs, including prevention, diversion, and probation programs. Funding for the CCA, however, has not kept pace with the increase in needs, according to reports.

Current funding formulas under the CCA reflect little correlation between dollars and need.

After an extended debate, the committee approved a plan that incorporates the interim group's five principles. Those include giving consideration to a counties' need and encouraging multi-county collaboration.

### **Incarceration**

The most expensive aspect of fighting crime, locking up offenders, is the largest part of the proposal. The bill would appropriate almost \$7 million to the Department of Corrections for purposes related to incarceration. Members noted that increases in the length of sentences, coupled with increases in the number of inmates over the years, are driving up costs.

The department's budget includes \$860,000 for more prison beds that are needed as a result of tougher sentencing in the bill, and \$500,000 for additional contributions associated with changes in the membership of the correctional employees retirement plan.

The bill also would require inmates to make a co-payment for health care services that they receive in prison. Under the proposed law, the co-payments would be deducted from inmates' earnings accounts. Supporters of the measure said they included it in the bill to help curb the rise in prison health care costs caused from over-utilization of services.

### **Miscellaneous**

Other appropriations in the bill include: \$700,000 for civil legal services to the poor; \$400,000 to the Department of Economic Security for youth intervention grants; \$75,000 for the development of a weighted workload study; \$40,000 for enhancements to the domestic abuse orders for a protection tracking system; and \$4,000 for the international women's shelter in Rochester to research, prepare, and translate into appropriate languages a brochure on laws concerning violence against women and children.

**HF3242** now goes to the House floor.

— Joel Larson

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*The most expensive aspect of fighting crime, locking up offenders, is the largest part of the proposal. The bill would appropriate almost \$7 million to the Department of Corrections for purposes related to incarceration.*

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truancy prevention, pretrial diversion, and for juveniles who are risk of incarceration.

### **Crisis nurseries**

The bill would appropriate \$350,000 to the Department of Human Services to assist eligible private and public organizations that provide crisis nurseries.

Children's advocates have said that the increase in violent crime is directly related to an increase in child abuse and neglect. Crisis nurseries offer temporary, safe nurturing care for children and support services for parents in times of crisis. The nurseries may also offer family counseling, in-home crisis intervention, parenting support, information and referral services, and service coordination.

### **Tattoos**

The committee added a provision to the bill that would prohibit any person under the age of 16 from getting a tattoo.

The measure would also require 16- and 17 year-olds to provide written parental consent before getting a tattoo. Under the bill, anyone who provides a tattoo to a minor in violation of the provision would be guilty of a misdemeanor.

### **CCA**

An interim working group of legislators, county officials, statisticians, and criminal justice experts met to create a "fair and equitable" formula for distributing Community Corrections Act (CCA) funding to counties.

## Alexander Ramsey guides area on path to statehood

In the spring of 1849, a young Pennsylvania politician jotted this brief diary entry: "April 2 — Moved to Market Street house. Laborers, \$1. Wife, 25 cents. Appointed Governor of Minnesota."

Those words became Alexander Ramsey's first written acknowledgment that he had been selected to be the first governor of the Minnesota Territory, a vast and sparsely settled northwestern region.

The appointment, bestowed upon Ramsey by President Zachary Taylor, was the beginning of the formation of today's Minnesota and of Ramsey's half-century of political prominence in the far-away place.

Just 33 years old, Ramsey was a Whig partisan who had already served in the Pennsylvania Legislature and in the U.S. House of Representatives.

During the 1848 presidential campaign, Ramsey worked tirelessly for Taylor and was credited with ensuring a Taylor victory in Pennsylvania.

The newly elected president repaid Ramsey by awarding him the governorship of the fledgling Minnesota Territory, created just months earlier in the waning days of President James Polk's administration.

Ramsey, who was said to have desired a more substantial post in the Taylor administration, accepted the appointment and shortly thereafter set out with his wife and child on a journey from Washington D.C. to St. Paul.

The Ramseys traveled by boat, train, and coach during their three-week trip to the rough town that would become the capital city.

The family's arrival in Minnesota was noted in Ramsey's diary with his typical restraint and fiscal awareness.

"May 26 — Reached Stillwater about 9 p.m. Expense of wife, self, Lavinia (a family nurse) and child to St. Paul, including meals, fare by boat, railroad, stagecoach, etc., \$262.35, or about \$87.41 per head," he wrote, according to diary excerpts reprinted in a 1929 edition of the *St. Paul Pioneer Press*.

When he arrived in St. Paul the following day, Ramsey found nothing more than "a dozen framed houses, not all completed, and some eight or ten small log buildings constituting the capital of the new territory, over whose destiny I had been commissioned to preside."

Although he would confess some 50 years later that "at first I disliked to make the change," Ramsey immediately set about the task of creating a government and directing the territory on the path toward statehood.



Alexander Ramsey, first governor of the Minnesota Territory.

Photo courtesy Minnesota Historical Society

He served three-and-one-half years as territorial governor before being replaced by an appointee of a new White House administration. Upon leaving office, Ramsey noted the progress during his time in power.

"In 41 months have condensed a whole century of achievements, calculated by the old world's calender of progress . . ." he said in a January 1853 speech, ". . . a government proclaimed in the wilderness, a judiciary organized, a Legislature constituted, a comprehensive code of laws digested and adopted, our population quintupled, cities and towns springing up on every hand. . ."

Ramsey would go on to build an impressive résumé of various endeavors — some courageous, some dubious.

A Republican after the collapse of the Whigs, Ramsey was narrowly defeated by Henry Sibley, his personal friend and political rival, in an 1857 election to decide who would be the first governor of Minnesota after statehood.

But Ramsey would recover and score an impressive victory in the 1859 gubernatorial race. The win thrust Ramsey into party prominence, resulting in his name being mentioned for a presidential bid before the party selected an Illinois lawyer named Abraham Lincoln as its nominee.

Ramsey served as governor until the Legislature elected him to the U.S. Senate in 1863. After spending two terms in the Senate and four years out of politics, he was, in 1879,

picked to be secretary of war in the cabinet of President Rutherford B. Hayes. Ramsey oversaw a peacetime army during his two years in the job.

A long political career left plenty to feed the appetite of Ramsey's detractors. He was a major player in the effort to push the American Indian population out of Minnesota, and he called for the death penalty for 303 Sioux captured during the uprising of 1862.

(President Lincoln allowed 38 of the Sioux to be hanged in a mass execution staged the day after Christmas, 1862 in Mankato.)

Ramsey also served with quiet compliance during a time of widespread corruption in the U.S. Senate.

But Ramsey's contributions cannot be easily dismissed. He guided Minnesota toward statehood and left it as a place where agriculture and industry could thrive.

In strong defense of the Union, Ramsey was the first to answer Lincoln's call for troops, offering 1,000 Minnesota soldiers shortly after the outbreak of the Civil War.

And, as secretary of war, Ramsey put principle above political convenience. In 1880, the only black cadet at West Point was bound and beaten, demonstrating the rampant racism at the institution.

Ramsey ordered an investigation into the incident and later delivered a strong reprimand in a speech to the graduating class of 1880.

It is "ignoble to to be governed by an imagined superiority," he said, according to the 1977 biography *Alexander Ramsey and the Politics of Survival* by Marx Swanholm. And it is "thrice ignoble to make active exhibition of so unworthy a sentiment by oppressing those we deem beneath us. A true manhood dictates the extending of a helping hand."

In the late 1880s, the weathered politician returned to Minnesota to enjoy his role as a respected elder statesman and to live out his days in the St. Paul mansion he built.

In his twilight, Ramsey laid the cornerstone of the current Capitol in 1901, but he would never see the building occupied. He died in 1903 at the age of 88.

His mansion, located in the historic Irvine Park neighborhood, was willed to the Minnesota Historical Society by Ramsey's granddaughter in the 1960s. The Ramsey House, complete with many original furnishings, is now open for public tours.

— Nick Healy

# Bills Sent to the Governor

## Bills await the governor's signature . . . or veto

Once a bill has passed both the House and Senate in identical form, it's ready to be sent to the governor for consideration. The governor, who has several options when considering a bill, 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 can have two different effects. The timing of these actions is as important as the actions themselves.

In the second year of the biennium (even-numbered years), a bill passed by the Legislature and presented to the governor before the final three days of the session will become law unless the governor vetoes it by returning it to the Legislature within three days. The gover-

nor normally signs the bills and files them with the secretary of state, but his signature is not required.

But if a bill is passed during the last three days of session, the governor has a longer time to act on it. He/she must sign and deposit it with the secretary of state within 14 days after the Legislature adjourns "sine die" (Latin for "adjournment without day"). If the governor does not sign a bill within this time frame, it will not become law, an action known as a "pocket veto." The governor is not required to provide a reason for the veto.

Only on appropriations bills can the governor exercise the line-item veto authority. This option allows the governor to eliminate the

appropriation items to which he/she objects. As with all vetoes (save pocket vetoes) the governor must include a statement listing the reasons for the veto with the returned bill. Here, too, the timetable is either 14 days after adjournment for bills passed during the final three days of the session, or within three days after the governor receives the bill at any other time.

A two-thirds vote of the members in each house is needed to override a veto. But because only the governor can call a special session of the Legislature, anything vetoed after the Legislature adjourns is history — at least until the next year.

The governor's veto authority is outlined in the Minnesota constitution (Article IV, Section 23).

Chapter	HF	SF	Description	Signed	Vetoed
266	2281	1846*	Relating to energy; extending due date for a task force report relating to electric energy policy.	2/7	
267	2079*	1912	Relating to the city of New Market; permitting the city to incur debt not subject to the general debt limit.	2/15	
268	2308*	1962	Relating to state government; providing a condition on participation in the state employee combined charitable campaign.	2/15	
269	2110	1862*	Relating to state government; authorizing use of unmarked vehicles by the Division of Disease Prevention and Control of the Department of Health.	2/15	
270	2150*	1823	Relating to liquor; authorizing the city of Stillwater to issue one additional on-sale license.	2/15	
271	2239*	1843	Relating to local government; allowing the city of Morristown to maintain and pay for certain electrical power outside the city.	2/15	
272	2410	1946*	Relating to highways; designating POW/MIA Memorial Highway, Veteran's Memorial Highway, and John Riley Memorial Drive	2/15	
273	1926*	1719	Relating to occupations; regulating the practice of dental hygiene.	2/21	
274	2634*	2324	Relating to local government; providing for one additional chief deputy sheriff in the unclassified service in Hennepin County.	2/21	
275	2114*	2320	Relating to drivers' licenses; changing codes for two types of driver's license.	2/21	
276	2652*	2223	Relating to local government; granting the city of Minneapolis authority to negotiate certain trade and craft contracts for stagehands.	2/21	
277	2122	1798*	Relating to statutes; limiting the scope of an instruction to the revisor.	2/21	
278	2344	1815*	Relating to insurance; regulating the underwriting of life and health coverages for victims of domestic abuse.	2/21	
279	2092	1909*	Relating to highways; designating a portion of marked Trunk Highway 52 in Fillmore County as the "Amish Buggy Byway."	2/23	

Chapter	HF	SF	Description	Signed	Vetoed
280	2374	1984*	Relating to natural resources; modifying and adding to the list of canoe and boating routes.	2/23	
281	2836	2514*	Relating to civil commitment; clarifying the financial responsibility for hearings on the use of neuroleptic medications.	2/23	
282	2355*	1964	Relating to local government; authorizing a city, county, or town to require certain information in applying for or as a condition of granting approval of permits.	2/27	
283	2758	2698*	Relating to agencies; providing for the right to extend a deadline with certain conditions.	2/27	
284	2077	2019*	Relating to education; clarifying approved costs for a magnet school facility.	2/27	
285	1749	1622*	Relating to insurance; homeowner's; regulating proof of loss.	2/27	
286	2039	1812*	Relating to housing; securing vacant buildings.	2/27	
287	2439	2121*	Relating to highways; recognizing Czech heritage in a highway name.	2/27	
288	2316	1936*	Relating to the state lottery; providing that the director may permit a lottery retailer to sell tickets at more than one location.	2/28	
289	2188*	2147	Relating to motor carriers; modifying and reorganizing provisions relating to allowable truck lengths and combinations.	2/28	
290	2454	2111*	Relating to agriculture; changing requirements for certain commodity council referenda.	2/28	

In the past few sessions, lawmakers have wrestled with the increasing problem of juvenile crime, toughening sanctions, and adopting new juvenile court procedures in an effort to reverse the trend.

While experts offer many contributing factors to the increase in juvenile crime, automobiles have yet to make the list.

Such was not the case in 1957.

"Much of the trouble we have is due to those pesky automobiles," District Court Judge E. R. Selnes of Glenwood, Minn., told a state commission. "When the children get a job, they must have a car, and then they do not have enough money to keep the thing running, so they steal gas

## *It's a fact!*

or money to keep it going," he continued. "Also, they can get so far from home and both youngsters and adults do things away that they would never do at home."

In addition, according to *Anti-Social Behavior and Its Control in Minnesota*, published by the state Commission on Juvenile Delinquency, Adult Crime, and Corrections, "cars encourage gang activity."

Long considered an urban problem, the automobile allowed groups of ruffians to seek each other out over long distances in rural Minnesota as well. The commission was told of a carload of boys from Crookston, Minn., ready to clash

with two carloads from Thief River Falls, Minn. While police diffused the conflict, "the story underlines the automobile's possible contribution to delinquency," the report concluded.

While the commission was unable to find concrete solutions to the growing delinquency problem, its members realized that simply locking kids up was not the solution.

"The problem requires intelligent action by every neighborhood, every community, and the state. The clue to intelligent action is understanding. To attempt to prevent or correct anti-social behavior without some understanding of what causes it is to fly blind."



# Bill Introductions

HF3240-HF3262

## Friday, Feb. 23

**HF3240—McCollum (DFL)**  
**General Legislation, Veterans Affairs, & Elections**  
Veterans employment preference provisions modified.

**HF3241—Johnson, V. (R)**  
**Environment & Natural Resources**  
Oil or hazardous material transport vessels on the Mississippi River required to have double hull or tugboat escorts, and penalties provided.

**HF3242—Murphy (DFL)**  
**Ways & Means**  
Judiciary finance appropriations bill.

## Monday, Feb. 26

**HF3243—Rice (DFL)**  
**Ways & Means**  
Omnibus economic development appropriation bill.

**HF3244—Mariani (DFL)**  
**Education**  
Compensatory education revenue program provisions modified.

**HF3245—Mariani (DFL)**  
**Transportation & Transit**  
Metropolitan Council transit regulation and coordination study and report required.

**HF3246—Johnson, V. (R)**  
**Health & Human Services**  
Constitutional standard established relating to abortion, and constitutional amendment proposed.

**HF3247—Rest (DFL)**  
**Taxes**  
Heritage and historic subdistrict creation authorized within tax increment financing districts.

**HF3248—Tomassoni (DFL)**  
**Education**  
Voluntary integration technique direction provided to the State Board of Education.

## Tuesday, Feb. 27

**HF3249—Rest (DFL)**  
**Ways & Means**  
Omnibus tax bill, and money appropriated.

**HF3250—McGuire (DFL)**  
**Taxes**  
Property tax and local government aid system study provided.

**HF3251—Wenzel (DFL)**  
**Health & Human Services**  
Abortion informed consent required.

**HF3252—Greenfield (DFL)**  
**Health & Human Services**  
Unitary Residence Act coverage expanded for community-based services.

## Wednesday, Feb. 28

**HF3253—Bettermann (R)**  
**Labor-Management Relations**  
Dislocated worker program study provided, and workforce investment fund special assessment eliminated.

**HF3254—Paulsen (R)**  
**Governmental Operations**  
Legislator daily meal allowance amount fixed.

**HF3255—Wenzel (DFL)**  
**Local Government & Metropolitan Affairs**  
Airport construction restricted, noise mitigation plan inclusion and soundproofing provided, transitway construction required, met center purchase authorized, and money appropriated.

**HF3256—Tompkins (R)**  
**Local Government & Metropolitan Affairs**  
Airport construction restricted, noise mitigation plan inclusion and soundproofing provided, transitway construction required, met center purchase authorized, and money appropriated.

**HF3257—Perlt (DFL)**  
**Local Government & Metropolitan Affairs**  
Airport construction restricted, noise mitigation plan inclusion and sound-

proofing provided, transitway construction required, met center purchase authorized, and money appropriated.

**HF3258—Larsen (R)**  
**Taxes**  
Working students' educational savings program established.

**HF3259—Johnson, V. (R)**  
**Local Government & Metropolitan Affairs**  
Airport construction restricted, noise mitigation plan inclusion and soundproofing provided, transitway construction required, met center purchase authorized, and money appropriated.

## Thursday, February 29

**HF3260—Skoglund (DFL)**  
**Judiciary**  
Child delinquency hearing data classification provisions modified.

**HF3261—Skoglund (DFL)**  
**Judiciary**  
Crime victims provided certain arrest data.

**HF3262—Skoglund (DFL)**  
**Judiciary**  
Forcible or violent criminal sexual conduct offenses provided minimum mandatory prison sentences.

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## MONDAY, March 4

1 p.m.

**Subcommittee on Topic Selection/  
Legislative Audit Commission**  
500S State Office Building  
Chr. Rep. Ann H. Rest  
**Agenda:** Working session.

## TUESDAY, March 5

No meetings or session scheduled.

## WEDNESDAY, March 6

10 a.m.

**WAYS & MEANS**  
10 State Office Building  
Chr. Rep. Loren Solberg  
**Agenda:** To be announced.

1 p.m.

**The House meets in Session.**

After Session

**CAPITAL INVESTMENT**  
Basement Hearing Room  
State Office Building  
Chr. Rep. Henry Kalis  
**Agenda:** Bonding Bill.

6 p.m.

**Conference Committee  
ENVIRONMENT &  
NATURAL RESOURCES**  
118 State Capitol  
Chrs. Rep. Willard Munger,  
Sen. LeRoy Stumpf  
**Agenda:** HF787 (Munger) Wetland Conservation Act revisions.

## THURSDAY, March 7

8 a.m.

**WAYS & MEANS**  
10 State Office Building  
Chr. Rep. Loren Solberg  
**Agenda:** To be announced.

10 a.m.

**The House meets in Session.**

After Session

**CAPITAL INVESTMENT**  
Basement Hearing Room  
State Office Building  
Chr. Rep. Henry Kalis  
**Agenda:** Bonding Bill.

5 p.m.

**Electric Energy Task Force**  
107 State Capitol  
Chrs. Rep. Willard Munger,  
Sen. Steven Novak  
**Agenda:** Review of proposals.

## FRIDAY, March 8

8 a.m.

**WAYS & MEANS**  
10 State Office Building  
Chr. Rep. Loren Solberg  
**Agenda:** To be announced.

10 a.m.

**The House meets in Session.**

After Session

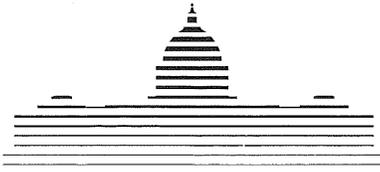
**CAPITAL INVESTMENT**  
Basement Hearing Room  
State Office Building  
Chr. Rep. Henry Kalis  
**Agenda:** Bonding Bill.

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Senate Chamber ..... 296-7159  
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G-17 Capitol ..... 296-4791  
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Attorney General's Office  
102 Capitol ..... 296-6196  
Secretary of State's Office  
180 State Office Building ..... 296-2803  
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B-4 Capitol ..... 296-6741  
Emergency ..... 296-2100  
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PUBLIC INFORMATION OFFICE  
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ST. PAUL, MN 55155-1298

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Majority Leader: Phil Carruthers  
Minority Leader: Steven A. Sviggum

## MINNESOTA INDEX

### Minnesota motor vehicle crash facts 1994

Minnesotans with a driver's license .....	3,340,575
Registered vehicles .....	3,665,392
Miles traveled by vehicles on Minnesota public roadways, in billions .....	43.4
Number of crashes .....	99,701
Crashes occurring on a Minnesota interstate .....	1 in 10
People injured in those crashes .....	46,403
Ratio of crashes that were "hit-and-run" .....	1 in 16
Hit-and-run crashes involving a fatality .....	8
Minnesota motor vehicle fatalities .....	644
in 1993 .....	538
Fatal crashes in which the driver was a man .....	3 in 4
Fatal crashes occurring on dry roads .....	3 in 4
Bicyclists who died in collisions with a vehicle .....	16
Pedestrians .....	53
Number of Minnesota's 87 counties without a fatal crash .....	8
Crashes resulting from a collision with a deer .....	5,887
Decline compared to previous year .....	- 635
Nationwide, number of deaths caused by motor vehicles .....	40,200
in 1966 .....	53,041
Percent of fatalities that were alcohol-related, 1994 .....	35
in 1989 .....	45
DWI arrests in 1994 .....	32,391
Change since 1993 .....	- 127
Alcohol-related driver's license revocations, 1994 .....	32,742
Percent of those revoked for refusing to take an alcohol test .....	16
Motorcycle crashes, 1994 .....	1,381
in 1980 .....	3,308
Motorcyclists killed, 1994 .....	43
Motorcycles registered in Minnesota .....	113,337
Consecutive years that registrations have declined .....	14

Sources: *Minnesota Motor Vehicle Crash Facts, 1994*, Office of Traffic Safety, Minnesota Department of Public Safety.

### For more information



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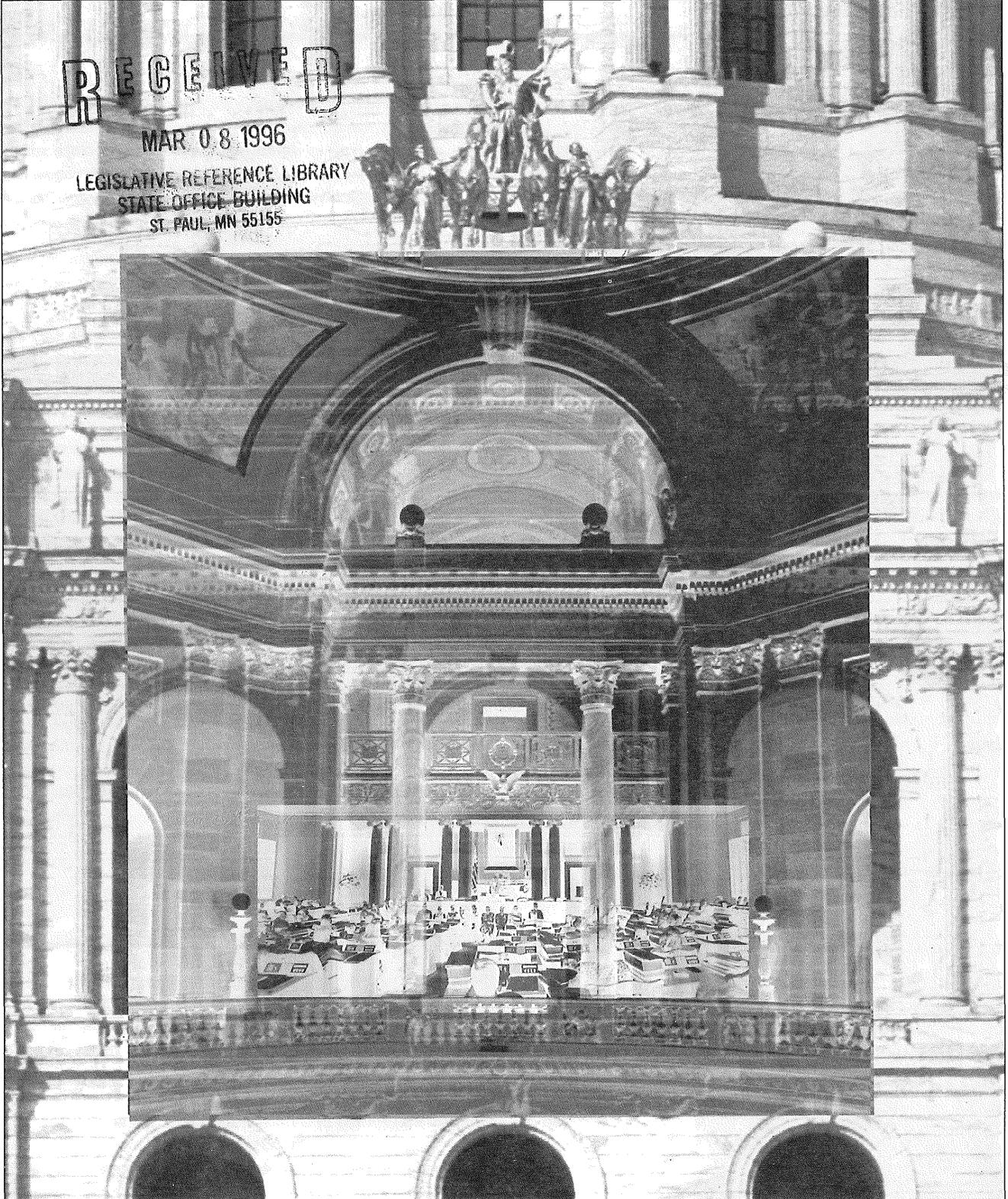
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# SESSION WEEKLY

A Non-Partisan Publication of the Minnesota House of Representatives ♦ March 8, 1996 ♦ Volume 13, Number 8



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# SESSION WEEKLY

Minnesota House of Representatives • March 8, 1996 • Volume 13, Number 8

## Week at a glance

**Ethanol-free gas** — Classic car owners and snowmobilers would be able to buy ethanol-free premium gasoline at gas stations throughout the state under a bill passed by the House. .... **Page 4**

**No cards at Canterbury** — A bill to help revive the state's ailing horse race industry passed four House committees but was defeated in the House Taxes Committee. The bill would have allowed Canterbury Park in Shakopee to operate a card club, which could generate an estimated \$2.5 million annually in local and state tax revenue and help the beleaguered racetrack's financial situation. .... **Page 6**

**Unmarked cars okayed** — Effective Feb. 16, 1996, employees with the Department of Health's Disease Prevention and Control Division can use unmarked motor vehicles for work, under a new law. The law was proposed both to keep state employees from using their own cars for work and to prevent embarrassing residents by having a health department-labeled van visit their home. .... **Page 7**

**Tuition savings bonds** — The House passed a bill March 1 that would allow Minnesota parents to buy tax-free bonds to help pay for a child's college education. .... **Page 8**

**Unnecessary laws repealed** — Laws regulating the state's non-existent ferry boat industry would be scratched from the books under a bill passed by the House March 1. The bill would repeal a diverse mix of obsolete, and in some cases arcane, laws ranging from outdated directives to state agencies to provisions regarding long-unfunded programs. .... **Page 9**

**Improved snowmobile trails** — A new law, effective March 2, 1996, marks \$600,000 in emergency funding for snowmobile trails. The law provides emergency funding for trail maintenance and safety efforts. .... **Page 10**

**Omnibus transportation bill** — The House passed a \$50.3 million transportation bill that would spend more on highway repair than Gov. Arne Carlson recommended but would not provide the additional state troopers he sought. .... **Page 10**

**Man of the people retires** — It's not surprising that the folks back in District 9B in western Minnesota will miss Rep. Marvin Dauner (DFL-Hawley), a local farmer, who placed constituent services at the top of his legislative agenda since being elected in 1986. .... **Page 16**

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On the cover: This photo illustration provides an X-ray view of House chambers from outside the State Capitol.

— Photo illustration by Tom Olmscheid

# Highlights

Omnibus crime bill . . .

## New changes would increase access to handguns

Often rancorous debate over who should be allowed to own a gun in Minnesota and how easy it should be to acquire a pistol permit dominated discussion of the omnibus crime bill that passed the House March 6. The vote was 124-10.

A barrage of amendments resulted in dramatic changes to the bill (HF3242/SF2856\*), sponsored in the House by Rep. Mary Murphy (DFL-Hermantown).

While the bill doesn't mention the words "concealed weapon," a new provision amending the state's pistol permit law, which allows for carrying a handgun in a public place, would make it easier to obtain such permits.

Under the bill, local law enforcement agencies would be required to issue a permit to carry a pistol if applicants meet certain criteria. Macklin said the so-called "shall issue" provision is needed because some people who fear for their safety have been denied permits to carry guns in their cars and on their persons.

Under current law, Macklin said, local officials have too much discretion in denying a permit. Under the proposal, those officials would have to issue a permit if the criteria were met.

Any applicant would be eligible to receive a permit if he or she:

- is allowed to possess pistols or semi-automatic military-style assault rifles, under current law;
- has not been convicted of illegally carrying a pistol;
- has satisfactory proof that he or she has the ability to use a pistol safely; and
- has an occupation requiring a permit to carry or "has a personal safety hazard not resulting from their own criminal activity or from being a member of a criminal gang."

Opponents of the measure expressed grave concerns over the last condition relating to personal safety. They said the measure is drafted in a way that will benefit gang members and other people prone to violence, regardless of the reference to criminal activity

and gang membership. Rep. Wes Skoglund (DFL-Mpls.) said the bill could easily allow gang members without convictions to get a permit because databases of those who belong to gangs do not exist.

Several members strongly criticized the proposal, saying it would dramatically increase the number of guns on the streets,

homicides and other gun violence. This is contrary to proponents' assertions that making it easier to legally carry concealed guns would "make things safer," added Orenstein.

However, proponents' arguments that people should be able to carry pistols prevailed. The "shall issue" measure passed on a vote of 100-31.

The bill also includes financing and many policy changes for public safety, corrections, and crime prevention programs (See issues Feb. 29, 1996, *Session Weekly*, page 16, and Feb. 22, 1996, *Session Weekly*, page 3)

Changes made to the bill would deny prisoners the right to smoke and put all those convicted of murder in the first degree in prison for life without parole.

The proposal now goes to conference committee.

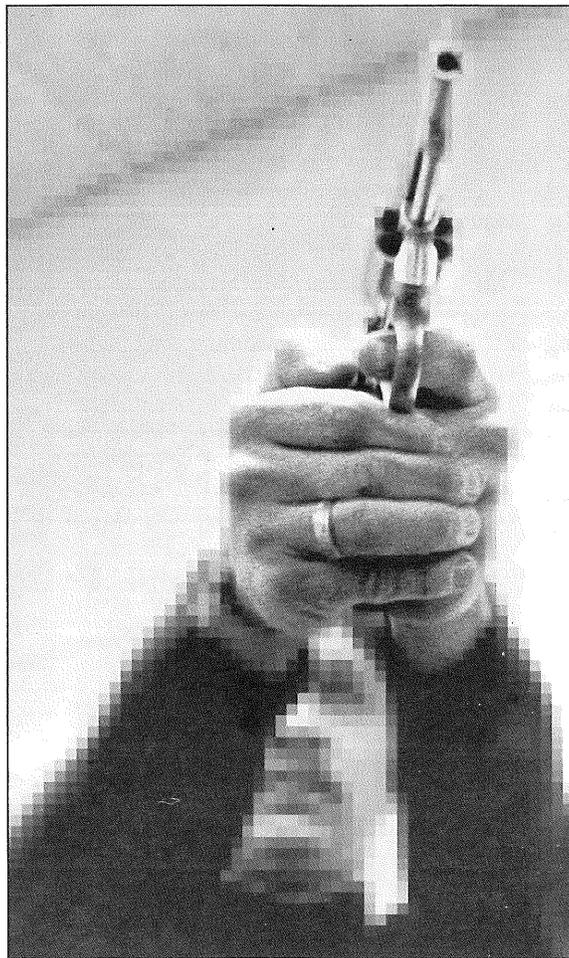
Other successful amendments include:

### Gun amendments

The debate over guns and how to control their abundance and misuse led to a variety of proposals. Members approved several amendments that relaxed proposals in the bill to get tough on illegal gun use and instead expand opportunities to buy guns. Proponents of easy access to guns and fewer restrictions prevailed on most votes. They argued that proposals that regulate gun ownership, even for semiautomatic military-style assault rifles, are bad policy.

Rep. Mark Olson (R-Big lake) successfully eliminated a provision in the bill that would have increased the penalty for illegally possessing a firearm in a car, on a snowmobile, or in a boat. Olson also convinced his colleagues that local law enforcement agencies should be able to sell the public guns that police have confiscated.

Rep. Bob Anderson (DFL-Ottertail) gained approval for an amendment that would allow juveniles outside of Minneapolis and St. Paul to possess pistols and semiautomatic mili-



Hours and hours of House floor debate on the omnibus crime bill brought forth amendment after amendment March 6 which dramatically altered the bill. Among the new amendments is a provision that would make it easier for some to carry a pistol.

inevitably leading to an increase in homicides and accidental shootings.

Rep. Howard Orenstein (DFL-St. Paul), speaking against the proposal, reminded his colleagues that states that have passed "shall issue" laws have experienced increases in

tary-style assault rifles if supervised by adults other than their parents or guardians, if they have the permission of their parents or guardians.

Critics said these efforts were moving society in the wrong direction, especially given the fact that murders have risen dramatically and gang violence has come to haunt many citizens.

Provisions still remain in the bill to prohibit certain convicted felons from owning a handgun for life.

Orenstein won approval for a provision that would give the Metropolitan Airports Commission and the Metropolitan Sports Facilities Commission increased authority to regulate firearms. Orenstein noted that the agencies requested the proposed law as part of a preventative measure to protect against terrorist threats at the airport and at stadiums.

### Pensions

The "pension equity" proposal, which gives about 400 additional corrections employees the same early retirement option as guards and lieutenants, remained in the bill. Critics of the provision attempted to remove the \$500,000 appropriation to the pension fund, saying it is too expensive.

Rep. Mary Murphy (DFL-Hermantown) called the provision a "fairness issue," noting that all of the employees to whom the provision applies spend at least 75 percent of their working hours in direct contact with inmates, which is more than some of those already covered. Most of those affected by the proposal are women who work as nurses and teachers in the prisons. Murphy said the Legislature has been promising to fix this inequity since 1973.

### Tougher sentences

The original bill included several provisions that would lengthen sentences and increase penalties for a variety of crimes. Amendments to the bill would make the consequences of violating some crimes even more severe.

Calling for further punishment for those guilty of first- and second-degree criminal sexual conduct, Rep. Steve Wenzel (DFL-Little Falls) successfully sponsored a proposal to impose lengthy mandatory minimum sentences for such violent crimes. Under his provision, most of those convicted of first-degree criminal sexual conduct would face at least 17.5 years in prison. Those convicted of second-degree would stay imprisoned for at least 12.5 years. Wenzel's measure passed by a wide margin.

The bill also would mandate that juveniles

who are convicted of illegally possessing firearms be incarcerated in a juvenile correctional facility for at least 30 days, under an amendment moved by Rep. Rich Stanek (R-Maple Grove). Any juvenile that receives a stayed sentence under this measure would have to be incarcerated for at least 30 days as a condition of probation.

All first-degree murderers would be sentenced to life without parole under another amendment by Olson. Current law already provides life without parole for cop killers, murderers who also rape their victims, and first-degree murderers who have a record of prior heinous crimes.

A measure proposed by Rep. John Tuma (R-Northfield) and expanded by Skoglund would reject adoption of the Sentencing Guidelines Commission's recommendations that would reduce some sentences to create badly needed prison space. This provision, along with the additional increases in penalties, would significantly drive up the costs of the bill (originally at \$15.4 million). The original bill provided funding for proposed increases in criminal penalties, but not enough to cover the ramifications of the amendments.

Rep. Phil Krinkie (R-Shoreview) argued that his amendment, which passed, to require multiple bunking for at least 25 percent of inmates at close, maximum and high-security prison facilities would save money. However, critics of the policy argued that the problems associated with putting violent offenders in the same cell, such as rape and riots, create more costs and safety concerns for prison personnel. In addition, the critics argued, the state already insists on multiple occupancy for minimum- and medium-security facilities.

### More amendments

Below are highlights of other amendments that were attached to the bill. The proposals would:

- give crime victims the right to request an HIV test on persons charged with a sex or violent crime, in cases where evidence exists that broken skin or mucous membrane of the victim was exposed to an offender's semen or blood. (Under current law, offenders must be convicted before the test can be performed.) Peace officers and correctional guards would also have the right to request an HIV test on offenders, if they experienced a "significant exposure to an offender;"
- allow the release of personal data on convicted or adjudicated juveniles to their crime victims (or their representatives), unless the release of the data would inter-

fere with an investigation or the request is "prompted by a desire on the part of the requester to engage in unlawful activities;"

- give people the right to have arrest records destroyed in cases where charges are dropped due to a lack of probable cause;
- prohibit inmates from smoking in prison, unless it is part of a traditional Indian spiritual or cultural ceremony;
- prohibit first- and second-degree murderers from receiving college courses in prison; and
- prohibit inmates from viewing cable TV, unless it for educational or religious purposes.

— Joel Larson



## CONSUMERS

### Ethanol-free gas

Classic car owners and snowmobilers would be able to buy ethanol-free premium gasoline at gas stations throughout the state under a bill the House approved Feb. 29.

**HF2205**, sponsored by Rep. Alice Johnson (DFL-Spring Lake Park), would allow gasoline without ethanol to be sold at airports, resorts, and marinas. Gas stations statewide also could have one tank of gasoline which is ethanol-free.

The bill, which passed 124-7, would allow the sale of ethanol-free gasoline only for classic cars, motorcycles, boats, and snowmobiles and for lawnmowers and other small engines.

Passage of the bill comes on the heels of an extended battle between ethanol supporters and detractors.

Current state law requires all gas sold in the metropolitan area to contain a certain amount of oxygen, and beginning in October 1997 all gas sold in the state will have to meet the oxygen requirement.

The law does not mandate the use of ethanol, but the corn-derived product is the most common oxygenation agent used in the state.

Ethanol proponents argue adding ethanol or another oxygenate to gasoline makes the fuel burn cleaner and reduces harmful emissions. Critics claim ethanol is harmful to certain engines.

Rival bills emerged from House committees this year to address the controversy over ethanol.

Johnson's initial proposal would have allowed non-ethanol gas to be sold from one

pump at gas stations around the state and to be available to all motorists.

Rep. Doug Peterson (DFL-Madison) sponsored a separate bill (HF3118) that would have allowed such non-ethanol gas sales only outside of the metropolitan area.

During floor debate on Johnson's bill, Peterson backed an amendment that would allow ethanol-free fuel to be available at locations statewide. However, under the amendment, it only can be sold for use in classic cars and snowmobiles and under other specific circumstances. The amendment passed 83-46.

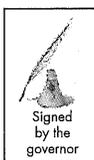
Peterson said his amendment would protect the state's growing ethanol industry while providing classic-car owners and some other consumers the choice they seek.

The bill now goes to the Senate.



## EDUCATION

### Grant funds



Three St. Paul-area school districts planned all along to use state grant funding to buy computers and other equipment for a new magnet school facility under construction.

But it took a new state law to allow them to do it.

A 1994 law set up a \$20 million grant program for metropolitan area magnet schools, which are created to promote integration and to attract students with specialized programs.

The St. Paul, Roseville, and North St. Paul-Maplewood-Oakdale school districts were awarded \$10 million for a magnet school scheduled to open in Maplewood, Minn. for the 1996-97 school year. The K-6 facility is expected to serve 450 students.

The districts planned to use the grant funding to design, construct, and equip the magnet school. But the districts were later told that design and equipment costs were not permitted uses for the state grant money.

A new state law changes that. The districts will be able to go ahead and use the grant funding to purchase computers, copy machines, furnishings, and other equipment needed to get the new school up and running.

The legislation, effective Feb. 28, 1996, was sponsored by Rep. Lyndon Carlson (DFL-Crystal) and Sen. Gene Merriam (DFL-Coon Rapids).

HF2077/SF2019\*/CH284



## ENVIRONMENT

### Omnibus budget bill

The House passed an \$8.1 million environment and natural resources supplemental funding bill March 6. The vote was 127-6.

The cost of the bill to the state's general fund would be about \$2.68 million, just under the governor's recommendation of \$2.7 million.

Much of the bill remains unchanged since it emerged from the House Environment and Natural Resources Finance Committee.

The only major amendment incorporated into Rep. Chuck Brown's (DFL-Appleton) bill was offered by Rep. Jean Wagenius (DFL-Mpls). Her amendment calls for a \$10,000 penalty against the Pollution Control Agency (PCA) if the amount of pollution emitted in the state in a year increases from the previous year. The measure calls for a \$10,000 reduction in the agency's operating budget if their annual report indicates that pollution has increased.

"The PCA's goal is to reduce pollution. The amendment just says they must meet their goal or lose money," Wagenius said.

Several Republican legislators criticized the amendment and unsuccessfully tried to change it.

"What if there is a disaster?" asked Rep. Jerry Dempsey (R-Hastings), referring to a past oil spill near Duluth and fuel losses from a train wreck in St. Paul last month. "Would the PCA be held responsible?"

Wagenius acknowledged the PCA could be penalized for things beyond their control but added that such disasters don't occur frequently.

Other amendments added to the bill include Rep. Steve Sviggum's (R-Kenyon) agriculture reform provision. Under the measure, penalties for dairy producers who violate state regulations would be changed to reflect the penalties of those in surrounding states for similar violations. Currently, Minnesota's penalties to milk producers are more harsh, in some instances, than those in neighboring states.

Over half of the bill's funding, \$4.38 million, comes from the spending recommendations of the Legislative Commission on Minnesota Resources. Money to fund the projects comes from a two-cent per pack cigarette tax and limited state lottery proceeds. The projects include:

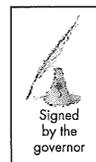
- \$2.89 million in direct state funds and local grants for the acquisition, development, and operation of the state's trails, parks, and other outdoor recreation areas;

- \$750,000 for the Reinvest in Minnesota program, which targets critical habitat and native plant lands for conservation;
- \$360,000 for a joint program with the PCA for public Internet access and an environmental information system;
- \$200,000 for the continued restoration of the Niemackl Watershed Improvement district;
- \$123,000 for part of a PCA study on deformed frogs; and
- \$57,000 to study the economic and environmental sustainability of the upper Mississippi River.

Other big-ticket items in the bill include \$1.27 million for acquisition and development of off-highway all-terrain vehicle recreation areas, including a feasibility study; \$689,000 for landfill clean-up; and \$410,000 for a grant to the city of Montevideo for acquisition and development of the Chipewewa County regional trail.

(See Feb. 23, 1996, *Session Weekly*, page 10)

### Regulating timber



Effective March 5, timber sales on state land and several kinds of burnings would be less restricted under a new law.

The law expands burn permitting by allowing the Department of Natural Resources (DNR) to issue permits to allow open burning when the "public health" is at stake. The law also repeals a past law that prohibited burning raw, untreated wood on industrial waste sites.

The timber industry, which has seen a sharp rise in prices, would see less restrictions on sales from state lands under the law. Limits on timber sales also would be changed from dollar amounts to volume, under the law.

The law also responds to last year's wind storm in northern Minnesota by allowing the DNR to declare an emergency in such cases of natural catastrophe.

An estimated 250,000 acres in northern Minnesota were hit in July 1995, including state, county, federal, and private lands. Approximately 175 miles of roads were destroyed in the process.

Rep. Tom Bakk (DFL-Cook) and Sen. Bob Lessard (DFL-Int'l Falls) sponsored the proposal.

HF2365\*/SF2384/CH295



## FAMILY

### Expediting visitation

Minnesota parents who have been illegally denied visitation with their children would be able to more easily gain their rights under a bill the House passed March 1. The vote was 131-0.

The bill (HF2357/SF1996\*) sponsored by Rep. Andy Dawkins (DFL-St. Paul), would allow a parent who was illegally denied visitation to appeal to a visitation expeditor, a court official who serves as a mediator to help resolve such disputes. Under current law, both parties must request intervention by a visitation expeditor.

At an administrative hearing, which serves to ensure that court-ordered visitation schedules are followed, a mediator can mandate "compensatory visitation," additional visitation time to a parent who has been wrongly denied such privileges.

Under the bill, a decision resolving a compensatory visitation motion would be handed down in five days or less after the final meeting with the parties in the dispute.

Should compensatory visitation be awarded, the decision must include a finding that visitation was wrongfully denied.

If a parent is illegally denied compensatory visitation after a decision has been issued, a law enforcement agency may be directed to deliver the child to the parent entitled to visitation.

Also, if a parent who is liable for past-due child support has made complete and timely payments for 36 consecutive months of the current support amount due plus court-ordered payment of past-due support, interest on the remaining past-due amount would stop accruing. The same provision passed the House last session, but did not survive conference committee.

The current system is "expensive and takes a long time," said Dawkins. He pointed out that the bill is structured so that it will not cost the state of Minnesota any additional money.

Rep. Tim Pawlenty (R-Eagan) gained approval for an amendment that would require courts to give consideration to a child's preference of which parent should have custody, if the child is of "sufficient age and maturity to express a meaningful preference."

A conference committee has been appointed to reconcile differences with the Senate version of the bill.



## GAMBLING

### No cards at Canterbury

A bill to help revive the state's ailing horse race industry passed four House committees but was defeated in the House Taxes Committee March 6.

On a 16-9 vote, members defeated a motion to refer HF2176 to the Ways and Means Committee.

Sponsored by Rep. Chuck Brown (DFL-Appleton), the bill would have allowed Canterbury Park in Shakopee to operate a card club. The card club would generate an estimated \$2.5 million annually in local and state tax revenue and help the beleaguered racetrack's financial situation. The track's annual operating loss now stands at \$1 million, Brown said.

"We are simply talking about a means to generate a minimal amount of revenue to keep this industry alive," Brown said. "That is our sole purpose."

Card clubs, which allow low-wager betting on card games, are not a lucrative enough option for casinos, which make more money on slot machines, Brown said.

But Rep. Bill Macklin (R-Lakeville) spoke for several committee members when he

objected to the plan to revive a troubled industry.

"We've experimented with [horse racing] in Minnesota and it hasn't been successful. I wish it had been," Macklin said. "I don't think [this bill] offers a solution to the problem. I don't think it's going to help the racetrack and it is going to expand gambling."

Brown said provisions in his bill coupled with the economic viability of card clubs ensure that the measure won't expand gambling.

"This legislation is a very modest attempt to keep a viable industry going," he said, emphasizing that the bill had already won approval from four other committees.

The Minnesota Family Council opposed the bill, saying that it would expand gambling activities.

Rep. Don Ostrom (DFL-St. Peter) questioned the fairness of the measure, which would apply to class A racetracks only.

"How do you differentiate restaurants and bars and gas stations in my district that argue if they could get into gambling like this they could make more money and stay in business?"

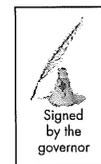
Brown said allowing bars, restaurants, and gas stations to operate card clubs or other forms of gambling would effectively lead to a big increase in gambling.

Prior to the vote on the bill, Brown urged committee members to consider the \$2.5 million growth in tax revenues and current and additional jobs his bill would generate.

Canterbury Park, which closed because of financial losses in 1993 and was subsequently purchased and re-opened, now employs 200 people year-round and another 500 during the racing season, Brown said.

(See Feb. 16, 1996, *Session Weekly*, page 11)

### Retail lottery contracts

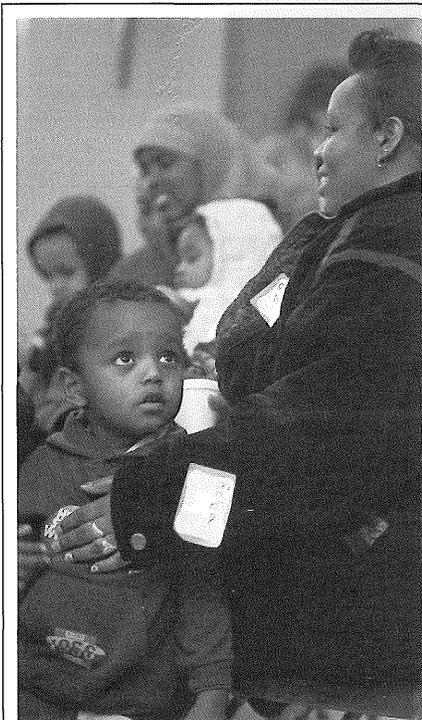


A new state law, effective Feb. 29, 1996, reduces red tape for retailers who sell state lottery tickets.

The law allows retailers to sell lottery tickets at more than one site under a single contract with the state. The new law also will change requirements for the posting of bonds by lottery retailers.

Previous law required a contract for lottery sales at each retail location. That meant a business person who ran five convenience stores had to enter into five separate lottery contracts with the state.

Also under previous law, all lottery retailers had to post a bond to protect the state's financial interests. The new law makes the



Alganesh Meles of Minneapolis holds her son, Roba, 2, who takes in the sights and sounds of the Capitol's Great Hall March 7. Meles, along with other parents, met with legislators March 7 to discuss the importance of Head Start, an early education program for disadvantaged children.

posting of bonds optional at the discretion of the state lottery director.

The legislation was sponsored by Rep. John Dorn (DFL-Mankato) and Sen. Jerry Janezich (DFL-Chisholm).

HF2316/SF1936\*/CH288



## GAME & FISH

### Feeding hungry deer



Deer populations hurt by this winter's intense cold and heavy snow could be helped under a new law.

The law provides \$750,000 for an emergency deer feeding program in the northern one-third of the state. The funds were made available March 2.

The dollars will come from a portion of the proceeds from hunting and fishing licenses, but the law will not increase the cost of those licenses.

Bakk said he initially proposed the law when he discovered the Department of Natural Resources operates a deer feeding program only in northwestern — not northeastern — Minnesota. The feeding program in the northwestern portion of the state targets agricultural lands. The DNR ran a deer feeding program in the heavily-forested northeastern region in 1989 but discontinued it because it led to less than a 3 percent increase in the deer population. Bakk has said hunters from the northeast, who contribute to the state's deer feeding fund through their annual license fees, also deserve an emergency feeding program.

The law calls for a study to be conducted to examine the costs associated with the emergency deer feeding program and the effect the project has on the deer population.

The proposal was sponsored by Rep. Tom Bakk (DFL-Cook) and Sen. Doug Johnson (DFL-Cook).

HF2902/SF2596\*/CH294



## GOVERNMENT

### Getting the word out

State agency officials who work with Minnesotans who don't speak English would be asked to identify the most pressing needs of those residents and work together to provide for them under a bill the House passed March 1. The vote was 90-39.

HF1303, sponsored by Rep. Carlos Mariani (DFL-St. Paul), directs the state Spanish-

Speaking Affairs Council, the Council on Asian-Pacific Minnesotans, the Council on Black Minnesotans, the Indian Affairs Council, and other groups that work with non-English-speaking Minnesotans to identify the languages of the clients they most frequently serve.

The liaisons for each group would then formulate a plan that includes the current status of each state agency's compliance with Minnesota laws governing communications services for non-English-speaking residents and suggestions for improving those services.

The state Department of Administration, in consultation with the attorney general, would review the plans before submitting them to the Legislature by Jan. 15, 1997.

Mariani told lawmakers that the purpose of the bill is to evaluate how well Minnesota laws are working and how cost-effective they are.

Rep. Mark Olson (R-Big Lake) told Mariani that he is concerned about non-English-speaking Minnesotans failing to learn English. Mariani reminded Olson that the purpose of his legislation is not to keep people from speaking English, but to make sure the state is effectively communicating with those who don't speak it.

HF1303 now moves to the Senate.



## HEALTH

### Hospital stays after birth

A bill to allow mothers and their newborn babies the option to stay in the hospital a little longer is one step closer to becoming law.

A handful of lawmakers appointed to work out the differences between the House and Senate versions of the bill reached a compromise March 6. It is unclear when the full House and Senate will vote on the compromise.

HF2008 would require insurance companies to cover a minimum of 48 hours of inpatient care following an uncomplicated vaginal delivery and at least 96 hours of inpatient care following an uncomplicated cesarean section.

Currently, many mothers and newborns are being sent home 24 hours after delivery and doctors worry about the health risks to both patients.

The compromise bill eliminates a House provision that required a physician, in consultation with the mother, to determine that the longer hospital stay be medically necessary.

Under existing law, hospital patients can

sign a waiver to be released whenever they dictate, so a mother could still leave before 48 or 96 hours. No doctor or health plan, however, could force a mother and child to leave before 48 or 96 hours elapse following the delivery, depending on the method of delivery.

The compromise bill also includes Senate language which prohibits health plans from providing any compensation or other non-medical benefit to encourage a mother and newborn to leave the hospital early.

The provision represents a pre-emptive strike. While lawmakers acknowledged that this practice currently doesn't occur in Minnesota, it does in other states.

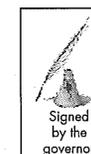
Should a mother leave the hospital before 48 or 96 hours have elapsed, the bill says her insurance company must provide coverage for the option of one home visit by a registered nurse. Services provided by the nurse would include parent education, training in breast and bottle feeding, and conducting any necessary and appropriate clinical tests.

Finally, lawmakers on the conference committee changed the effective date from Aug. 1, 1996, to the day following final enactment to accommodate more mothers and babies.

Members of the House and Senate cannot amend the bill as it now stands. When voted upon, it must be approved, rejected, or sent back to conference committee.

(See Jan. 19, 1996, *Session Weekly*, page 10, Jan. 26, 1996, *Session Weekly*, page 11, and Feb. 2, 1996, *Session Weekly*, page 12)

### Unmarked cars OK



Effective Feb. 16, 1996, employees with the Department of Health's Disease Prevention and Control Division can use unmarked motor vehicles for work, under a new law.

The law adds a handful of health department employees to the list of those authorized to drive unmarked state motor vehicles.

The law was proposed to both keep state employees from using their own cars for work and to prevent embarrassing residents by having a health department-labeled van visit their home. The job duties of the added employees include notifying people who are infected with a sexually transmitted disease.

The proposal was sponsored by Rep. Bill Haas (R-Champlin) and Sen. Don Betzold (DFL-Fridley).

HF2110/SF1862\*/CH269

## HIGHER EDUCATION

### Taxes for tuition

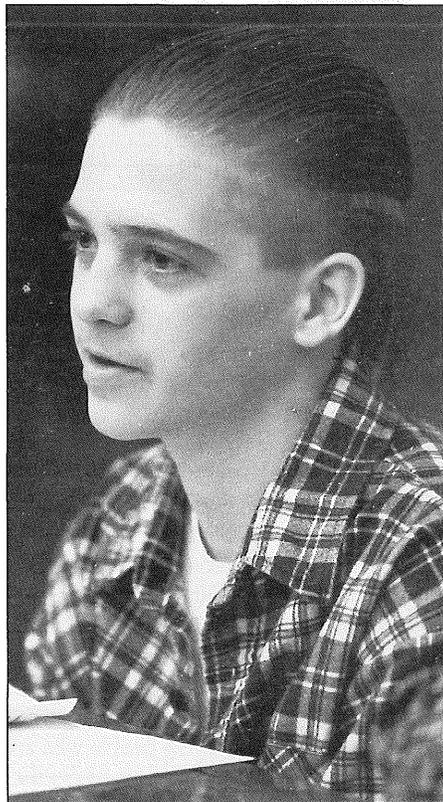
Students could turn their state income tax liability into college tuition under the Brian McConnell education savings fund bill, which was laid over by the House Taxes Committee March 6.

**HF3258**, sponsored by Rep. Peg Larsen (R-Lakeland), would allow students in grades seven through 12 to designate up to 25 percent of the income taxes they owe for college expenses. The money would be held in a fund managed by the commissioner of revenue and would be available, tax free, for "educational purposes" within 28 months of high school graduation.

Under current law, a working student would have to earn \$4,150 in 1997 to incur state income tax liability.

Currently, Minnesota has no mechanism for assigning a taxpayer's liability to a specific fund, according to the Department of Revenue. The bill would cost \$7 million over the next biennium.

Fifteen-year-old Brian McConnell of Still-



Brian McConnell, a ninth grader at Oak-Land Junior High School in Stillwater, pitched to the House Taxes Committee March 6 a bill that would allow students in grades seven through 12 to designate up to 25 percent of the state income taxes they owe for higher education. Rep. Peg Larsen (R-Lakeland) sponsors the bill.

water told the committee that the idea behind Larsen's bill is a good one.

It's mine, he said.

"I got the idea from my teacher," the ninth-grader said. "I just thought of an idea to get more money to students to help them with their higher education."

The measure is one of a handful of proposals this session aimed at encouraging savings for higher education. The governor's EdVest proposal, which would establish IRA-like accounts for college, is now included in the House omnibus tax bill. A bill already passed by the House (**HF2058**) would allow for the sale of tax-free bonds to be used for college tuition costs.

Steve Kelley (DFL-Hopkins) said the focus of Larsen's bill — student savings — was "intriguing."

"It especially deserves credit because it talks about rewarding students for the work they do," Kelley said. "I think the [other bills] we've heard reward parents with money. [This is] something we should be looking at."

The bill, which will not be voted on this session, calls for the commissioner of revenue to study the educational savings program and report to the Legislature by Jan. 1, 1998.

### Tuition savings bonds

The House passed a bill March 1 that would allow Minnesota parents to buy tax-free bonds to help pay for a child's college education. The vote was 129-0.

**HF2058**, sponsored by Rep. Lyndon Carlson (DFL-Crystal), would require the Minnesota Department of Finance to establish a college savings bond program.

"One of the big problems we have is that people are not saving enough for higher education," Carlson said. "This would be an incentive to save."

Under the bill, the state would offer bonds attractive to parents saving for higher education expenses. Many specifics of the bond programs would be set by the finance department, but considerably more affordable bonds would be made available.

Currently, general obligation bonds are sold at a minimum \$5,000 denomination, the amount the bond is worth upon maturity. The bill would require denominations as small as \$500 to be made available. As with their more costly counterparts, the smaller bonds would be tax exempt.

Similar programs are already in place in 24 other states, according to Carlson.

The bill would require the finance department and the Higher Education Advisory

Council to develop a marketing plan to inform parents about the bonds.

Students could have up to \$25,000 in bonds without having it count against them in determining eligibility for state higher education grants.

The bonds would be available to parents, grandparents, and others. In fact, the bill does not call for enforcement to ensure the smaller bonds are purchased for college savings.

Also, there would be no penalty if a child decided not to seek a higher education.

The bill now goes to the Senate.

(See March 1, 1996, *Session Weekly*, page 14 and Feb. 23, 1996, *Session Weekly*, page 15)

## HOUSING

### Deterring illicit activity

Vacant houses in the inner city could lose their allure to criminals under a new state law.

The law, effective Aug. 1, 1996, will require that owners of vacant buildings pay for at least one of

the following: external lighting; "no trespassing" signs; a resident caretaker; or an alarm system. The cost of securing the building would become a lien against the property if an owner couldn't be found.

Besides inviting the danger of drug dealing and prostitution, vacant buildings cost tax dollars in frequent police calls, lost homeowners, and increased refurbishing costs due to wire-stripping and plumbing removal, proponents argue.

The law applies to all cities in Minnesota. House sponsor Rep. Karen Clark (DFL-Mpls) has estimated there are about 400 abandoned houses alone in the Phillips neighborhood of Minneapolis. That neighborhood — home to Clark's district — is bounded by Lake Street and Interstate 94 and Hiawatha Avenue and Interstate 35W.

Current Minneapolis regulations require building owners to secure and sometimes board up property left vacant because it is condemned or foreclosed. But owners can be hard to find and unwilling to pay — a reality that costs.

The Minneapolis Police Department spent about \$30,000 last year to board up vacant buildings. Police have said that price is much cheaper than the legal costs of pursuing property owners.

Sen. Linda Berglin (DFL-Mpls) sponsored the proposal in the Senate.

**HF2039SF/1812\*/CH286**





## INSURANCE

### Protected from discrimination



Victims of domestic abuse will be protected from discrimination by insurance companies under a new state law.

Effective Aug. 1, 1996, the law will prohibit insurance companies from using domestic abuse as a negative underwriting factor for life or health insurance.

Such discrimination is occurring, House sponsor Rep. Dee Long (DFL-Mpls) has said, and that sends the wrong message to abuse victims.

In most circles, abuse victims are encouraged to speak out and to seek help. Insurance companies, however, are sending a message that abuse victims should stay silent or face consideration as a high risk and denial of coverage.

The proposal was sponsored in the Senate by Sen. Deanna Wiener (DFL-Eagan).

HF2344/SF1815\*/CH278



## LAW

### Unnecessary laws repealed

Laws regulating the state's non-existent ferry boat industry would be scratched from the books under a bill passed by the House March 1. The vote was 131-0.

The bill (HF2377) would repeal a diverse mix of obsolete, and in some cases arcane, laws ranging from outdated directives to state agencies to provisions regarding long-unfunded programs.

Under the proposal, more than 250 provisions in current law — largely technical and inconsequential ones — would be deleted from the books.

Bill sponsor Mike Delmont (DFL-Lexington) said the goal is to "clear out anything that is no longer needed." Co-sponsor Ron Abrams (R-Minnetonka) said the bill would get rid of "a lot of dead wood" in state law.

Eliminated would be 70-year-old sections of law regulating the state's ferry boat industry, which apparently disappeared entirely after the 1958 completion of the Baudette-Rainy River Bridge.

Dashed would be measures, enacted in 1969, that set requirements for contracts for social skills instruction and contracts for patrons of dance halls or studios. The measure forbids any such contracts exceeding \$500 in an apparent effort to protect con-

sumers from unseemly dance teachers.

And mixed would be a 1937 provision giving the University of Minnesota permission to establish a law enforcement school. The U of M has yet to set up such a school and wouldn't need statutory permission to do so, anyway.

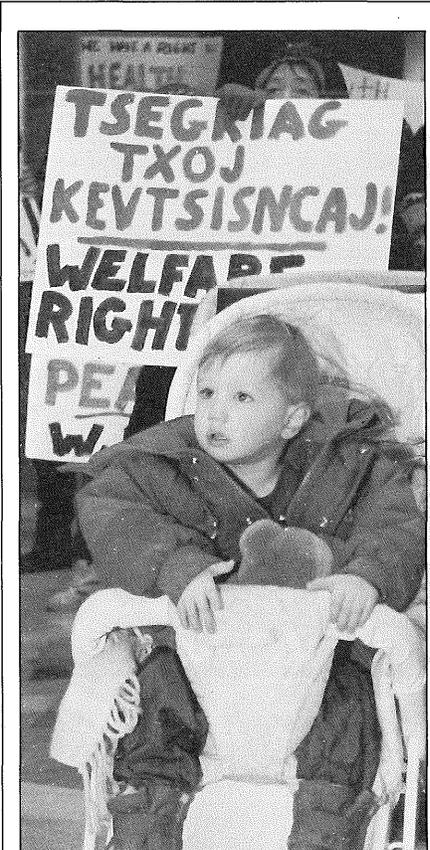
Delmont and Abrams said the bill was drafted to avoid controversy. Provisions that created any controversy were removed from the bill in committee and on the House floor.

One such provision would have lifted a ban on picking the state flower.

An earlier version of the bill would have dropped a prohibition on the gathering of certain wildflowers, including Minnesota's state flower, the showy lady slipper.

Current law makes it a misdemeanor to dig, cut, or pull the wildflowers from public land and, except under specific circumstances, from private land. The law, however well-intentioned, has not been actively enforced.

Delmont said he received notice from horticulturists and others opposed to the repeal of the wildflower law so it was dropped from the bill.



Two-year-old Dominic Servent of Winona attended a welfare rights rally with about 100 others March 7 in the Capitol rotunda. The rally, sponsored by the Welfare Rights Committee, was designed to send a strong message to legislators, demanding an end to attacks on the poor.



## LOCAL GOVERNMENT

### Pay up or no permit



Effective Aug. 1, 1996, anyone who seeks a city permit to remodel a home or business must first prove all outstanding taxes, penalties, or interest on the property have been paid under a new

law.

The law is designed to help local governments collect unpaid dues and fines. The law allows town and county boards to require applicants for permits to certify that all property and/or special assessment district taxes, penalties, and interest due are paid. Local governments would not be required to adopt the regulation.

Property owners who are appealing a tax levy or penalty are exempt from the new law.

Rep. Dee Long (DFL-Mpls) and Sen. Jim Vickerman (DFL-Tracy) sponsored the measure.

HF2355\*/SF1964/CH282



## TAXES

### Megamall TIF changes

A bill that would establish a tax increment financing district on one of the Upper Midwest's most valuable pieces of land passed the House Taxes Committee March 6.

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 build elsewhere.

HF3012, sponsored by Rep. Dee Long (DFL-Mpls), aims to redirect the expansion of the Mall of America in order to save the Metropolitan Airports Commission and the city of Bloomington money in the event the Minneapolis-St. Paul International Airport builds a new runway.

The bill would authorize the city of Bloomington to transfer a nine-year-old TIF district east of the mall to the north side of the mall. The new area is the former site of Met Center, and because of its close proximity to the mall and the airport, is one of the most lucrative

pieces of real estate in the Upper Midwest. The reasoning is that mall expansion — which is required under the mall's contract with the city of Bloomington — would occur wherever the TIF district exists.

The major impetus behind redirecting development with a TIF transfer is the possibility of the nearby airport's expansion. In the absence of a newly constructed airport, the current one would likely expand with a new north-south runway. A federal law which requires runways to include "safety exclusion zones" would mean the mall's proposed development on the east would have to be razed. Despite the likelihood of federal aid to assist with such a demolition, the airport's acquisition of the land on the east of the mall after development could cost the commission and the city of Bloomington a lot of money.

By redirecting mall expansion, which must occur in the next couple of years, the bill would allow for a potential north-south runway without the problems and costs of acquiring the land and destroying part of the mall.

The TIF transfer also would allow the state to undo what Rep. Ron Abrams (R-Minnetonka) called one of the top TIF blunders in state history.

The current TIF district to the east of the mall — originally called the Kelly farm site — was established in 1986 through a loophole of sorts, when rules governing such redevelopment areas were much looser. The valuable land, which today would not qualify for TIF under the Legislature's stricter regulations, became a redevelopment district because one run-down building on the property met the requirements for such districts. Subsequently, the state has paid millions in school aid dollars that would have been collected by the school district in property tax revenue had it not been for the TIF district. The Legislature has since made changes to TIF laws which would prevent a such a TIF designation from reoccurring.

Long's bill comes with a degree of urgency because the Metropolitan Sports Facilities Commission has indicated they want to sell the Met Center property soon. If the land is sold to a company other than the mall, the mall would probably have to expand on the land to its east.

**HF3012** also includes changes to the way the Metropolitan Council makes loans and transfers money from the right-of-way acquisition loan fund (RALF). The bill also includes a provision to allow the Metropolitan Council to issue general obligation bonds to acquire land for airport expansion.

The bill now goes to the Ways and Means Committee.

## Omnibus bill

*Provisions of the omnibus tax bill published in the March 1, 1996, Session Weekly, should have read as follows:*

Northwest Airlines would get a tax break beginning in 1998 under a provision that exempts some "leased movable property" from Minnesota taxes.

The provision, part of the omnibus tax bill (**HF3249**) which passed the House March 7 on a 104-29 vote, modifies how leased movable property is treated in determining business income for corporate income tax purposes.

Currently, receipts from the leasing of movable property such as airplanes, automobiles, or railroad cars are accounted for in the state where the lessee is based. Under the provision, such receipts would be accounted for in the state where the property is used.

The provision would cost the state \$3.6 million in tax revenue in the next biennium.

Also under **HF3249**, cities and towns could either increase or decrease their share of state aid by setting performance goals. Rep. Andy Dawkins' (DFL-St. Paul) measure would require that cities establish "performance measures" in order to get aid from a newly established "performance aid" fund. The measure aims to increase the accountability of local governments by requiring cities and towns to adopt goals and work toward them.

The current homestead and agricultural credit aid (HACA) program would be modified to create the performance aid fund. Currently, cities and counties receive \$2 per capita from HACA. Under Dawkins' measure, HACA payments to cities and counties would be reduced by \$1 per capita and would be adjusted for inflation. The measure would cost \$2.1 million in the next biennium.

part of the state's tourism industry. That popularity has caused funding shortfalls, House sponsor Rep. Kris Hasskamp (DFL-Crosby-Ironton) has said.

The law also requires the Department of Natural Resources to prepare a report that contains a plan for using at least 65 percent of all money from the snowmobile trails and enforcement account for snowmobile grants-in-aid, beginning in fiscal year 1998. In addition, the report must contain recommendations for additional funding sources for snowmobile grants, which would provide funding to local snowmobile clubs to develop and maintain trails.

The proposal was sponsored in the Senate by Sen. Doug Johnson (DFL-Cook).

**HF3125/SF2802\*/CH293**



## TRANSPORTATION

### Omnibus transportation bill

The House passed a \$50.3 million transportation bill Feb. 29 that would spend more on highway repair than Gov. Arne Carlson recommended but would not provide the additional state troopers he sought.

The bill (**HF3137/SF2702\***), sponsored by Rep. Bernie Lieder (DFL-Crookston), would provide \$43.1 million to Department of Transportation for road construction, maintenance, and project engineering.

Carlson recommended spending \$4.5 million less for highway projects.

Under the bill, the transportation department appropriation also would provide \$1 million to bolster public transit in greater Minnesota, \$100,000 for repair of the historic Stone Arch Bridge in Minneapolis, and \$100,000 for driver education programs at the St. Cloud State University highway safety center.

None of those items were included in the governor's budget recommendations.

The governor asked for funds earmarked for hiring more state troopers to be included in a \$4.8 million appropriation to the Department of Public Safety.

The House bill includes only enough money to hire four additional state patrol dispatchers. The measure would provide \$150,000 for the new positions in a \$1.3 million appropriation to the department.

Carlson wanted 46 new troopers to beef up law enforcement efforts on state highways, to improve Capitol security, and to staff his proposed high-crime area sweep programs.

During debate on the House floor, Minority Leader Rep. Steve Sviggum (R-



## TOURISM

### Improved snowmobile trails



A new law, effective March 2, 1996, marks \$600,000 in emergency funding for snowmobile trails.

The law provides emergency funding for trail maintenance and safety efforts. The money will come from the snowmobile trails and enforcement account in the state natural resources fund, according to the legislation.

The boom in snowmobiling has elevated the sport from a form of recreation to a major

Kenyon) tried to add funds for 40 new troopers — amounting to most of what the governor requested. But House members rejected Sviggum's amendment.

The transportation finance bill, which passed on a 129-1 vote, also would provide \$6 million for metropolitan transit. The measure now goes to conference committee to reconcile differences between the House and Senate versions.

Here's a look at other major provisions of the House bill.

### More driving practice

Minnesotans 18 or under would have to have a learner's permit for six months before they would become eligible for a driver's license under the bill.

Rep. Carol Molnau (R-Chaska) said young people need more time to learn how to drive before they are allowed to go it alone.

Drivers 18 years of age and younger account for a disproportionate number of traffic accidents, according to Molnau. And, she said, the six hours of behind-the-wheel training required in driver education programs is not enough.

"Most of those classes are based on passing the [license] test, not on learning defensive driving," said Molnau, who backed the successful amendment to the bill.

### Trooper car colors

The familiar look of state patrol vehicles could soon change under the bill. The state patrol would have the option to purchase white cars instead of maroon.

Current law states that patrol cars "shall be predominantly maroon."

Rep. Leslie Schumacher (DFL-Princeton) said allowing the patrol the option of using white cars could result in substantial savings.

The patrol purchases about 200 new vehicles each year. Maroon is not a standard color for the model lines used by troopers so taxpayers pay for the custom painting.

It costs \$700 to \$800 per vehicle for the paint jobs, said Schumacher, who sponsored a separate bill (HF2292) to allow the use of white patrol cars.

### Flashing lights

The transportation finance bill also would require newly purchased state patrol vehicles to have rooftop-mounted flashing lights. (The change would not apply to unmarked cars.)

Only about half of the marked patrol units currently in use have rooftop flashing lights. Lieder said the change could improve safety and help to make the cars a more visible presence on the road.

### Designated parents

A symbol placed on a parent's driver's license or state identification card would alert police and health care workers that the parent has designated someone to care for his or her children in times of crisis.

Parents who name another individual as a designated parent to care for their children in the case of an emergency would have to pay a \$3.50 fee to have the symbol placed on their licenses.

Designated parent information would be on file with the Department of Public Safety. The information would be released to law enforcement or health care workers if a parent is unable to communicate and there is a need to contact someone to care for the child or children.

The designated parent provisions in the transportation bill come from a separate bill (HF2000) sponsored by Rep. Darlene Luther (DFL-Brooklyn Park).

### Czech highway



Effective Aug. 1, 1996, state Highway 13 between the city of New Prague and the city of Montgomery will be designated the "Czech Heritage Highway."

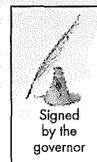
The stretch of road cuts through an area of Minnesota with a rich Czech tradition. (For example, New Prague's annual Dozinsky festival showcases traditional Czech dancers and foods.)

The Department of Transportation will erect signs marking the highway, but the local communities, "having resolved to support and financially back the marking of this highway," will foot the bill.

The proposal was sponsored by Rep. John Tuma (R-Northfield) and Sen. Tom Neuville (R-Northfield).

HF2439/SF2121\*/CH287

### Memorial roadways



A new law, effective Aug. 1, 1996, will grant special designations to three stretches of Minnesota highway:

- POW/MIA Memorial Highway (Trunk Highway 169, from its intersection with Trunk Highway 10 near Elk River to its intersection with Minnesota Highway 18 near Garrison, and Minnesota Highway 18 from its intersection with Trunk Highway 169 to its intersection with Trunk Highway 371 near Brainerd).

- Veterans Memorial Highway (Trunk Highway 115).
- John Riley Memorial Boulevard (A segment of old County Road 21, from its intersection with Trunk Highway 73 to the Moose Lake Psychopathic Center).

John Riley, former commissioner of transportation and chief of staff under Gov. Arne Carlson, died of brain cancer in March 1994.

The proposal was sponsored by Rep. Kris Hasskamp (DFL-Crosby-Ironton) and Sen. Don Samuelson (DFL-Brainerd).

HF2410/SF1946\*/CH272

### Amish buggy byway



Effective Aug. 1, 1996, a new state law will designate Highway 52 in Fillmore County as the Amish Buggy Byway. The stretch will be marked as such by road signs.

Supporters of the law hope it will make drivers more cautious and more aware of the possible presence of Amish buggies on the busy stretch of road.

A recent *RochesterPost-Bulletin* article quotes Fillmore County Sheriff Jim Connolly as saying there have been three or four minor accidents on the road in the past year, as well as other unreported accidents.

There are approximately 700 Amish residents in Fillmore County.

The law calls for local residents to reimburse the Minnesota Department of Transportation (MnDOT) the cost of marking the highway, estimated to be about \$3,000.

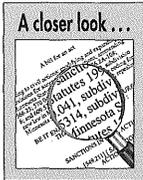
Area officials have said the signs will encourage interest in local culture and add more tourist dollars to southeastern Minnesota.

The proposal was sponsored by Rep. Greg Davids (R-Preston) and Sen. Kenric Scheevel (R-Preston).

HF2092/SF1909\*/CH279

A closer look . . .

## Compromise emerging to amend wetlands law



After months of delicate negotiations between legislators, local officials, farmers, and environmentalists, proposed changes to the Wetlands Conservation Act emerged in a conference committee March 7.

The much-awaited changes to HF787, which stalled in conference committee last session, move the state away from its current wetland replacement policy and transfer significant state control to local governments. No vote has yet been taken on the proposal.

"The stakeholders [farmers, environmentalists and others] agreed that if you pass this document, it will address 80 percent of the problems for 90 percent of the people out there who are affected by the Wetland Conservation Act," said Tanja Kozicky, the governor's legal counsel.

The governor, who sponsored a roundtable discussion on wetlands in St. Cloud last December, has said he wants to see changes to the law this session.

Conference committee Chair Rep. Willard Munger (DFL-Duluth) said he, too, wants to see something passed this session. But the sponsor of the 1991 law, the strictest wetlands legislation ever at the time, cautioned bill supporters.

"I believe there are some problems [with the 1991 law] that need to be corrected," he said. "I will go along on selling the machinery, but I am not going to go along and sell the farm. . . . I am not going to destroy the wetland program. No way will I do that."

Two camps have emerged in the wetlands debate, which has been brewing since the 1991 law was enacted. Many in wetland-rich counties, located mostly in the north, have argued current restrictions impede even minimal development and road repair — vital factors to tax rates and revenue. Others, including environmentalists, say easing restrictions to help wetland-rich counties could doom metro-area wetlands to extinction.

Current law requires nearly every wetland larger than 400 square feet that is drained or filled to be replaced by two wetlands of equal size. (Wetlands located on agricultural land or in counties or watersheds in which 80 percent or more of the presettlement wetland acreage exists are replaced at a 2-to-1 ratio.) It charges the Board of Water and Soil Resources (BWSR) with managing wetland preservation throughout the state.

HF787 would change all that. Although much of the bill is the same as the proposal that stalled in conference committee last session, there are some changes. The key changes include:

### Replacement provisions

Under the bill, more wetlands would be exempted from the replacement law. Changes would exempt many types of wetlands up to 10,000 square feet in wetland-rich counties — where 80 percent of pre-settlement wetlands still exist. Some wetland types, such as those deemed more critical, would not be exempt.

Areas where 50 to 80 percent of pre-

settlement wetlands exist would no longer need to replace wetlands on a 2-to-1 basis; instead they would only need to replace them at a 1-to-1 ratio. In such regions of the state, wetlands up to 5,000 square feet would be exempted, (up from the 400 square feet in current law). Certain wetlands, such as those with white cedar and tamarack trees, would not be covered by the new exemption.

"We really believe with these vastly increased deminimus sizes that most of the landowners out there who want to do a construction project on their private property are going to have a much easier time, much less bureaucracy to deal with," said Kozicky.

In areas with less than half of pre-settlement wetlands intact, wetlands up to 2,000 square feet would be exempt from replacement requirements, except for certain critical wetlands.

### Local control

Senate and House members disagreed last session over how much control over wetland management BWSR should give up to local governments. The House wanted the board to continue some oversight while the Senate wanted to give local governments much more control.

The revised HF787 adopts the House proposal, which requires the board to approve — but not develop — wetland management plans at the local level. Some of the loosened regulations in the bill would hinge on a local government having such a plan.

Also under HF787, local governments in wetland-rich areas could earn wetlands "replacement credits" for a project that increases the public value of a wetland. Such credits would be used in place of actual wetland replacement to offset wetlands losses.

### State funds for replacement

A total of \$4 million in state bonds would be authorized to BWSR to replace wetlands that are drained or filled because of repairs to existing roads. The provision was inspired by rural counties who said they don't have the money to replace wetlands that are impacted by road work.

### Road design

Some public transportation authorities that are building new roads could deviate from current state design standards in order to



The Wetlands Conservation Act, designed to protect the environment and habitat for creatures such as the egret, may be slated for changes this year giving local governments more control over wetlands development and preservation.

preserve wetlands, under the new bill.

### Road repair exemption

Under current law, a public transportation authority that drains or fills a wetland while doing road work must replace the wetland. The bill exempts repair and replacement of existing roads from that requirement. Only new roads that impact wetlands would have to be replaced under the bill. Public transportation authorities making such road repairs or replacements would be required to submit annual reports on to the BWSR.

### Notification of application

Landowners who submit a wetland preservation area application to the county would have to be notified within 60 days of its acceptance or denial. Currently there is no time requirement for informing property owners.

### Unresolved issues

There is still disagreement over the replacement ratio for new roads. Critics of the current law want the 2-to-1 replacement requirement to be a 1-to-1 ratio. The governor does not want to change the ratio and views the road repair exemption as a concession to critics of the current ratio, Kozicky said.

There are two other unresolved issues that the committee will probably address in coming weeks. How to treat repairs to drainage ditches that hurt wetlands is one issue upon which environmentalists and farmers couldn't agree. Current law requires replacement of affected wetlands.

The different interest groups also left open the issue of metro-area wetland replacement. Under the law, the loss of metro-area wetlands to development can be made up by replacement outside the seven-county metro area.

Some Twin Cities legislators, such as Rep. Steve Trimble (DFL-St. Paul), have said this will lead to the disappearance of wetlands in the metro area, where they are most scarce.

Committee members agreed March 6 that it will take both focus and compromise to give the governor what he wants — wetlands legislation that satisfies a potpourri of interests.

The conference committee is scheduled to meet again March 13.

Wetlands expert and University of Minnesota Professor Dan Svedarsky said the work that has gone into — and has yet to be expanded upon — **HF787** can be viewed in a couple of ways.

"Wetlands in Minnesota," Svedarsky said, "Depending on a person's perspective, the glacier either blessed or cursed Minnesota with an abundance of wetlands."

— Kendall Anderson

What do the Mechanic Arts High School, the Minnesota Historical Society, and the Minnesota Judicial Center have in common? They were all built on the same location, just east of the State Capitol.

The Legislature has grappled with the question of where to locate government buildings since territorial days.

But it took lawmakers, and the guidance of the state's Capitol Area Architectural and Planning Board, more than 150 years to find a permanent home for the state's judicial branch.

The Minnesota Supreme Court held its first session, in 1850, at the American House Hotel in St. Paul. This marked the beginning of the court's search for a formal home to create "the presentation of the judiciary as the third branch of government," according to planners. Over the years, large increases in appellate court caseloads and the need for a centralized, professional administrative staff for state and local courts added momentum to the search. Finally, the addition of an intermediate appellate court to the judiciary system in 1982 led Douglas Amdahl, chief justice of the Minnesota Supreme Court (1981-1989), to step up the effort to establish a permanent and separate facility for the state's highest court.

## It's a fact!

The search for a location for the Minnesota Judicial Center was a long one, characterized by fierce debates between the judiciary and the Minnesota Historical Society over the location east of the Capitol: the old Minnesota Historical Society Building. As the dispute ensued, other locations were suggested and rejected, including Cass Gilbert Park, a parking lot north of the Capitol, downtown St. Paul, and even Fort Snelling.

Rep. David Bishop (R-Rochester) and Rep. Phyllis Kahn (DFL-Mpls.) led the effort to turn the site over to the courts, convincing a majority of their colleagues



The Legislature has grappled with the question of where to locate government buildings since territorial days. But it took lawmakers, with the guidance of the state's Capitol Area Architectural and Planning Board, more than 150 years to find a permanent home for the state's judicial branch.

to give the old Minnesota Historical Society building, formally dedicated in 1918, to the judicial branch.

(While it lost the battle to remain adjacent to the State Capitol, the Minnesota Historical Society also resides in a new facility: the Minnesota History Center, dedicated in 1991 near the St. Paul Cathedral.)

Designers incorporated the old building as part of the new Judicial Center, combining old and new architectural styles. With the exception of some fine tuning, the project was completed in 1995.

Builders had to raze the old Mechanic Arts High School, built in 1896, to make room for the new Minnesota Judicial Center. The school had many famous graduates, including former U.S. Supreme Court Justice Harry Blackmun. Another alumnus, Rep. Tom Osthoff (DFL-St. Paul), sponsored a bill that ensured the preservation of the historic drinking fountain from the original school.

It is said that if there are any ghosts in the building, they arise from the drinking fountain, encased in stone in front of the Judicial Center's State Law Library, which bears the inscription "Get Into the Game. Don't Be a Quitter."

# Bills Sent to the Governor

## Bills await the governor's signature . . . or veto

Once a bill has passed both the House and Senate in identical form, it's ready to be sent to the governor for consideration. The governor, who has several options when considering a bill, 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 can have two different effects. The timing of these actions is as important as the actions themselves.

In the second year of the biennium (even-numbered years), a bill passed by the Legislature and presented to the governor before the final three days of the session will become law unless the governor vetoes it by returning it to the Legislature within three days. The gover-

nor normally signs the bills and files them with the secretary of state, but his signature is not required.

But if a bill is passed during the last three days of session, the governor has a longer time to act on it. He/she must sign and deposit it with the secretary of state within 14 days after the Legislature adjourns "sine die" (Latin for "adjournment without day"). If the governor does not sign a bill within this time frame, it will not become law, an action known as a "pocket veto." The governor is not required to provide a reason for the veto.

Only on appropriations bills can the governor exercise the line-item veto authority. This option allows the governor to eliminate the

appropriation items to which he/she objects. As with all vetoes (save pocket vetoes) the governor must include a statement listing the reasons for the veto with the returned bill. Here, too, the timetable is either 14 days after adjournment for bills passed during the final three days of the session, or within three days after the governor receives the bill at any other time.

A two-thirds vote of the members in each house is needed to override a veto. But because only the governor can call a special session of the Legislature, anything vetoed after the Legislature adjourns is history — at least until the next year.

The governor's veto authority is outlined in the Minnesota constitution (Article IV, Section 23).

Chapter	HF	SF	Description	Signed	Vetoed
266	2281	1846*	Relating to energy; extending due date for a task force report relating to electric energy policy.	2/7	
267	2079*	1912	Relating to the city of New Market; permitting the city to incur debt not subject to the general debt limit.	2/15	
268	2308*	1962	Relating to state government; providing a condition on participation in the state employee combined charitable campaign.	2/15	
269	2110	1862*	Relating to state government; authorizing use of unmarked vehicles by the Division of Disease Prevention and Control of the Department of Health.	2/15	
270	2150*	1823	Relating to liquor; authorizing the city of Stillwater to issue one additional on-sale license.	2/15	
271	2239*	1843	Relating to local government; allowing the city of Morristown to maintain and pay for certain electrical power outside the city.	2/15	
272	2410	1946*	Relating to highways; designating POW/MIA Memorial Highway, Veteran's Memorial Highway, and John Riley Memorial Drive	2/15	
273	1926*	1719	Relating to occupations; regulating the practice of dental hygiene.	2/21	
274	2634*	2324	Relating to local government; providing for one additional chief deputy sheriff in the unclassified service in Hennepin County.	2/21	
275	2114*	2320	Relating to drivers' licenses; changing codes for two types of driver's license.	2/21	
276	2652*	2223	Relating to local government; granting the city of Minneapolis authority to negotiate certain trade and craft contracts for stagehands.	2/21	
277	2122	1798*	Relating to statutes; limiting the scope of an instruction to the revisor.	2/21	
278	2344	1815*	Relating to insurance; regulating the underwriting of life and health coverages for victims of domestic abuse.	2/21	
279	2092	1909*	Relating to highways; designating a portion of marked Trunk Highway 52 in Fillmore County as the "Amish Buggy Byway."	2/23	

Chapter	HF	SF	Description	Signed	Vetoed
280	2374	1984*	Relating to natural resources; modifying and adding to the list of canoe and boating routes.	2/23	
281	2836	2514*	Relating to civil commitment; clarifying the financial responsibility for hearings on the use of neuroleptic medications.	2/23	
282	2355*	1964	Relating to local government; authorizing a city, county, or town to require certain information in applying for or as a condition of granting approval of permits.	2/27	
283	2758	2698*	Relating to agencies; providing for the right to extend a deadline with certain conditions.	2/27	
284	2077	2019*	Relating to education; clarifying approved costs for a magnet school facility.	2/27	
285	1749	1622*	Relating to insurance; homeowner's; regulating proof of loss.	2/27	
286	2039	1812*	Relating to housing; securing vacant buildings.	2/27	
287	2439	2121*	Relating to highways; recognizing Czech heritage in a highway name.	2/27	
288	2316	1936*	Relating to the state lottery; providing that the director may permit a lottery retailer to sell tickets at more than one location.	2/28	
289	2188*	2147	Relating to motor carriers; modifying and reorganizing provisions relating to allowable truck lengths and combinations.	2/28	
290	2454	2111*	Relating to agriculture; changing requirements for certain commodity council referenda.	2/28	
291	3016	2813*	Relating to commerce; regulating heavy and utility equipment manufacturers and dealers.	3/1	
292	2280	2584*	Relating to veterans; eliminating certain duties of the board of directors.	3/1	
293	3125	2802*	Relating to natural resources; providing an appropriation for snowmobile grants-in-aid.	3/1	
294	2902	2596*	Relating to game and fish; providing an appropriation for emergency deer feeding.	3/1	
295	2365*	2384	Relating to natural resources; modifying open burning restrictions; empowering the commissioner to declare an emergency.	3/4	
296	2952	2020*	Relating to human services; requesting the commissioners of health and human services to seek a federal waiver.	3/4	
297	2680	2166*	Relating to capital improvements; permitting up to a 40-year term for certain bonds.	3/4	
298	2129	1925*	Relating to the housing finance agency; making technical changes to requirements under single family housing programs.	3/4	
299	2032	1800*	Relating to the military; changing procedures for disposition of closed armories.	3/4	
300	2336	2009*	Relating to electric utilities; allowing the city of Willmar to enter into a joint venture with the Kandiyohi Cooperative Power Association.	3/4	
301	2411*	2556	Relating to game and fish; prohibiting trespassing on agricultural land and certain private land for outdoor recreation, etc.	3/6	

Rep. Marvin Dauner . . .

## Serving local folks top priority for parting member



As 10-year House veteran Rep. Marvin Dauner explained why this will be his last legislative term, one of his constituents passed by the office.

"You'll be sorely missed," he said.

It's not surprising that the folks back in District 9B in western Minnesota will miss Dauner (DFL-Hawley), a local farmer, who placed constituent services at the top of his legislative agenda since being elected in 1986.

"The thing I worked at the hardest was helping the people back home when they had a problem with government," he said.

At one time, for example, government agencies were creating a bureaucratic nightmare for a constituent whose son had died in Jamaica. But Dauner was instrumental in cutting through the governmental red tape to help the family.

Having unquestioned respect from members on both sides of the aisle, Dauner also is known for his bipartisanship.

"It doesn't matter if you're a Democrat or Republican. What counts is honesty, fairness, and who you are," said Dauner, expressing dismay over the fierce partisanship that has come to characterize modern politics.

Dauner's Democratic roots date to 1948, although others in his household were of a different political persuasion.

"Harry Truman impressed me so much that I became a Democrat, even though my parents were Republicans. I wanted to vote for him in November of '48, but my 21st birthday wasn't until the 4th of December."

Dauner married Shirley Jarvis of Glyndon,



Rep. Marvin Dauner

**Noted achievements:** Dauner ranks his contribution in helping to reform the workers' compensation laws as one of his major accomplishments. "Living in a district next to North Dakota made workers' compensation a very important issue for me. I'm very proud of the work I've done in that area," he said.

Dauner also worked hard to gain fairness in the tax system as vice chair of the Property Tax and Tax Increment Financing Division of the Taxes Committee. "It always made me feel good when I could help a constituent with an unjust ruling at the Department of Revenue."

Minn. in 1948. At that time, males under 21 years of age needed their parent's signature before a marriage license could be issued. Shirley often reminds her husband that he had to get a note from his parents to marry her. Women had only to be 18, giving Shirley the authority to make the decision on her own.

"I had to drive 20 miles over to Glyndon to see her," said Dauner, pointing out that he gladly used up his gas rations to do so. Glyndon was also the place where young Shirley gained skills in keeping an eye on the actions of legislators. She used to babysit an even younger Keith Langseth, who is now a member of the Minnesota Senate.

Dauner is quick to point out that Shirley is equally responsible for his success in the Legislature, referring to his marriage as one of the "greatest love stories of the century."

Shirley, and both of their mothers, always worked as a team on Dauner's elections, which included races for the local school board and a spot as a county commissioner. She recalled one of his first elections in which

out of a total of 105 votes cast, 102 went to Dauner. The mothers, in utter disbelief that someone could vote against "Marvin," were shocked that the vote was not unanimous.

Dauner served 12 years on the Clay County board before winning five elections to the House. "It's really been a privilege to serve here, especially knowing that only a handful of people have represented my area in the last 50 years," reflected Dauner.

So what does the future hold for Dauner?

"More pinochle," he replied instinctively. "I also want to be more active in my church and spend more time with my three sons, two daughters, 14 grandchildren, and 2.5 great grandchildren" (There's one on the way.)

"The thing we're going to miss the most is all the wonderful people," said Dauner with Shirley agreeing. "We've been blessed with beautiful friends."

Although Dauner said he is not looking for more committee work, Shirley added, "Knowing Marvin, he'll get involved in something."

— Joel Larson

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A partial listing . . .

# 1996 House files incorporated into other bills

**Editor's note:** This is an unofficial listing of House files that have been incorporated into other bills. More bill listings will appear in the next issue of the *Session Weekly*.

Ongoing floor and conference committee action may well alter the makeup of these bills before they reach the end of the legislative process. In many cases, the language found in the major bills may not be exactly as it appears in the original House files.

The list was compiled by the House Public Information Office from a variety of sources, including committee administrators, committee legislative assistants, researchers, and fiscal analysts.

An asterisk after a House or Senate file number indicates the version of the bill under consideration.

If you're interested in following conference committee action (and have access to e-mail), you can subscribe to a service that will automatically e-mail an updated schedule of meetings.

To subscribe, simply address your e-mail message to:

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

In the body of the message, enter:

**subscribe h-schedules**

If you have questions, call the House Public Information Office, (612) 296-2146, or the Senate Information Office, (612) 296-0504.

## COMMERCE

As of 3/7/96

### **Omnibus liquor bill HF2590/SF2116\* (Bertram)**

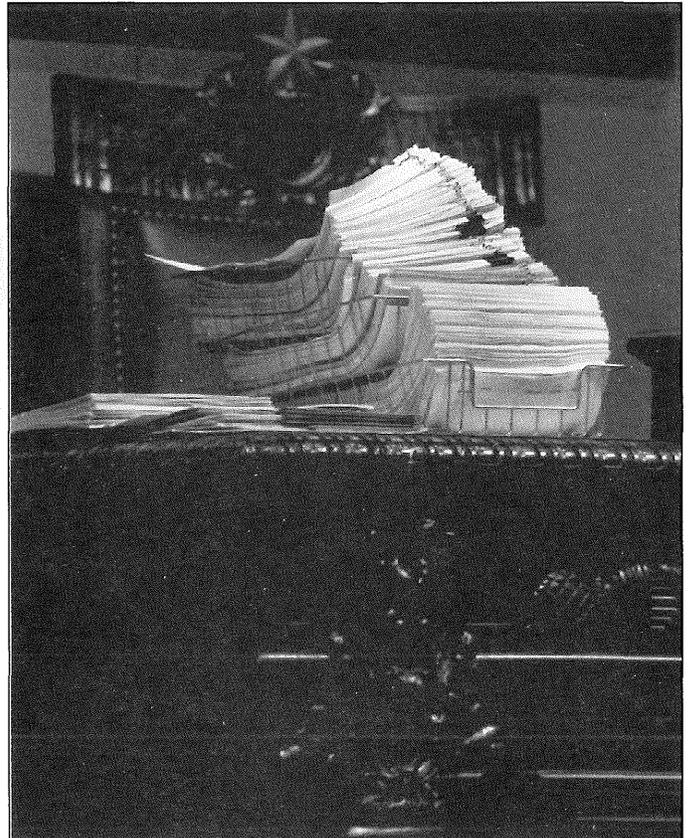
- HF174 (McGuire) Alcohol retail and municipal liquor stores required to post signs to warn of dangers of alcohol consumption by pregnant women.
- HF2392 (Finseth) Thief River Falls on-sale intoxicating liquor license provisions repealed.
- HF2463 (Pugh) West St. Paul authorized an on-sale intoxicating liquor license.
- HF2709 (Jennings) Mississippi and St. Croix River Tour Boats issued on-sale intoxicating liquor license.
- HF2807 (Bertram) Bed and breakfast establishments allowed to offer wine without a license, liquor license fees modified and retailers allowed to offer samples of distilled spirits.
- HF2997 (Vickerman) Non-intoxicating liquor term usage discontinued.
- HF3029 (Daggett) Wadena seasonal on-sale intoxicating liquor license issuance authorized.

## EDUCATION

As of 3/6/96

### **Omnibus K-12 education finance bill HF2156\*/SF1884 (Johnson, A.)**

- HF2053 (Solberg) Fund transfer for Aitkin.
- HF2057 (Carlson, L.) Funding for alternative programs based on learning year pupil units.
- HF2118 (Ness) Technology funding (language).
- HF2121 (Schumacher) Debt service for Royalton.



So far 1,269 bills have been introduced during the 1996 Legislative Session. Some of those bills will make it into law, some won't, and still others will join forces and become incorporated into larger bills in hopes of increasing their odds at passage.

- HF2133 (Seagren) Department's policy bill (mostly language).
- HF2147 (Wagenius) Full-day kindergarten.
- HF2156 (Johnson, A.) Department's technical bill.
- HF2169 (Koppendrayer) Clarify process to adopt the graduation rule (language).
- HF2246 (Winter) Modify aid and levy for Chandler-Lake Wilson (Slayton only).
- HF2251 (Stanek) Grants for after-school enrichment.
- HF2277 (Kinkel) Referendum revenue subtraction for Park Rapids.
- HF2290 (Jennings) Fund transfer for Chisago Lakes.
- HF2346 (Johnson, A.) Referendum allowance reduction.
- HF2347 (Peterson) Grant for Montevideo.
- HF2353 (Cooper) Enhanced pairing agreement for Danube, Renville, Sacred Heart, and Belview.
- HF2442 (Finseth) Modify secondary vocational education aid guarantee.
- HF2468 (Swenson, H.) Modify special education revenue.
- HF2523 (Entenza) Continue availability of license's for ECFE parent educators.
- HF2544 (Ness) School attendance options.
- HF2545 (Ness) Establishing pupil units for basic skills summer school.
- HF2571 (Jennings) North Branch, lease levy for administrative purposes.
- HF2584 (Kinkel) Fund transfer for Nevis.

HF2606 (Tomassoni) Health and safety revenue for a new facility for Hibbing.  
 HF2616 (Kelley) Eliminate match requirement for library telecommunication aid.  
 HF2666 (Mares) Fund transfer for White Bear Lake.  
 HF2726 (Ness) Instructional transformation through technology grants (language).  
 HF2741 (Luther) Osseo, levy tax to provide instructional services for at-risk children.  
 HF2742 (Luther) Increase funding for low-income concentration grant program.  
 HF2745 (Kelso) Enter into agreements for building needs for up to five years.  
 HF2806 (Koppendrayer) Modify educational aids for nonpublic school children.  
 HF2971 (Kelso) Referendum to be conducted at the same time as a bond election.  
 HF3033 (Johnson, A.) Discipline bill.  
 HF3039 (Sviggum) Levy for special assessments for Kasson-Mantorville.  
 HF3042 (Murphy) Reporting requirements for regional public libraries.  
 HF3150 (Carlson, L.) Alcohol impaired driver education.  
 HF3155 (Entenza) Technology plan (language).  
 HF3160 (Leighton) Fund transfer for Lyle.  
 HF3197 (Anderson, R.) Special levy for Henning.

## GOVERNMENT

As of 2/6/96

### Omnibus local pension bill HF2493/SF2126 (Kahn)

HF1085 (Farrell) Relating to pensions and disability benefits for St. Paul Police and Fire.  
 HF1560 (Leighton) Survivor coverage for Austin Fire Relief Association.  
 HF1908 (Jefferson) Various provisions for Minneapolis Fire Relief.  
 HF2487 (Garcia) Relating to disability benefits and service pensions for the Richfield Fire Relief Association.  
 HF2522 (Solberg) Relating to employee pensions at the Itasca County Medical Center.  
 HF2864 (Onnen) Relating to the Norwood-Young America volunteer fire relief consolidation.

As of 2/6/96

### Omnibus general pension bill HF2417\*/SF2048 (Jefferson)

HF1072 (Vickerman) PERA defined contribution plan.  
 HF1272 (Carlson) Authorizes an individual to purchase prior service credit, Minneapolis Teachers Retirement Association.  
 HF2050 (Johnson) Defines firefighting service to include fire prevention service.  
 HF2097 (Greiling) Purchase of past service credit, St. Paul Teachers Retirement.  
 HF2123 (Van Engen) Back contributions, Willmar Regional Treatment Center.  
 HF2467 (Daggett) Certain deadline extension for Teachers Retirement Association.  
 HF2493 (Kahn) Relating to IRAP coverage for employees of the Minnesota Historical Society.  
 HF2518 (Osthoff) Additional contributions to Mpls. and St. Paul

Teachers Retirement Associations.  
 HF2623 (Jefferson) Various provisions for MSRS general plan.

As of 3/6/96

### Omnibus supplemental appropriations bill HF3214/SF2857\* (Rukavina)

HF2573 (Johnson, V.) Request of \$100,000 appropriation was added to the omnibus bill but not the language.  
 HF2708 (Jennings) Changes to the National Guard enlistment and re-enlistment bonus programs.  
 HF3083 (Entenza) Requires report from the Department of Human Rights on a plan to eliminate department's backlog of cases and how they will avoid future backlogs.  
 HF1889 (Jefferson) Designates June 19 as "Juneteenth" in recognition of a historical pronouncement of the abolition of slavery.

As of 3/6/96

### Gambling Division HF2318\*/SF2218 (Dorn)

Lawful gambling expenditure and report provisions modified, enforcement powers provided, and compensation restrictions modified.  
 HF2273 (Goodno) Gambling Control Board bingo rule provisions modified.

## HUMAN SERVICES

As of 3/5/96

### Supplementary health & human services appropriations bills HF2818\* (Greenfield)/SF2308 (Samuelson)

**Note:** This list contains bills that were incorporated in some way into the House and/or Senate supplementary health and human services bills. In many cases, the bills listed below were substantially altered in either body prior to incorporation. Therefore, the reader should not infer that the same provisions are in companion bills.

#### In both HF2818 and SF2308:

HF671 (Lourey)/SF357 (Moe) Additional appropriation for senior programs.  
 HF1699 (Rest)/SF659 (Berglin) Birth defects registry.  
 HF2106 (Wejcman)/SF1950 (Berglin) Rates for uncertified board and care facilities.  
 HF2111 (Boudreau)/SF1927 (Kiscaden) Health department technical bill.  
 HF2203 (Greenfield)/SF2047 (Sams) Criminal background checks (funding only in HF).  
 HF2339 (Lourey)/SF1989 (Johnson, J.B.) Senior nutrition programs.  
 HF2451 (Onnen)/SF2074 (Betzold) ICF/MR rates for outreach services.  
 HF2486 (Greenfield)/SF2316 (Berglin) Restoration of PCA services.  
 HF2510 (Wejcman)/SF2102 (Riveness) Home telemedicine demonstration project.  
 HF2574 (Jennings)/SF2244 (Samuelson) ICF rates clarified.  
 HF2597 (Hasskamp)/SF2177 (Samuelson) Increase some MA personal allowances.  
 HF2655 (Jennings)/SF2375 (Sams) Modifying MA and GAMC prospective payments rates.

HF2684 (Knoblach)/SF2228 (Kiscaden) Human services eligibility and residency requirements.  
HF2702 (Huntley)/SF2264 (Samuelson) Prepaid Medical Assistance Program expansion prohibited.  
HF2790 (Pelowski)/SF2542 (Morse) Nursing home moratorium exception.  
HF3107 (Mulder)/SF2836 (Lesewski) Nursing home directors of nursing requirements.  
HF3110 (Lynch)/SF2732 (Samuelson) Adult mental health grants for the deaf and hard of hearing.  
HF3131 (Cooper)/SF2768 (Kiscaden) Health provider coop demonstration project modifications.

**In HF2818 only:**

HF832 (Onnen)/SF815 (Pariseau) CHILD program.  
HF1501 (Jefferson)/SF1423 (Kroening) Violence prevention pilot programs.  
HF2046 (Anderson, R.)/SF2118 (Sams) Children's safe house programs.  
HF2049 (Kelley)/SF1808(Mondale) Residential program location requirements eliminated.  
HF2158 (Sykora)/SF1885 (Knutson) Child welfare changes (Sec. 21 only in HF).  
HF2241 (Wejzman)/SF2241 (Piper) Kinship caregiver support grant programs.  
HF2257 (Clark)/SF1931 (Berglin) Lead abatement.  
HF2396 (Pugh)/SF1960 (Murphy) Dakota County managed care systems.  
HF2456 (Lourey)/SF2307 (Vickerman) DD Advisory Council.  
HF2531 (Lourey)/SFnone Child care grants.  
HF2907 (Haas)/SFnone MMIS claim submission extension.  
HF2944 (Greenfield)/SF2764 (Vickerman) Mental health and mental retardation ombudsman technical changes.  
HF3079 (Mariani)/SF2728 (Johnson, J.B.) Migrant farmworker conditions studied.  
HF3196 (Murphy)/SFnone Payments to ex-spouse and MA payments.

**In SF2308 only:**

HF499 (Rukavina)/SF410 (Marty) COACT prescription drug bill.  
HF1960 (Clark)/SF659 (Berglin) Alternative drug study.  
HF2096 (Greenfield)/SF1855 (Samuelson) Changes nursing home reimbursement rates.  
HF2237 (Clark)/SF1878 (Berglin) Nursing home rate exception.  
HFnone/SF1880 (Vickerman) Expanding adult day care program.  
HF2753 (Greenfield)/SF1881 (Berglin) MA asset transfers.  
HF2579 (Huntley)/SF1951 (Samuelson) Expanding expansion of nursing home contract demo.  
HF1950 (Stanek)/SF1994 (Limmer) Infant hearing loss screening.  
HF2394 (Tomassoni)/SF2080 (Janezich) Prostate cancer screening.  
HF2013 (Delmont)/SF2249 (Piper) TEFRA screening.  
HF2646 (Cooper)/SF2311 (Kiscaden) Assessment of mandatory benefits.  
HF3126 (Bettermann)/SF2762 (Larson) Unitary Residence and Financial Responsibility Act.

**LAW**

As of 2/7/96

**Omnibus judiciary finance and crime prevention appropriations bill  
HF3242/SF2856\* (Murphy)**

HF947 (Johnson) Retirement supplement.  
HF2045 (Skoglund) Community notification.  
HF2148 (Bishop) Community intervention grants.  
HF2325 (Pawlenty) Report domestic abuse.  
HF2376 (Milbert) Family group conferencing.  
HF2604 (Pugh) Judges.  
HF2861 (Pugh) Public defense.  
HF3168 (Murphy) Violence prevention plans.  
HF2161 (Skoglund) Omnibus crime prevention bill (which includes the following bills):  
HF1224 (Pugh) Proof of auto insurance.  
HF2029 (Skoglund) Sex offender registration.  
HF2034 (Luther) Intentional firearm discharge.  
HF2046 (Anderson) McGruff houses.  
HF2061 (Weaver) Burglary.  
HF2062 (Weaver) Welfare fraud.  
HF2064 (Weaver) Restitution.  
HF2086 (Skoglund) Code grabbers.  
HF2128 (Murphy) Juvenile detention.  
HF2136 (Brown) EMS assault.  
HF2215 (Carruthers) Expungement.  
HF2249 (Stanek) Fleeing a peace officer.  
HF2255 (Stanek) Aiding escape.  
HF2360 (Skoglund) College mentoring program.  
HF2404 (Swenson) Drive-by shooting x-references.  
HF2495 (Milbert) Witness/protection fund \$\$.  
HF2497 (Swenson) Juvenile petty offenders.  
HF2506 (Skoglund) Indecent exposure.  
HF2538 (Macklin) Fifth-degree criminal sexual conduct.  
HF2553 (Skoglund) Probation officers in CPO counties.  
HF2578 (Skoglund) Gun laws.  
HF2643 (McGuire) Domestic abuse.  
HF2789 (Entenza) Fraudulent transfers.  
HF2903 (Carruthers) Juveniles; traffic.  
HF3030 (Wagenius) Guns and juveniles.  
HF3048 (Stanek) Manslaughter.  
HF3154 (Pugh) Juvenile court rules.

As of 2/7/96

**Omnibus data practices bill  
HF2386 (McGuire)**

HF1382 (Erhardt) Motor vehicle record personal information disclosure prohibited, and money appropriated.  
HF1907 (Mares) Education data directory information designation and release limited.  
HF2337 (McGuire) Health record access provisions modified.  
HF2705 (McElroy) Reserved library book release to third parties authorized.  
HF2872 (Pugh) Unwed mother birth information released to family service collaboratives.

As of 2/7/96

**Omnibus DWI bill  
HF2779/SF2340\* (Entenza)**

- HF937 (Swenson, D.) Failure to stop and give notification at the site of a traffic accident crime sentencing guidelines severity level increased.
- HF1681 (Skoglund) DWI; gross misdemeanor penalty provided for criminal vehicular operation resulting in bodily harm.
- HF2056 (Skoglund) DWI; qualifying conditions of impairment extended for snowmobiling, motorboating, hunting, driving, and flying while intoxicated to include being under the influence of noncontrolled drugs.
- HF2390 (Van Engen) DWI; prior driving-while-intoxicated violations involving snowmobiles, all-terrain vehicles, and motorboats included as prior offenses for purposes of license revocation for a driving while intoxicated offense involving a motor vehicle.
- HF2405 (Swenson, D.) DWI; driving-while-intoxicated consecutive sentencing provisions clarified.
- HF2406 (Swenson, D.) DWI; underage drinking offense provisions modified.
- HF2691 (Entenza) DWI penalties enhanced for drivers lacking motor vehicle insurance.
- HF2804 (Bertram) DWT; driving-while-intoxicated and criminal vehicular operation laws prohibitions expanded.
- HF3062 (Entenza) DWI; limited drivers' license issuance following a driving-while-intoxicated offense waiting period extended for drivers under age 18.

As of 2/7/96

**Omnibus civil law bill  
HF835/SF230\* (Pugh)**

- HF170 (Rhodes) Relating to civil actions; providing for recovery of damages and injunctive relief for victims of bias offenses; imposing parental liability.
- HF184 (Simoneau) Relating to civil actions; regulating punitive damages.
- HF261 (Bishop) Relating to civil actions; including occupational therapists in the limitation period for bringing suit against health care professionals.
- HF795 (Pugh) Relating to trusts; limiting liability for hazardous waste to the extent of trust assets; providing for payment of trustee compensation.
- HF2160 (Bertram) Nonprofit firefighting corporations provided municipal tort claim protection.
- HF2514 (Otremba) Rustic road liability exemption provided.
- HF2596 (Skoglund) State court cause of action provided for relief for damages caused by a federal court action that affects public participation by the plaintiff.
- HF2740 (Macklin) Civil action sanction provisions modified and expanded.

## TAXES

As of 3/7/96 (Bill passed the House on a vote of 104-29)

**Omnibus tax bill  
HF3249 (Rest)**

**Part 1: Bills affecting state taxes, state tax policy, and local sales and special taxes.**

**Income**

- HF2095 (Rest) Treats non-Minnesota bond interest income of non-residents the same as residents' bond income, under the Minnesota income tax.

**Corporate franchise**

- HF3203 (Rest) Provides a corporate franchise tax credit to business participants in a targeted employment training and job retention program.
- HF2433 (Macklin) Redefines the sales factor for leased moveable property such as aircraft, motor vehicles, and rolling stock, effective.

**Policy**

- HF2095 (Rest) Non-controversial provisions from the Department of Revenue's policy bill.
- HF2767 (Dawkins) Allows cities to present claims of municipal libraries under the Revenue Recapture Act; also provides relief for an innocent spouse who is not responsible for a debt.

**Technical**

- HF3215 (Rest) Repeals obsolete tax laws: gross earnings taxes on trust companies, "local option" sales tax, and pre-1990 corporate alternative minimum tax.
- HF2102 (Rest) Noncontroversial provisions from the Department of Revenue's technical bill.

**PTR**

- HF2433 (Macklin) Repeals 1995 law placing the Property Tax Refund on the property tax statement; repeals FY1998-1999 Department of Revenue appropriations; clarifies targeting extension (tech issue) and makes targeting permanent (author's amendment).

**Gambling**

- HF3050\* (Milbert) Allows a tax refund for unsold pulltabs; refunds to apply to the organization's charitable purpose; effective 7/1/97. (Author's amendment: Effective 7/1/96, with separate account required for refunds.) [\*Similar to HF3075 (Wenzel); HF3181 (Dorn); HF3182 (Winter); HF3183 (Dehler); HF3184 (Kinkel); HF3185 (Rukavina); HF3186 (Tomassoni).]

**Local sales**

- HF2511 (Dorn) Authorizes the city of Mankato to use some of its sales tax revenues for its municipal airport.
- HF2331 (Murphy) Authorizes the city of Hermantown to impose a 1 percent local sales tax for infrastructure development projects; 15-year sunset.

**Local special**

- HF2403 (Kelso) Repeals a tax on admissions in Scott County.
- HF2383 (Wenzel) Authorizes city of Little Falls to impose a 0.5 percent tax on restaurant meals and non-alcoholic beverages; 15-year sunset.

## Minerals

HF2750 (Mulder/Jennings) Authorizes Rock Country and Chisago City to impose the aggregate material (gravel) tax.

## Sales

H2095-A4 (Winter) Expands the sales tax exemption for horse feed/bedding.

HF2654 (Winter)/HF3010 (Milbert) Makes permanent the sales tax exemption for wind energy conversion systems and photovoltaic (solar) devices. (Exemptions otherwise will expire 7/1/96.)

HF2803 (Worke)/HF2914 (Kalis) Exempts from sales tax lawn and garden care services to cemeteries.

HF3211 (Milbert) Extends for two years the sales tax exemption for building materials used to construct youth ice arenas.

## Sales Tax Advisory Council recommendations

HF3173 (Rest) Permanently exempts used farm machinery used in agriculture. [Similar bills: HF2104 (Bertram); HF2555 (Wenzel); HF2869 (Olson, E.)]

- Extends the Council through 1996, calls for recommendations and a report.
- Exempts consumer purchases (up to \$770/value, \$50/tax per year) from use tax. (De minimis exemption — Carruthers proposal.)
- Changes certain audit procedures and statute of limitations in the sales tax.
- Exempts materials consumed in providing taxable services from sales tax, effective 1/1/97.
- Changes the rate on replacement manufacturing capital equipment to 1.5 percent (vs. 2 percent under current law) 7/1/98. Sales tax on replacement equipment is repealed 7/1/99, and is administered thereafter as an up-front exemption of both replacement and new capital equipment.

## STMV

HF2139 (Luther) Extends Sales Tax on Motor Vehicles exemption to the gift of vehicles from foster parents to foster children, effective 7/1/96.

## Waste

HF2504 (Wagenius) Clarifies solid waste generator assessments — technical provisions.

HF2552 (Wagenius) Extends a moratorium, addresses past patterns of underpayment and overpayment of sales tax on solid waste collection and disposal; calls for a study of this issue, re. municipal administration, and the impact of the solid waste generator assessments upon residential housing.

## MinnesotaCare

HF3161 (Cooper)/ HF2095 (Rest) MinnesotaCare tax article from the DOR policy bill, HF2095, as amended. Also, addresses two federal pre-emption issues: exempts from the drug wholesaler tax certain long-running federal and tribal contracts (until expiration) that pre-date the enactment of MnCare taxes; and exempts from the tax base computation, certain payments by federal agencies to "staff model" (e.g., HealthPartners) health care providers.

## Part 2: Bills affecting state aid to local government, statewide and local property tax policies

### State Aid

HF2801 (Dawkins) Provides \$1 million of HACA for city and county performance planning and measurement.

Amendment (Rest) Converts \$6.8 million of HACA currently paid for Regional Rail Authorities, to an equal amount of County Criminal Justice Aid, distributed by CCJA formula.

## Bonding

HF3175 (Rest) Extends for five years the County Capital Improvement Planning ("C.I.P.") process and counties' authority to issue capital improvement bonds.

## PTR

HF2433 (Macklin) Repeals placing the PTR on the property tax statement; clarifies Targeting extension (tech issue).

## Personal property

HF637 (Jennings) Personal property tax value exclusion — Koch co-generation.

## Property

HF2180 (Rostberg) Allows local governments to abate up to 50 percent of qualifying net tax for up to three years, for improvements to commercial property.

HF2283 (Osskopp) Clarifies local conflict of interest provisions.

HF2291 (Marko) Repeals the requirement that five years elapse between the time property comes out of Green Acres status and the time it is included in a TIF district. Requires adjustment to original net tax capacity if property is included in TIF district sooner than five years.

HF2323 (Kelley) Provides that certain cooperative seasonal recreational residential property must be assessed by individual unit and receive separate tax statements.

HF2354 (Tomassoni) Establishes a senior citizen homeowners' property tax deferral, where both spouses are at least 65 years old and household income is less than \$30,000, for property tax in excess of 5 percent of household income. Taxes are payable when home is sold, classified nonhomestead, or at death.

HF2382 (Garcia) Allows a person who misses the "This Old House" application deadline to qualify for the exemption, but the duration of the exemption is reduced by the number of years that the application is "late," with a three-year limit.

HF2458 (Kelley) Provides special service districts procedures and authority for cities. A special law would not be required for city special service districts conforming to this legislation. Authority expires after five years.

HF2593 (Dauner) Watershed district may establish a water management district, and determines its financing.

HF2626 (Ozment) Clarifies that land must be classified agricultural in order to qualify for Green Acres tax deferral. Land mistakenly included in Green Acres may avoid the statutory penalty for "withdrawing" from the program.

HF2629 (Cooper) Provides that three "retail supply facilities" per county owned by a cooperative can qualify for the preferred C/I class rate.

HF2718 (Jefferson/Dawkins amendment) Reduces redemption period to five weeks for certain abandoned property in a targeted urban neighborhood revitalization program.

HF2862 (Sviggum) Confirms that ag land must be classified and valued on the basis of the land only, not based on the value of the home.

HF2882 (Wagenius) Creates a new class of apartment property, with a temporary (12-year) reduced class rate of 2.3 percent. Applies to warehouses built before 1940 and that are remodeled

into apartments, with a minimum \$25,000 investment per unit. HF2942 (Macklin) Provides that the person who signed an improper or fraudulent homestead application is liable for the penalties, (not necessarily the current owner). Parallel provisions would apply when renters file improper or false homestead claims.

HF2964 (Long) Provides that levies on market value will be levied on "referendum market value," and that all local governments will use a common definition (currently used by school districts) of market value to spread referendum levies, effective for property taxes payable in 1997 and thereafter.

HF3142 (Goodno) Extends the duration of border city enterprise zones until the city council passes a resolution to terminate the zone. (Current law: zone terminates when "allocation" expires.)

HF3145 (Winter) Provides for three levels of wind energy conversion system property taxation for small-, medium-, and large-scale wind energy conversion systems.

HF3179 (Pugh) Requires additional information on the Truth in Taxation statement. Pending referenda must be specifically mentioned.

Ostrom: Eases Truth in Taxation requirements for smaller communities.

HF3204 (Rest) Modifies taxation of low income rental housing, makes qualifying criteria more uniform. Provides phase-in rates for non-qualifying housing currently in these classes.

HF3213 (Rest) Reduces 1st-tier seasonal rec class rate to 1.75 percent in 1997, 1.5 percent in 1998. Also reduces class rates on numerous other classes of property.

**Property metro**

HF2496 (Carruthers) Subjects MCTO properties to local assessments.

**Fiscal disparities**

HF2299 (Rukavina) Creates a fiscal disparities program in taconite areas (prospective).

**TIF**

HF2658 (Milbert) Authorizes South St. Paul to use tax increments to pay debt service on certain refunding bonds.

HF2823 (Milbert) Allows tax increments to be used in housing interest rate reduction programs for 15 years, as opposed to 12 in current law.

HF2956 (Rest) Clarifies existing law whereby a city that incurs a

state aid reduction due to TIF may make a local contribution, rather than pay a state aid offset.

HF2999 (Dauner) Authorizes the Breckenridge City Council to extend the duration of a TIF district until 2009.

HF3212 (Perlt) Extends the period of time that tax increments can be collected from certain parcels in an economic development district in Woodbury.

**Local**

HF1548 (Mariani) Detaches the St. Paul airport from city and school district property tax levies.

HF2119 (Boudreau) Affects the reorganization, administration, and operation of a hospital district in Rice County. Provides that only a levy increase in excess of a city's net tax capacity requires ratification by the City Council.

HF2373 (Jaros) Authorizes the establishment of housing replacement district in Duluth. (These currently exist in Crystal, Fridley, Minneapolis, and St. Paul.)

HF2593 (Jennings) Allows a sanitary district to establish a subdistrict to provide improvements and maintenance for a road. Benefiting properties must pay the tax.

HF2617 (Lourey) Provides for a property tax levy in Carlton County for recreation in Sawyer unorganized territory.

HF2665 (Koppendrayner) Allows a County Board to grant a tax abatement for up to 10 years to commercial (\$400,000 min. improvement) or industrial (\$100,000) property that is located adjacent to a county with a county tax rate more than 35 percent lower than the county of location.

HF2936 (Perlt) Increases the permitted administrative fund levy for the Valley Branch Watershed District authorizing a \$200,000 levy.

HF2994 (Orfield) Authorizes a Minneapolis Special Service District (Hennepin Ave.-Lake St. area).

HF3006 (Rukavina) Allows the cities of Eveleth and Virginia to distribute certain city property tax revenue to their joint economic development association.

HF3019 (Rukavina) Authorizes certain cities, towns, and St. Louis County on behalf of certain unorganized townships to create a special ambulance district around the city of Virginia. Authorizes property tax levy.

HF3132 (Bettermann) Updates the enabling law for the Alexandria area sanitary district.

**Minnesota State Agencies**

State Information .....	296-6013
Agriculture .....	297-2200
Commerce .....	296-4026
Corrections .....	642-0200
Children, Families, and Learning .....	296-6104
Employee Relations .....	297-1184
Job Information .....	296-2616
Finance .....	296-5900
Gaming	
Gambling Control Division ...	639-4000
MN State Lottery Division ....	635-8100
Toll Free .....	1-800-475-4000
MN Racing Commission .....	341-7555

Health .....	623-5000
Human Rights .....	296-5663
Toll Free .....	1-800-657-3704
Human Services .....	296-6117
Economic Security .....	296-3711
Labor and Industry .....	296-6107
Military Affairs .....	282-4662
Natural Resources .....	296-6157
Public Safety .....	296-6642
Driver and Vehicle Services ..	296-6911
Fire Marshal .....	643-3080
Liquor Control .....	296-6159
State Patrol .....	297-3935
Pollution Control .....	296-6300
Public Service .....	296-7107

Revenue	
Taxpayer Assistance .....	296-3781
Toll Free .....	1-800-652-9094
Trade and	
Economic Development .....	297-1291
Office of Tourism .....	296-5029
Transportation .....	296-3000
Veterans Affairs .....	296-2562
House Information .....	296-2146
Senate Information .....	296-0504

# Bill Introductions

HF3262-HF3269

## Friday, March 1

**HF3263—Olson, E. (DFL)**  
**Environment & Natural Resources**  
Metropolitan watershed district maintenance levy authority limited.

**HF3264—Osthoff (DFL)**  
**Taxes**  
Education cost financing with property taxes limited, education and local government aids provided, commercial and residential property tax rates modified, sales taxes imposed, constitutional amendment proposed, and money appropriated.

**HF3265—Anderson, R. (DFL)**  
**Health & Human Services**  
Hospital and health plan company prescription drug price disclosure required.

**HF3266—Anderson, R. (DFL)**  
**Health & Human Services**  
Prescription drug price negotiation authority granted to administration commissioner, fee authorized, and drug purchaser disclosure required.

**HF3267—Anderson, R. (DFL)**  
**Health & Human Services**  
Prescription drug negotiation authority granted to administration commissioner, fee authorized, and drug purchaser disclosure required.

## Wednesday, March 6

**HF3268—Skoglund (DFL)**  
**Rules & Legislative Administration**  
Revisor's bill correcting miscellaneous oversights, inconsistencies, ambiguities, unintended results, and technical errors of a noncontroversial nature.

## Thursday, March 7

**HF3269—Dawkins (DFL)**  
**Taxes**  
Property taxes reduced, income maintenance costs funded, and money appropriated.

Coming Up Next Week . . . March 11 - 15, 1996

# Committee Schedule

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

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Session times to be announced.

## MONDAY, March 11

8 a.m.

**CAPITAL INVESTMENT**  
5 State Office Building  
Chr. Rep. Henry Kalis  
**Agenda:** Bonding Bill.

After Session

**WAYS & MEANS**  
10 State Office Building  
Chr. Rep. Loren Solberg  
**Agenda:** HF2609 (Anderson, R.) Welfare reform.

## TUESDAY, March 12

8:30 a.m.

**RULES & LEGISLATIVE ADMINISTRATION**  
118 State Capitol  
Chr. Rep. Phil Carruthers  
**Agenda:** Constitutional amendments.

After Session

**CAPITAL INVESTMENT**  
5 State Office Building  
Chr. Rep. Henry Kalis  
**Agenda:** Bonding Bill.

## WEDNESDAY, March 13

After Session

**CAPITAL INVESTMENT**  
5 State Office Building  
Chr. Rep. Henry Kalis  
**Agenda:** Bonding Bill.

## THURSDAY, March 14

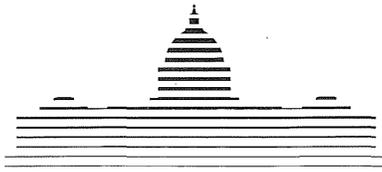
After Session

**CAPITAL INVESTMENT**  
5 State Office Building  
Chr. Rep. Henry Kalis  
**Agenda:** Bonding Bill.

## FRIDAY, March 15

After Session

**CAPITAL INVESTMENT**  
5 State Office Building  
Chr. Rep. Henry Kalis  
**Agenda:** Bonding Bill.



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

### Postsecondary enrollment options

Year that the Legislature authorized the postsecondary enrollment options program, permitting high school juniors and seniors to enroll in colleges, simultaneously earning high school academic credit and future college credits at no charge .....	1985
Savings to state and local governments in K-12 education costs as a result of the program, 1993-94 school year, in millions .....	\$11.8
Corresponding increase in the state's higher education costs, in millions .....	\$16.3
Tuition, fee, books, and material costs that parents and students in the program did not have to pay, 1993-94 school year, in millions .....	\$10.9
Higher education campuses throughout the state that accepted students in the postsecondary enrollment options program .....	87
Students participating, 1994-95 school year .....	6,671
Public high school juniors and seniors, 1994-95 school year .....	112,989
Participating students who earned credits at private colleges, 1994-95 school year .....	536
Rural school districts with no students participating in the program .....	48
Metro area districts with no students participating .....	0
Percent of grades earned by high schoolers at technical colleges that were "F" or "no credit" .....	9
Technical college students' grades that were failing, as a percent of all grades .....	6
Class rank necessary to take courses at a state university or community college as a high school junior .....	top 1/3
as a high school senior .....	top 1/2
Surveyed students in the program who said college courses were faster-paced, "more in depth, and required more homework" than high school courses .....	2:3
Percent of surveyed students who said getting a head start on college credits was "important" or "very important" .....	94
Percent of surveyed students who admitted participating in the program "to avoid a certain high school course or teacher." .....	18

Source: *Postsecondary Enrollment Options Program, March 1996*, Office of the Legislative Auditor

### For more information



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# SESSION WEEKLY

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# SESSION WEEKLY

Minnesota House of Representatives • March 15, 1996 • Volume 13, Number 9

## Week at a glance

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On the cover: Maestro Eiji Oue, music director of the Minnesota Orchestra, performed for the Minnesota House of Representatives March 14 in the House chamber.

— Photo by Laura Phillips

# Highlights

Prairie Island debate . . .

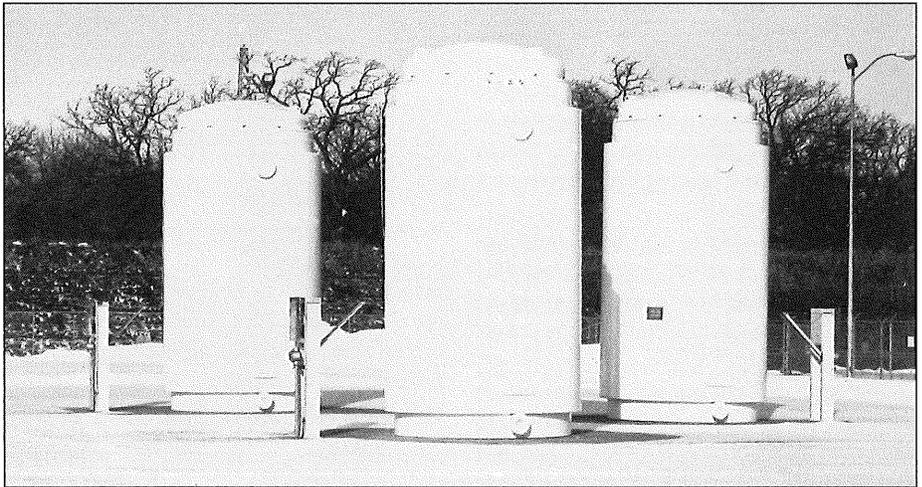
## Tribe would receive land, cash in House proposal

Despite strong objections from Northern States Power Co. and some legislators, the House Environment and Natural Resources Committee March 11 approved a bill that aims to solve the NSP-Prairie Island nuclear fuel controversy.

**HF3236**, sponsored by Rep. Alice Hausman (DFL-St. Paul), is an attempt to broker an agreement between NSP and the Prairie Island Mdewakanton Dakota whose reservation is next to the company's nuclear power plant in Red Wing, Minn. Two attempts this session have failed to produce an agreement that addresses each party's problems with a 1994 law. **SF2495**, sponsored by Sen. Steve Novak (DFL-New Brighton), stalled in the Senate. And an agreement reached by the two parties on their own earlier this month fell apart a day later.

Hausman's bill would repeal the "alternative site" provision in the 1994 law which requires NSP to find another location to store spent fuel rods beyond the 17 casks allowed at Prairie Island.

Under **HF3236**, NSP would get a property tax exemption for the plant's waste storage pad and casks in exchange for annual payments to the tribe. The tribe would receive \$850,000 annually for the operating life of



A bill moving through the House attempts to settle differences between Northern States Power Company and the Prairie Island Mdewakanton Dakota over the storage of spent nuclear fuel in above-ground casks at NSP's Prairie Island nuclear power plant. Under the bill, NSP would receive a property tax exemption in exchange for annual payments to the tribe.

parties. The bill also gives the tribe 1,750 acres of land — a provision that was not in the failed agreement.

Gov. Arne Carlson has expressed concern over giving the tribe land, fearing another casino could be built. (The Prairie Island Dakota currently operate Treasure Island Casino.) Tribal officials told the committee the land would not be used for a casino, but

"Why don't we just back off and let NSP work out a deal . . . and let the blood," Tuma said. "We are sitting here negotiating a contract, just like I do every day as an attorney, and I don't think that's the Legislature's job."

**HF3236** prohibits rerecking — or rearranging — waste to achieve greater storage capacity. The Senate bill allowed NSP to rereck and exceed the waste limit in current law. That would have provided enough on-site storage to run the plant until 2014. Current law allows NSP to rereck as long as total waste stored at the site doesn't exceed 17 casks worth of material.

In passing the 1994 law, legislators and tribal members assumed the waste at Prairie Island would be transferred out of state or the plant would be closed by 2002. That's the year NSP is hoping an interim federal nuclear disposal site will be established. A permanent federal nuclear repository to be located at Yucca Mountain, Nev., won't be ready until well into the next century.

NSP officials have said finding an alternative site further away from the tribe and the Mississippi River would cost \$48 million. But faced with Hausman's bill, they now say the cost of finding and operating an alternative site would cost about \$19 million.

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"We have tied nuclear policy to the future and well-being of this tribe. This is a time to divide those two . . . then in the future we [will] look at NSP's requests separately from holding this community hostage."

— Rep. Alice Hausman

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the plant; \$350,000 annually for the siting of the storage pad; and \$53,000 annually per dry cask.

NSP also would make a one-time \$2 million payment to the tribe and give the tribe 1,750 acres of land to relocate members.

The increased compensation for the tribe is the part of the bill NSP objects to most. Hausman's bill gives the tribe \$850,000 more annually than the agreement reached and canceled earlier this month between the two

rather to relocate members who don't want to live near nuclear waste.

Along partisan lines, half of the committee voted to drop the land offer and reduce the financial payment — essentially turning the bill into the failed agreement reached earlier this month. That amendment, offered by Rep. Virgil Johnson (R-Caledonia), failed on a tie vote.

Rep. John Tuma (R-Northfield) spoke for those who voted to change the bill.

Thomas Micheletti, vice president of public and governmental affairs for NSP, told the committee Hausman's bill could cost ratepayers between \$40 million and \$50 million.

"NSP opposes this legislation for one simple reason — it hurts our customers," Micheletti said. "It disappoints me that the first two agreements we reached with the tribe were in a sense breached. I've felt all along we'd be much better off if we marched up here [to the Legislature] together."

Hausman objected to Micheletti's comment.

"For us to accuse the tribe of agreements breached seems to me to be, to understate it, unfair," she said, referring to the history of European settlers breaking land agreements with Native Americans.

Hausman objected to anyone characterizing her bill as a "win-win" solution. She referred to the bill as a "lose-lose" situation and said it's time to untie NSP and the Prairie Island Dakota.

"We have tied nuclear policy to the future and well-being of this tribe," said Hausman, who didn't vote on the 1994 bill. "This is a time to divide those two . . . then in the future we [will] look at NSP's requests separately from holding this community hostage."

The tribe has said they fear both the possible health repercussions of living near radioactive waste and the potential harm of a major accident. While they would not take payments from NSP when the 1994 law was passed, the tribe now says they should be given both money and land to compensate them for their proximity to the plant.

In objecting to the increased compensation in Hausman's bill, Micheletti of NSP said only a fraction of the tribe lives on the Prairie Island reservation. As of December 1995, about 130 of the tribe's 500 enrolled members lived on the reservation.

NSP began pushing to use dry casks to increase nuclear waste storage capacity seven years ago. The 1994 law grants NSP the right to store up to 17 casks of radioactive waste at the Prairie Island site if the power company invests in alternative energy such as windpower and searches for an alternative storage site.

The tribe and NSP have been trying for months to negotiate an agreement to change the law, which the Legislature would have to pass. Several committee members expressed opposition to the Legislature's latest involvement in the controversy.

**HF3236** now moves to the House Rules and Legislative Administration Committee.

—Kendall Anderson



## AGRICULTURE

### A vote on canola



A new state law, effective Feb. 29, 1996, allows another vote before the 1996 harvest to determine whether to create a Minnesota canola council.

That's good news for farmers who pushed for a referendum on the issue only to see it fail by a narrow margin in the fall of 1995.

Many blamed the initiative's failure on the Department of Agriculture's choice to schedule the vote in the middle of the harvest season.

Voter participation was low and many were disappointed with the results.

State law mandates that another referendum vote cannot be held until a year after the previous failed ballot issue was held.

The new law makes an exception for the proposed canola council by requiring that only six months pass before another vote on the matter.

Without the exception, growers would have faced another harvest time vote on the canola council or further delay on the issue.

If approved, the canola council would become one of more than a dozen state commodity councils created to guide research and promotion efforts.

Canola is a specialty grain crop used mainly for oil products such as cooking oil.

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

**HF2454/SF2111\*/CH290**



## BUSINESS

### Omnibus liquor bill

More free liquor samples, wine tastings, tour boats that sell liquor, and wine service at bed and breakfasts would be available under the omnibus liquor bill the House passed March 11.

The proposal (**HF2590/SF2116\***), which also includes changes to laws governing liquor licenses and warnings posted in the state's liquor establishments, passed on a vote of 120-11. (See Feb. 9, 1996, *Session Weekly*, page 4, and Feb. 16, 1996, *Session Weekly*, page 6)

Sponsored by Rep. Jeff Bertram (DFL-Paynesville), the bill now goes to conference committee.

### Warnings

The bill would increase requirements for warning signs that must be posted in retail and municipal liquor stores.

Currently, liquor store owners must post signs notifying customers of the state's penalties for driving while intoxicated and underage drinking. Under the bill, liquor retailers would be required to post a single sign in a conspicuous place that includes those warnings, plus a warning about the consequences of drinking alcohol while pregnant.

### B and Bs

A provision in the bill would allow Minnesota bed and breakfast facilities to give guests two complimentary glasses of wine per day, up to 4 ounces each, to drink on the premises, without the owners having to obtain an on-sale liquor license for that purpose. Owners would have to register with the state's public safety commissioner.

Rep. Barbara Sykora (R-Excelsior) gained wide support for an amendment that would apply the change to bed and breakfasts with up to 10 rooms (the original bill allowed for only eight rooms). The amendment also would allow the operators of such facilities to live in a building on the same property as a bed and breakfast. Originally, the bill required guests to stay in the owner's personal residence. In addition, the Sykora amendment would expand the bill's definition of a bed and breakfast — which now is limited to single family homes — to include other structures, such as old mills and other unique buildings that are suited for guests.

### Free samples

Free liquor and beer samples may be more abundant if the bill becomes law. New provisions would allow liquor stores to give customers free samples of hard liquor in containers up to 15 milliliters. The law currently allows free samples of wine, beer, cordials, and liqueurs. The proposal also would allow a brewer to furnish a restricted amount of beer to off-sale retailers for samplings.

### Wine tastings

More wine tastings are likely to occur if the bill becomes law. The bill would allow the events at on-sale locations where no charitable organizations are participating, or at locations that are for designated charities but where the tastings are primarily for educational purposes. Current law strictly regulates wine tastings that are associated with charitable, religious, and nonprofit organizations. The provision would clarify that re-

strictions, such as not being allowed to take orders for off-premises consumption, do not apply to tastings sponsored by on-sale establishments that meet the above criteria.

### Liquor on the river

The mighty Mississippi and the St. Croix rivers will join Lake Superior in accommodating tour boats that sell liquor, if the bill becomes law. The measure would allow tour boats on the St. Croix and Mississippi rivers to receive on-sale liquor licenses between May 1 and Oct. 31. Currently, only tour boats on Lake Superior are allowed to receive such licenses.

### Government fees

After an extensive debate concerning local control of inspections and fees, members adopted an amendment that would retain current law that correlates license fees with the direct costs of inspection and enforcement associated with particular establishments.

Rep. Mindy Greiling (DFL-Roseville), sponsor of the amendment, said local governments are in the best position to make judgments concerning establishments in their jurisdictions. She said proposed changes in the law would have limited local governments' power.

Bertram opposed the amendment, saying many local governments have "played games" with bar owners, such as increasing fees for the purpose of raising revenues and conducting excessive, meaningless inspections that are done only to justify the high government fees. Bertram's proposal would have limited local governments' basis for fees to two inspections a year.

Rep. Alice Seagren (R-Bloomington) rose in support of the Greiling amendment, arguing that the fees are justified and that the Mall of America and other entertainment establishments are made safer by local governments that tailor license fees to the individual characteristics of establishments.

The Greiling amendment passed on a vote of 115-16.

so from potential subscribers. The law would not apply to on-line companies that do not share such information.

"What I'm trying to do is anticipate problems that consumers may have in the future rather than just react to them," said Kelley.

Under the bill, an on-line service would have to get the consent of a subscriber to give or sell any identifying information, including residential or electronic mail addresses. Kelley said the bill is the first of its kind in the nation.

Critics argued that the law will discourage on-line services from doing business in Minnesota and could inhibit enjoyable on-line communication.

Rep. Dan McElroy (R-Burnsville) said many Internet browsers rely on the ability to get electronic mail addresses of users who have similar interests. He said he fears Kelley's bill will make that much more difficult.

Several legislators said the bill will hurt Minnesota from a business standpoint.

"The prohibition on disclosure of information may be a reason for [businesses] to consider not doing business in Minnesota," said Rep. Todd Van Dellen (R-Plymouth), who took his name off the bill earlier this session.

A former software manager, Rep. Ken Wolf (R-Burnsville) said experience has shown him Van Dellen's concerns are legitimate. When he developed and helped release software onto the market for a Minnesota company, Wolf said companies frowned on programs that included extra steps, which is what Kelley's bill would require.

Under the bill, on-line services that give out subscriber information would have to install a screen in their subscriber program that asks customers for permission to use such information.

Kelley said his bill is overdue, given statutory protections for other kinds of information.

"In current law, we have a lot of protection for information in government hands. We have relatively little protection of information in private hands," he said.

The bill now moves to the Senate.

Current law requires no such hearing.

If a judge determines that the physician is guilty of violating Board of Medical Practices rules governing such behavior, the notice of and order for hearing filed by the board would become public, allowing other victims to come forward with new information for the board to consider.

"The major thrust of this legislation is to increase the ability of the board to inform the public," Robert Leach, the board's executive director, has told lawmakers.

Leach has said the bill also would improve the board's ability to keep complainants and victims — who are not always the same in such cases — informed of the progress of an investigation into allegations of sexual misconduct. Under current law, only the person filing the complaint can be given information about the status of an investigation.

The bill, sponsored in the House by Rep. Lee Greenfield (DFL-Mpls), would provide that probable cause hearings be closed to the public. However, the board must make public a notice of the hearing; findings of fact, conclusions, and recommendations issued by the administrative law judge and arguments before the board in cases where the judge finds a violation of the state's sexual misconduct rules; and any final order of the board.

**HF2633/SF2332\*** would add a seven-year statute of limitations for all complaints filed with the Minnesota Board of Medical Practices except for sexual misconduct cases, which would be subject to no statute of limitations.

The bill now moves to the governor for his consideration.

## Victim notification

A bill that goes further to warn victims of domestic abuse when the perpetrator is about to be released from custody won approval from the House March 12. The vote was 133-0.

Under current law, authorities are to "make a reasonable and good faith effort" to orally notify the victims of abuse when the alleged perpetrator is about to be released.

The bill (**HF2842/SF2275\***) would, at the request of the victim, extend the notification to a local battered women's shelter or sexual assault program and local law enforcement agencies known to be involved in the case.

The bill attempts to increase the chances of reaching victims, some of whom may not be at their usual residence after an assault.

Some lawmakers have questioned how the bill would work given that many alleged perpetrators are arrested at night and re-



## CONSUMERS

### Sharing electronic data

A bill that aims to protect consumers who use on-line services from companies that seek their personal information passed the House March 8. The vote was 68-64.

**HF2816**, sponsored by Rep. Steve Kelley (DFL-Hopkins), would require on-line services that release information about subscribers to companies to get permission to do



## CRIME

### Investigating physicians

Investigating Minnesota physicians accused of sexual misconduct would become a more open process under a bill passed by the House March 12. The vote was 133-0.

The proposal (**HF2633/SF2332\***) would require a probable cause hearing to be held before an administrative law judge in cases where a doctor is accused of sexual misconduct.

leased before lunch the next day. They questioned whether authorities would have time to notify the victims and shelters involved.

The bill, sponsored by Rep. Steve Kelley (DFL-Hopkins) in the House, also requires courts to "make a reasonable and good faith effort" to notify a victim when a person arrested (or a juvenile detained) for domestic assault or harassment has a hearing to determine if they will be released pending trial.

**HF2842/SF2275\*** further states that the prosecutor must present to the judge relevant information regarding the victim's account of the crime before the court decides whether to grant a pretrial release.

The bill now moves to Senate.

## No cloning allowed

A bill to make it a crime to engage in cellular phone "cloning" was passed by the House March 12. The vote was 129-0.

The bill (**HF2526**), sponsored by Rep. Chuck Brown (DFL-Appleton), addresses what phone company officials say has become an increasingly popular crime.

Cellular phone cloning — or counterfeiting — would be a felony under the bill, punishable by up to five years imprisonment and a \$10,000 fine. Current statute prohibits cellular phone eavesdropping but does not specifically address any other wireless phone violations.

"Cellular phone cloning is a \$500 million illegal industry. . . . This is a very, very serious issue, and I believe as a public policy it warrants our attention," Brown has said.

Cellular phone cloning occurs when someone acquires a phone identification number — assigned by the manufacturer — and alters it. Cloners either use the number or provide it to a computer network system for others to use. Some use a combination of scanners, cables, computer chips, and software to create identification numbers themselves.

(See Feb. 2, 1996, *SessionWeekly*, page 8, and Feb. 23, 1996, *SessionWeekly*, page 9)

**HF2526** now heads to the governor for consideration.



## DEVELOPMENT

### Local development plans

Local governments would be encouraged to establish a sustainable development plan under a bill passed by the House March 8. The vote was 86-46.

**HF1800**, sponsored by Rep. Dee Long (DFL-Mpls), directs the state to draft a "model



Duluth Police Chief Scott Lyons, on March 8, joined police chiefs from around the state for a press conference to oppose the effects of a "permit to carry" amendment to the crime bill that would make it easier for some individuals to carry a pistol.

ordinance" for sustainable development and make it available to local governments. The bill passed the House but didn't make it out of conference committee last year.

Sustainable development—a concept promoted by Gov. Arne Carlson — involves the development of land and waters that minimizes environmental damage and provides for economic opportunities and community well-being. The goal of sustainable development is to preserve the environment for future generations.

There are no funding or enforcement provisions in the bill. Local governments adopting the model ordinance, however, would be advised that it would be the minimum regulation to guide all sustainable development.

The bill now moves to the Senate.



## ELECTIONS

### Ballot changes proposed

A bill setting the framework for fusion candidates — those nominated by more than one political party — to appear on the ballot is headed for the House floor.

**HF3123**, sponsored by Rep. Gene Pelowski (DFL-Winona), was approved March 12 by members of the House Ways and Means Committee, who had earlier balked at the proposal.

The bill is part of the fallout of an Eighth U.S. Circuit Court of Appeals decision issued in January that wiped out state election law forbidding fusion candidates on the ballot.

The court ruling followed events that

occurred during the 1994 re-election campaign of Rep. Andy Dawkins (DFL-St. Paul).

Dawkins accepted nominations from both the DFL and the Twin Cities Area New Party. He asked to be listed on the ballot as the nominee of both parties, but the secretary of state refused, saying that state law did not allow it.

The New Party filed suit in the case, and state law barring fusion candidacies was subsequently found to be unconstitutional.

Pelowski's bill would provide a short-term solution to deal with fusion candidacies.

The bill, which includes a June 1997 sunset, would allow more than one nominating party to be listed under a candidate's name on the ballot.

With or without the bill, fusion candidates would still have to be allowed under the court decision. Such candidates could have their name appear on the ballot two or more times — once for each nomination they accept — if no new law is passed this year.

"You have a choice of having it happen in an orderly manner or having it happen in a disorderly, chaotic manner," Pelowski said.

The Ways and Means Committee tabled the bill March 8 after members voiced numerous concerns about the implications of allowing candidates to list simultaneous nominations.

Major concerns among committee members included the effects that fusion candidacies could have on ballot placement, public financing for campaigns, and the proliferation of minor parties.

The bill was lifted from the table and passed only after committee members heard

that an appeal of the court decision is likely.

The attorney general expects to file an appeal to the U.S. Supreme Court before the April deadline for such action, said Eric Johnson, executive assistant to Minnesota Attorney General Hubert H. Humphrey III.

Although the state likely would seek a stay from the court to bar fusion candidacies until a final ruling on the issue is made, it is unlikely the court would issue such an order, according to Johnson.

That means fusion candidacies are likely to appear on the November 1996 ballot.

Under Pelowski's bill, a candidate would be allowed to be listed as the nominee of one major party along with one or more minor parties or as the nominee of multiple minor parties.

A single candidate would not be allowed to be listed as the nominee of more than one major party. In Minnesota, there are three official major parties — Democratic-Farmer-Labor, Republican, and Independence.

The candidate and the state chairperson of each nominating party would have to approve a fusion candidacy.

The bill now goes to the House floor.



## EMPLOYMENT

### Time off for kids

A bill to allow parents to take a few hours of unpaid time off to attend their child's school play or parent-teacher conference — regardless of how long they've worked for a company — passed the House March 13. The vote was 129-3.

The proposal (HF2682), sponsored by Rep. Mindy Greiling (DFL-Roseville), would expand current law which allows parents who have worked for a company for at least a year to take unpaid leave for a school activity.

Committee testimony has indicated that at least one company has strictly interpreted the law and denied an employee's request to attend a child's school lunch because the one-year requirement was not met.

As in current law, the bill would allow parents up to 16 hours during a 12-month period to attend their child's school-related activities, provided the activities cannot be scheduled during non-work hours.

The bill also keeps provisions in current law that in certain cases require an employee to "provide reasonable prior notice of the leave and make a reasonable effort to schedule the leave so as not to disrupt unduly the operations of the employer."

Employers are not required to pay for the leave, but if the employee has accumulated vacation time or other paid time off, they may use it.

(See Feb. 9, 1996, *SessionWeekly*, page 8)

The bill now moves to the governor for consideration.

## Livable wage

A bill requiring certain companies that receive \$25,000 or more in state aid to pay their employees at least \$7.21 per hour is on the way to the House floor.

HF2562, sponsored by Rep. Karen Clark (DFL-Mpls), was approved March 13 by the House Ways and Means Committee.

The bill would affect medium- and large-sized companies that receive \$25,000 or more in state aid through loans, grants, or tax increment financing.

Also, the livable wage requirement would affect large non-profit organizations with a salary ratio between the highest- and lowest-paid employee of 25 to 1 or greater.

The bill would exempt other nonprofits, businesses employing 20 people or less, and companies that have received bona fide offers of financial assistance to relocate to another state.

The bill requires qualifying companies to pay wages equal to federal poverty level guidelines for a family of four, now at \$7.21 per hour or about \$15,000 a year.

(See Feb. 9, 1996, *SessionWeekly*, page 18 and Feb. 23, 1996, *SessionWeekly*, page 10)



## ENVIRONMENT

### Reimbursing the state

A bill that aims to help the state collect more insurance money to cover the costs of cleaning up contaminated landfills passed the House March 8. The vote was 123-6.

HF2588, sponsored by Rep. Jean Wagenius (DFL-St. Paul), repeals part of a 1993 law that was passed to simplify the clean-up of contaminated landfills. The 1993 Landfill Cleanup Act came after a rash of lawsuits were filed in connection with the contaminated Oak Grove landfill, just north of the Twin Cities. That law took the responsibility for cleaning up contaminated sites away from landfill owners and made the state responsible.

But the attorney general's office found the 1993 act brought many problems, especially in recovering costs from insurance companies. Under that law, the state would determine an insurance company's liability in a

contaminated landfill case by using general statewide market share percentages. For example, the state would determine that an insurance company owed 25 percent of the costs of cleaning up a given landfill because 25 percent of that company's business was in business liability insurance. The insurance company, in some cases, would then argue they weren't liable because none of their market share includes landfill operators.

Wagenius' bill, carefully negotiated between the attorney general and the insurance industry, establishes a new process. Instead of using market share to determine what an insurance company should pay, it addresses each contaminated landfill on a case-by-case basis to determine liability. Proponents say this will make it easier for the state to recover clean-up costs from insurance companies.

The case-by-case approach would mean extra work for the attorney general's office and the Pollution Control Agency (PCA). A total of \$689,000 is included in the omnibus environment and natural resources finance bill (HF3231) to cover additional costs. A total of \$425,000 would go to the attorney general's office and \$264,000 to the PCA.

HF2588 now goes to the Senate.



## ETHICS

### Ethics changes

Conduct complaints against members of the House of Representatives will become public more quickly under new rules adopted by the House Ethics Committee March 13.

Previously, complaints filed against members remained confidential unless the Ethics Committee, in private session, found probable cause to pursue the matter.

In the past, a probable cause hearing was opened to the public only if all the parties involved requested it be made public.

Under the new rules, a complaint and any evidence that goes with it becomes public as soon as the committee schedules a preliminary hearing to determine probable cause.

Hearings still may be closed, however. Under the new rules, the committee can meet in closed session if two-thirds of the members vote to do so to determine probable cause, to consider a member's medical or other health records, or to protect the privacy of a victim or a third party.

The change was prompted by a recent complaint filed against Rep. Jeff Bertram (DFL-Paynesville). The complaint was made public (in violation of House rules) by Rep. Tom Workman (R-Chanhassen), a former member of the Ethics Committee.

In a separate move March 13, the Ethics Committee voted to open all the records and testimony relating to the Bertram complaint. Hearings to determine whether there is probable cause for disciplinary action were expected to continue through the weekend.

## GAME & FISH

### Omnibus game and fish

It would no longer be a crime to put a sunfish in your home aquarium under the omnibus game and fish bill passed by the House March 13. The vote was 131-0.

The proposal (HF2799/SF2445\*), sponsored by Rep. Bob Milbert (DFL-South St. Paul), would make a number of changes to the state's hunting and fishing laws.

Under current law, transplanting a game fish from a lake to an aquarium is a misdemeanor, punishable by up to 90 days in jail and a \$700 fine. Rep. Charlie Weaver (R-Anoka) sponsored an amendment to allow those under age 16 to take by angling "fish for display" in aquariums. Weaver's proposal limits the take to no more than four fish of each species, none of which can exceed 10 inches in length. Not all fish can be taken, however. The bill specifies that only largemouth bass, smallmouth bass, yellow perch, rock bass, black crappie, white crappie, bluegill, pumpkin seed, green sunfish, orange spotted sunfish, and black, yellow and brown bullheads are permitted.

Rep. Darlene Luther (DFL-Brooklyn Center) convinced her colleagues that Minnesotans of all ages should be able to add a fish to their aquariums without penalty. Her amendment passed on a voice vote.

Other provisions in the bill would:

- repeal a forthcoming DNR safety rule that makes life preserver requirements more stringent. Amendment sponsor Rep. Mark Holsten (R-Stillwater) said that current law is adequate. Holsten argued that owners of certain boats should not have to spend money on extra life preservers.
- allow nonresidents under the age of 16 who possess a firearm safety certificate or equivalent document from their home state to take small game (except turkeys) in Minnesota with firearms or a bow and arrow. If kids are under the age of certification, they can take the game if accompanied by a parent or guardian, said Milbert;
- require the DNR to seek public input on expanding the statewide buck license to muzzleloader hunters and archers, allowing them to hunt antlered deer at no addi-

tional cost. The amendment, sponsored by Rep. Tom Bakk (DFL-Cook), also gained support for a measure that would delay the upcoming muzzleloading firearm deer season to 1999. Bakk said the delay was necessary because of the vast number of deer that died this year due to the harsh winter;

- allow hunters to quarter a deer where they kill it, assuming the deer is appropriately tagged. Hunters would have to present the quarters together, with the head attached to one of them, for registration;
- permit full-time students who are non-residents to take big game, except moose, if they buy a resident big game license. Current law only allows these students to take fish or small game;
- permit the possession of trout or salmon on certain lakes where there are no limits and the methods of taking fish go beyond traditional hook and line. Currently, this benefit is given only to anglers with a 24-hour license.

The bill now goes to conference committee.



## GOVERNMENT

### Chicano-Latino council

A bill to bring greater geographic diversity to the Minnesota Spanish-Speaking Affairs Council and change the group's name passed the House March 11. The vote was 118-15.

Rep. Matt Entenza's (DFL-St. Paul) bill would increase the number of members on the governor-appointed council from seven to nine and would add two non-voting members, one from each legislative body. Eight of the nine voting members of the council would represent Minnesota's eight congressional districts; the ninth would be an at-large representative.

Under the proposal (HF2193/SF1902\*), the group would be renamed the Minnesota Council on Affairs of Chicano/Latino People.

The term "Chicano/Latino" is defined as a person born in or a descendent of people from Argentina, Bolivia, Brazil, Chile, Colombia, Costa Rica, Cuba, the Dominican Republic, Ecuador, El Salvador, Guatemala, Honduras, Mexico, Nicaragua, Peru, Panama, Paraguay, Puerto Rico, Uruguay, or Venezuela.

The bill also makes minor changes to other groups that represent minority interests, including the Asian-Pacific Minnesotans, Black Minnesotans, and Indian Affairs councils.

"They believe the changes will allow them

to more effectively serve the members of the minority populations in Minnesota," said Entenza.

The Spanish-Speaking Affairs Council has expressed concern that their seven members don't represent outstate interests. Entenza's original proposal would have increased the council from seven to 11 members, but an amendment by Rep. Kevin Goodno (R-Moohead) would make it a nine-member panel.

Goodno said his amendment was a "compromise" between Entenza's bill and those who criticized an increase in members and those who wanted to make other changes to the group.

Rep. Steve Sviggum (R-Kenyon) said he objected to increasing members to expand representation because "there is nothing in current law that prevents geographic representation."

Entenza noted that the current members, who are appointed by the governor, predominantly represent the metro area. He also said the governor supports the bill.

The bill now moves to conference committee.



## HEALTH

### Hospital stays after birth

A bill to allow mothers and their newborn babies the option to stay in the hospital a little longer is on its way to Gov. Arne Carlson.

The House passed a compromise version of the bill March 11 by a vote of 114-18. The Senate passed it March 12 by a vote of 53-6.

HF2008 would require insurance companies to cover a minimum of 48 hours of inpatient care following an uncomplicated vaginal delivery and at least 96 hours of inpatient care following an uncomplicated cesarean section.

Currently, many mothers and newborns are being sent home 24 hours after delivery and doctors worry about the health risks to both patients.

The compromise bill eliminates a House provision that required a physician, in consultation with the mother, to determine that the longer hospital stay be medically necessary.

Under existing law, hospital patients can sign a waiver to be released whenever they dictate, so a mother could still leave before 48 or 96 hours. No doctor or health plan, however, could force a mother and child to leave before 48 or 96 hours elapse following the delivery, depending on the method of delivery.

The compromise bill also includes Senate language which prohibits health plans from providing any compensation or other non-medical benefit to encourage a mother and newborn to leave the hospital early.

The provision represents a preemptive strike. While lawmakers acknowledged that this practice currently doesn't occur in Minnesota, it does in other states.

Should a mother leave the hospital before 48 or 96 hours have elapsed, the bill says her insurance company must provide coverage for the option of one home visit by a registered nurse. Services provided by the nurse would include parent education, training in breast and bottle feeding, and conducting any necessary and appropriate clinical tests.

The bill would become effective the day following final enactment to more quickly accommodate mothers and babies. It does not apply to businesses that are self-insured or to health plans administered by the state, such as MinnesotaCare or Medical Assistance.

(See Jan. 19, 1996, *Session Weekly*, page 10, Jan. 26, 1996, *Session Weekly*, page 11, Feb. 2, 1996, *Session Weekly*, page 12, and March 8, 1996, *Session Weekly*, page 7)



## HOUSING

### Problem tenants

A bill that aims to help landlords and residents fight drugs and prostitution is on its way to the governor for consideration.

**HF2040** passed the House Feb. 21. The

vote was 129-2. It passed the Senate March 12 on a 61-1 vote.

The proposal, sponsored by Rep. Karen Clark (DFL-Mpls), would make it easier for community members to get the names and addresses of suspicious drivers in the neighborhood. It also attempts to give landlords an easier route to both keeping out bad tenants and evicting drug dealers.

The bill's provisions include:

- waiving the \$1.50 fee required to obtain motor vehicle registration information. Community members who work to fight crime would be able to learn the identities of suspicious-looking drivers in their areas at no charge, Clark said. Neighborhood groups would use this information to send "notice" letters to the drivers which would put them on alert that they are being watched. Minneapolis police already do this, Clark said, but the bill would allow more letters to be sent by enlisting the help of community members;
- adding to lease provisions the "purchase" of a drug as grounds for eviction. According to Clark, community crime officers have said there is a loophole under current law that prevents landlords from evicting tenants due solely to a drug purchase. She said it is easier to evict when drugs are found in a tenant's apartment, for instance; and
- specifying that tenant screening agencies must get the full name and date of birth of those seeking housing. Full names and dates of birth are required by the FBI to do criminal history searches. Full names are also required to do an accurate background

check on previous residences, Clark said. She said many landlords end up with problem tenants because they didn't get such information before offering the tenant a lease.



## HUMAN SERVICES

### Welfare reform

A welfare reform bill including new residency and work-search requirements was approved March 13 by the House Ways and Means Committee.

Under **HF2609**, sponsored by Rep. Bob Anderson (DFL-Ottertail), most individuals would have to reside in Minnesota for 30 days before they could receive General Assistance or Aid to Families with Dependent Children (AFDC).

The bill also includes \$5 million to subsidize child care costs for more low- and moderate-income families, thus removing a barrier to their returning to work.

Under the bill, the Department of Human Services could, to the extent child care funding is available, require both caregivers in a two-parent household to work if they are receiving AFDC and their children are age 6 or older and not in kindergarten.

The provision is necessary to meet federal guidelines. Last year, the federal government warned the state of possible sanctions because not enough two-parent welfare families in the state were working.

Another provision in the bill would allow counties the option of starting up a new jobs program for AFDC recipients called MNJOBS. Along with state agencies, counties would work with local public and private employers and work force councils to operate the employment program.

In counties that choose to use the program, AFDC recipients would be required to participate or face sanctions, such as the loss of their public assistance benefits.

Welfare recipients would complete a face-to-face orientation on the program within 10 days and be advised of their need to work.

Those on AFDC would be required to begin searching for a job within 30 days of the MNJOBS orientation and job hunt for at least 30 hours per week for up to four weeks. People who are working at least 20 hours a week would have to conduct a job search only for 12 hours per week for eight weeks.

The bill now moves to the House floor.

(See Feb. 9, 1996, *Session Weekly*, page 13)



Five-year-old Molly Sarne of Maplewood brought her sign to an overflow press conference opposing cuts to programs that help Minnesotans with disabilities stay at home instead of in a state institution. Molly, who suffers from cranial facial syndrome, uses a government program known as TEFRA to help pay for the speech therapy that insurance benefits do not cover. TEFRA allows families of children with disabilities to buy into the joint state and federal Medical Assistance plan.



## INSURANCE

### Screening for cancer

The House passed a bill March 12 that would require insurance companies to cover prostate cancer screening. The vote was 103-29.

**HF2394**, sponsored by Rep. David Tomassoni (DFL-Chisholm), would require insurance companies, under certain conditions, to pay for a blood test used to detect prostate cancer.

Insurers would have to cover the prostate specific antigen (or PSA) test for all men older than 50 and for men older than 40 who have symptoms of the disease or are in a high-risk group.

The test is already covered by about half of the health insurance companies, according to Tomassoni. He argued it is too important to be denied to any policyholder.

"Prostate cancer is a major public health problem among male patients in the U.S.," Tomassoni said.

The bill drew criticism from some who claim the mandate will drive up insurance costs to consumers.

"Insurance companies don't pay for medical costs," said Rep. Leroy Koppendrayner (R-Princeton). "People who buy [insurance] policies pay for medical costs."

The bill now goes to the Senate.

(See Feb. 2, 1996, *Session Weekly*, page 14 and Feb. 9, 1996, *Session Weekly*, page 14)

### Day care coverage

The House passed a bill March 11 stating that a homeowners' insurance policy does not cover liabilities arising from a home day care operation. The vote was 72-61.

Bill sponsor Rep. Becky Lourey (DFL-Kerrick) said the measure would help people who run day care services in their homes.

Insurance companies have, in some cases, been held liable under homeowners' policies for claims stemming from home day care, Lourey said.

The result is that some insurance companies are refusing to issue homeowners' policies to people who provide day care services in the home.

Some day care providers must now choose between having no homeowners' insurance or giving up their day care business, Lourey said.

The bill would simply clarify that homeowners' policies do not cover day care unless it is specifically stated in the policy.

**HF3078/SF2624\*** now goes to the Senate.



## LAW

### Data practices act

A bill to better protect the identities of students and loosen the red tape when it comes to picking up a library book passed the House March 12. The vote was 127-6.

The bill, sponsored by Rep. Mary Jo McGuire (DFL-Falcon Heights), is the omnibus data practices bill, which deals with privacy issues and the release of information.

Among its many provisions, the bill (**HF2386/SF2410\***) would:

- allow a family or household member to pick up a reserved book at a library on behalf of a patron. Patrons, however, could request that books only be released to themselves. Current law prohibits any release of data that links a patron's name with a particular book;
- allow the release of private welfare data to the Department of Children, Families, and Learning to determine whether children are eligible for free and reduced-price school meals and to help calculate more accurately the number of children receiving Aid to Families with Dependent Children;
- allow the Department of Health or a local



Home school students, Lance Awsumb, left, and Riley Carrol, right, of Apple Valley, played a game of chess at the base of a Civil War flag case in the Capitol rotunda as parents and home school students rallied March 13. The group celebrated the 10,000 students educated at home during the 1995-96 school year. The Minnesota Association of Christian Home Educators sponsored the rally.

board of health to receive the current address and telephone number of a welfare recipient in order to locate the person when there is reason to believe the individual is carrying a disease or is at risk of illness;

- expand a 1995 law that states that heads of state agencies, their assistants, or deputies who have a complaint or charge lodged against them will see investigative information about the charge become public after the investigation is completed. If they resign or are fired before an investigation is completed, the information also becomes public. The bill expands officials covered under the law to include bureau chiefs of state executive departments, and the chief executive officer, deputy, and assistant chief executive officers of executive agencies that are not state departments;
- provide that when a school designates school directory information (information about students that can be released to the public), it must give students and parents notice that they have the right, under federal law, to refuse to release any information for the directory; and
- authorize vital records officials to release (as long as the mother grants permission) the name and address of an unmarried mother and her child's date of birth to a family services collaborative. The objective is to connect new families in need with social services.

A conference committee will work out the differences between the House and Senate versions of the bill.

### License suspension

The Department of Public Safety would have to provide two weeks notice before suspending a driver's license under a bill passed March 13 by the House. The vote was 127-5.

Bill sponsor Rep. Peggy Leppik (R-Golden Valley) said the measure is necessary to give people who face a license suspension "some time to put their lives in order."

Under the bill (**HF2012/SF1797\***), a license suspension would not take effect until at least 14 days after the department mails notice to the driver.

Leppik said the bill stems from the troubles of one of her constituents.

The constituent received only a one-day notice before her license was suspended. The woman relied on her car in her career. As a result, such short notice left her unprepared to get by without driving, Leppik said.

New notice requirements in the bill would not apply if the delay "poses a threat to public safety."

The bill now goes to the governor.



## LOCAL GOVERNMENT

### Wastewater services

A bill that aims to streamline the way the Metropolitan Council bills local government for wastewater services unanimously passed the House March 13. The vote was 132-0.

The proposal (HF2556/SF2194\*), sponsored by Rep. Mark Mahon (DFL-Bloomington), frees the council from many state laws that have governed how they bill and collect for municipal waste water services. The measure adopts the recommendations of a council task force and, Mahon said, it will help the council charge local governments more accurately and work more efficiently.

"This simplifies the system of billing and it doesn't include a revenue change," said Mahon.

The council charges local governments in the seven-county metro area for wastewater treatment centers and interceptors, which are pipes that are part of a city's infrastructure. The council does not bill local governments for smaller pipes that carry water to and from private homes.

Mahon's bill would establish a cash flow management account and would allow the council to make direct payments to local governments for the acquisition of wastewater facilities. Currently, the council doesn't make direct payments but rather offers a credit to the local government against water service costs.

The bill also would use actual water flows to determine billing amounts instead of estimated flows, which are currently used. This provision would reduce administrative work between the council and local governments. Currently, the council and local governments spend a lot of time accounting for discrepancies between estimate flows and actual water flow.

The bill now goes to conference committee.



## SAFETY

### Stopping for pedestrians

Minnesota drivers had better stop for pedestrians in a crosswalk or they will face a criminal charge under a bill passed by the House March 12.

Current law requires only that drivers slow down and yield the right-of-way to pedestrians in crosswalks where there are no traffic signals or where signals are not operating. Bill sponsor Rep. Jim Farrell (DFL-St. Paul) said his bill (HF2930/SF2054\*) would require drivers to always stop in such circumstances, not just slow down.

First-time offenders who fail to stop would be guilty of a misdemeanor, punishable by up to 90 days in jail and a \$700 fine. Drivers who violate the law within a year of a previous conviction would be guilty of a gross misdemeanor punishable by up to one year in jail and a \$3,000 fine.

Statistics show that in 1994, the most recent year for which data is available, three Minnesotans were killed as they legally tried to cross streets in crosswalks; another 245 were injured.

"What we're trying to do is change people's behavior. We have to bring people back to the concept of Minnesota Nice and start looking out for pedestrians in crosswalks," Farrell has said. The Minnesota Senior Federation strongly supports the legislation, according to Farrell, who also noted that "this bill is important to those people who are not able to move quickly."

The bill also would require the Department of Public Safety to revise the state driver's manual to include a section explaining when a driver must stop to yield to a pedestrian and the penalties for failing to do so.

In addition, the department would have to produce a series of public service announcements to educate the public on the law's changes. The announcements would be aired on radio and television, according to the bill.



State Commander of the Military Order of the Purple Heart George Constans, left, was among a group of veterans who watched March 14 as the House Rules and Legislative Administration Committee approved a bonus for Minnesota veterans of the Persian Gulf War.

(See Feb. 23, 1996, *Session Weekly*, p. 19)

The proposal now moves to the governor for consideration.



## TRANSPORTATION

### Antique automobiles

A new proposal for old cars sped to passage in the House March 13 on a vote of 132-0.

The bill (HF2098/SF1793\*), sponsored by Rep. Richard Pellow (R-New Brighton), would allow owners of antique automobiles to display a single original license plate on the rear of the vehicle if the plates were issued in 1911, 1944, 1945, or 1946.

Those were the years that the state issued only single plates, said Pellow. State efforts to conserve scrap metal led to the single plate policy during those years, according to history buffs.

Current law allows owners of antique automobiles to display original plates, if in good condition. However, another law that requires two plates to be displayed supersedes the original plate law, leaving behind owners of vehicles made in the single-plate years. Owners of antique automobiles wanted the change in the law so they don't have to attach new plates, which reduce the vehicles' authenticity and aesthetic value.

The bill now goes to the governor.

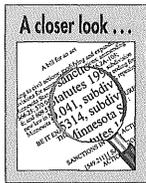


### Q. What year was the environment and natural resources trust fund established?

A. Voters in 1988 overwhelmingly approved a constitutional amendment to establish the environment and natural resources trust fund — the same year the constitution was amended to authorize the state lottery. The enabling legislation dictated that 50 percent of net lottery proceeds be dedicated to the newly established trust fund. In 1990, another constitutional amendment was approved, dictating that 40 percent of net lottery proceeds would be dedicated to the fund through the year 2000. In fiscal years 1991-1992, a total of \$48.6 million went to "preserve, restore and enhance Minnesota's natural resources through education, research, development and management programs." Approximately 7 cents of every lottery dollar wagered goes toward the environmental trust fund.

A closer look . . .

# Prison, science museum among bonding priorities



State prisons, higher education, and the Science Museum of Minnesota would benefit from big-ticket projects included in a bonding bill advancing in the House.

The bill would spend \$70 million — considerably less than what was originally proposed — to construct a new prison in Rush City, Minn.

Another \$30 million would be committed to the construction of a new science museum along the Mississippi River bluff in downtown St. Paul.

And bond revenue would be used to build a \$29.5 million library on the St. Cloud State University campus and to make \$6.5 million worth of improvements at the University of Minnesota's academic health center.

The 1996 bonding bill (HF3273), sponsored by Rep. Henry Kalis (DFL-Walters), emerged from the House Capital Investment Committee March 11 and was approved by the Ways and Means Committee March 12. The measure now moves to the House floor.

The bill would allow the state to sell bonds to raise revenue for public works projects across the state.

More than \$1.3 billion in bond funding was requested this year by state agencies, local governments, and lawmakers. Gov. Arne Carlson recommended providing \$598 million.

The House bill is for \$542 million, and a bill progressing in the Senate would authorize \$564 million.

Kalis called the House bill a "sensible piece of legislation" that is "something we can live with and something our children won't have to pay off for the rest of their lives."

## New prison

The \$70 million for a new prison included in Kalis' bill comes in well below the \$100 million requested by the Department of Corrections.

"We don't want to spend any more than we have to for a new prison," Kalis said, who argued the prison can be built for less than the amount requested by the corrections department.

Bond funds would be used to construct and equip a maximum-security facility to house up to 800 inmates.

The bill calls for creation of a 13-person, blue-ribbon commission including officials

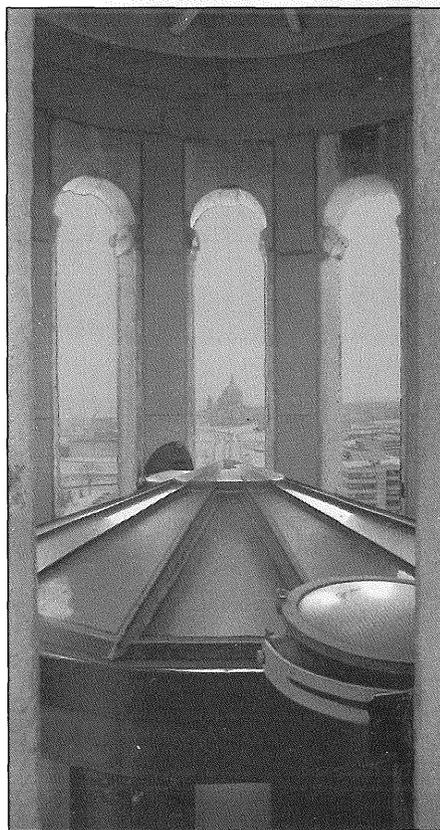
from the Legislature and the administration to study the growing demand for prison beds in the state.

The commission would be required to consider alternatives to new prison construction, including additions to existing prisons, conversion of other state-owned buildings to corrections use, and purchase or lease of the privately owned correctional facility in Appleton, Minn.

Under the bill, money to build the Rush City facility would not be made available until the commission looks at alternatives and reports to the governor.

In 1994, the Legislature spent \$2 million to design plans for the new prison. Originally, it was slated for Braham, Minn., but environmental issues such as the impact on area wetlands pushed the project east to neighboring Rush City, about 50 miles north of the Twin Cities.

The governor recommended spending \$92 million for the new prison. The Senate bill includes \$89 million for the project.



The \$542 million House bonding bill includes \$6.2 million to repair deteriorating structural elements in the State Capitol. Other bonding projects include a new state prison and a new home for the Science Museum of Minnesota.

## Science museum

The Science Museum of Minnesota's plans to construct a new museum on St. Paul's riverfront would get a major boost from the state under the House bill.

The bill would devote \$30 million to the effort to build a new science museum in downtown St. Paul. But the bill stipulates that the museum garner \$59 million in funding from other sources before the state money is released.

Construction of the new museum is expected to cost a total of \$96 million.

The city of St. Paul already has promised to provide \$14 million for the building. The rest of the project's price tag would come from private donors.

The museum requested \$33.8 million from the state. The governor recommended providing that amount, and the Senate bill would meet the full request.

The science museum project is considered by many as a crucial step the effort to revitalize downtown St. Paul. The new facility would be built along the river bluff east of the Civic Center parking.

## Elderly prisoners

The House bill includes \$1 million to make room for 100 geriatric prisoners at Ah-Gwah-Ching, a state-run nursing home near Walker, Minn.

The money would be used to design and remodel the facility for correctional use.

Elderly inmates would be transferred from the state's medium-security prison in Faribault. Older inmates represent a growing population and currently number about 250 (or 2 percent) of Minnesota's prison population.

The governor, and the Department of Corrections, would rather spend \$1.5 million in state bonds to make room for 210 new minimum security prisoners and 90 elderly inmates at the Brainerd Regional Human Services Center. Dana Baumgartner, a health care administrator with the Department of Corrections, has said that just to house the elderly inmates at Ah-Gwah-Ching would cost \$1.5 million. For the same dollar amount, the state can house both the elderly and an additional 210 minimum security inmates at Brainerd, he has said.

## Higher education

Under the House bill, a total of \$69 million would be devoted to the Minnesota State Colleges and Universities (MnSCU) system and another \$44 million to the University of Minnesota.

The \$29.5 million earmarked for a new library at St. Cloud State University would account for nearly half of the MnSCU bonds. The bill also would spend \$5 million on facility improvements at Anoka-Ramsey Community College, \$2.5 million to construct a dormitory at Fond du Lac Community College, and \$1 million to merge the Hibbing community and technical colleges on the community college campus.

The University of Minnesota would receive \$12 million to revamp Haecker Hall, a 1923 building housing the animal science department on the St. Paul campus.

Another \$2.5 million is included in the bill for design of a new library at the University of Minnesota-Duluth.

Also, the bill includes \$6.5 million for the U of M's academic health center, which includes the medical school and dentistry, nursing, public health, and veterinary programs.

The money would be used to construct a new building for the magnetic resonance imaging program and to remodel space for the molecular and cellular therapeutics program.

Both projects were part of the governor's recommendations, but the House bill does not include an additional \$3 million Carlson wanted for pre-design of a transit way between the U of M Hospital and Fairview Riverside Medical Center.

The Senate bill includes no funding for academic health center projects.

## After-school enrichment

The House bill includes \$20 million to support after-school enrichment programs for children in grades 4 to 8.

Grants would be issued to improve or construct parks and buildings which would, in turn, be leased to non-profit community organizations running programs that help at-risk children.

A total of \$5 million in grant funds would be used in Minneapolis and another \$5 million would go to St. Paul. The remaining \$10 million would be used in suburban and rural areas with high concentrations of students on free and reduced-price lunch programs.

The bill matches the governor's recommendation for the after-school programs.

## Agricultural loans

The House bill includes \$41 million earmarked to revive farm loan programs overseen by the Department of Agriculture.

Funds would be used for Rural Finance Authority (RFA) loan programs. The loans are designed to aid farmers — especially young, beginning farmers — by providing them affordable credit.

The RFA program was established in 1986 to bolster Minnesota's agricultural production. The RFA did not receive bond funding in 1994, the last time major bonding legislation was approved. As a result the loan programs were discontinued.

The House bill matches the governor's recommendation for the RFA.

## Capitol repairs

The House bill includes \$6.2 million to repair deteriorating structural elements in the State Capitol.

Bond funding would pay for the replacement of corroded support structures under the terraces that ring the Capitol and repair of failing stone structures in the lantern atop the Capitol dome.

Serious damage to the terrace support structures was discovered during 1994 construction of accessibility ramps at the south carriage entry on the Capitol's ground floor.

Water leaking through stone paving above had corroded some of the support beams so badly that even a moderate swing of a hammer could knock a hole through the steel. Subsequent inspections showed moderate to heavy damage to the beams supporting terraces on all sides of the building.

Repairs would also be made to the lantern, a 39-foot tall columned structure that sits atop the Capitol dome.

Topped by a gold gilded roof and ornamental ball, the lantern features 12 columns clad with marble and precast concrete panels. Inspections conducted during 1994 and 1995 revealed serious cracking in the stone and marble slabs and in the joints between them.

The Capitol Area Architectural and Planning Board requested \$12.7 million for Capitol repairs. Gov. Arne Carlson recommended \$4.8 million be included in the bonding bill.

## Radio communication

Kalis' bill includes \$12.5 million for a metropolitan-area public safety radio communications system, which would allow all metro public safety personnel to communicate through a common radio link.

Bond money would be used to assist in

construction of the backbone of the system, including radio towers, transmitters, and the computers needed to run the system.

The \$12.5 million would cover just a share of the system's total cost. In 1995, the Legislature passed a bill creating a Metropolitan Radio Board under the Metropolitan Council and allowing the Metropolitan Council to issue up to \$13 million in bonds to assist in the construction of the system.

The Metropolitan Council won't issue the bonds without a guarantee of state participation.

Currently, communication among police, fire, and ambulance personnel (as well as state public safety units like the highway patrol) requires patching across several systems, making it difficult for separate public safety units to talk with one another.

## Mighty Ducks

The House bonding bill would provide \$9 million for ice arenas as part of a program known as "Mighty Ducks."

The Minnesota Amateur Sports Commission would be able to use \$7.5 million for grants to local communities for construction of new ice arenas. An additional \$500,000 would be for grants for renovation of arenas that are at least 20 years old.

Another \$1 million would be available for construction of a national curling center on the Iron Range if the project is endorsed by the U.S. Olympic Committee.

The "Mighty Ducks" program was initiated by a 1995 law aiming to expand opportunities for girls and boys participating in winter sports such as hockey and figure skating. (The name is taken from a movie about a group of misfit youth hockey players.)

The governor recommended \$18.8 million be included in bonding legislation for the ice arena program. The Senate bill would provide just \$4 million.

## Convention center

The House bill includes \$13.4 million for the planned expansion of the Minneapolis Convention Center, less than half of what the city is seeking in state aid.

Minneapolis requested \$33.8 million from the state to help finance an expansion project expected to carry an eventual cost of \$162 million.

The Senate bill would provide \$12 million for the convention center. The governor, on the other hand, recommended lawmakers include no money for the project in this year's bonding legislation.

— Nick Healy

Rep. Howard Orenstein . . .

## Civil rights champion trades lawmaking for family



Rep. Howard Orenstein's cluttered office hints at why he's stayed in the House for 10 years. Newspaper-covered display boards tell of victims shot dead — props used to pass gun control laws. There's a human rights award he received for pushing groundbreaking civil rights laws. Charts on government efficiency reveal another of his key interests.

But the St. Paul DFLer's office also reveals to why he's leaving after this session.

Three bright-eyed kids and his wife, Barbara Frey, smile from behind a dozen picture frames. They take up an entire corner of the room.

Yes, Orenstein says he's grown frustrated with the pace of change in state government. And yes, higher office may be in his future. But family is the main reason he's stepping down, he says.

"It's no secret I've been frustrated both about local politics and the Legislature. But I don't think I'd be leaving just out of frustration because I do think it's important to fight these battles, said Orenstein, 40. "I've got three children under eight and I've got a strong marriage that I'd like to keep strong so my ability to put in the time and bring the passion to the debate that I like to have is less than it used to be. So it's a good time to let someone new come in."

Family — specifically, the expected birth of his third child — was his reason for not running for mayor of St. Paul in 1993 after initially expressing interest.

The man who got hooked on politics while door-knocking for former Tennessee Senator Jim Sasser has done a lot since he was elected to District 64B in 1986. He's sponsored civil rights measures that were later passed by Congress. He has fought passionately for gun control and access to abortion clinics for those searching for services and has laws on the books to prove it. He increased the state's efforts to accommodate people with disabilities. He was mentioned as a possible successor to former Speaker of the House Dee Long (DFL-Mpls).

"We're losing one of our very best legislators. . . . I really don't know who will be able



Rep. Howard Orenstein

**Noted achievements:** The four legislative accomplishments Orenstein is most proud of include his Youth Works community service program, the 1993 clinic access law, changes in the gun control debate, and his Joint Property Tax Advisory Committee, which aims to streamline St. Paul and Ramsey County government.

The 1993 clinic access law, aimed at preventing violence by the anti-abortion group Operation Rescue, increased penalties to anyone blocking access to a clinic. It was one of the strongest laws in the nation when it was passed.

to take his place," said Rep. Andy Dawkins (DFL-St. Paul), who tried to talk Orenstein out of leaving "at least half a dozen times."

Crucial to his success, supporters say, has been his hard work, creativity, and respect for others. His quick, dry sense of humor has aided him to a lesser degree, they say.

"He used humor very effectively to get people to like him so that he could be effective in his legislative goals," said Dawkins. "And he knows how to work the floor, how to neutralize the other side."

On his key issues, Orenstein has a habit of knowing daily schedules days in advance, knowing every amendment that's up and always having an amendment in hand. As chair of the Government Efficiency and Oversight Committee, he's known for extending meetings to ensure everyone who shows up gets to testify.

"He has respect for people, including those with whom he has great philosophical differences," said Jane Vanderpoel, his committee administrator.

Rep. Charlie Weaver (R-Anoka) has disagreed with Orenstein on some big issues like gun control and abortion. Still, the two have always been able to talk things out, Weaver said.

"One of Howard's talents is that he doesn't personalize issues. Too many of us here tend to do that," Weaver said. "He has brought to this institution integrity, dedication to his issues and the notion that principles are worth fighting for."

Orenstein also helped pass gun control legislation in 1993, including an expansion of the waiting period and an increase in

penalties for selling guns to minors. He thinks he's affected the firearms debate.

"Our gains have been very small," he said. "But I think it's a fairer fight now. . . . Before the visibility was raised, the gun lobby would pretty much operate with impunity."

In addition, Orenstein made Minnesota the first state in the nation in 1988 to include sexual orientation in the category of hate crimes — two years before Congress did the same. He sponsored civil rights laws covering people who are disabled in 1989 — two years before Congress. Orenstein's jobs rights bill, signed into law in 1990, restored employees' rights to sue for discrimination in some instances. The measure put him on the front of *The New York Times*. It was the most sweeping effort nationwide to lessen the impact of several Supreme Court decisions that rolled back employees rights to sue based on discrimination.

While he's got his critics for these high-profile efforts, Orenstein is considered a visionary by some.

"I think he takes seriously what Supreme Court Justice Louis Brandeis referred to as the states as laboratories of experimentation," said Professor Steve Hatting of the University of St. Thomas' political science department, who has voted for Orenstein.

"I think he's got the talent and the ability and the commitment to public life that we really need in this state," Hatting said. "Whatever his future plans are, I think a lot of people hope they would include a second thought about public office."

— Kendall Anderson

# Bills Sent to the Governor

## Bills await the governor's signature . . . or veto

Once a bill has passed both the House and Senate in identical form, it's ready to be sent to the governor for consideration. The governor, who has several options when considering a bill, 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 can have two different effects. The timing of these actions is as important as the actions themselves.

In the second year of the biennium (even-numbered years), a bill passed by the Legislature and presented to the governor before the final three days of the session will become law unless the governor vetoes it by returning it to the Legislature within three days. The gover-

nor normally signs the bills and files them with the secretary of state, but his signature is not required.

But if a bill is passed during the last three days of session, the governor has a longer time to act on it. He/she must sign and deposit it with the secretary of state within 14 days after the Legislature adjourns "sine die" (Latin for adjournment "without a date certain"). If the governor does not sign a bill within this time frame, it will not become law, an action known as a "pocket veto." The governor is not required to provide a reason for the veto.

Only on appropriations bills can the governor exercise the line-item veto authority. This option allows the governor to eliminate the

appropriation items to which he/she objects. As with all vetoes (save pocket vetoes) the governor must include a statement listing the reasons for the veto with the returned bill. Here, too, the timetable is either 14 days after adjournment for bills passed during the final three days of the session, or within three days after the governor receives the bill at any other time.

A two-thirds vote of the members in each house is needed to override a veto. But because only the governor can call a special session of the Legislature, anything vetoed after the Legislature adjourns is history — at least until the next year.

The governor's veto authority is outlined in the Minnesota constitution (Article IV, Section 23).

Chapter	HF	SF	Description	Signed	Vetoed
266	2281	1846*	Relating to energy; extending due date for a task force report relating to electric energy policy.	2/7	
267	2079*	1912	Relating to the city of New Market; permitting the city to incur debt not subject to the general debt limit.	2/15	
268	2308*	1962	Relating to state government; providing a condition on participation in the state employee combined charitable campaign.	2/15	
269	2110	1862*	Relating to state government; authorizing use of unmarked vehicles by the Division of Disease Prevention and Control of the Department of Health.	2/15	
270	2150*	1823	Relating to liquor; authorizing the city of Stillwater to issue one additional on-sale license.	2/15	
271	2239*	1843	Relating to local government; allowing the city of Morristown to maintain and pay for certain electrical power outside the city.	2/15	
272	2410	1946*	Relating to highways; designating POW/MIA Memorial Highway, Veteran's Memorial Highway, and John Riley Memorial Drive.	2/15	
273	1926*	1719	Relating to occupations; regulating the practice of dental hygiene.	2/21	
274	2634*	2324	Relating to local government; providing for one additional chief deputy sheriff in the unclassified service in Hennepin County.	2/21	
275	2114*	2320	Relating to drivers' licenses; changing codes for two types of driver's license.	2/21	
276	2652*	2223	Relating to local government; granting the city of Minneapolis authority to negotiate certain trade and craft contracts for stagehands.	2/21	
277	2122	1798*	Relating to statutes; limiting the scope of an instruction to the revisor.	2/21	
278	2344	1815*	Relating to insurance; regulating the underwriting of life and health coverages for victims of domestic abuse.	2/21	
279	2092	1909*	Relating to highways; designating a portion of marked Trunk Highway 52 in Fillmore County as the "Amish Buggy Byway."	2/23	

Chapter	HF	SF	Description	Signed	Vetoed
280	2374	1984*	Relating to natural resources; modifying and adding to the list of canoe and boating routes.	2/23	
281	2836	2514*	Relating to civil commitment; clarifying the financial responsibility for hearings on the use of neuroleptic medications.	2/23	
282	2355*	1964	Relating to local government; authorizing a city, county, or town to require certain information in applying for or as a condition of granting approval of permits.	2/27	
283	2758	2698*	Relating to agencies; providing for the right to extend a deadline with certain conditions.	2/27	
284	2077	2019*	Relating to education; clarifying approved costs for a magnet school facility.	2/27	
285	1749	1622*	Relating to insurance; homeowner's; regulating proof of loss.	2/27	
286	2039	1812*	Relating to housing; securing vacant buildings.	2/27	
287	2439	2121*	Relating to highways; recognizing Czech heritage in a highway name.	2/27	
288	2316	1936*	Relating to the state lottery; providing that the director may permit a lottery retailer to sell tickets at more than one location.	2/28	
289	2188*	2147	Relating to motor carriers; modifying and reorganizing provisions relating to allowable truck lengths and combinations.	2/28	
290	2454	2111*	Relating to agriculture; changing requirements for certain commodity council referenda.	2/28	
291	3016	2813*	Relating to commerce; regulating heavy and utility equipment manufacturers and dealers.	3/1	
292	2280	2584*	Relating to veterans; eliminating certain duties of the board of directors.	3/1	
293	3125	2802*	Relating to natural resources; providing an appropriation for snowmobile grants-in-aid.	3/1	
294	2902	2596*	Relating to game and fish; providing an appropriation for emergency deer feeding.	3/1	
295	2365*	2384	Relating to natural resources; modifying open burning restrictions; empowering the commissioner to declare an emergency.	3/4	
296	2952	2020*	Relating to human services; requesting the commissioners of health and human services to seek a federal waiver.	3/4	
297	2680	2166*	Relating to capital improvements; permitting up to a 40-year term for certain bonds.	3/4	
298	2129	1925*	Relating to the housing finance agency; making technical changes to requirements under single family housing programs.	3/4	
299	2032	1800*	Relating to the military; changing procedures for disposition of closed armories.	3/4	
300	2336	2009*	Relating to electric utilities; allowing the city of Willmar to enter into a joint venture with the Kandiyohi Cooperative Power Association.	3/4	
301	2411*	2556	Relating to game and fish; prohibiting trespassing on agricultural land and certain private land for outdoor recreation, etc.	3/6	
302	2889*	2581	Relating to local government; the cities of Norwood and Young America in Carver Co. and their consolidation.	3/13	
303	2670*	2189	Relating to the Minnesota Municipal Board; clarifying authority and procedures.	3/13	

Chapter	HF	SF	Description	Signed	Vetoed
304	2044*	2516	Relating to insurance; group life and health coverages; prohibiting retroactive termination of a person's coverage without the consent of the covered person.	3/13	
305	2938*	2598	Revisor's Bill.	3/13	
306	2401*	2001	Relating to counties; Itasca; exempting the county from certain bidding requirements on the sale of the Itasca County Medical Center.	3/13	
307	2483*	2476	Relating to courts; clarifying the process for applying for a writ of certiorari.	3/13	
308	2391*	2010	Relating to commerce; petroleum tank release cleanup; regulating reimbursement; providing enforcement authority to the commissioner of commerce.	3/13	

Whether it's called streamlining, downsizing, reinventing, or whatever the catch-phrase of the day, making government more efficient is a popular theme among present-day politicians.

It was old news to former Gov. Orville Freeman forty years ago.

Freeman was one of several chief executives in Minnesota's history who championed government reform.

He ran for governor five times and was successful in 1954, 1956, and 1958. After an unsuccessful 1960 re-election bid, he went on to serve as secretary of agriculture under President John F. Kennedy.

During his time as governor, Freeman pushed for extensive re-organization of the state's administrative structure in order to reduce bureaucracy and improve efficiency.

He guided a comprehensive reform package through the Legislature in 1955 only to see it invalidated because of a technical error in the bill's engrossment process. He again pushed the proposal in 1957, but failed to win legislative approval.

Freeman returned in 1959 with another proposal to revamp state government.

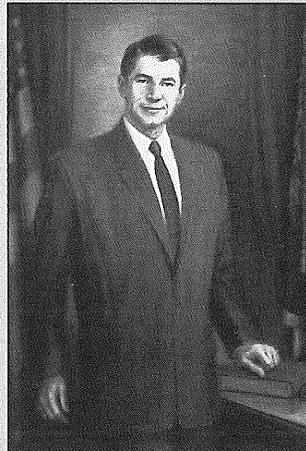
"[A]t a time when the need to in-

## Do you know?

crease taxes makes every citizen conscious of the costs of government, the program of re-organization takes on even greater importance and becomes even more urgent," Freeman said at the time.

His 1959 proposal sought to centralize government by reducing the number of separate agencies and to establish clear lines of authority by untangling the maze of boards, divisions, departments, and commissions.

Freeman called for creation of new



Gov. Orville Freeman

Photo courtesy Minnesota Historical Society

departments to absorb the functions of numerous arms of government.

For example, he wanted a commerce department to embrace functions performed by the Banking Division, Insurance Division, Securities Division, Aeronautics Department, Business Development Department, and other governmental offices.

Freeman wanted to form a labor department to handle the duties of the existing Industrial Commission and Department of Employment Security.

And he wanted to create a corrections department to take over for the duties of three existing state agencies.

In the end, Freeman was successful on the last count. The Department of Corrections was created in 1960 to administer all adult and juvenile corrections programs.

But many of Freeman's ideas were ahead of their time. The state created the current Department of Labor and Industry in 1967. The Department of Commerce wasn't established until 1983.

"Most of my continued recommendations for government re-organization remain unfinished business," Freeman said during the final months of his administration.

More bill listings . . .

## 1996 House files incorporated into other bills

**Editor's note:** This is the second installment of an unofficial listing of House files that have been incorporated into other bills. More bill listings may appear in the next issue of the *Session Weekly*.

Ongoing floor and conference committee action may well alter the makeup of these bills before they reach the end of the legislative process. In many cases, the language found in the major bills may not be exactly as it appears in the original House files.

The list was compiled by the House Public Information Office from a variety of sources, including committee administrators, committee legislative assistants, researchers, and fiscal analysts.

An asterisk after a House or Senate file number indicates the version of the bill under consideration.

If you're interested in following conference committee action (and have access to e-mail), you can subscribe to a service that will automatically e-mail an updated schedule of meetings.

To subscribe, simply address your e-mail message to:

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

In the body of the message, enter:

**subscribe h-schedules**

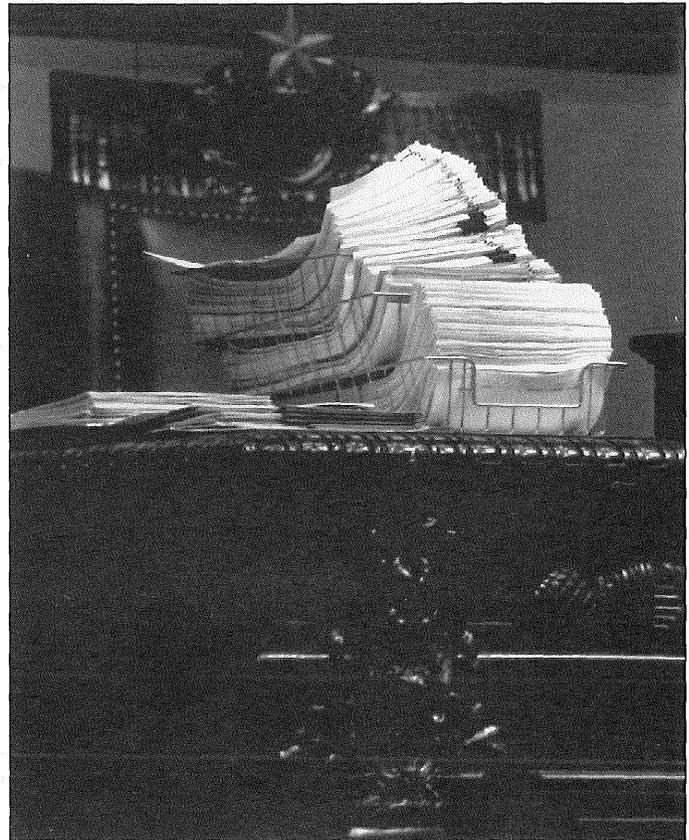
If you have questions, call the House Public Information Office, (612) 296-2146, or the Senate Information Office, (612) 296-0504.

### ECONOMIC DEVELOPMENT

As of 3/14/96

#### **Omnibus economic development, infrastructure and regulation appropriation bill HF3243\*/SF2852 (Rice)**

- HF1229 (Osthoff) Job Skills Partnership Board.
- HF2268 (Dawkins) Community housing rehabilitation and affordable rental investment programs provided, local project approval required, homeless assistance provided, bonds issued, and money appropriated.
- HF2641 (Bakk) Voyageur recreation area established, and board established.
- HF2668 (Anderson, I.) Cold weather research needs study required by Department of Trade and Economic Development, and money appropriated.
- HF2690 (Clark) Federal emergency state grant program state supplemental program established.
- HF2737 (Lourey) Vocational rehabilitation employment support services for persons with mental illness provided additional funding, and money appropriated.
- HF2894 (Mahon) Economic recovery grant use conditions imposed.
- HF2924 (Wenzel) Morrison County Rural Development Finance Authority grant provided, and money appropriated.
- HF2927 (Kalis) Farmamerica in Waseca County funded through the state historical society, and money appropriated.
- HF2957 (Jennings) Dairy cattle electric current study program extended, and money appropriated.
- HF3044 (Osthoff) Humanities Commission appropriated money for moving expenses, and building operations and maintenance.
- HF3089 (Rukavina) Iron Range off-highway vehicle recreation area in St. Louis County established.



So far 1,269 bills have been introduced during the 1996 Legislative Session. Some of those bills will make it into law, some won't, and still others will join forces and become incorporated into larger bills in hopes of increasing their odds at passage.

- HF3157 (Rice) Historical society compensation policies modified, and money appropriated.
- SF1670 (Kroening) Omnibus jobs, housing, and economic development appropriations.

### ELECTIONS

As of 2/8/96

#### **Omnibus elections bill HF289/SF315\* (Jefferson)**

- HF167/SF35\* (Jefferson) Voter registration and absentee voting requirements modified, and penalties imposed.
- HF318\*/SF997 (Lieder) Fair campaign practices; campaign material candidate information provisions modified.
- HF999/SF36\* (Greiling) Ethical Practices Board definitions clarified, enforcement powers strengthened, lobbyist activity disclosure requirements expanded, contribution report requirements modified, campaign finance requirements modified, and penalties provided.
- HF2275\*/SF1895 (McCollum) Fair Campaign Practices Act violation provisions and candidate requirements modified.

## ENVIRONMENT

As of 3/14/96

### **Omnibus environment finance bill HF3231/SF2167\* (Brown)**

HF1122 (Ozment) Freeze branding.  
HF1302 (Finseth) Agricultural chemical response.  
HF1661 (Clark) Environmental justice study.  
HF1687 (Anderson, B.) Landlocked lakes water level control permits provisions modifications.  
HF2031 (Ness) Exempting certain food sellers.  
HF2126 (Gunther) Consolidated food licensing.  
HF2200 (Sviggum) Adulterated milk.  
HF2227 (Trimble) Natural resources grant limits.  
HF2295 (Wagenius) PCA performance budgeting.  
HF2435 (Kraus) Rendezvous trail established.  
HF2512 (Johnson, V.) Emergency deterrent materials.  
HF2547 (Cooper) Minnesota river basin joint powers board.  
HF2594 (Munger) Frogs as biological indicators study.  
HF2746 (Otremba) Potato blight research.  
HF2849 (Cooper) Passing on the farm grant.  
HF2911 (Peterson) Alfalfa research and development.  
HF2996 (Tunheim) Beaver damage grants.  
HF3089 (Rukavina) Off-highway vehicle recreation area.  
HF3146 (Brown) Agriculture land alien ownership.

As of 3/14/96

### **Omnibus game and fish bill HF2799/SF2445\* (Milbert)**

HF2052 (Daggett) Youth small game license issuance provided for nonresidents, and license provisions modified; and HF3147 (Anderson, R.) Nonresident youth small game license qualification provided.  
HF2598 (Bakk) Deer quartering allowed prior to registration.  
HF2827 (Kinkel) Cass County land conveyance authorized.  
HF2990 (Wenzel) Crow Wing and Morrison counties land conveyances authorized.  
HF3072 (Bakk) Lake County land sales ratified.  
HF3208 (Winter) Deer; extended muzzleloader deer hunting season repealed.

### **Waste Management Act amendments**

**HF2259/SF1861\* (Wagenius)** Waste management act provisions modifications.  
HF2261 (Ozment) Antifreeze in wastewater treatment systems prohibition exception provided.

### **State park boundaries**

**HF2264 (Peterson)** State park additions and deletions provided for Charles Lindbergh, Lake Carlos, Split Rock Creek, Savanna Portage, and William O'Brien state parks.  
HF552 (Mulder) Split Rock Creek State Park in Pipestone County provided territory addition.

### **Counties**

**HF2846\*/SF2544 (Kalis)** Faribault County tax-forfeited land conveyance authorized.  
HF1773 (Anderson, B.) Sherburne County tax-forfeited land sale authorized.

HF2738 (Hasskamp) Crow Wing County tax-forfeited land sale authorized.  
HF2873 (Delmont) Anoka County tax-forfeited land sale authorized.  
HF2968 (Solberg) St. Louis County tax-forfeited land sale authorized.  
HF2995 (Daggett) Wadena County tax-forfeited land sale authorized.  
HF3112 (Kinkel) Hubbard County tax-forfeited land sale authorized.  
HF3159 (Lourey) Aitkin County tax-forfeited land sale authorized.

### **Statutes**

**HF2377\*/SF2092 (Delmont)** Obsolete laws repealed.  
HF2302 (Marko) Game and fish license sales subagent application requirements modified.

## TRANSPORTATION

As of 3/14/96

### **Omnibus transportation appropriation bill HF3137/SF2702\* (Lieder)**

HF210 (Carlson, L.) Minnesota identification duplicate card fee prescribed, and temporary disability parking permit processing procedures modified.  
HF1171 (Holsten) Amateur radio station licensee vehicle special license plate appearance modified.  
HF2000 (Luther) Custodial parents authorized to name designated parents, forms and procedures provided, and money appropriated.  
HF2258 (Molnau) Vietnam veteran special motorcycle license plate issuance authorized, and drivers' licenses to persons under age 18 issuance conditions imposed.  
HF2292 (Schumacher) State patrol authorized to operate white patrol vehicles.  
HF2427 (Tunheim) Safety cable use authorized on trailers and semitrailers.  
HF2449 (Kinkel) Shingobee Township provided grant for Ah-Gwah-Ching road improvements, and money appropriated.  
HF2577 (Tunheim) Rental motor vehicle lessor license plate transfer procedure established.  
HF2675 (Entenza) Special registration license plate authorized for certain persons subject to an impoundment order, prior license revocation definition clarified, and money appropriated.  
HF2692 (Bakk) Farm and forest product weight restriction provisions modified, safety cable use on trailers and semitrailers allowed, and gross weight violation penalty provisions modified.  
HF2739 (Marko) Toll road facility public hearings required prior to development agreement approval or denial.  
HF2822 (McElroy) State vehicle and equipment storage or maintenance facility experimental design-build methodology established.  
HF2870 (Luther) Olympic license plate issuance authorized, fee revenue dedication provided, and money appropriated.

## VETERANS

As of 1/29/96

### Omnibus veterans bill HF2137\*/SF2419 (Jennings)

HF206/SF382\* (Osthoff) Adjutant general authorized to assign retired officers to active duty and recommend national guard members for brevet rank, state service medal eligibility changed, military property disposition penalties changed, obsolete language removed.

HF208/SF380\* (Osthoff) Governor's military duties and powers clarified, adjutant general designation language clarified, acceptance of money by adjutant general on behalf of state provisions clarified, obsolete language removed.

HF2280\*/SF2584 (McCollum) Veterans Homes Board of Directors duties eliminated.

HF2328\*/SF2406 (McCollum) Armory building commission fund use for construction authorized, and membership appointment and armory siting provisions modified.

The Minnesota Legislature has drawn lawmakers from many walks of life, but only one used a headlock and a half Nelson to defeat his opponents.

Rep. Helmer Myre not only represented Albert Lea, Minn., in the Legislature but was a U.S. light heavyweight champion wrestler who later became a world light heavyweight champion.

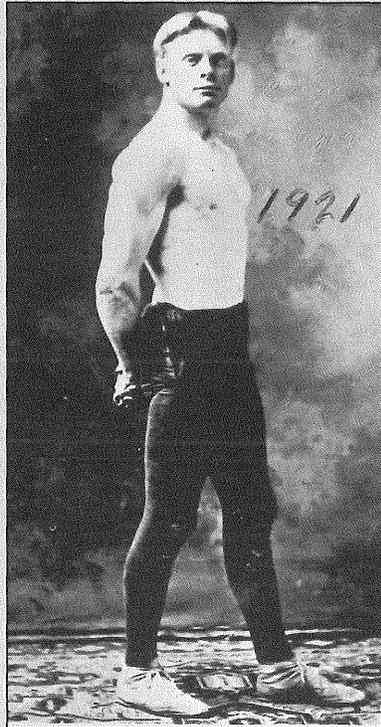
Myre won and lost various wrestling titles from 1918 until the end of his grappling career in 1925. He wrestled approximately 500 matches in all.

Myre and his wife, Ethel, moved from Iowa to Geneva, Minn., in 1918, and to Albert Lea in 1921. He served in the Minnesota House from 1939 to 1943 and in the Minnesota Senate from 1947 to 1951. He also served as sheriff of Freeborn County from 1928 to 1939.

To describe Myre as tough was an understatement. He once wrestled out of his weight class, taking on Ed "Strangler" Lewis, a heavyweight champion who had a 52-pound weight advantage over Myre.

One newspaper account said: "The wrestling world will admit that any light heavyweight who can stay 57 minutes and 35 seconds with Ed "Strangler" Lewis, the far-famed heavyweight, is a mighty tough grappler. . . . The big Kentuckian had to call on his headlock, the most wicked hold in the game, to win the match with."

## It's a fact!



Rep. Helmer Myre not only represented Albert Lea, Minn., in the Legislature but was a U.S. light heavyweight champion wrestler who later became a world light heavyweight champion.

Photo courtesy Minnesota Historical Society

As sheriff of Freeborn County, Myre needed to be just as tough.

In 1935, a riot broke out at the D.A. Potter Foundry Co. over what union officials called a broken agreement with management concerning the dismissal of some employees.

According to a newspaper account of the riot, Myre was "heroic" and "stood off single handed — for considerable time — a mob of some two hundred or more infuriated men. . . . It is reported that Myre, because of his wonderful physique and his experience as a wrestler threw many of his attackers right and left, knocking several to the ground. But on they came. It was then that someone struck the sheriff over the head with some heavy instrument. The blow was a vicious one, but Myre did not go down. This blow was followed by several others against Myre's face, mouth and head."

Little is written about Myre's legislative career but after policing several strikes and labor disputes in Freeborn County, he did sponsor a state labor relations bill.

Myre died in 1951. Two years after his death, the Legislature named a state park in Myre's honor — Helmer Myre State Park, about 2.5 miles east of Albert Lea. In 1948, Myre was a co-sponsor of the bill to create a state park in the area.



### Q. The harvesting of wild rice was regulated by the state in what year?

A. The first attempt to regulate the harvesting of wild rice was passed in 1931. The law made it illegal to harvest wild rice in any public waters of Minnesota by using anything other than a motorless boat or a hand-held tool. "Wantonly" destroying wild rice plants was made a misdemeanor offense.

Later, in 1939, the law was strengthened, and an emergency declared, noting that the wild rice crop "from time immemorial. . . has been a vital factor to the sustenance and continued existence of the Indian race of Minnesota." Commercial harvesting methods were posing an "imminent danger of starvation and misery to large bands of said Indians." The law granted exclusive harvesting rights to Indians on reservation land. Harvesting at night was prohibited. Harvesting licenses

were established (at a cost of 50 cents) and only state residents were eligible. Each licensee was limited to operating only three boats at any given time. This boat limit applied to businesses as well as individuals. A state director of the wild rice harvest was also established by the law. The original 1931 law was repealed, but the misdemeanor penalty carried over to any violation of the 1939 law.

# Name Pronunciation Guide

## 1996 Minnesota House of Representatives

Abrams, Ron		Jefferson, Richard H.		Osthoff, Tom	(AHST-hoff)
Anderson, Bob		Jennings, Loren		Ostrom, Don	(OH-strom)
Anderson, Bruce		Johnson, Alice M.		Otremba, Ken	(oh-TREM-ba)
Anderson, Irv		Johnson, Bob		Ozment, Dennis	(AHZ-ment)
Bakk, Thomas	(BOCK)	Johnson, Virgil J.		Paulsen, Erik	
Bertram, Jeff		Kahn, Phyllis		Pawlenty, Tim	(paw-LENTY)
Bettermann, Hilda		Kalis, Henry J.	(KAH-liss)	Pellow, Richard	
Bishop, Dave		Kelley, Steve		Pelowski Jr., Gene	
Boudreau, Lynda	(Boo-DROH)	Kelso, Becky		Perlt, Walter E.	
Bradley, Fran		Kinkel, Anthony G. "Tony"		Peterson, Doug	
Broecker, Sherry	(BRO-ker)	Knight, Kevin		Pugh, Thomas	(PEW)
Brown, Chuck		Knoblach, Jim	(NOB-lock)	Rest, Ann H.	
Carlson, Lyndon R.		Koppendrayar, LeRoy	(COPE-en-dryer)	Rhodes, Jim	
Carlson, Skip		Kraus, Ron	(CROUSE)	Rice, James I.	
Carruthers, Phil	(ka-RUH-thers)	Krinkie, Phil		Rostberg, Jim	
Clark, Karen		Larsen, Peg		Rukavina, Tom	(roo-ka-VEENA)
Commers, Tim	(COMM-erz)	Leighton, Robert	(LAY-ton)	Sarna, John J.	
Cooper, Roger		Leppik, Peggy		Schumacher, Leslie	(SHOE-mocker)
Daggett, Roxann	(DAG-et)	Lieder, Bernie	(LEED-er)	Seagren, Alice	
Dauner, Marvin	(DOWN-er)	Lindner, Arlon		Skoglund, Wesley J. "Wes"	(SKOHG-lund)
Davids, Gregory M.		Long, Dee		Smith, Steve	
Dawkins, Andy		Lourey, Becky	(LOR-ee)	Solberg, Loren	
Dehler, Steve	(DAY-ler)	Luther, Darlene		Stanek, Rich	
Delmont, Mike		Lynch, Teresa		Sviggum, Steven A.	(SWIG-um)
Dempsey, Jerry		Macklin, Bill		Swenson, Doug	
Dorn, John		Mahon, Mark P.	(MAY-on)	Swenson, Howard	
Entenza, Matt		Mares, Harry	(MAIRS)	Sykora, Barbara	(sick-OR-ah)
Erhardt, Ron	(AIR-hart)	Mariani, Carlos	(mar-ee-ON-ee)	Tomassoni, David	(tom-a-SONY)
Farrell, Jim		Marko, Sharon		Tompkins, Eileen	
Finseth, Tim		McCollum, Betty	(mah-CALL-um)	Trimble, Steve	
Frerichs, Don L.	(FRAIR-icks)	McElroy, Dan	(MACK-el-roy)	Tuma, John	
Garcia, Edwina		McGuire, Mary Jo		Tunheim, Jim	(TON-hyme)
Girard, Jim	(jer-ARD)	Milbert, Bob		Van Dellen, H. Todd	
Goodno, Kevin		Molnau, Carol	(MOLE-now)	Van Engen, Tom	
Greenfield, Lee		Mulder, Richard		Vickerman, Barb	
Greiling, Mindy	(GRY-ling)	Munger, Willard	(MUNG-er)	Wagenius, Jean	(wa-GHEEN-yus)
Gunther, Bob		Murphy, Mary		Warkentin, Eldon H.	
Haas, Bill	(HAHZ)	Ness, Robert "Bob"		Weaver, Charlie	
Hackbarth, Tom		Olson, Edgar		Wejzman, Linda	(WAITS-man)
Harder, Elaine		Olson, Mark		Wenzel, Stephen G.	(WEN-zel)
Hasskamp, Kris		Onnen, Tony	(AH-nen)	Winter, Ted	
Hausman, Alice		Opatz, Joe	(OH-patz)	Wolf, Ken	
Holsten, Mark		Orenstein, Howard	(OR-en-steen)	Worke, Gary D.	(WORK-ee)
Huntley, Thomas		Orfield, Myron		Workman, Tom	
Jaros, Mike	(Yahr-ohs)	Osskopp, Mike	(AHZ-cop)		

# Name Pronunciation Guide

## 1996 Minnesota Senate

Anderson, Ellen R.	Kiscaden, Sheila M.	(kiss-KAY-den)	Ourada, Mark	(or-AHD-a)
Beckman, Tracy L.	Kleis, David	(KLYSE)	Pappas, Sandra L.	
Belanger, William V., Jr. (be-LAN-jer)	Knutson, David L.		Pariseau, Pat	(PARIS-oh)
Berg, Charles A.	Kramer, Donald L.		Piper, Pat	
Berglin, Linda	Krentz, Jane		Pogemiller, Lawrence J.	(PO-ga-miller)
Betzold, Don	Kroening, Carl W.	(KROH-ning)	Price, Leonard R.	
Chandler, Kevin M.	Laidig, Gary W.	(LIE-dig)	Ranum, Jane B.	(RAN-um)
Chmielewski, Florian (shim-a-LES-kee)	Langseth, Keith		Reichgott Junge, Ember	(RYSH-got YOUNG)
Cohen, Richard J.	Larson, Cal		Riveness, Phil J.	(RIV-ness)
Day, Dick	Lesewski, Arlene J.	(leh-SES-ski)	Robertson, Martha R.	
Dille, Steve (DILL)	Lessard, Bob	(les-SARD)	Runbeck, Linda	
Finn, Harold R. "Skip"	Limmer, Warren		Sams, Dallas C.	
Fischbach, Michelle	Marty, John		Samuelson, Don	
Flynn, Carol	Merriam, Gene		Scheevel, Kenric J.	(SKAY-vel)
Frederickson, Dennis R.	Metzen, James P.		Solon, Sam G.	(SOH-lun)
Hanson, Paula E.	Moe, Roger D.		Spear, Allan H.	
Hottinger, John C. (HOT-in-jer)	Mondale, Ted A.		Stevens, Dan	
Janezich, Jerry R. (JAN-a-zitch)	Morse, Steven		Stumpf, LeRoy A.	(STUMF)
Johnson, Dean E.	Murphy, Steve L.		Terwilliger, Roy W.	(ter-WILL-i-ger)
Johnson, Douglas J.	Neuville, Thomas M. (NEH-vill)		Vickerman, Jim	
Johnson, Janet B.	Novak, Steven G.		Wiener, Deanna	(WINE-er)
Johnston, Terry D.	Oliver, Edward C.			
Kelly, Randy C.	Olson, Gen			



### Q. Why isn't there initiative and referendum balloting to enact state laws in Minnesota?

A. Although some Minnesota cities and other states offer citizens a short cut to enact their own ordinances or laws by majority vote, Minnesota does not. Only the Legislature can enact law.

The last serious call for initiative and referendum balloting in Minnesota was in 1980 when the question was put to voters and failed.

Although about 100,000 more people (970,407 total) supported the constitutional amendment than opposed it, the vote total was not enough to win ap-

proval. Under the Minnesota Constitution a majority of people qualified to vote on the initiative and referendum amendment were needed for passage, leaving it 69,101 short of the needed total.

Initiative and referendum balloting allows voters to vote on legislation directly. Citizens can file a petition with the state calling for either a new law (an initiative) or the repeal of an old law (a referendum) and if there are enough signatures from across the state, the measure goes on the ballot during the next general election and the majority vote decides on the new law or repeal.

Currently, 27 states have some form of initiative and referendum balloting. Some allow citizens to use the method to add or

delete state laws, some use it to add or delete from a state's constitution. In Minnesota, however, cries for initiative and referendum balloting, so far, have quieted.

Those who support initiative and referendum balloting, such as Independent-Republican Gov. Al Quie in 1980, contend that it is the best way for citizens to have a voice in government and get involved.

Those who oppose it, such as many DFL leaders in 1980, contend that it will lead to trouble because only the best organized and financed special interest groups will have control.

# Bill Introductions

HF3270-HF3273

## Friday, March 8

HF3270—Lieder (DFL)  
Economic Development,  
Infrastructure,  
& Regulation Finance  
Trunk highway fund reimbursement provided for  
nonhighway expenditures.

## Monday, March 11

HF3271—Solberg (DFL)  
Ways & Means  
Corrections ombudsman appropriated money to  
settle an age discrimination lawsuit.

## Tuesday, March 12

HF3272—Orfield (DFL)  
Rules & Legislative Administration  
Credit card interest; President and Congress memo-  
rialized to permit states to regulate credit card inter-  
est rates.

HF3273—Kalis (DFL)  
Ways & Means  
Omnibus bonding bill providing public improve-  
ments of a capital nature, bonds issued, and money  
appropriated.

Coming Up Next Week . . . March 18 - 22, 1996

# Committee Schedule

Schedule is subject to change.  
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6 p.m.

**Conference Committee**  
Wetlands/HF787  
10 State Office Building  
Chrs. Rep. Willard Munger/Sen. LeRoy Stumpf

## THURSDAY, March 21

9 a.m.

The House will meet in Session.

## TUESDAY, March 19

9 a.m.

The House will meet in Session.

## FRIDAY, March 22

9 a.m.

The House will meet in Session.

## WEDNESDAY, March 20

9 a.m.

The House will meet in Session.

4 p.m.

**LOCAL GOVERNMENT &  
METROPOLITAN AFFAIRS**  
10 State Office Building  
Chr. Rep. Dee Long  
Agenda: "Dual Track" report from the Metro-  
politan Airports Commission and Metropoli-  
tan Council, which includes recommendations  
on improving regional airport facilities.

## MONDAY, March 18

9 a.m.

The House will meet in Session.

4 p.m.

**Conference Committee**  
Banks and Financial Institutions/HF1567/  
SF1441  
224 State Capitol  
Chrs. Rep. Dee Long/Sen. Larry Pogemiller

## Feedback

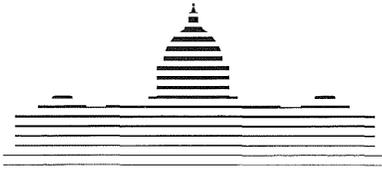
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The editors



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Speaker of the House: Irv Anderson  
 Majority Leader: Phil Carruthers  
 Minority Leader: Steven A. Sviggum

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Sources: *Federal Funding, March 1995, Minnesota Planning; Trends in State and Local Government Spending, February 1996, Office of the Legislative Auditor*

### For more information

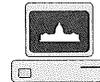


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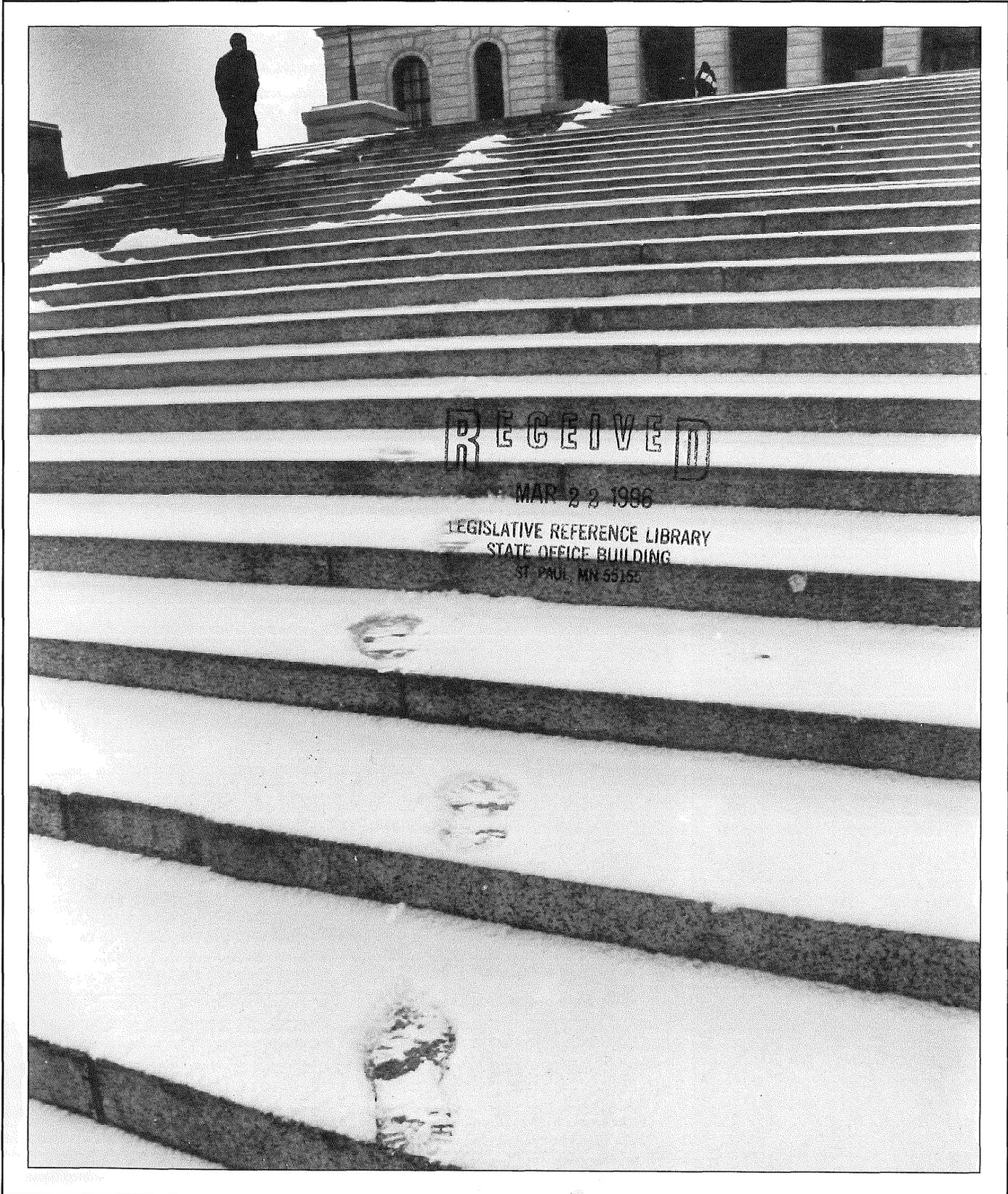
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# SESSION WEEKLY

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# SESSION WEEKLY

Minnesota House of Representatives • March 21, 1996 • Volume 13, Number 10

## Week at a glance

**Bonding bill** — The House approved a bill March 15 that would authorize the sale of bonds to build a new state prison and help pay for a new Science Museum of Minnesota. .... **Page 5**

**No more slamming** — It will be illegal for telecommunications companies to change a person's long-distance carrier without proper authorization under a new state law. The law prevents "slamming," which is the practice of tricking telephone customers into changing their long-distance carriers. .... **Page 5**

**Koch tax break** — A bill exempting high-efficiency electric power generation plants from property taxes on equipment passed the House March 21. It aims to keep Koch Refining Co. from building its \$300 million cogeneration facility out-of-state. .... **Page 7**

**New turkey stamp** — A bill to help boost the state's wild turkey population through additional license fees paid by hunters passed the House March 15. .... **Page 9**

**Non-English services** — Gov. Arne Carlson has vetoed a bill that would have assessed whether non-English speaking Minnesotans are adequately being served by state agencies. .... **Page 10**

**Omnibus insurance bill** — Insurance consumers would have new protection under a bill approved by the House March 20. The omnibus insurance bill would expand a ban on quotas on the sale of certain kinds of insurance. And the bill would provide consumers some protection from predatory sales tactics. .... **Page 11**

**Damages for bias crimes** — The House March 20 passed a bill that would allow victims of hate crimes to seek civil damages for conduct that would constitute a crime committed because of race, color, religion, sex, sexual orientation, or disability. .... **Page 12**

**License suspension** — The Department of Public Safety will have to provide two weeks notice before suspending a driver's license under a new state law. .... **Page 13**

**Eliminating a perk** — Prominent Minnesotans who, for years, have enjoyed free, heated, valet parking at Minneapolis-St. Paul International Airport would lose that privilege under a bill on its way to the governor's office. .... **Page 13**

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On the cover: Winter refused to loosen its grip on Minnesota March 19, leaving a white snow cover on the Capitol steps as a reminder that March 20 may be the first day of spring, but it won't be the first spring day.

— Photo by Andrew Von Bank

# Highlights

The airport question ...

## Lawmakers debate expansion, construction options

**B**uilding an airport that's four times larger than the existing Minneapolis-St. Paul International Airport would buck industry trends and saddle taxpayers with billions of debt, according to critics of the idea. Not building a new airport means future capacity crunches and continuing noise for many South Minneapolis and Richfield residents, say supporters of a proposed Dakota County facility.

Those were some of the arguments heard during many hours of public comment before the House Local Government and Metropolitan Affairs Committee March 20 and 21.

"This is the most important decision this body will make, at least in the 18 years I've been here," said Rep. Dee Long (DFL-Mpls), holding a public testimony list of more than 45 names. "I think it's important we give it sufficient time."

Instead, the committee heard public comments and reviewed a report by the Metropolitan Airports Commission (MAC) and the Metropolitan Council that said expanding the current airport would be cheaper and smarter than building a new one.

In the Senate, **SF1829**, which would halt the new airport proposal in favor of expansion, cleared the Metropolitan and Local Government Committee March 18 and is pending before the Rules and Administration Committee.

"Expanding Minneapolis-St. Paul [International Airport] carries far less risk to the public and taxpayers because of the phased-out expansion, based on market conditions instead of building a brand new one predicted on future forecasts," said John Himle, a MAC commissioner.

The commission and council's report —

new terminal and cargo area and a third main runway would cost about \$2.8 billion. Building a new 14,000-acre airport with six runways in a rural area of Dakota County would cost \$4.5 million, according to the report. Infrastructure costs would add about another \$3.5 billion.

Those pricetags would mean extra costs for airline passengers. Last year, the airlines at Minneapolis-St. Paul International Airport (MSP) passed on to each customer about \$3.34 to cover site expenses such as rent. That figure would jump to \$8 under the expansion plan and \$11 (in 1995 dollars) if a new airport were built.

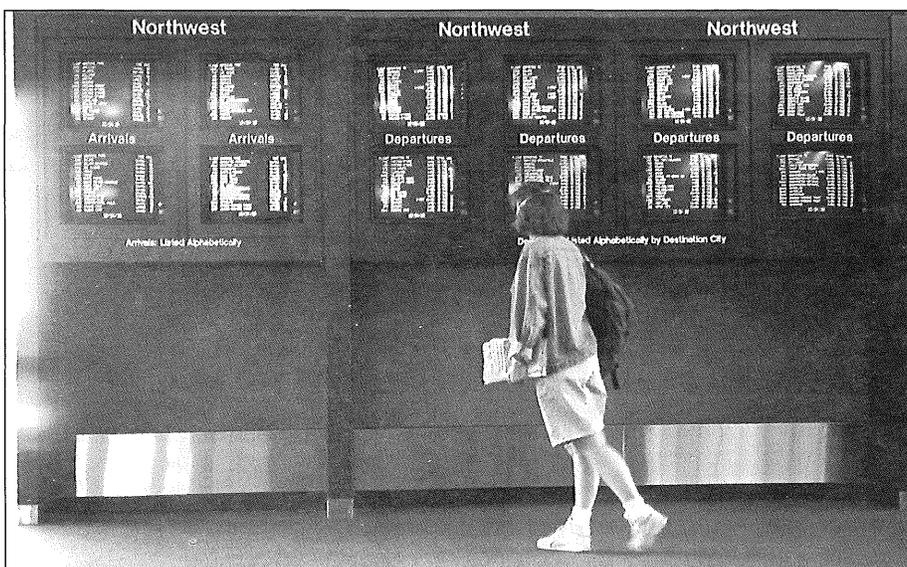
One component of the airport debate is forecasted growth. The report says annual flights to and from MSP will increase from 465,000 last year to about 520,400 in 2020 — a big decline from recent years. Flights in and out of MSP will average 2,000 per year over the next two decades compared to 17,000 per year over the past five years. The report says the expansion plan could accommodate that demand, even if it hits a projected high of 640,000.

Factors contributing to the predicted drop in annual flights include emerging technologies such as global positioning and radar systems. These will increase the capacity and landing precision of existing aircraft, said officials with the commission and Northwest Airlines. Current trends also point to expansion rather than new construction, according to the report. Only three new large airports have been built in the U.S. in the last 50 years, Himle said. Furthermore, existing airports pale in comparison to the proposed 14,000-acre Dakota County site, expansion proponents said.

The Atlanta airport is the second busiest in the world and is about 3,750 acres. The Los Angeles airport, which serves a much larger population than that in Minneapolis-St. Paul, is around 4,000 acres, according to the commission.

But those who oppose expansion argue the commission and Northwest Airlines are too modest in their projections.

Steve Kramer, one of three Metropolitan



The House Local Government and Metropolitan Affairs Committee March 20 and 21 heard public testimony and reviewed a Metropolitan Airports Commission and Metropolitan Council report that said expanding the current airport would be better than building a new one.

The committee didn't make any decision on the issue, however, abiding by written instructions from House leadership. Rep. Eileen Tompkins (R-Apple Valley) attempted to bring her bill (**HF3256**) before the committee but was unsuccessful. The proposal would restrict new airport construction and mandate noise mitigation.

The Dual Track Airport Planning Process — is the result of a seven-year, \$10 million study that has been paid for primarily by Northwest Airlines. Some supporters of expansion say it's the longest airport study in recent U.S. history.

The report says expanding the 3,100-acre airport by 400 acres to include more gates, a

Council members who voted against the passage of the report's recommendations, said flights & landings could top 700,000 before 2010 if recent growth continues.

"If the future demand comes even close to increases in the past, we're going to fly past the time when we need a north-south runway," he said, referring to the new runway proposed for MSP. "I think it is incumbent upon us to know we're going to be back at this in the future."

Kramer's projections through 2010, reached with the help of the House Research Department, assume the 3.4 percent annual passenger growth rate of the past 15 years.

Rep. Mike Osskopp (R-Lake City), who said he's followed the airport issue closely, criticized Kramer's use of current growth to make forecasts.

"I'm concerned that we're going to spend \$6 to \$10 billion [on a new airport]. . . . The reality is the industry is leveling," he said.

Rep. Myron Orfield (DFL-Mpls) said there is a connection between Northwest Airlines' dominance in this market and their opposition to a new airport. Northwest runs 80 percent of MSP's flights. He supports studying the issue for another year.

Citing articles that say MSP is the third smallest international airport in the nation, Orfield questioned the lower flight projections which the MAC, the Metropolitan Council and Northwest Airlines are using to support their expansion plan.

Over the past four years, Northwest's annual growth at MSP has been between 3 and 4 percent. Growth has been around 10 percent over the same period at the Detroit hub.

"Is there a comparable [funding] package given by the Legislature so they could grow larger and faster than Minneapolis?" Orfield said, referring to the state aid Northwest has received. "We are talking about a company that has monopoly power over this airport, charges 30 percent more to some passengers, has huge profitability and more expansion in Detroit. . . . It seems to me this is being railroaded through just to serve the bottom-line needs of Northwest."

Richard Anderson, senior vice president for Northwest Airlines, said his company objects to a new airport because demand can be met at the current site through expansion. He also said the airline's Minneapolis hub is not suffering at the expense of its Detroit site.

"If you are trying to make the point that we have a preference for Detroit, that's not true,"



Metropolitan Airports Commission member John Himle, *right*, and Deputy Executive Director of Planning and Engineering Nigel Finney, *left*, presented a report to the Local Government and Metropolitan Affairs Committee March 20 that states expanding the 3,100-acre Minneapolis-St. Paul International Airport by 400 acres would cost about \$2.8 billion. That's compared to \$8 billion in construction and infrastructure costs to build a new airport in Dakota County.

Anderson said. "Minneapolis-St. Paul is incredibly important to us."

Anderson responded to both Orfield and Long's questions about higher fares. A recent General Accounting Office study found the airline charges metro-area flyers about 30 percent more for some flights than flyers in other markets.

Anderson said charging higher fares in some cases is standard procedure for airline hubs. In return for that higher price, metro-area flyers enjoy the increased non-stop flights and enhanced economy that an airline hub brings, he said.

Although much of the March 20 meeting revolved around Orfield's questions and officials' answers, Rep. Edwina Garcia (DFL-Richfield) and several citizens demanded more information on how MSP plans to reduce noise. Many citizens from South Minneapolis and Richfield spoke at the March 20 and 21 meetings in favor of a new airport in Dakota County, saying the noise level at MSP is unbearable and even unhealthy.

The commission has been charged by the Legislature to complete a noise mitigation plan in the next 180 days. Garcia and the city of Richfield object to the planning process moving through the Legislature without seeing a complete environmental impact statement (EIS) for a noise mitigation plan. A draft EIS has not yet been finalized.

"What kind of public policy integrity is there for the Metropolitan Council approving this without really having the process

completed, without an EIS?" asked Garcia. "It's not completed until the EIS is completed and the communities have had a chance to review."

Curt Johnson, chair of the Metropolitan Council, said the agencies cannot complete the draft EIS until the Legislature makes a recommendation on the expansion-construction issue. He also said a noise mitigation plan that's being considered would bring a 37-percent decrease in takeoff noise and a 17-percent decrease in landing noise for residents who live nearest MSP runways.

Osskopp said the noise issue — not the much-talked about capacity issue — is at the heart of airport debate.

"This whole thing was about noise from day one . . . what I am hearing is South Minneapolis and Richfield legislators and South Minneapolis city council members and people appointed by the Minneapolis mayor talking about capacity," Osskopp said. "People who are bringing up these arguments about capacity are coincidentally from South Minneapolis where noise is the issue."

It is unclear whether the issue will be decided before the end of the 1996 Legislative Session.

"I don't know what kind of action the Legislature will be taking, said Long. "But I think it's extremely important that members be as informed as possible."

— Kendall Anderson



## BONDING

### Bonding bill clears House

The House approved a bill March 15 that would authorize the sale of bonds to build a new state prison and help pay for a new Science Museum of Minnesota. The vote was 82-50.

The 1996 bonding bill (HF3273), sponsored by Rep. Henry Kalis (DFL-Walters), would spend \$70 million — considerably less than what was originally proposed — to construct a new prison in Rush City, Minn.

Another \$30 million would be committed to the construction of a new science museum along the Mississippi River bluff in downtown St. Paul.

Bonding legislation allows the state to sell bonds to raise revenue for public works projects including construction and remodeling of public facilities ranging from libraries to parks to prisons.

More than \$1.3 billion in bond funding was requested this year by state agencies, local governments, and lawmakers. Gov. Arne Carlson recommended providing \$598 million.

The House bill is for nearly \$544 million, including \$437 million in new general obligation bonds.

Under major provisions of the bill, the state would:

- allot \$70 million to construct a new 800-bed prison, which is well below the \$100 million requested by the Department of Corrections. The governor has said it will cost at least \$89 million to build a suitable facility;
- devote \$30 million to the effort to build a new science museum in downtown St. Paul. But the bill stipulates that the museum garner \$59 million in funding from other sources before the state money is released. Construction of the new museum is expected to cost a total of \$96 million. The museum requested \$33.8 million from the state, and the governor recommended providing that amount;
- make room for 100 geriatric prisoners at Ah-Gwah-Ching, a state-run nursing home near Walker, Minn. A total of \$1 million would be used to design and remodel the facility for correctional use. Elderly inmates would be transferred from the state's medium-security prison in Faribault;
- build a \$29.5 million library on the St. Cloud State University campus and make \$6.5 million worth of improvements at the University of Minnesota's academic health center, which includes the medical school

and dentistry, nursing, public health, and veterinary programs. The academic health center money would be used to construct a new building for the magnetic resonance imaging program and to remodel space for the molecular and cellular therapeutics program:

- use \$20 million to support after-school enrichment programs for children in grades 4 to 8. Grants would be issued to improve or construct parks and buildings which would, in turn, be leased to non-profit community organizations running programs that help at-risk children. A total of \$5 million in grant funds would be used in Minneapolis and another \$5 million would go to St. Paul. The remaining \$10 million would be used in qualifying suburban and rural areas;
  - infuse \$41 million into farm loan programs overseen by the Department of Agriculture. Funds would be used for Rural Finance Authority (RFA) loan programs. The loans are designed to aid farmers — especially young, beginning farmers — by providing them affordable credit. The RFA program was established in 1986 to bolster Minnesota's agricultural production. The House bill matches the governor's recommendation for the RFA.
  - spend \$12.5 million for a metropolitan-area public safety radio communications system, which would allow all metro public safety personnel to communicate through a common radio link. Bond money would be used to assist in construction of the backbone of the system, including radio towers, transmitters, and the computers needed to run the system; and
  - provide grants for construction of ice arenas around the state with \$9 million included in the House bonding bill. (See March 15, 1996, *Session Weekly*, page 12)
- The bill now goes to conference committee.



## BUSINESS

### Playing our song



A new state law puts some order in the process by which performing rights societies enter into contracts with businesses that play their music for commercial gain.

Under federal copyright laws, there is a royalty charge for playing copyright-protected music for commercial gain in bars, hotels, restaurants, and other businesses. This charge and the manner of its collection

has been the cause of many disputes over the years, according to business owners and artist representatives.

The law prohibits societies such as the Broadcast Music, Inc. (BMI), SESAC, Inc., and the American Society of Composers, Authors and Publishers from attempting to collect rates that are higher than those set forth in contracts. Under the law, the copyright holders have to provide the schedule of rates and the list of works that are covered by the contract at least 72 hours before entering a contract. Representatives of societies also must identify themselves to proprietors upon entering affected establishments.

The law does not apply to contracts between copyright owners or performance societies and broadcasters licensed by the Federal Communications Commission or to contracts with cable operators, programmers, or other transmission services. Musical works for karaoke performances are exempt as well, according to the law.

The law, sponsored by Rep. Tom Pugh (DFL-South St. Paul) and Sen. James Metzger (DFL-South St. Paul), is effective Aug. 1, 1996.

HF732\*/SF950/CH336



## CONSUMERS

### No more slamming



It will be illegal for telecommunications companies to change a person's long-distance carrier without proper authorization under a new state law.

The law prevents "slamming," which is the practice of tricking telephone customers into changing their long-distance carriers.

Proponents have said the law stems from the (at times) confusing methods some telecommunications companies have used to persuade Minnesotans to change their carriers.

In one such case, a Minneapolis man received a \$50 check in the mail from a long-distance company, not realizing that if he cashed the check, he would be giving the company permission to supplant the long-distance provider he was using.

Under the law, telephone customers may require long-distance providers to receive their authorization before changing the long-distance service.

According to the law, the customer's authorization can be either written or verbal. In cases of verbal agreements, if the customer files a complaint over being switched, the

long-distance carrier will be required to provide proof that the agreement was made.

If a long-distance carrier is found to have violated provisions of the anti-slamming law, the company must immediately return the customers to their original long-distance providers at company expense. The company also must pay for providing long-distance service to the customers during the period of unauthorized service.

The new law, effective Jan. 1, 1997, was sponsored by Rep. Mike Delmont (DFL-Lexington) and Sen. Janet Johnson (DFL-North Branch).

HF2055\*/SF2262/CH340



## CRIME

### Investigating physicians



The investigation of Minnesota physicians accused of sexual misconduct becomes a more open process Aug. 1, 1996, under a new state law.

The law requires a probable cause hearing to be held before an administrative law judge in cases where a doctor is accused of sexual misconduct. Current law requires no such hearing.

If a judge determines that the physician is guilty of violating Board of Medical Practices rules governing such behavior, the notice of and order for hearing filed by the board would become public, allowing other victims to come forward with new information for the board to consider.

Proponents have said the law also will improve the board's ability to keep complainants and victims — who are not always the same in such cases — informed of the progress of an investigation into allegations of sexual misconduct. Under current law, only the person filing the complaint can be given information about the status of an investigation.

The law provides that probable cause hearings be closed to the public. However, the board must make public a notice of the hearing; findings of fact, conclusions, and recommendations issued by the administrative law judge and arguments before the board in cases where the judge finds a violation of the state's sexual misconduct rules; and any final order of the board.

The law adds a seven-year statute of limitations for all complaints filed with the Minnesota Board of Medical Practice except sexual misconduct cases, which are subject to no statute of limitations.

The law was sponsored by Rep. Lee Greenfield (DFL-Mpls) and Sen. Gene Merriam (DFL-Coon Rapids).

HF2633/SF2332\*/CH334

### No trespassing



A new law, effective Aug. 1, 1996, makes it easier to punish those who trespass on private property.

Previously, trespassing was solely a criminal offense, punishable by up to 90 days in jail and a \$700 fine. Under the new law, local sheriffs and conservation officers can issue trespassers a civil citation at the time they are caught. Violators would be fined \$50 for a first offense, \$200 for a second, and could have their hunting license or other registration revoked for a third violation within three years.

Anyone caught removing a "no trespassing sign" will face a \$50 civil penalty as well.

While an offender can request a hearing to appeal the penalty, using a civil rather than a criminal approach eliminates the time and cost of a court proceeding.

The law applies not just to hunters but hikers, boaters, campers, or anyone engaging in "outdoor recreation."

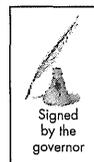
Additionally, the trespassing exemption for hunters retrieving wounded game is expanded to include all lands. Current law applies to agricultural land only.

The law also prohibits a hunter from carrying a firearm onto private land when retrieving a hunting dog.

The proposal was sponsored by Rep. Virgil Johnson (R-Caledonia) and Sen. Steve Murphy (DFL-Red Wing).

HF2411\*/SF2556/CH301

### No cloning allowed



A new law, effective Aug. 1, 1996, makes it a crime to engage in cellular phone "cloning."

The law addresses what phone company officials say has become an increasingly popular crime.

Cellular phone cloning — or counterfeiting — would be a felony under the bill, punishable by up to five years imprisonment and a \$10,000 fine. Current statute prohibits cellular phone eavesdropping but does not specifically address any other wireless phone violations.

House sponsor Rep. Chuck Brown (DFL-Appleton) has said cellular phone cloning is a \$500 million illegal industry.

Cellular phone cloning occurs when someone acquires a phone identification number — assigned by the manufacturer — and alters it. Cloners either use the number or provide it to a computer network system for others to use. Some use a combination of scanners, cables, computer chips, and software to create identification numbers themselves.

The proposal was sponsored in the Senate by Sen. Don Betzold (DFL-Fridley).

HF2526\*/SF2170/CH331



## ELECTIONS

### Recalling public officials

A bill approved March 20 by the House Ways and Means Committee would let Minnesota voters decide whether to recall errant state officeholders.

The bill (HF343), sponsored by Rep. Betty McCollum (DFL-North St. Paul), would place on the November 1996 ballot a constitutional amendment to allow a voter-initiated recall of state officials. (See Feb. 13, 1996, *Session Weekly*, page 13)

If approved by voters, the proposal would provide for the removal from office of legislators, state constitutional officers, and judges. Under existing law, county officials can be recalled.

"Elected officials should be held accountable for any possible misdeeds, and this bill would provide more due process of the law," McCollum said.

To begin the recall process, a petition would be filed with the secretary of state by a minimum of 50 sponsors. The petition would have to set forth the specific conduct that could warrant recall from office. Under HF343, the grounds for recall would be "serious malfeasance or nonfeasance in the performance of the duties of an office," or conviction of a serious crime during their term of office.

A serious crime, as specified in the bill, is one punishable as a gross misdemeanor.

After the petition is submitted and checked for valid signatures, the secretary of state would notify in writing the state officer accused and then forward the petition to the Minnesota Supreme Court for review.

The court then would appoint a judge to determine whether the petition merits a public hearing. If a hearing is conducted and the allegations are proven and meet the recall requirements, the petition for a recall election then would be issued.

To protect against false claims, the bill

includes a gross misdemeanor penalty, punishable by up to a year in jail and a \$3,000 fine for such an action. In such cases, a petition for recall also would be dismissed.

"This is included to discourage any claims by someone who disagrees with a judge's decision in court," said Rep. Tim Pawlenty (R-Eagan), a co-sponsor of the bill.

"It just makes all parties more accountable," added McCollum.

If the court decides there are legal grounds for recall, the secretary of state would then issue a petition to those who sponsored the original complaint. A number of signatures equal to 25 percent of the total eligible voters in the accused elected officer's district must be garnered to force a recall election.

Once the signatures are verified and certified by the secretary of state, the governor would then call for a recall election. No such election could occur less than eight months before the end of the elected officer's term.

**HF343** now moves to the House floor.



## EMPLOYMENT

### Time off for kids



A bill to allow parents to take a few hours of unpaid time off to attend their child's school play or parent-teacher conference — regardless of how long they've worked for a company — was signed into law March 19 by Gov. Arne Carlson.

The new law, effective July 1, 1996, expands current law which allows parents who have worked for a company for at least a year to take unpaid leave for a school activity.

Committee testimony indicated that at least one company has strictly interpreted the law and denied an employee's request to attend a child's school lunch because the one-year requirement was not met.

As in current law, the new law allows parents up to 16 hours during a 12-month period to attend their child's school-related activities, provided the activities cannot be scheduled during non-work hours.

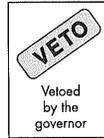
The law also keeps provisions in current statute which, in certain cases, require an employee to "provide reasonable prior notice of the leave and make a reasonable effort to schedule the leave so as not to disrupt unduly the operations of the employer."

Employers are not required to pay for the leave, but if the employee has accumulated vacation time or other paid time off he/she may use it.

The measure was sponsored by Rep. Mindy Greiling (DFL-Roseville) and Sen. Ellen Anderson (DFL-St. Paul).

**HF2682\*/SF2438/CH341**

### No workers' comp study



Gov. Arne Carlson vetoed a bill that would have required the commissioner of employee relations to develop a proposal for a pilot project to determine the feasibility of coordinating workers' compensation and insurance benefits.

In his veto message, the governor said the legislation was unnecessary because the "agency already has the authority to perform this study." He also noted the bill said "this project shall be undertaken only if grants for this purpose are awarded to the commissioner." Therefore, "absent a funding source to carry out this requirement, this legislation has no purpose," he said.

The proposal could have included a pilot project for local units of government as well as state employees. The commissioner was to have consulted with the Joint Labor-Management Committee on Health Plans, the Public Employees Insurance Program Advisory Board, health plans serving state and other public employees, and three other state departments: Labor and Industry, Health, and Commerce.

The pilot project would have resulted in a report to the Legislature by Jan. 15, 1997.

The proposal was sponsored by Rep. Linda Wejcman (DFL-Mpls) and Sen. Linda Berglin (DFL-Mpls).

**HF2953\*/SF1871/CH342**



## ENERGY

### Koch tax break

A bill exempting high-efficiency electric power generation plants from property taxes on equipment passed the House March 21. The vote was 102-30.

**HF637**, sponsored by Rep. Loren Jennings (DFL-Harris), aims to keep Koch Refining Co. from building its \$300 million cogeneration facility out of state. The company has said it wants to build the plant in Rosemount, Minn., and has lobbied hard for the bill.

"Passage of this bill will assure a number of trade jobs in the community to build the facility," said Jennings. "And it will be the cleanest burning facility of its type."

Cogeneration is a combustion process that uses heat more efficiently than does a conventional power plant. The exemption would be granted to plants that reach a certain level of efficiency. The measure aims to make Minnesota more attractive to other plants that use or plan to use the process.

Supporters of the bill have said Minnesota is unattractive to electric generation companies relative to other states. Some also say the state needs an energy policy that encourages cleaner burning processes such as cogeneration.

Critics, such as Rep. Mark Olson (R-Big Lake), have said the exemption unfairly favors one industry over others.

The bill was amended by Jennings to increase Koch's property tax break on equipment to 100 percent once it reaches a certain level of efficiency. The House Taxes Committee had lowered the tax break in the original bill to 60 percent. Proponents of that change,



Former Kansas state representative Nancy Brown, development director for the Women's NETWORK, an affiliate of the National Council of State Legislatures, gave a presentation about leadership training March 18. Representatives Mary Jo McGuire and Peggy Leppik sponsored the reception in the Great Hall of the Capitol.

including Rep. Steve Kelley (DFL-Hopkins), reiterated their arguments against a 100-percent exemption, saying it kills the incentive to increase efficiency beyond the required level. Others, such as Rep. Myron Orfield (DFL-Mpls), said Koch could survive without a 100-percent exemption.

The bill also passed with an amendment by Rep. Alice Hausman (DFL-St. Paul) that says plants that enjoy the tax break must sell their energy to utilities and not directly to consumers. The amendment aims to keep plants that get the tax break from undercutting companies such as Northern States Power Co.

The bill now moves to the Senate



## ENVIRONMENT

### Reimbursing the state

A bill that aims to help the state collect more insurance money to cover the costs of cleaning up contaminated landfills is on its way to Gov. Arne Carlson.

The House passed the bill March 19 by a vote of 126-3. The Senate passed it March 15 by a vote of 60-0.

**HF2588**, sponsored by Rep. Jean Wagenius (DFL-St. Paul), repeals portions of a 1994 law which simplified the clean-up of contaminated landfills. The law came after a rash of lawsuits were filed in connection with the contaminated Oak Grove landfill just north of the Twin Cities. That law took the responsibility for cleaning up contaminated sites away from landfill owners and made the state responsible.

But the attorney general's office found the 1994 law brought many problems, especially in recovering costs from insurance companies. Under that law, the state would determine an insurance company's liability in a contaminated landfill case by using general statewide market share percentages. For example, the state would determine that an insurance company owed 25 percent of the costs of cleaning up a given landfill because 25 percent of that company's business was in business liability insurance. The insurance company, in some cases, would then argue they weren't liable because none of their market share included landfill operators.

Wagenius' bill, carefully negotiated between the attorney general and the insurance industry, establishes a new process. Instead of using market share to determine what an insurance company should pay, it addresses each contaminated landfill on a case-by-case basis to determine liability. Proponents say this will make it easier for the state to recover

clean-up costs from insurance companies.

The case-by-case approach would mean extra work for the attorney general's office. A total of \$689,000 is included in the omnibus environment and natural resources finance bill (**HF3231**) to cover the additional costs.

## Outbreak

The House unanimously passed a bill March 20 intended to help the Department of Natural Resources better contain the spread of harmful exotic species. The proposal (**HF2379/SF2503\***), sponsored in the House by Rep. Loren Jennings (DFL-Harris), passed on a vote of 129 - 0.

The bill would create a general description in law applying to all exotic species defined as a wild animal or aquatic plant that can naturalize and possibly threaten native species and natural resources. Current law prohibits the transporting of only Eurasian water milfoil, and since, according to DNR officials, distinguishing between the different types of milfoil is nearly impossible, the DNR didn't issue one ticket for illegal transport last year.

The bill also would prohibit (with limited exceptions) the transport of all aquatic plants, including transport on public highways, an area not covered by existing law.

The bill does not apply to mammals and birds defined by statute as livestock.

The House amended the bill to provide an exception for incidental transport of aquatic plants on decoys used during waterfowl hunting season.

The bill now returns to the Senate.  
(See Feb. 9, 1996, *Session Weekly*, page 10)



## ETHICS

### Panel suggests censure

The House Ethics Committee voted March 21 to recommend the censure of Rep. Jeff Bertram, a 10-year veteran lawmaker, for various acts of misconduct ranging from threatening and intimidating behavior to spreading false information about others and harassment.

The committee voted 7-3 to recommend that Bertram (DFL-Paynesville), on the House floor, publicly admit his acts of misconduct, publicly apologize to the individual victims of his misconduct by name, and publicly apologize to his constituents and the Minnesota House of Representatives.

The committee further recommended that Bertram undergo a psychological evaluation for anger and participate in any treatment, if

recommended after the evaluation. He also would have to resign from all chair and vice chair positions on House committees as well as resign any memberships on legislative commissions. Bertram currently serves as chair of the Business Regulation Division of the Commerce, Tourism, and Consumer Affairs Committee.

The Ethics Committee, in its resolution, identified the following acts of misconduct by Bertram:

- pressuring a radio station salesperson to contribute to his campaign by threatening to give his future business to a different salesperson;
- making false statements about a couple's marital status on a Twin Cities television station;
- pressuring individuals to consider dropping shoplifting charges against his brother Joe Bertram, a former state senator; and
- repeating false information about the reputation of two individuals.

The committee's recommendations now go to the House Rules and Legislative Administration Committee.



## FAMILY

### Foster children, adoption

A bill to make Minnesota's foster care and adoption laws conform with new federal standards passed the full House March 18. The vote was 132-0.

The federal Multi-ethnic Placement Act, which Congress approved in 1994, prohibits agencies from using race, color, or national origin as the sole criteria for denying or delaying placement of foster and adopted children. A bill (**HF2158/SF1885\***) sponsored by Rep. Barb Sykora (R-Excelsior) amends the Minnesota Heritage Act to bring it into compliance with federal law.

Sykora said that the bill will increase efficiency and reduce the costs to counties of foster care and adoption placements. She noted that these improvements will help to bring stability into the lives of the children affected by these laws.

Under the bill, agencies could not delay the placement of children until a household of the same race has been found. In addition, the proposal would repeal current law that requires agencies to make special efforts to recruit a foster family of a certain racial or ethnic heritage. Placement of children in households of the same race would become one of several factors that agencies would consider, as opposed to current law that

makes same-race placement a priority.

Other provisions in the bill would prohibit agencies from using race as the sole basis for determining eligibility for the Adoption Assistance Program. This program provides assistance to households adopting children who have been severely neglected, abused, or have major medical problems.

The bill also establishes an appeals process for foster care providers who feel they haven't received the benefits to which they may be entitled.

Members gave considerable attention to a provision in the bill that defines "egregious harm," which is used as a criteria for removing children from the homes of foster care providers. Rep. Wes Skoglund (DFL-Mpls) argued that the bill's definition was too lenient, allowing agencies to remove a child only under the most extreme situations, such as intentionally blinding or maiming a child. Skoglund gained support for an amendment that would allow agencies to remove children from homes where parents have inflicted "substantial" harm upon children, including situations where people turn their children into prostitutes, engage in incest, or attempt to aid children in suicide.

The bill now returns to the Senate.

## GAME & FISH

### Hunting and fishing

A debate over whether Minnesotans should amend their state constitution to preserve the right to hunt and fish raised concerns about property rights, gun control, and constitutional "clutter" in the House Environment and Natural Resources Committee March 20.

HF1306/SF1111\* was tabled giving committee members time to process amendments to the bill. It is expected to be heard again before the 1996 Legislative Session ends.

The bill, sponsored by Rep. Mark Holsten (R-Stillwater), would ask voters during November's general election whether they would support or oppose a constitutional amendment that gives citizens the "right to fish, hunt and take game . . . subject only to reasonable restrictions . . . as prescribed by law."

If the bill became law, Minnesota would be the only state with a constitutional amendment for hunters, fishers, and trappers. About 19 other states are considering similar legislation.

"We are leading the nation in our effort to preserve these rights," said Holsten. "This bill is about whether Minnesota wants to pre-

serve a cultural heritage that is more and more under attack."

Supporters of the bill, which include the Minnesota Waterfowl Association and the National Rifle Association, say hunting and fishing rights are endangered by animal-rights and anti-hunting groups, including People for the Ethical Treatment of Animals (PETA).

"I don't think we should deny that well-financed and organized groups want to stop all fishing, hunting and gaming," said Jim Klatt, president of the Minnesota Outdoor Heritage Alliance.

Opponents of Holsten's measure said the bill would open up a Pandora's box of legal challenges and would clutter the constitution.

There is also concern about how such a constitutional addition would affect recent court decisions granting the Mille Lacs Band of Ojibwe Indians specific hunting and fishing rights in northern Minnesota.

The Office of the Attorney General opposes the bill. They contend it is unclear and would likely invite lawsuits because it provides a new defense against current hunting and fishing laws.

Because Department of Natural Resources rules allow hunters to use handguns to shoot some large game, the constitutional amendment could be used to supersede current law governing who can obtain and carry a handgun on the streets, according to the attorney general's office.

Holsten said the phrase: "as prescribed by law," mentioned twice in the bill, means current law takes precedence over the constitutional amendment.

Supporters of the bill, which included

Reps. Thomas Bakk (DFL-Cook), Bill Haas (R-Champlin) and Arlon Lindner (R-Corcoran), agreed that language will keep legal challenges in check.

Rep. Myron Orfield (DFL-Mpls) said the bill doesn't make sense.

"If the advocates of this law are saying that we're providing a right subject to the reasonable exercise of law — a right that exists already — then we're cluttering up the constitution with many words that can create litigation," Orfield said. "If we are providing a right in excess of what exists now, then somewhere here we are providing constitutional protections that interfere with the exercise of law."

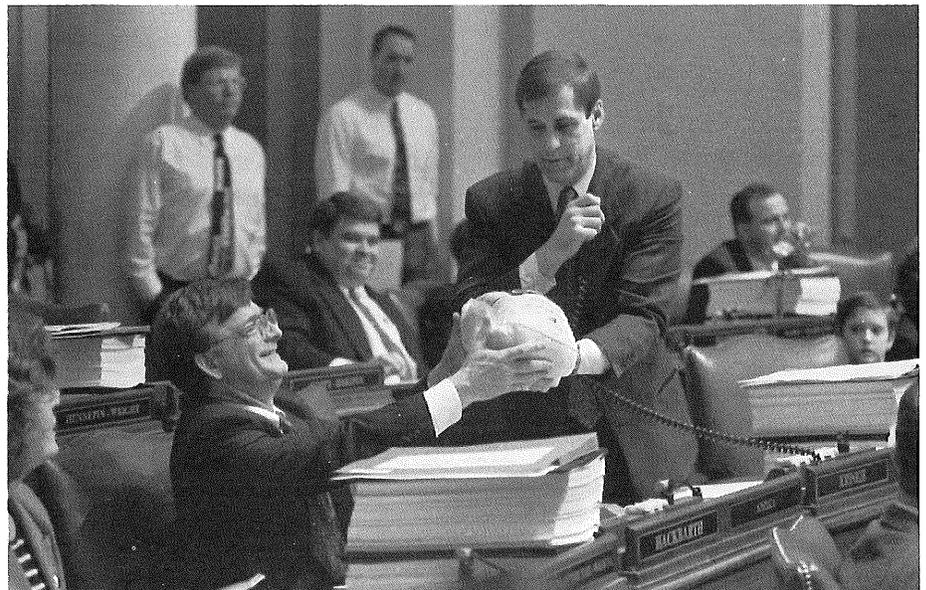
Rep. Jean Wagenius (DFL-Mpls) said she fears a constitutional right to hunt and fish will interfere with the rights of property owners.

The bill is too broadly written and could be interpreted to mean that hunters and anglers have unlimited rights including the right to hunt and fish on private property against an owners wishes, Wagenius said.

### New turkey stamp

A bill to help boost the state's wild turkey population through additional license fees paid by hunters passed the House March 15. The vote was 116-6.

Under the proposal (HF1964/SF1775\*), sponsored in the House by Rep. Tom Hackbarth (R-Cedar), the state's approximately 12,000 wild turkey hunters would be charged an extra \$5 each year.



Rep. Phil Krinkie presented Rep. Tom Hackbarth with a frozen turkey on the House floor March 15 after the members approved Hackbarth's turkey stamp bill. The measure would charge the state's turkey hunters an extra \$5 for a hunting permit and 90 percent of the money raised by the new turkey stamp would help expand wild turkey research and habitat preservation.

Under current law, turkey hunters apply for a permit with the Department of Natural Resources (DNR). The extra charge would be for an additional stamp that turkey hunters must purchase. (A similar stamp now exists for those who wish to hunt migratory waterfowl or pheasant.)

About 90 percent of the funds raised by the new turkey stamp would go to the DNR for expanded wild turkey research and habitat preservation. Although the bird is thriving in parts of south central Minnesota, wild turkeys are non-existent in other areas of the state.

"The money could be used to increase turkey habitats in areas where there are none," said Hackbarth.

Hackbarth said some turkey hunters are especially concerned, having heard that the DNR considered reducing the amount of funds going toward wild turkey research and habitat development in outstate areas.

Rep. Phyllis Kahn (DFL-Mpls) proposed an amendment that would have raised the license fee by \$12. Her proposal aimed to increase the amount of money going to wild turkey research and reduce the number of applications for such hunting licenses. According to Kahn, more than 23,000 turkey hunters applied for licenses last season but only 12,000 received licenses.

"What this amendment does is it attempts to both recognize the need we have for more healthy wild turkeys and the economics of the situation," Kahn said. She said increasing the fee would help the DNR, which sends out thousands of license rejection notices, by ensuring that only those who really want to hunt apply for the license. The amendment was not adopted.

The bill now returns to the Senate.

## Eliminating the treasurer

Minnesotans would decide whether to abolish the office of Minnesota state treasurer under a bill approved March 20 by the House Ways and Means Committee.

**HF87**, sponsored by Rep. Mindy Greiling (DFL-Roseville), would put the question of abolishing the treasurer's job on a statewide ballot in the November 1996 general election.

Voter approval is needed because elimination of the post requires an amendment to the state constitution.

Greiling has said the move would produce significant savings for the state and would improve coordination and efficiency.

Legislators first discussed whether to eliminate the office in 1948, and the idea has been

introduced numerous times since then, according to Greiling.

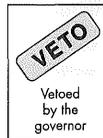
In 1985, lawmakers actually voted to transfer many of the responsibilities of the treasurer to the finance department; although the bill was signed into law by then-Gov. Rudy Perpich, it was declared unconstitutional by the Minnesota Supreme Court. The court ruled that the degree of change required by the statute could be accomplished only by a constitutional amendment.

If voters approve the amendment, the position of state treasurer would be eliminated in 2003. The duties of the treasurer would be transferred to the Department of Finance.

The bill now goes to the House floor.

(See Jan. 26, 1996, *Session Weekly*, page 8)

## Non-English services



Gov. Arne Carlson has vetoed a bill that would have assessed whether non-English speaking Minnesotans are adequately being served by state agencies.

Under the proposal, the state Spanish-Speaking Affairs Council, the Council on Asian-Pacific Minnesotans, the Council on Black Minnesotans, the Indian Affairs Council, and other groups that work with non-English-speaking Minnesotans would have identified the languages of the clients they most frequently serve.

Liaisons for each group then would have formulated a plan that included the current status of each state agency's compliance with Minnesota laws governing communication services for non-English-speaking residents and suggestions for improving those services.

The state Department of Administration, in consultation with the attorney general, would have reviewed the plans and then submitted them to the Legislature by Jan. 15, 1997.

In his veto message, the governor said the bill "represents a solution in search of a problem." Minnesota state agencies have a track record of accommodating non-English speaking persons in need of assistance, according to the governor. The bill would have only burdened state agencies and their clientele with additional mandates, he said, stressing that the bill contained no mechanism to fund employees, mandated reports, or any activity resulting from these reports.

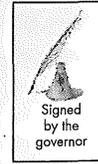
The proposal was sponsored by Rep. Carlos Mariani (DFL-St. Paul) and Sen. Sandy Pappas (DFL-St. Paul).

**HF1303\*/SF1299/CH325**



## HEALTH

### Hospital stays after birth



Mothers and their newborn babies will have the option to stay in the hospital a little longer under a new law signed March 19 by Gov. Arne Carlson.

The new law, effective March 20, 1996, requires insurance companies to cover a minimum of 48 hours of inpatient care following an uncomplicated vaginal delivery and at least 96 hours of inpatient care following an uncomplicated cesarean section.

Currently, many mothers and newborns are being sent home 24 hours after delivery and doctors worry about the health risks to both patients.

Under existing law, hospital patients can sign a waiver to be released whenever they dictate, so a mother could still leave before 48 or 96 hours. No doctor or health plan, however, could force a mother and child to leave before 48 or 96 hours elapse following the delivery, depending on the method of delivery.

The new law also prohibits health plans from providing any compensation or other non-medical benefit to encourage a mother and newborn to leave the hospital early.

The provision represents a preemptive strike. While lawmakers acknowledged that this practice currently doesn't occur in Minnesota, it does in other states.

Should a mother leave the hospital before 48 or 96 hours have elapsed, her insurance company must provide coverage for the option of one home visit by a registered nurse, under the new law. Services provided by the nurse include parent education, training in breast and bottle feeding, and conducting any necessary and appropriate clinical tests.

The new law does not apply to businesses that are self-insured or to health plans administered by the state, such as MinnesotaCare or Medical Assistance.

The measure was sponsored by Rep. Joe Opatz (DFL-St. Cloud) and Sen. Don Betzold (DFL-Fridley).

**HF2008\*/SF1791/CH335**



## HOUSING

### Problem tenants

A new state law aims to help landlords and residents fight drugs and prostitution.

The proposal, sponsored in the House by Rep. Karen Clark (DFL-Mpls), makes it easier for community members to get the names and addresses of suspicious drivers in the neighborhood. It also attempts to give landlords an easier route to both keeping out bad tenants and evicting drug dealers.

The law's provisions include:

- waiving the \$1.50 fee required to obtain motor vehicle registration information. Effective Aug. 1, 1996, community members who work to fight crime would be able to learn the identities of suspicious-looking drivers in their areas at no charge. Neighborhood groups would use this information to send "notice" letters to the drivers to let them know they are being watched. Minneapolis Police already do this, Clark has said, but the bill would allow more letters to be sent by enlisting the help of community members;
- adding to lease provisions the "purchase" of a drug as grounds for eviction, effective Aug. 1, 1996. According to Clark, community crime officers have said there is a loophole in current law that prevents landlords from evicting tenants solely for a drug purchase. She said it is easier to evict when drugs are found in a tenant's apartment, and
- specifying, effective Aug. 1, 1996, that tenant screening agencies must get the full name and date of birth of those seeking housing. Full names and dates of birth are required by the FBI to do criminal history searches. Full names are also required to do an accurate background check on previous residences, Clark said. She said many landlords end up with problem tenants because they didn't get such information before offering the tenant a lease.

The proposal was sponsored in the Senate by Sen. Linda Berglin (DFL-Mpls).

**HF2040\*/SF1811/CH328**

### Right to privacy

A bill to ease the requirements of current law governing the privacy rights of tenants passed the House March 18. The vote was 124-9.

**HF2242/SF2196\*** changes a 1995 tenant's privacy law that some tenants and landlords have said is too strict, said bill sponsor Rep. Linda Wejzman (DFL-Mpls).

Under the bill, a landlord or resident caretaker can — without giving notice — enter the apartment of a tenant who is over age 55 to do prearranged housekeeping. Under the 1995 law, landlords are subject to monetary penalties if they enter an apartment without giving the tenant reasonable notice. Entering for anything other than showing an apartment or doing maintenance tasks also brings a fine under current law.

The bill now goes to the Senate.



## INSURANCE

### Omnibus insurance bill

Insurance consumers would have new protection under a bill approved by the House March 20. The vote was 124-5.

The omnibus insurance bill (**HF2378/SF1980\***), sponsored by Rep. Tom Osthoff (DFL-St. Paul), would expand a ban on quotas on the sale of certain kinds of insurance.

And the bill would provide consumers some protection from predatory sales tactics. Other provisions in the bill would mandate that insurance companies pay for screening for one disease and for treatment of another.

Osthoff's bill now goes to conference committee. Here's a look at its major provisions.

#### Quotas banned

A 1995 law freed independent agents from company-imposed quotas on the sale of certain kinds of insurance. The bill would extend the ban on quotas to many agents who sell directly for one company.

Current law bars insurance companies from requiring independent agents to meet quotas on the sale of certain types or mixes of policies.

For example, companies cannot link an independent agent's right to sell property or casualty insurance, such as homeowner and automobile policies, to quotas on the sale of life and health policies, which are more difficult to sell.

Critics of the quotas claim they can put unreasonable demands on insurance agents and can be detrimental to the service that consumers receive.

Osthoff's bill would extend the quota ban to include agents who sell exclusively for one company, as long as the agent has been licensed for at least three years.

#### Protecting consumers

A provision in the omnibus bill aims to provide consumers with information about the potential risks involved in replacing an

existing life insurance policy or annuity contract.

Predatory sales agents target consumers — in many cases senior citizens — in a practice called churning, which sometimes leaves individuals stripped of their savings and life insurance.

Here's one way it works: A person with a policy of small cash-value is approached by an agent who promises additional life insurance coverage at little or no cost.

The consumer doesn't know that the new policy, in some cases, will be paid for by borrowing against the value of the old policy. That eats away at the policy's cash value and the death benefit.

When the cash value of the older policy runs dry, the consumer may be forced to pay large premiums or risk having the coverage lapse. In the end, the consumer can lose his or her savings and the insurance as well.

The bill would require life insurers to find out, before selling a new policy, if it would replace existing coverage.

If so, the insurance agent or company would be required to give the consumer a form discussing the possible disadvantages of replacing existing coverage.

Both the customer and the agent would be required to sign the form. The agent also would have to send the company holding the existing policy notice of the proposed replacement.

This provision was taken from a separate bill (**HF623**) sponsored by Rep. David Tomassoni (DFL-Chisholm).

#### Cancer screening

The bill would require insurance companies to cover prostate cancer screening.

Under the bill, companies would be required, under certain conditions, to pay for a blood test used to identify the disease.

Insurers would have to cover the prostate specific antigen (or PSA) test for all men older than 50 and for men older than 40 who have symptoms of the disease or are in a high-risk group.

The test is already covered by about half of the health insurance companies, according to Tomassoni. He argued the test is too important to be denied to any policyholder.

Tomassoni sponsored a separate bill (**HF2394**), approved by the House earlier this session, mandating coverage for the PSA test.

## Lyme disease

The bill also would require insurers to cover the treatment for diagnosed cases of Lyme disease.

The disease — a bacterial illness transmitted by the bite of an infected deer tick — affects the skin, joints, and other parts of the body. It can have serious results including chronic arthritis and neurological impairment.

Rep. Mary Murphy (DFL-Hermantown) has said some insurers won't pay for adequate antibiotic treatment for the disease.

Murphy sponsored a separate bill (HF219) mandating coverage for the treatment of Lyme disease, which passed the House earlier this session.

## Canceling insurance



Insurance companies and HMOs can no longer retroactively terminate a person's coverage without the person's consent under a new state law.

The law, effective March 14, applies to group health and life policies, including group accidental death and dismemberment policies, and disability policies. The law makes clear that insurers may not retroactively cancel, rescind, or terminate the coverage of an employee, dependent, or other person covered under a group plan without the affected person's written consent.

Rep. Wes Skoglund (DFL-Mpls), who sponsored the proposal in the House, has said the need for the law was illustrated by a man whose coverage was canceled after leaving a job where he was covered under a group plan. The employee successfully passed a three-month probation period and was formally granted health benefits. After receiving his insurance card, he went to the doctor, accumulating some bills that were less than a \$1,000. Several weeks after receiving the health benefits, his employment was terminated, and his employer instructed the insurer to remove the employee from the group coverage retroactive to the date he was added to the group policy.

Even though his premiums were paid, his insurer refused to pay for the doctor bills that were clearly covered under the plan.

The insurer relied on a provision in the contract allowing them to retroactively cancel in the event of an administrative "mistake."

But in this case there was no mistake, according to committee testimony. It simply

was a "bad faith" effort on the part of the employer and insurer to save money (the employer received a refund of the premiums paid to the insurer), said proponents of the law.

"Everyone who is in an accident would be canceled 'yesterday,'" if insurance companies were allowed to exercise such tactics, Skoglund has said.

If an employer does not notify an insurer about the termination of an employee, the insurer may retroactively terminate coverage, so long as the termination date is after the person's last day of employment. However, this provision does not limit a person's right to continuation of coverage under federal and state law.

The proposal was sponsored in the Senate by Sen. Ellen Anderson (DFL-St. Paul).

HF2044\*/SF2516/CH304

## Denying a claim



A new law will ensure that insurance companies are not denying a legitimate homeowner's claim due to a technicality.

The law affects homeowners' policyholders who have a property claim. In some cases, insurance companies require a "proof of loss" form (a formal document sworn to under oath) within 60 days of the claim. The proof of loss document is in addition to the claim filed with the company.

Under the new law, insurance companies cannot deny claims because a proof of loss document was not filed, unless they give written notice to policyholders that the document is required and provide the form. Policyholders then will have 60 days from receipt of the notice to file the proof of loss (or longer if it can be proven the deadline was missed for a good reason).

Rep. Bill Macklin (R-Lakeville), House sponsor of the law, said the law stems from a woman whose valid claim was denied because she did not know she had to file the proof of loss form. Although an insurance company representative interviewed the woman extensively, the woman was never informed that such a form was required. The company then denied the claim because the form was not filed within 60 days, under an obscure law.

The courts ruled on the side of the insurance company because of the way the obscure law was written; however, the judge said that it was an "egregious" result based on a technicality. The woman lost her battle for her rightful claim, but the law will prevent

insurance companies from using this type of legal maneuver in the future.

The law, sponsored in the Senate by Sen. David Knutson (R-Burnsville), became effective Feb. 28, 1996, and applies to losses that occur on or after that date.

HF1749/SF1622\*/CH285

## Day care coverage



A new law, effective March 19, 1996, clarifies that a homeowners' insurance policy does not cover liabilities arising from a home day care operation.

Insurance companies have, in some cases, been held liable under homeowners' policies for claims stemming from home day care.

The result is that some insurance companies are refusing to issue homeowners' policies to people who provide day care services in the home.

Some day care providers must now choose between having no homeowners' insurance or giving up their day care business, House sponsor Rep. Becky Lourey (DFL-Pine City) has said.

The bill would simply clarify that homeowners' policies do not cover day care unless it is specifically stated in the policy.

The proposal was sponsored in the Senate by Sen. Deanna Weiner (DFL-Eagan).

HF3078/SF2624\*/CH326



## LAW

### Damages for bias crimes

The House March 20 passed a bill that would allow victims of hate crimes to seek civil damages for conduct that would constitute a crime committed because of race, color, religion, sex, sexual orientation, disability, age or national origin. The vote was 86-46.

Under HF1648, a person who is damaged by a bias offense could sue in civil court and recover either \$500 or general and special damages, including those for emotional distress, whichever is greater. The plaintiff may also seek punitive damages in certain cases and an injunction.

The bill, sponsored by Rep. Tom Pugh (DFL-South St. Paul), originally contained provisions relating to defamation of character by false reports in the media. It would have limited defamation lawsuits against the media if newspapers or broadcasters printed or aired retractions within 45 days. But a

successful amendment sponsored by Rep. Dee Long (DFL-Mpls) removed those sections from the bill.

The surviving hate crimes section was backed by Rep. Jim Rhodes (R-St. Louis Park).

"There are hate groups alive and well . . . they're not just in the metro area. This is one way of assuring you can get some kind of damages for the emotional distress," Rhodes said.

In cases where a minor commits the bias offense, the bill holds the parent or guardian liable for all types of damages if it is proven the offense was committed "at the direction or control of the parent or guardian."

The bill now heads to the Senate.

## Unnecessary laws repealed

State statutes regulating the state's non-existent ferryboat industry will be scratched from the books Aug. 1, 1996, under a new state law.

The law repeals a diverse mix of obsolete, and in some cases, arcane laws ranging from outdated directives to state agencies to provisions regarding long-unfunded programs.

More than 250 provisions in current law — largely technical and inconsequential — are scheduled to be deleted from the books.

Eliminated will be 70-year-old sections of law regulating the state's ferryboat industry, which apparently disappeared after the 1958 completion of the Baudette-Rainy River Bridge.

Dashed will be measures, enacted in 1969, that set requirements for contracts for social

skills instruction and contracts for patrons of dance halls or studios. The measure forbids any such contracts exceeding \$500 in an apparent effort to protect consumers from unseemly dance teachers.

Also nixed will be a 1937 provision giving the University of Minnesota permission to establish a law enforcement school. The U of M has yet to set up such a school and wouldn't need statutory permission to do so, anyway.

The proposal was sponsored by Rep. Mike Delmont (DFL-Lexington) and Sen. Deanna Weiner (R-Eagan).

**HF2377\*/SF2092/CH310**

## License suspension

The Department of Public Safety will have to provide two weeks notice before suspending a driver's license under a new state law.

House sponsor Rep. Peggy Leppik (R-Golden Valley) has said the measure is necessary to give people who face a license suspension "some time to put their lives in order."

Under the law, a license suspension won't take effect until at least 14 days after the department mails notice to the driver.

Leppik said the measure stems from the troubles of one of her constituents.

The new notice requirements will not apply if the delay "poses a threat to public safety."

The legislation, effective Aug. 1, 1996, was sponsored in the Senate by Sen. Don Betzold (DFL-Fridley).

**HF2012/SF1797\*/CH346**



## LOCAL GOVERNMENT

### Temporary vacancies

City councils and other local government bodies would be able to fill temporary vacancies in their ranks under a bill passed by the House March 18. The vote was 123-8.

The bill (**HF2425/SF2255\***) sponsored by Rep. Phil Carruthers (DFL-Brooklyn Center) would provide a way to fill in for local elected officials who are unable to serve due to illness or for other reasons.

Under the bill, the city council, town board, or county board could declare a temporary vacancy after a member has been absent from his or her job for 90 days.

Another person could then be appointed to fill the vacancy until the ill or otherwise absent official is able to return or until the end of the term.

Current law already allows school boards to fill such temporary vacancies.

The bill now goes to the Senate.



## METRO AFFAIRS

### Eliminating a perk

Prominent Minnesotans who for years have enjoyed free, heated, valet parking at Minneapolis-St. Paul International Airport would lose that privilege under a bill on its way to the governor's office.

A House and Senate compromise bill (**HF2321**) passed the House March 19 by a vote of 128-1. It passed the Senate March 20 on a 53-0 vote.

About 100 people, including a handful of prominent Minnesota politicians, are on a Metropolitan Airports Commission (MAC) list of those who can park free in a heated underground garage anytime they have business that takes them to the airport.

The compromise bill states that the commission may only provide free airport parking to people who are attending a commission meeting or performing volunteer work at the airport. It goes on to say that the commission must keep records of who receives free parking, the value of that parking, and the purpose for which the person received free parking.

Jeffrey Hamiel, MAC's executive director, told lawmakers that MAC planned to take up the free parking issue at one of its commission meetings and discuss changing its policy.

However, according to House sponsor Rep. Howard Orenstein (DFL-St. Paul), MAC met Feb. 20 and apparently decided to table the



Participants in the Early Childhood Family Education (ECFE) Rally Day got a chance March 19 to dance and sing-a-long with the Teddy Bear Band on the front steps of the Capitol.

issue and let the Legislature handle it.

Orenstein has said it's grossly unfair for a "handful of the most powerful and wealthy Minnesotans" to park free in heated spots close to the airport terminal, while others must pay and walk greater distances.

(See Jan. 26, 1996, *Session Weekly*, page 13; Feb. 2, 1996, *Session Weekly*, page 14; and Feb. 23, 1996, *Session Weekly*, page 19)



## RETIREMENT

### Pension bill vetoed



Gov. Arne Carlson vetoed a bill that would have allowed members of the Minneapolis Teachers Retirement Fund to purchase prior service credit for teacher service outside the state of Minnesota.

Such a law would have allowed for such teachers to contribute a lump sum payment to their pension fund to cover previous years in which no pension contributions were made. The benefits would then be received upon retirement.

The governor noted that "the bill does not expressly prohibit the school district or any third party from making payments on behalf of the member." He added that "this is a flaw that leaves the issue unresolved."

The governor also said that he is "very concerned about any pension legislation that might magnify already significant inequities among the benefit provisions of major public pension plans in Minnesota."

The proposal was sponsored by Rep. Richard Jefferson (DFL-Mpls) and Sen. Larry Pogemiller (DFL-Mpls).

HF1540\*/SF2461/CH327



## SAFETY

### Stopping for pedestrians



Effective Sept. 1, 1996, Minnesota drivers must stop for pedestrians in a crosswalk or face a criminal charge under a new state law.

Current law requires only that drivers slow down and yield the right-of-way to pedestrians in crosswalks where there are no traffic signals or where signals are not operating. The new law requires drivers always to stop in such circumstances, not just slow down.

First-time offenders who fail to stop would be guilty of a misdemeanor, which is punish-

able by up to 90 days in jail and a \$700 fine. Drivers who violate the law within a year of a previous conviction would be guilty of a gross misdemeanor, punishable by up to one year in jail and a \$3,000 fine.

Statistics show that in 1994, the most recent year for which data is available, three Minnesotans were killed as they legally tried to cross streets in crosswalks; another 245 were injured.

The law also would require the Department of Public Safety, effective Aug. 1, 1996, to revise the state's driver's manual to include a section explaining when a driver must stop to yield to a pedestrian and the penalties for failing to do so.

In addition, the department will have to produce a series of public service announcements to educate the public on the law's changes. The announcements are to be aired on radio and television, according to the bill.

The proposal was sponsored by Rep. Jim Farrell (DFL-St. Paul) and Sen. Randy Kelly (DFL-St. Paul).

HF2930/SF2054\*/CH333



## TRANSPORTATION

### Money-back guarantee

A bill to encourage the state to make obtaining a driver's license hassle-free was approved March 20 by the House Ways and Means Committee.

HF2895, sponsored by Rep. Phil Carruthers (DFL-Brooklyn Center), guarantees a refund of the fees paid by qualified applicants if they don't receive a driver's license or Minnesota I.D. card within six weeks.

Gov. Arne Carlson vetoed similar legislation last year, saying the bill was unnecessary because the delays that prompted the legislation were to be rectified within the Department of Public Safety.

But hooking up to a federal computer system that cross-checks driver's license applications proved problematic last summer, creating a backlog of applications and further delays in issuing licenses.

The bill has drawn opposition from Department of Public Safety officials who say past problems have been rectified, and that current applicants are receiving licenses within about two weeks.

Carruthers has said the bill is simply an attempt to keep pressure on the department and serve the public. If the licenses are being mailed out in two weeks, he said the department doesn't have anything to worry about and additional expenses or labor, won't be required.

The bill now heads to the House floor.

(See Feb. 23, 1996, *Session Weekly*, page 20)

## Feedback

The House of Representatives Public Information Office has established an e-mail address to welcome comments or ideas on the *Session Weekly* and its contents.

Send messages to:

[session@house.leg.state.mn.us](mailto:session@house.leg.state.mn.us)

We thank you for your input.

The editors



Mihai Hawthorn, Collin Cook, and Gabriela Hawthorn, left to right, sat outside the office of Rep. Linda Wejzman March 20 while their parents discussed Early Childhood Family Education and learning readiness.



spending limits only if he or she is a member of a major political party and accepts a public subsidy. Independent candidates can spend as they wish and do not qualify for public campaign subsidies.

State law stipulates that only major party candidates are eligible for public subsidies. In Minnesota, there are three major parties — Democratic-Farmer-Labor, Republican, and Independence.

If, for example, a DFL candidate's Republican opponent refuses a subsidy and ignores the spending limits, the DFLer also can exceed the limits — even if he or she has already taken the public subsidy. But under current law, this only applies when both parties are from major parties.

Long was affected by that hitch during her 1994 re-election campaign.

Long's opponent did not attach herself to a major party. Because the woman ran as an independent, her spending levels did not trigger the clause that would have allowed Long to exceed spending limits.

As a result, Long was bound by a \$21,000 spending limit while her independent opponent spent about \$50,000.

Long's bill would change current law to say that the candidate not agreeing to spending limits need not be from a major political party in order for the opponent to also ignore the limit.

The bill now goes to the Senate.

### Election day campaigning

Candidates would be allowed to campaign on election day under a bill passed by the House March 18. The vote was 124-8.

Current state law includes a ban on election-day campaigning, including the broadcast of advertising and distribution of literature.

Bill sponsor Rep. Richard Jefferson (DFL-Mpls) said the one-day prohibition is largely unenforceable and likely is unconstitutional.

The ban was originally passed during a 13-day special session in 1912. It was part of a radical election reform package that also included campaign spending limits, a state-wide primary election, and popular election of U.S. senators, who were previously selected by the Legislature.

In 1988, the ban on election-day campaigning was ruled unconstitutional by a

district court judge in Hennepin County. The ruling only applied to that county and was never appealed.

Jefferson's bill (HF289/SF315\*) now goes to the Senate.

### Running for office

Public employees who run for elected office could not be required to take unpaid leave from their jobs, under a bill passed by the House March 18. The vote was 113-18.

Under current law, state employees can stay on the job while campaigning, but local government employees can not.

At least 18 of Minnesota's 87 counties force employees to take unpaid leave if they become a candidate for office, according to Rep. Don Ostrom (DFL-St. Peter).

That means lost wages and benefits for those employees, Ostrom said, and public sector workers face no such penalties for seeking office.

Ostrom's bill (HF2549/SF2267\*) now goes to Gov. Arne Carlson, who vetoed a similar proposal in 1995.

— Nick Healy

## Minnesota House and Senate Membership

<b>1</b> A • Jim Tunheim-DFL B • Tim Finseth-R Sen. LeRoy A. Stumpf-DFL	<b>15</b> A • Tom Van Engen B • Roger Cooper-DFL Sen. Dean E. Johnson-R	<b>29</b> A • Jerry Dempsey-R B • Mike Oskopp-R Sen. Steve L. Murphy-DFL	<b>43</b> A • Tom Workman-R B • Barbara Sykora-R Sen. Edward C. Oliver-R	<b>57</b> A • Walter E. Perl-DFL B • Sharon Marko-DFL Sen. Leonard R. Price-DFL
<b>2</b> A • Bernie Lieder-DFL B • Edgar Olson-DFL Sen. Roger D. Moe-DFL	<b>16</b> A • Joe Opatz-DFL B • Jim Knobloch-R Sen. David Kleis-R	<b>30</b> A • Fran Bradley-R B • Dave Bishop-R Sen. Sheila M. Kiscaden-R	<b>44</b> A • Steve Kelley-DFL B • Jim Rhodes-R Sen. Ted A. Mondale-DFL	<b>58</b> A • James I. Rice-DFL B • Richard H. Jefferson-DFL Sen. Carl W. Kroening-DFL
<b>3</b> A • Irv Anderson-DFL B • Loren Solberg-DFL Sen. Bob Lessard-DFL	<b>17</b> A • LeRoy Koppendrayner-R B • Leslie Schumacher-DFL Sen. Dan Stevens-R	<b>31</b> A • Don L. Frerichs-R B • Gregory M. Davids-R Sen. Kenric J. Scheveel-R	<b>45</b> A • Ron Abrams-R B • Peggy Leppik-R Sen. Martha R. Robertson-R	<b>59</b> A • John J. Sarna-DFL B • Phyllis Kahn-DFL Sen. Lawrence J. Pogemiller-DFL
<b>4</b> A • Bob Johnson-DFL B • Anthony G. "Tony" Kinkel-DFL Sen. Harold R. "Skip" Finn-DFL	<b>18</b> A • Jim Rostberg-R B • Loren Jennings-DFL Sen. Janet B. Johnson-DFL	<b>32</b> A • Gene Pelowski Jr.-DFL B • Virgil J. Johnson-DFL Sen. Steven Morse-DFL	<b>46</b> A • Ann H. Rest-DFL B • Lyndon R. Carlson-DFL Sen. Ember D. Reichgott Junge-DFL	<b>60</b> A • Dee Long-DFL B • Myron Orfield-DFL Sen. Allan H. Spear-DFL
<b>5</b> A • Tom Rukavina-DFL B • David Tomassoni-DFL Sen. Jerry R. Janezich-DFL	<b>19</b> A • Mark Olson-R B • Bruce Anderson-R Sen. Mark Ourada-R	<b>33</b> A • Arlon Lindner-R B • Rich Stanek-R Sen. Warren Limmer-R	<b>47</b> A • Darlene Luther-DFL B • Phil Carruthers-DFL Sen. Don Kramer-R	<b>61</b> A • Karen Clark-DFL B • Linda Wejman-DFL Sen. Linda Berglin-DFL
<b>6</b> A • Thomas Bakk-DFL B • Thomas Huntley-DFL Sen. Douglas J. Johnson-DFL	<b>20</b> A • Robert Ness-R B • Tony Onnen-R Sen. Steve Dille-R	<b>34</b> A • Steven Smith-R B • H. Todd Van Dellen-R Sen. Gen Olson-R	<b>48</b> A • Bill Haas-R B • Alice M. Johnson-DFL Sen. Don Betzold-DFL	<b>62</b> A • Lee Greenfield-DFL B • Wesley J. "Wes" Skoglund-DFL Sen. Carol Flynn-DFL
<b>7</b> A • Willard Munger-DFL B • Mike Jaros-DFL Sen. Sam G. Solon-DFL	<b>21</b> A • Jim Girard-R B • Richard Mulder-R Sen. Arlene J. Lesewski-R	<b>35</b> A • Carol Molin-R B • Becky Kelso-DFL Sen. Terry D. Johnston-R	<b>49</b> A • Charlie Weaver-R B • Eldon H. Warkentin-R Sen. Gene Merriam-DFL	<b>63</b> A • Jean Wagenius-DFL B • Edwina Garcia-DFL Sen. Jane B. Ranum-DFL
<b>8</b> A • Mary Murphy-DFL B • Becky Lourey-DFL Sen. Florian W. Chmielewski-DFL	<b>22</b> A • Ted Winter-DFL B • Elaine Harder-R Sen. Jim Vickerman-DFL	<b>36</b> A • Eileen Tompkins-R B • Dan McElroy-R Sen. David L. Knutson-R	<b>50</b> A • Tom Hackbarth-R B • Teresa Lynch-R Sen. Paula E. Hanson-DFL	<b>64</b> A • Matt Entenza-DFL B • Howard Orenstein-DFL Sen. Richard J. Cohen-DFL
<b>9</b> A • Kevin Goodno-R B • Marvin Dauner-DFL Sen. Keith Langseth-DFL	<b>23</b> A • Barb Vickerman-R B • Howard Swenson-R Sen. Dennis R. Frederickson-R	<b>37</b> A • Dennis Ozment-R B • Bill Macklin-R Sen. Pat Pariseau-R	<b>51</b> A • Mike Delmont-DFL B • Doug Swenson-R Sen. Jane Krentz-DFL	<b>65</b> A • Andy Dawkins-DFL B • Carlos Mariani-DFL Sen. Sandra L. Pappas-DFL
<b>10</b> A • Bob Anderson-DFL B • Hilda Bettermann-R Sen. Cal Larson-R	<b>24</b> A • John Dorn-DFL B • Don Ostrom-DFL Sen. John C. Hottinger-DFL	<b>38</b> A • Tim Commers-R B • Tim Pawlenty-R Sen. Deanna Wiener-DFL	<b>52</b> A • Skip Carlson-R B • Richard Pellow-R Sen. Steven G. Novak-DFL	<b>66</b> A • Tom Osthoff-DFL B • Alice Hausman-DFL Sen. Ellen R. Anderson-DFL
<b>11</b> A • Roxann Daggett-R B • Ken Otramba-DFL Sen. Dallas C. Sams-DFL	<b>25</b> A • John Tuma-R B • Lynda Boudreau-R Sen. Thomas M. Neuville-R	<b>39</b> A • Thomas Pugh-DFL B • Bob Milbrant-DFL Sen. James P. Metzgen-DFL	<b>53</b> A • Phil Krinkie-R B • Sherry Broecker-R Sen. Linda Runbeck-R	<b>67</b> A • Jim Farrell-DFL B • Steve Trimble-DFL Sen. Randy C. Kelly-R
<b>12</b> A • Kris Hasskamp-DFL B • Stephen G. Wenzel-DFL Sen. Don Samuelson-DFL	<b>26</b> A • Bob Gunther-R B • Henry J. Kallis-DFL Sen. Tracy L. Beckman-DFL	<b>40</b> A • Mark P. Mahon-DFL B • Kevin Knight-R Sen. Phil J. Riveness-DFL	<b>54</b> A • Mary Jo McGuire-DFL B • Mindy Grelling-DFL Sen. John Marty-DFL	
<b>13</b> A • Chuck Brown-DFL B • Doug Peterson-DFL Sen. Charles A. Berg-DFL	<b>27</b> A • Ron Kraus-R B • Robert Leighton Jr.-DFL Sen. Pat Piper-DFL	<b>41</b> A • Alice Seagren-R B • Ken Wolf-R Sen. William V. Belanger Jr.-R	<b>55</b> A • Harry Mares-R B • Betty McCollum-DFL Sen. Kevin M. Chandler-DFL	
<b>14</b> A • Steve Dehler-R B • Jeff Bertram-DFL Sen. Michelle Fischbach-R	<b>28</b> A • Gary D. Worke-R B • Steven A. Sviggum-R Sen. Dick Day-R	<b>42</b> A • Ron Erhardt-R B • Erik Paulsen-R Sen. Roy W. Terwilliger-R	<b>56</b> A • Mark Holsten-R B • Peg Larsen-R Sen. Gary W. Laidig-R	

Unofficial list as of February 12, 1996

Rep. Teresa Lynch ...

# Signs point to family, school for eight-year veteran



If Rep. Teresa Lynch (R-An-dover) was concerned about power, now would not be the time to leave the Minnesota House of Representatives.

As a Republican, her political party is within reach of taking control of the House and she, with eight years in office, is the second-ranking Republican woman.

"The timing couldn't have been worse for the party," Lynch said.

She said she ultimately had to decide what was best for herself. The 42-year-old mother of four and grandmother of one is back in school at Metropolitan State University working on her bachelor's degree in communications.

Now is the time to leave. Lynch, a sign language interpreter, said she's young enough to finish her degree and still establish herself in a career.

"[The Legislature] to me was never a career," she said. Raising her four daughters with her husband, David, however, has been a career.

Lynch said it took months for her to make the decision to leave. Although she is a strong proponent of term limits, she said that position had little to do with her decision to retire. It was all about personal growth and doing something for herself. "The [Republican] party was wonderful. Lucky for me they didn't pressure me too much," she said.

But the lawmaker did receive pressure from an unexpected source, her nine-year-old daughter, Tessa.

Tessa was two when her mother took office



Rep. Teresa Lynch

**Noted achievements:** Lynch's most noted legislative accomplishments include landmark legislation that requires teachers of the deaf and hard of hearing to demonstrate at least a minimal skill level in American Sign Language; the 1994 passage of a landfill bill she helped sponsor which established a trust fund to clean up contaminated landfills; and a 1992 parental empowerment law which gave parents more say about their children's school materials.

in 1988. She grew up with the Legislature and is distraught that her mother is leaving. Recently, she couldn't bear to enter her mother's office in the State Office Building because she knew it would be one of the last times she could.

"I never realized how much this job has become a part of her identity," Lynch said.

Lynch's stint in the Legislature spawned a variety of successful bills that cut government red tape, gave parents more power, improved schools and health care, and helped clean up contaminated landfills.

Among them include a law requiring teachers of the deaf and hard of hearing to demonstrate at least a minimal skill level in American Sign Language. For this, she won a national award from the National Association of the Deaf, the nation's oldest deaf consumer advocacy group.

Another was designed to give parents more control over what their children learn in school. It gives parents the authority to review class materials, and if they find something objectionable, to make arrangements

for alternative instruction.

Still another found a way around all the mess regarding who pays for the cleanup of a contaminated landfill. Under the old system, the burden for cleaning up a landfill was usually shouldered by a select group of businesses and local governments the state or federal government identified as responsible for contaminating the landfill.

Although not the chief sponsor, Lynch was instrumental in helping pass a new law that established a state-sponsored landfill cleanup program. The law tries to end the numerous court fights between and among Minnesota businesses and municipalities over who should pay to clean up landfills and in what amounts. Under the law, the state generates money to pay for the program by raising the fee businesses and local governments pay on the garbage they generate, whether it goes to a landfill, incinerator, or composing plant. It's called the solid waste generator fee.

— K. Darcy Hanzlik

## Frequently called numbers

- State Information ..... 296-6013
- Secretary of the Senate
- 231 Capitol ..... 296-2344
- Voice mail/order bills ..... 296-2343
- Chief Clerk of the House
- 211 Capitol ..... 296-2314
- Index, Senate
- 110 Capitol ..... 296-5250
- Index, House
- 211 Capitol ..... 296-6646
- Information, Senate
- 231 Capitol ..... 296-0504
- Information, House
- 175 State Office Building ..... 296-2146

- Committee Hotline, Senate .... 296-8088
- Committee Hotline, House .... 296-9283
- Sergeant at Arms, Senate
- Senate Chamber ..... 296-7159
- Sergeant at Arms, House
- 45 State Office Building ..... 296-4860
- Counsel and Research, Senate
- G-17 Capitol ..... 296-4791
- Research, House
- 600 State Office Building ..... 296-6753
- Legislative Reference Library
- 645 State Office Building ..... 296-3398
- Revisor of Statutes
- 700 State Office Building ..... 296-2868

- Governor's Office
- 130 Capitol ..... 296-3391
- Attorney General's Office
- 102 Capitol ..... 296-6196
- Secretary of State's Office
- 180 State Office Building ..... 296-2803
- Capitol Security
- B-4 Capitol ..... 296-6741
- Emergency ..... 296-2100
- TDD\*, Senate ..... 296-0250
- TDD\*, House ..... 296-9896
- or 1-800-657-3550

\*Telecommunications Device for the Deaf

# Bills Sent to the Governor

## Bills await the governor's signature . . . or veto

Once a bill has passed both the House and Senate in identical form, it's ready to be sent to the governor for consideration. The governor, who has several options when considering a bill, 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 can have two different effects. The timing of these actions is as important as the actions themselves.

In the second year of the biennium (even-numbered years), a bill passed by the Legislature and presented to the governor before the final three days of the session will become law unless the governor vetoes it by returning it to the Legislature within three days. The gover-

nor normally signs the bills and files them with the secretary of state, but his signature is not required.

But if a bill is passed during the last three days of session, the governor has a longer time to act on it. He/she must sign and deposit it with the secretary of state within 14 days after the Legislature adjourns "sine die" (Latin for adjournment "without a date certain"). If the governor does not sign a bill within this time frame, it will not become law, an action known as a "pocket veto." The governor is not required to provide a reason for the veto.

Only on appropriations bills can the governor exercise the line-item veto authority. This option allows the governor to eliminate the

appropriation items to which he/she objects. As with all vetoes (save pocket vetoes) the governor must include a statement listing the reasons for the veto with the returned bill. Here, too, the timetable is either 14 days after adjournment for bills passed during the final three days of the session, or within three days after the governor receives the bill at any other time.

A two-thirds vote of the members in each house is needed to override a veto. But because only the governor can call a special session of the Legislature, anything vetoed after the Legislature adjourns is history — at least until the next year.

The governor's veto authority is outlined in the Minnesota constitution (Article IV, Section 23).

Chapter	HF	SF	Description	Signed	Vetoed
266	2281	1846*	Relating to energy; extending due date for a task force report relating to electric energy policy.	2/7	
267	2079*	1912	Relating to the city of New Market; permitting the city to incur debt not subject to the general debt limit.	2/15	
268	2308*	1962	Relating to state government; providing a condition on participation in the state employee combined charitable campaign.	2/15	
269	2110	1862*	Relating to state government; authorizing use of unmarked vehicles by the Division of Disease Prevention and Control of the Department of Health.	2/15	
270	2150*	1823	Relating to liquor; authorizing the city of Stillwater to issue one additional on-sale license.	2/15	
271	2239*	1843	Relating to local government; allowing the city of Morristown to maintain and pay for certain electrical power outside the city.	2/15	
272	2410	1946*	Relating to highways; designating POW/MIA Memorial Highway, Veteran's Memorial Highway, and John Riley Memorial Drive.	2/15	
273	1926*	1719	Relating to occupations; regulating the practice of dental hygiene.	2/21	
274	2634*	2324	Relating to local government; providing for one additional chief deputy sheriff in the unclassified service in Hennepin County.	2/21	
275	2114*	2320	Relating to driver's licenses; changing codes for two types of driver's licenses.	2/21	
276	2652*	2223	Relating to local government; granting the city of Minneapolis authority to negotiate certain trade and craft contracts for stagehands.	2/21	
277	2122	1798*	Relating to statutes; limiting the scope of an instruction to the revisor.	2/21	
278	2344	1815*	Relating to insurance; regulating the underwriting of life and health coverages for victims of domestic abuse.	2/21	
279	2092	1909*	Relating to highways; designating a portion of marked Trunk Highway 52 in Fillmore County as the "Amish Buggy Byway."	2/23	

Chapter	HF	SF	Description	Signed	Vetoed
280	2374	1984*	Relating to natural resources; modifying and adding to the list of canoe and boating routes.	2/23	
281	2836	2514*	Relating to civil commitment; clarifying the financial responsibility for hearings on the use of neuroleptic medications.	2/23	
282	2355*	1964	Relating to local government; authorizing a city, county, or town to require certain information in applying for or as a condition of granting approval of permits.	2/27	
283	2758	2698*	Relating to agencies; providing for the right to extend a deadline with certain conditions.	2/27	
284	2077	2019*	Relating to education; clarifying approved costs for a magnet school facility.	2/27	
285	1749	1622*	Relating to insurance; homeowner's; regulating proof of loss.	2/27	
286	2039	1812*	Relating to housing; securing vacant buildings.	2/27	
287	2439	2121*	Relating to highways; recognizing Czech heritage in a highway name.	2/27	
288	2316	1936*	Relating to the state lottery; providing that the director may permit a lottery retailer to sell tickets at more than one location.	2/28	
289	2188*	2147	Relating to motor carriers; modifying and reorganizing provisions relating to allowable truck lengths and combinations.	2/28	
290	2454	2111*	Relating to agriculture; changing requirements for certain commodity council referenda.	2/28	
291	3016	2813*	Relating to commerce; regulating heavy and utility equipment manufacturers and dealers.	3/1	
292	2280	2584*	Relating to veterans; eliminating certain duties of the board of directors.	3/1	
293	3125	2802*	Relating to natural resources; providing an appropriation for snowmobile grants-in-aid.	3/1	
294	2902	2596*	Relating to game and fish; providing an appropriation for emergency deer feeding.	3/1	
295	2365*	2384	Relating to natural resources; modifying open burning restrictions; empowering the commissioner to declare an emergency.	3/4	
296	2952	2020*	Relating to human services; requesting the commissioners of health and human services to seek a federal waiver.	3/4	
297	2680	2166*	Relating to capital improvements; permitting up to a 40-year term for certain bonds.	3/4	
298	2129	1925*	Relating to the Housing Finance Agency; making technical changes to requirements under single family housing programs.	3/4	
299	2032	1800*	Relating to the military; changing procedures for disposition of closed armories.	3/4	
300	2336	2009*	Relating to electric utilities; allowing the city of Willmar to enter into a joint venture with the Kandiyohi Cooperative Power Association.	3/4	
301	2411*	2556	Relating to game and fish; prohibiting trespassing on agricultural land and certain private land for outdoor recreation, etc.	3/6	
302	2889*	2581	Relating to local government; the cities of Norwood and Young America in Carver County and their consolidation.	3/13	
303	2670*	2189	Relating to the Minnesota Municipal Board; clarifying authority and procedures.	3/13	

Chapter	HF	SF	Description	Signed	Vetoed
304	2044*	2516	Relating to insurance; group life and health coverages; prohibiting retroactive termination of a person's coverage without the consent of the covered person.	3/13	
305	2938*	2598	Revisor's bill.	3/13	
306	2401*	2001	Relating to counties; Itasca; exempting the county from certain bidding requirements on the sale of the Itasca County Medical Center.	3/13	
307	2483*	2476	Relating to courts; clarifying the process for applying for a writ of certiorari.	3/13	
308	2391*	2010	Relating to commerce; petroleum tank release cleanup; regulating reimbursement; providing enforcement authority to the commissioner of commerce.	3/13	
309	2068*	1802	Relating to highways; designating the POW/MIA Memorial Highway.	3/15	
310	2377*	2092	Relating to state government; repealing obsolete laws.	3/15	
311	2154*	1845	Relating to manufactured homes; adding certain conditions for park owners to recover possession of land.	3/15	
312	2639	2317*	Relating to group residential housing; clarifying a rate exception.	3/15	
313	3162*	2821	Relating to local government; permitting the city of Cohasset to own and operate a gas utility.	3/15	
314	1998*	1735	Relating to trusts; regulating the investment and management of trust assets; providing standards.	3/15	
315	3146	2760*	Relating to agriculture; providing an exception to alien ownership of agricultural land for production of timber and forestry products.	3/15	
316	2951	1879*	Relating to Medical Assistance; combining the alternative care program and the home- and community-based services waiver for the elderly program.	3/15	
317	2420*	2258	Relating to cities; authorizing cities to establish a program to prevent the inflow and infiltration of storm water into a city's sanitary sewer system.	3/15	
318	2558*	2335	Relating to professions; modifying provisions governing the practice of nursing.	3/15	
319	2846*	2535	Relating to state lands; authorizing the sale of certain tax-forfeited lands in Aitkin, Anoka, Crow Wing, Faribault, Hubbard, St. Louis, Sherburne, Wadena, and Washington counties.	3/15	
320	2285*	2204	Relating to the Metropolitan Airports Commission; clarifying and extending noise mitigation spending requirements.	3/15	
321	2322*	2063	Relating to motor carriers; authorizing the transportation regulation board to issue charter carrier permits for operation within St. Paul.	3/15	
322	2509*	2098	Relating to public nuisance; clarifying definition of acts constituting a nuisance.	3/15	
323	2788*	2591	Relating to liquor; modifying restrictions for temporary on-sale licenses; discontinuing the use of the term "nonintoxicating liquor."	3/15	
324	2310*	1955	Relating to health; transferring certain authority from the commissioner of health to the emergency medical services regulatory board.	3/15	
325	1303*	1299	Relating to bilingual communication services; requiring state agencies to appoint persons to serve as liaisons with non-English-speaking people served by the agencies; directing agencies to prepare communication services plans.		3/15
326	3078	2624*	Relating to insurance; clarifying coverage under homeowner's insurance for day care services.	3/18	
327	1540*	2461	Relating to retirement; the Minneapolis teachers retirement fund association; providing for purchase of allowable service credit for public school employment outside the state of Minnesota.		3/18

Chapter	HF	SF	Description	Signed	Vetoed
328	2040*	1811	Relating to housing; providing for waiver of fees and surcharges imposed on motor vehicle registration data requests under certain circumstances.	3/18	
329	2380*	2270	Relating to motor vehicles; specifying percentages of motorcycle safety fund that may be spent on administration and motorcycle safety instruction.	3/18	
330	2116*	2071	Relating to agriculture; changing provisions of plant pests, fertilizer, and lime; changing licensing requirements for aquatic pest control applicators.	3/18	
331	2526*	2170	Relating to crime; making it a crime to obtain cellular telephone service through cellular counterfeiting; requiring forfeiture of cloning paraphernalia.	3/18	
332	2858*	2564	Relating to Camp Ripley; providing for use of the National Guard Education Center as the state education and training center.	3/18	
333	2930	2054*	Relating to traffic regulations; requiring drivers to stop to yield right-of-way to pedestrians within a crosswalk.	3/18	
334	2633	2332*	Relating to health professions; modifying provisions relating to sexual misconduct.	3/18	
335	2008*	1791	Relating to insurance; health; regulating childbirth and postpartum care benefits.	3/19	
336	732*	950	Relating to commerce; regulating the enforcement of copyright licenses on certain non-dramatic musical works and similar works.	3/19	
337	168*	191	Relating to insurance; modifying requirements related to non-renewal of homeowner's insurance.	3/19	
338	2155*	1838	Relating to civil law; real property and probate; providing conditions for registered property applications and records.	3/19	
339	2222*	2097	Relating to state government; excepting certain contract management requirements.	3/19	
340	2055*	2262	Relating to telecommunications; requiring notice to customers of the right to require written authorization before changing intrastate telecommunications carrier or local telephone company.	3/19	
341	2682*	2438	Relating to employment; modifying provisions governing school conference and activities leave.	3/19	
342	2953*	1871	Relating to state government; requiring a pilot project to determine the feasibility of coordinating workers' compensation and insurance benefits for public employees.		3/19
343	2525*	2201	Relating to commerce; providing for the relocation of an existing new motor vehicle dealership under specific conditions.	3/18	
344	2229	2319*	Relating to public safety; providing for response to state emergencies.	3/19	
345	2098	1793*	Relating to motor vehicles; allowing display of single original plate from 1911, 1944, 1945, or 1946.	3/19	
346	2012	1797*	Relating to drivers' licenses; providing that certain license suspensions are not effective until 14 days after notice has been mailed to the licensee.	3/19	
347	2115*	2301	Relating to agriculture; adjusting certain net worth definitions for certain rural finance agency programs.	3/19	
348	2149*	1847	Relating to state government; providing for a representative of organized labor on the Pollution Control Agency board.	3/19	
349	2513*	2576	Relating to economic development; authorizing port authorities to use certain provisions of the uniform municipal contracting law.	3/21	
350	2845	2418*	Relating to legislative auditor; requiring procedures for the appointment process.		3/21
351	2065	2499*	Relating to the environment; delaying the effective date for certain used motor oil and motor oil filter provisions.	3/20	



## Bill Introductions

### Tuesday, March 19

HF3274—Olson, M. (R)

Education

Locally controlled graduation rule provided as an alternative to a statewide graduation rule.

HF3275—Tunheim (DFL)

Rules and Legislative Administration

NAFTA superhighway; transportation and trade and economic development commissioners memorialized to designate Interstate Highway No. 35 as International NAFTA Superhighway.

HF3276—Bettermann (R)

Labor-Management Relations

Workers' compensation self-insurance cessation provisions modified.

## Committee Schedule

Session times for next week were unavailable as this issue went to press. Please call (612) 296-2146 for updated information.

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It's said that during World War II everyone on the home front did their part — rationing gasoline and sugar, saving rubber, and selling war bonds. Minnesota's governor was no exception.

Harold Stassen was a young Republican governor then, elected in 1938, 1940, and 1942. He voluntarily resigned his post as the state's chief executive to go and fight.

Even while governor, some knew he had higher aspirations:

"... He was going to be president. A good war record was essential, but he had a collapsed lung, the result of tuberculosis that had come from overwork while putting himself through the university," wrote Frank P. Leslie, former treasurer of the Republican Party, in *The Resurrection of the Republican Party in Minnesota 1932-1950*.

After the Japanese bombed Pearl Harbor, Secretary of the Navy Frank Knox was left with the task of rebuilding the fleet and the troops, Leslie wrote. Jim Forrestal was under secretary of the Navy.

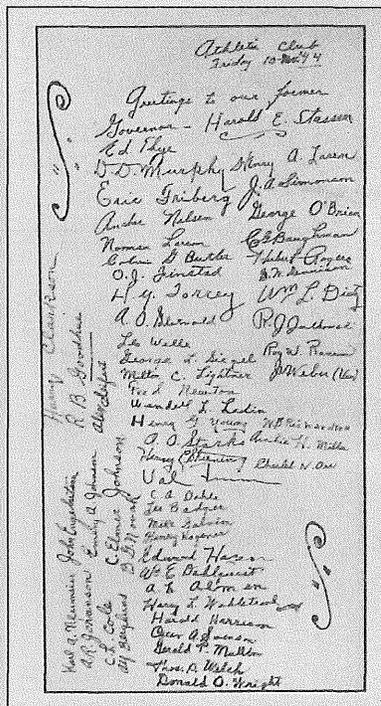
"Jim liked the looks of Harold Stassen, said a good word for him with Frank Knox and he was accepted for officer training at Great Lakes. Three months later he graduated as corps commander and was assigned to the Pacific Fleet."

Stassen, a part of the Naval Reserve since his University of Minnesota days, said it took three naval doctors to examine him before they would approve him for active duty.

Stassen, however, couldn't leave the governor's office without a successor.

## Do you know?

Edward J. Thye, a Northfield farmer, was elected Lt. governor in 1942, and in 1943 Stassen was off to war. Thye was elected governor in his own right in 1944.



When former Minnesota governor Harold Stassen resigned his office to leave for World War II, he wasn't forgotten. On Nov. 10, 1944, his replacement, Gov. Edward Thye, and the Republican leaders in the House and Senate signed a tablecloth for Stassen, sending it to him while he was serving in the Pacific Theater.

Photo courtesy of the Minnesota Historical Society

On Nov. 10, 1944, Thye and the Republican leaders in the House and Senate met at the St. Paul Athletic Club to discuss the agenda for the upcoming legislative session.

The group took advantage of the opportunity and all present signed a tablecloth for Stassen, sending it to him while he was serving with Admiral William F. Halsey in the Pacific Theater, according to documents from the Minnesota History Center.

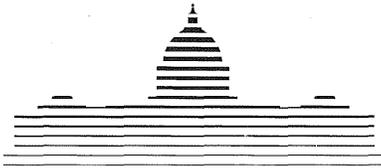
Stassen served on the U.S.S. Missouri as Halsey's assistant chief of staff for administration of the combat fleet and he remembers the day the tablecloth arrived.

"We were all eating when it came . . . I chuckled about it and the admiral got a big kick out of it."

Stassen said he was "surprised and delighted" to receive it. "It was always wonderful to receive mail from the United States because we were way out in the Pacific."

The former governor (and later one of eight men appointed by President Franklin D. Roosevelt to draw up the United Nations Charter) carried the cloth home with him. It was later framed by his sister and now can be found at the Minnesota History Center.

The signatories include Ancher Nelsen, former Second District U.S. Congressman from 1959 to the 1970s, and J.V. Weber, the grandfather of former Minnesota Congressman Vin Weber.



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Minority Leader: Steven A. Sviggum

## MINNESOTA INDEX

### Minnesota prisons and prisoners

Minnesota adult prison population, as of Jan. 1, 1996 .....	4,591
in 1985 .....	2,244
Expected number of prisoners, 2005 .....	6,671
Percent of all prisoners incarcerated for a crime against another person .....	64
Prison beds occupied by a property offender .....	1 in 5
By a drug offender .....	1 in 10
Inmates serving a life sentence, 1985 .....	76
in 1996 .....	222
Spending for state adult and juvenile correctional facilities, in millions, 1980 ..	\$37
in 1995 .....	\$162
California's prison operating budget, for 1996, in billions .....	\$3.4
Minnesota state correctional facilities .....	8
California prisons .....	32
Number of new prisons that California has proposed building in 1996 .....	6
Average months served by violent offenders in a Minnesota prison, 1994 .....	88
States with a higher average (Maine) .....	1
Average months served by violent offenders in a Wisconsin prison, 1994 .....	26
States that spent less than Minnesota, as a percentage of the state budget, on corrections, 1991 .....	2
Current shortage of prison beds .....	300
Projected shortage of prison beds, 2000 .....	1,185
Beds contained in the new state prison to be built in Rush City, Minn. ....	800
State bonds authorized under HF3273 to build the facility, in millions .....	\$70
Amount requested by the governor, in millions .....	\$89
Annual operating costs once the facility is built, in millions .....	\$25
Prison beds added by Wisconsin since 1994 .....	2,300
Average daily cost, per prisoner, in Minnesota correctional facilities, (not including administrative and health costs) .....	\$82
States with a higher cost per day .....	6
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States paying a higher rate .....	11
Percent of the state's prison budget that goes to labor costs .....	75

Source: *Paying the Price: The Rising Cost of Prison, March 1996, Minnesota Planning.*

### For more information



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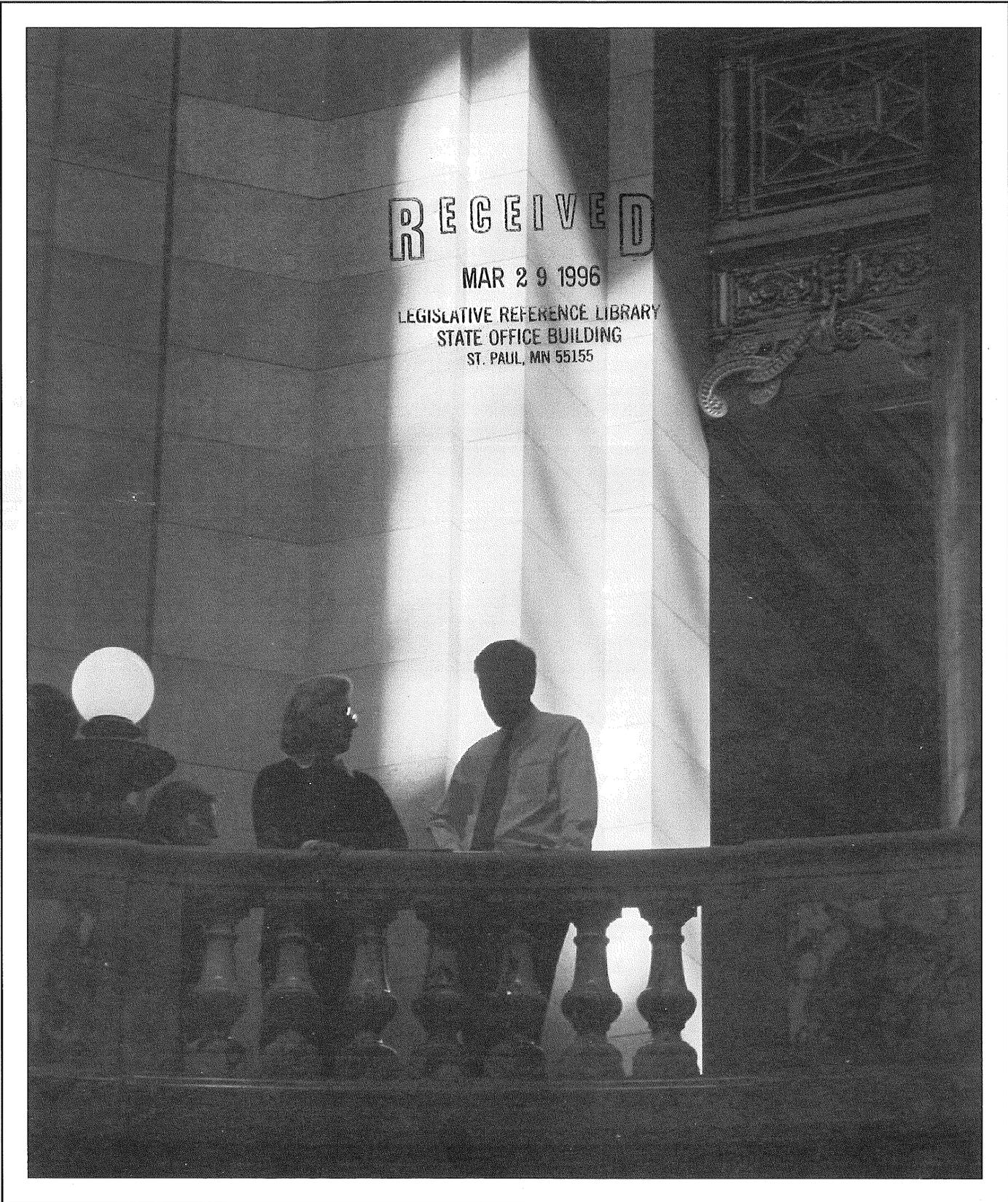


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# SESSION WEEKLY

A Non-Partisan Publication of the Minnesota House of Representatives ♦ March 29, 1996 ♦ Volume 13, Number 11



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# SESSION WEEKLY

Minnesota House of Representatives • March 29, 1996 • Volume 13, Number 11

## Week at a glance

- Kids and boats** — A bill on its way to the governor aims to improve safety on Minnesota lakes by keeping young children away from the controls of high-powered watercraft. .... **Page 5**
- Penalties and prevention** — A \$17.4 million proposal to fund corrections, crime prevention programs, and more police officers on the streets in neighborhoods and in schools passed the House March 27. .... **Page 5**
- Poverty wage** — Many Minnesota businesses would have to pay employees at least \$7.28 per hour, including benefits, under a bill passed by the House March 27. .... **Page 10**
- State government finance law** — The House passed a \$9.5 million state government omnibus bill March 21 which Gov. Arne Carlson has signed into law (with the exception of one section). .... **Page 12**
- Omnibus higher ed** — A \$16 million higher education funding bill on its way to the governor would require changes in the tenure code for the University of Minnesota academic health center. .... **Page 14**
- Human Services veto** — Gov. Arne Carlson vetoed a \$12.5 million health and human services supplemental budget bill March 26 that would have set aside \$4.7 million to restore cuts to two programs that help people with disabilities, spent another \$5 million on nursing homes and attached a 30-day residency requirement for some welfare recipients. .... **Page 15**
- Free driver's license** — The state would provide a money-back guarantee that driver's licenses will be issued in a timely manner under a bill passed by the House March 27. .... **Page 16**
- Gulf War bonuses** — The House approved a proposed constitutional amendment March 28 that would permit the state to pay Persian Gulf War veterans monetary bonuses. .... **Page 16**

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On the cover: Shining through the Capitol dome, the late morning sun plays tricks with light and shadow near the House chamber.

— Photo by Andrew Von Bank

# Highlights

K-12 education . . .

## House rejects alternative tests for would-be teachers

A \$32.3 million K-12 education spending bill is on its way to the governor minus a controversial provision to allow alternative testing for teaching candidates. The House passed the bill (HF2156\*/SF1884) March 28. The vote was 117-16. The Senate passed it the same day, 62-1.

House members had earlier rejected the bill after members on both sides of the aisle voiced objections to a plan to provide alternatives to the state's basic skills test for teachers.

"To the general public, alternative testing means lowering standards," said Rep. Richard Jefferson (DFL-Mpls). "The qualifications of every teacher of color would be questioned."

This year a plan emerged to provide a waiver to prospective teachers who fail the test three times. The measure would have required alternative testing methods for those teaching candidates.

Equivalent alternative tests would have maintained requirements for mastery of basic skills, proponents argued.

"We're not lowering any standards," said Rep. Alice Johnson (DFL-Spring Lake Park), House sponsor of the education funding bill.

But critics said alternative testing is not the best way to deal with problems that may exist with the current test. If it is racially biased, as some claim, Jefferson said the solution is clear.

said, would allow accommodations for those people without decreasing standards for reading, writing, and math skills.

"It could be something as simple as extending the time limit," Johnson said during House floor debate.

But opponents of alternative testing were not convinced.

"It's a disservice to the entire [teaching] profession," said Rep. LeRoy Koppendrayner (R-Princeton).

The education spending proposal would bolster the use of technology in Minnesota's public schools and would devote funds to after-school programs, full-day kindergarten, and other projects designed to help disadvantaged students.

Additionally, the measure would narrow the focus of the state's proposed graduation standards and would support school discipline policies that focus on keeping kids in the classroom.

Here's a look at the major provisions in the bill.

### Boosting technology

A total of \$11.9 million would be spent on technology programs under the bill. Much of the money would be used to expand Internet access in schools and libraries.

The 1995 Legislature passed a law that included a \$10.5 million grant program to connect schools and regional public library systems to the information superhighway.

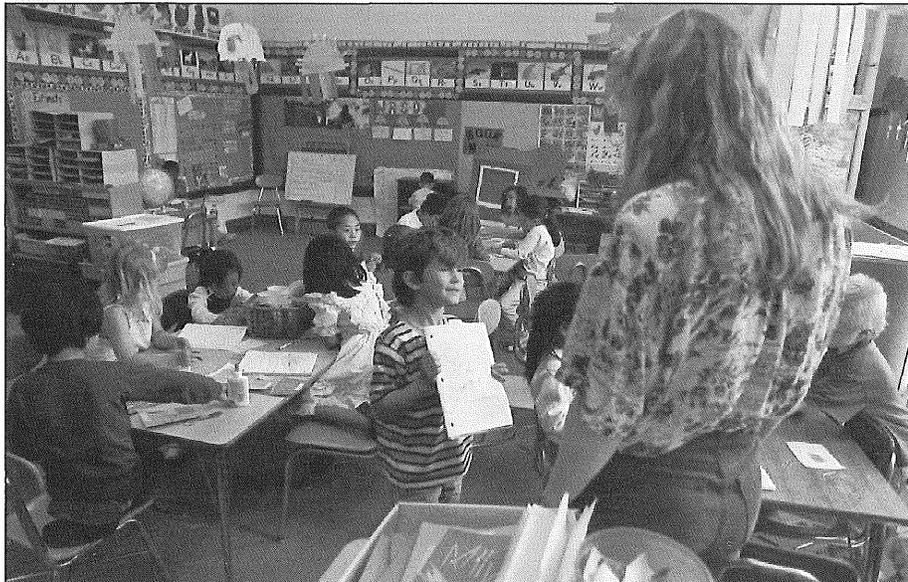
This year's bill would make an additional \$5 million in grant funding available in 1997.

Another \$3.5 million would go to school districts for training teachers in the use of technology and acquiring new computer hardware.

Gov. Arne Carlson pushed for money to purchase computer hardware to be included in the bill. The House earlier approved a spending package without such a provision.

Another of the current bill's provisions — although a seemingly minor one — could greatly help to improve Internet access in rural Minnesota schools.

The measure would allow telephone companies to provide service to schools and



Testing teachers before certification became a hotly debated provision in the \$32.3 million K-12 education spending bill. The House approved the measure but only after a controversial provision to allow alternative testing for teaching candidates was stripped from the bill.

House members on March 26 voted 98-32 to send the bill back to conference committee, where the alternative testing provision was then removed.

In 1995, a measure requiring the State Board of Teaching to study alternatives to the skills test was passed into law after legislators heard complaints that the test was preventing otherwise qualified and capable minorities and people with disabilities from becoming teachers.

"You remove the bias from the test. You don't remove the test," Jefferson said. "You make it fair."

Johnson said she was "very sorry" alternative testing had become a race issue. In fact, she added, a vast majority of those who have failed the test have been white.

The controversial provision was intended to help teaching candidates who have the necessary knowledge but just cannot pass the test, Johnson said. Alternative testing, she

libraries at reduced prices or for no cost.

Such a change could make a significant impact in rural areas where a long-distance call is required to connect to the worldwide communications network.

Also, the omnibus bill would set up a grant program to enhance the use of technology in after-school programs.

A total of \$1 million would be offered in grants to school districts and other organizations that operate after-school programs giving children access to computers.

### **All-day kindergarten**

The bill includes a provision crafted to ensure that disadvantaged children are ready for first grade by having them spend more time in a kindergarten classroom.

Under the bill, \$3.5 million in grant funding would allow certain schools to offer full-day kindergarten or to provide half-day kindergarten for 4-year-olds.

The goal of the expanded kindergarten proposal is to make sure students arrive in first grade prepared to handle academic basics such as reading and writing.

Proponents of the measure also said it would have benefits that reach far beyond the first grade. They argued that kids who fall behind at a young age often end up with serious academic and behavioral problems in later grades.

The grant funding would be divided evenly four ways among districts in Minneapolis, St. Paul, Twin Cities suburbs, and Greater Minnesota.

Districts receiving grant funds would decide whether to use the money for all-day kindergarten programs or to initiate half-day kindergarten for 4-year-olds, which would put kids in the classroom a year earlier than usual.

### **Afternoon activities**

Children in some of the state's poorest areas would be the beneficiaries of \$5 million for after-school programs.

The governor, in his January State of the State Address, identified after-school enrichment programs as a top spending priority.

The bill matches Carlson's request for funds to finance after-school programs in neighborhoods with especially high rates of poverty, teen pregnancy, and juvenile crime.

Under the bill, grant funding would go to school districts and community organizations that run after-school programs.

Minneapolis and St. Paul each would get \$2 million for the programs. The remaining \$1 million would go to other areas with high percentages of needy students.

Children ages eight to 13 who live in

troubled neighborhoods would be the target of programs aiming to reduce juvenile crime and school behavioral problems.

The programs also would seek to increase academic achievement, school attendance, and skills in computers, the arts, and athletics.

### **Graduation standards**

The bill includes \$2.9 million for continued development of the state's graduation rule, but the bill would narrow the scope of the proposed standards.

The state has spent about \$20 million developing and testing the new graduation standards.

Requirements for reading and math proficiency are slated to take effect beginning with the ninth-grade class in 1996-97. Those students will have to meet math and reading requirements before they can receive a diploma.

Ninth graders beginning in 1997-98 would have been expected to be tested on writing and science standards in addition to the math and reading requirements. Other tests in government, geography, and physical health and safety were expected to follow.

But the omnibus education bill would change that.

Minimum proficiency tests would be limited to the subjects of math, reading, and writing.

Assessment of performance in the other subjects would be shifted from minimum standards testing to the Profile of Learning, a broad analysis of each student's overall performance.

The changes in the graduation standards follow the direction taken in recent months by the newly created Department of Children, Families, and Learning.

### **Creative discipline**

The bill includes \$300,000 to help schools address behavior problems before they get out of hand.

The money would be distributed in grants to schools that implement constructive discipline policies that are focused on early intervention.

The bill would encourage schools to engage parents in a collaborative effort to alter inappropriate behavior and to see that such misbehavior does not become chronic.

It also would encourage schools to penalize students for misbehavior but to work toward returning them to their regular classrooms.

Grant recipients would be required to remove from regular classrooms students who violate the school's conduct code, to provide

an alternative education site within the school for those students, and to make the alternative education constructive.

### **Gang resistance**

The bill would allow existing tax revenue to pay for education programs that teach children how to resist gangs.

Currently, school districts can collect an extra \$1 per resident in taxes to help pay for school police officers and drug abuse prevention programs.

The optional levy provides funding for efforts such as the DARE (Drug Abuse Resistance Education) program, which teaches fifth and sixth graders about the dangers of drugs.

The education bill would simply expand the law to allow districts to pay for gang-resistance education with money collected through the tax.

### **Local control**

The conference committee scrapped a provision earlier approved by the House that would have given school sites more authority to make budget and programming decisions.

The proposal called for school site councils to be given control of a small share of the per pupil revenue given to districts and for additional grant funding to be offered to site councils. The site councils would have been allowed to spend the money without school board approval.

The governor strongly opposed the proposal.

### **Name change**

The name of the state arts high school located in Golden Valley, Minn., would be changed to the Lola and Rudy Perpich Minnesota Center for Arts Education. The name change would honor late Gov. Rudy Perpich, who was instrumental in efforts to create and support the school.

### **Moment of silence**

A measure to allow a moment of silence to be observed in public schools won approval earlier in both the House and Senate. But critics in both chambers described the provision as a thinly veiled effort to bring prayer into the schools.

The conference committee reduced the provision to a single sentence. "A moment of silence may be observed," the final bill reads.

— Nick Healy



## CHILDREN

### Kids and boats

A bill on its way to the governor aims to improve safety on Minnesota lakes by keeping young children away from the controls of high-powered watercraft.

The proposal was approved by the House March 26 on a 94-39 vote. It passed the Senate the same day, 56-5.

Under the bill, children under 13 would be prohibited from operating personal watercraft, or Jet Ski-style machines, and children under 12 would be barred from operating motorboats of more than 75 horsepower.

The bill (HF2834\*/SF2563), sponsored by Rep. Kris Hasskamp (DFL-Crosby), also would prohibit children under 12 from operating boats from 25 to 75 horsepower unless there is someone 21 or older within immediate reach of the controls. Those children would be allowed to operate boats of less than 25 horsepower without supervision.

The bill comes in response to a 1995 boating accident that claimed the life of 10-year-old Aaron Sahli of Ham Lake, Minn.

Aaron was riding in a pontoon boat on a Crow Wing County lake last Memorial Day when the pontoon was struck by a 175-horsepower boat being driven by an 8-year-old boy.

The father of the 8-year-old was in the speedboat but was not at the controls.

Current law allows children under 12 to operate boats of less than 30 horsepower. They can operate more powerful boats as long as an adult is on board.

(See Feb. 9, 1996, *Session Weekly*, page 5)



## CONSUMERS

### Notaries public

A bill that aims to prevent notaries public from exploiting immigrants passed the House March 26. The vote was 131-2.

HF2478, sponsored by Rep. Carlos Mariani (DFL-St. Paul), would require anyone who is not an attorney and provides immigration assistance services to post a notice in English and in the appropriate foreign language which says he or she is not an attorney.

HF2478 also would prohibit anyone who is not an attorney and offers such services from giving legal advice. A written contract — in both English and the appropriate foreign language — also would be required and must include an explanation of services to be offered and the corresponding charges.

Any notary violating the provisions would be guilty of a misdemeanor.

The measure was proposed by Mariani in response to reports in Minnesota and elsewhere of notaries public charging excessive amounts for legal services they were not legally qualified to offer.

Because notary public means "super attorney" in Spanish, Mariani said many Spanish-speaking immigrants mistakenly believe notaries are the same as attorneys.

The proposal now moves to the governor.



## CRIME

### Penalties and prevention

A \$17.4 million proposal to fund corrections, crime prevention programs, and more police officers on the streets in neighborhoods and in schools passed the House March 27. The vote was 130-3.

The bill (HF3242/SF2856\*), sponsored by Rep. Mary Murphy (DFL-Hermantown), also includes policy proposals from the omnibus crime bill, HF2161, sponsored by Rep. Wes Skoglund (DFL-Mpls). (See Feb. 22, 1996, *Session Weekly*, page 3)

Also under the bill, neighbors would be notified when serious sex offenders are released to communities and state prisoners could be housed at the Prairie Correctional Facility in Appleton, Minn.

Dropped from the proposal during conference committee negotiations was a provision that would have made it easier for Minnesotans to carry a concealed weapon. Other proposed changes calling for increased prison sentences for certain crimes were also removed, which drew harsh criticism from some members.

But Murphy explained to members that continuing to impose longer and harsher prison sentences is something the state simply cannot afford.

These concerns were bolstered by the timely release of *Paying the Price: The Rising Cost of Prison*, published this month by Minnesota Planning.

According to the report, Minnesota imposes some of the longest prison sentences in the United States, with only the state of Maine reporting longer average sentences for violent offenders. For drug and property crimes, Minnesota's sentences are 50 to 70 percent higher than the national median.

And the number of prisoners is growing exponentially. The report shows that Minnesota's adult prison population has more than doubled in the last 10 years to some 4,600 prisoners in 1995. By the year 2005, an

estimated 7,000 inmates will create an even greater demand on taxpayers.

The cost of running state prisons, at \$162 million in 1995, is expected to grow to \$234 million by 1999, which does not include the costs of building more prisons. (The governor requested \$100 million in bonding to build a new prison this year)

Currently, there is a shortage of about 300 prison beds. The shortage is expected to grow to about 1,200 beds by the year 2000, based on estimates that stem from current sentencing policies.

By removing a number of sentence increases that were in the House bill, the proposal would add 50 to 85 prison beds to current demands, noted Murphy, stressing the importance of controlling future costs. The bill includes a provision that would require the Department of Administration to conduct a systemwide evaluation of the state correctional system.

Stopping crime before it occurs is the best way to trim the budget, according to supporters of crime prevention programs. The bill includes a number of measures that are intended to stop crime before it starts. Community safety and law enforcement grants are a key feature of the bill and would receive over \$8 million in funding.

The bill, which now goes to the governor, also includes proposals that would prohibit prison inmates from smoking and provide funding for an automobile theft prevention program.

Below are some highlights from the bill.

### COPS, Weed and Seed

Two new programs would garner \$4.7 million of the bill's grant dollars.

The community-oriented policing programs, known as "COPS," aims to increase the amount of officers in local law enforcement agencies. The goal is to assign officers with community experience to investigate and prevent juvenile crime. COPS would expand community policing duties, such as block clubs and community-based crime watch programs. COPS would also assign overtime officers to high crime areas within their jurisdictions.

Weed and Seed, another grant program established by the bill, would assist local communities in eradicating violent crime, illegal drug activity, and illegal gang activity in targeted neighborhoods. The weed and seed program also would aim to revitalize neighborhoods, both economically and physically. Local law enforcement agencies would work with members of targeted neighborhoods to develop plans and apply for funding.

## Community crime prevention

Community crime prevention grants that aim to enhance communities' sense of personal security and to assist in crime control and prevention efforts are a key feature of the bill.

Programs that may qualify for the grants include those that provide services for at-risk children, neighborhood youth centers, block clubs, community-based crime prevention programs, and community-based collaboratives.

The measure would appropriate nearly \$1.8 million in funding for the grants.

## Knock and Talk

A proposal in the bill, dubbed "Knock and Talk," would give Hennepin County \$100,000 to establish a community-oriented chemical dependency pilot project. The project would take a comprehensive public health approach to chemical dependency problems, focusing on cocaine abuse in certain neighborhoods.

Knock and Talk would allow law officers and health workers to knock on the doors of so-called crack houses and offer chemical dependency treatment to addicts. Under the program, officers would be able to approach homes that have been identified as crack houses and offer to transport crack users to treatment programs, including aftercare programs that assist addicts in staying off drugs and securing jobs and housing.

Rep. Karen Clark (DFL-Mpls), a key sponsor of the project, has pointed out that many of the people who spend their time in crack houses, particularly women with children, find themselves in an "intimidating" situation and don't know how to extricate themselves.

## Car theft prevention

Increasing occurrences of car theft led to the approval of a \$930,000 proposal by Gov. Arne Carlson to combat the problem. The bill would establish an automobile theft prevention board, which would develop, coordinate, and implement statewide plans on car theft.

To help pay for the program, each automobile insurance policy sold in Minnesota would carry a surcharge of \$0.50 per car for each six months of coverage. Critics argued against the surcharge and the board, saying it was nothing more than a tax increase. However, proponents of the plan noted that several states have adopted this approach, which has led to drops of 16 to 20 percent in insurance rates, netting a gain for consumers because of the reduction in auto theft.

Proponents also stressed that the funds would be used to pay for local prosecutors, investigations, and more police, as well as neighborhood and business groups trying to fight the problem.

## Council on Black Minnesotans

The bill would appropriate \$200,000 to the Council on Black Minnesotans to complete the Martin Luther King Jr. nonviolent institutional child development pilot project. The project would provide community violence prevention and intervention programs.

Before the project starts, the commissioner of public safety would need to evaluate it based on specific outcomes, according to the bill. The proposals would require the project to begin by Jan. 2, 1997, and end by July 1, 1998, at which time it would be reviewed by several state department commissioners.

## Community notification

A key part of the bill that has received wide support throughout the process would authorize local law enforcement agencies to notify the public when a sex offender is released from prison. The community notification policy, co-sponsored by Rep. Dave Bishop (R-Rochester) and Skoglund, has been debated publicly since 1994 when Minnesota Supreme Court rulings released two men who had been committed under the state's sexual psychopathic personality law. Lawmakers met in special session that year to pass legislation to keep sexual psychopaths off the street.

The level of notification would depend on a risk assessment of the offender. Offenders would be classified as either low, intermediate, or high risk to the community.

If the offender is considered low-risk, police may notify other law enforcement agencies and any victims of, or witnesses to, the offender's crime. For intermediate-risk offenders, schools, day care centers, and other groups that serve individuals likely to be victimized by the offender could be notified. Anyone a high-risk offender is "likely to encounter" could be notified. Widespread notification, however, would not occur while an offender is living in a residential treatment home.

The provision also amends the sex offender registration law to include persons whom the courts have convicted of a "kiddie porn" offense or other offenses stemming from the same set of circumstances.

If passed, Minnesota would follow some 20 other states with similar laws.

The legislation would provide \$340,000 to ensure the program's implementation and

for legal challenges that may be brought against the law.

## Victims of violence

In accordance with the state's policy of "zero tolerance" for violence, the bill outlines state goals that would give crime victims access to the following services: crisis intervention, including a 24-hour emergency telephone line; safe housing; counseling and peer support; assistance in pursuing legal remedies; and appropriate medical care.

The goals also include giving children who are witnesses to abuse and/or victims of violence access to crisis child care; safe supervised child visitation, when needed; age-appropriate counseling and support; and assistance with legal remedies, medical care, and needed social services.

In an effort to increase efficiency in the administration of victim services, the bill requires several offices that deal with crime victims to meet four times a year. The so-called "crime victims services roundtable" would discuss methods for improving the delivery of services, in addition to securing increased funding.

The witness and victim protection fund would receive \$50,000 in grant money from the bill.

## Juvenile monitoring

The bill would allot \$225,000 for an intensive juvenile monitoring pilot program that focuses on juveniles who have committed or are at risk to commit crimes. Peace officers, juvenile courts, and juvenile probation officers would refer certain juveniles to the program. Qualified college and graduate students with related majors would monitor and supervise the juveniles.

College students would work with a juvenile's probation officer and serve as a "big brother" or a "big sister" to a teen who has committed, or is at risk for committing, delinquent acts or crimes.

The Department of Corrections would determine the particulars of the monitoring program. In addition, the department would work with colleges, universities, and community corrections agencies to establish the criteria for college students to participate in the program, what kind of training they should receive, and how they should be compensated.

Their responsibilities could include checking on the juvenile in the morning, reminding them about homework, checking on them after school, and helping them with homework several times a week.

The college student would then report

back to the probation officer so the officer could determine which juveniles need more help.

### **Truancy, curfew**

A total of \$340,000 would be available to eligible cities and counties for the creation and expansion of programs for curfew enforcement, truancy prevention, pretrial diversion, and for juveniles who are at risk of incarceration.

### **Crisis nurseries**

The bill would appropriate \$250,000 to the Department of Human Services to assist eligible private and public organizations that provide crisis nurseries.

Children's advocates have said that the increase in violent crime is directly related to an increase in child abuse and neglect. Crisis nurseries offer temporary, safe nurturing care for children and support services for parents in times of crisis. The nurseries may also offer family counseling, in-home crisis intervention, parenting support, information and referral services, and service coordination.

### **Home visits**

As part of the state's on-going effort to prevent child abuse and neglect, the bill appropriates \$250,000 to the Department of Health for grants to home visiting projects. The funding would increase the efforts of public health nurses who visit homes with at-risk babies, giving advice on nutrition and other parenting issues.

### **Group conferencing**

A pilot program for family group conferencing programs in Dakota County would receive \$95,000 under the bill. The program would provide an administrative alternative to a courtroom prosecution. In the forums, persons accused of crimes would meet with victims, family members of victims or the offender, law enforcement agencies, prosecutors, and community members. The forums would focus on the impact that crimes have on victims and the community. Members of the group would then determine an appropriate sanction for offender reparations, including community service and other options.

### **Tattoos**

Kids under the age of 18 who want to get a tattoo would need written parental consent to do so. Under the bill, anyone who provides a tattoo to a minor in violation of the provision would be guilty of a misdemeanor.

### **Prairie Correction Facility**

A city-owned correctional facility in Appleton, Minn., may receive some Minnesota prisoners if the bill becomes law. The non-profit facility presently sells space to prisoners from Idaho and Colorado. The city gains economic benefits from the facility through job opportunities for residents and increased business for local merchants who sell food and supplies to the prison.

The bill instructs the commissioner of corrections to contract with the facility to house at least 200 inmates, if the cost does not exceed \$55 per inmate, per day.

### **Inmate health care**

Inmates would have to make a co-payment for health care services that they receive in prison under the bill. The co-payments would be deducted from inmates' earnings accounts. Supporters of the measure said they included it in the bill to help curb the rise in prison health care costs caused by overuse of services.

### **Tougher gun penalties**

A felon who has been convicted of a crime of violence who is later found to be illegally possessing a firearm would receive a mandatory minimum prison sentence of 18 months and could get up to 15 years and a fine of up to \$30,000, under the bill.

A provision that imposes a mandatory minimum for felons illegally in possession of a firearm has been loudly applauded by county prosecutors who say it will make their jobs easier. According to the provision, it doesn't matter if the felon is using the firearm to commit another crime or has it in his or her car — it is an automatic 18-month minimum sentence.

The provisions are not designed to limit the rights of law-abiding citizens to own a gun, but punish criminals caught with guns, Skoglund has said.

### **Guns and kids**

An adult who negligently stores a loaded firearm that ends up in the hands of someone under age 18 would be guilty of a gross misdemeanor under the bill.

Current law applies only to minors under the age of 14.

A provision to require guns and ammunition to be locked and stored separately in households with minors was defeated earlier this session.

### **Guns on buses**

To combat continued crime on public buses, the bill would increase the penalty for

firing a gun "in" a public transit vehicle or facility.

The proposal expands current law which makes it a crime to recklessly discharge a firearm "at" a public transit vehicle or facility.

Penalties would range from up to a three-year felony and a \$6,000 fine to up to a five-year felony and a \$10,000 fine, depending on whether the vehicle or facility was occupied by individuals other than the offender.

The provision stems from recent incidents of gunfire inside buses and transit stations.

In addition, the proposal, sponsored by Rep. Darlene Luther (DFL-Brooklyn Park), would increase the maximum felony penalty for intentionally discharging a firearm under "dangerous circumstances" to five years imprisonment, up from the current two-year penalty. (Dangerous circumstances are defined by the jury in a given case.)

Under current law, it is a felony, punishable by a maximum of five years' imprisonment and a \$10,000 fine, to intentionally discharge a firearm in a school zone, park zone, or public housing project.

### **Stalkers and guns**

Minnesotans convicted of stalking or violating protection orders would have to surrender their pistols for three years.

The provision also specifies that if defendants in such cases use a firearm while violating the protection order or stalking a victim, they will be required to surrender the gun and could be barred from owning any firearm for the rest of their lives.

The county in which a domestic abuse offense is committed would conduct a domestic abuse assessment and submit a report to the court for any defendant convicted of domestic abuse or any defendant arrested for domestic abuse but convicted of another crime connected to the incident.

Defendants sentenced for domestic abuse, under the proposal, would be required to pay a \$125 domestic abuse assessment fee. Anyone who commits domestic assault knowing that a child younger than 18 is likely to witness the assault would be guilty of a gross misdemeanor, punishable by up to a year in jail and a \$3,000 fine.

### **Code grabbing devices**

The bill provides a three-year felony penalty for possessing a code-grabbing device with the intent to use it to commit a crime.

Criminals use the devices to gain access to locked cars, garages, and other things that use a remote control and radio wave security code.

Once a home or car owner presses a remote

control to open a garage door or unlock a car from a distance, the code grabbing device scrambles to find the code. Once the code is in hand, the criminal can gain easy access to a home or car.

### Sexual conduct

The bill also would expand the definition of fifth-degree criminal sexual conduct to include instances where a person is forced to touch a perpetrator's intimate body parts.

The provision, sponsored by Rep. Bill Macklin (R-Lakeville), was prompted by a Dakota County case in which prosecutors couldn't charge an offender because such a provision was not in the law.

### Indecent exposure

It would be a felony to commit a second indecent exposure offense in the presence of a minor under age 16. Under current law, the penalty is a gross misdemeanor regardless of how many times the offense is repeated. The maximum penalty would increase from a one-year jail sentence and a \$3,000 fine to a five-year prison sentence and a \$10,000 fine.

### Expunging criminal records

It would be more difficult for people to conceal an arrest or conviction record under provisions in the bill sponsored by Rep. Phil Carruthers (DFL-Brooklyn Center).

People petition the courts to have their records expunged for a variety of reasons — some were arrested but never charged, others were charged but found not guilty. There are also cases where an individual who was found guilty wants the record sealed for personal or employment reasons.

Law enforcement agencies and prosecutors generally oppose the practice because it takes records and information out of the system that could provide leads in current and future criminal investigations.

Currently, there is no definition on the books and the provision tries to address some existing case law that allows judges to return records to defendants or have them destroyed.

Under the measure, expungement would be defined as sealing a record and opening it only under a court order or statutory authority. It would not include the complete destruction of arrest or conviction records.

The process would apply to both arrest records and criminal conviction records. If charges are dismissed for lack of probable cause or if a prosecutor and a grand jury decline to file charges or return an indictment, arrest records are returned at the demand of an arrested person.

Other arrest records may be sealed if the

proceedings were resolved in favor of the arrested person. The burden of proof would rest on the government to show, by clear and convincing evidence, why the records should not be sealed, under the proposed law.

### Penalizing domestic abusers

Minnesotans convicted more than once of domestic assault would be more severely penalized.

The proposal, sponsored by Rep. Tim Pawlenty (R-Eagan), requires that anyone convicted of gross misdemeanor domestic assault must be sentenced to a mandatory minimum of 20 days in jail, with eight of them required to be served continuously.

Those convicted of felony domestic assault would be required to spend at least 45 days in jail, 15 of them consecutively.

Pawlenty noted that prosecutors across Minnesota are concerned about "lenient or inconsistent" treatment of repeat domestic assault offenders.

Current law mandates a minimum of 30 days in jail for repeat convicted drunk drivers, but there is no mandatory minimum jail term for Minnesotans convicted more than once of domestic assault.

Research done by the Minnesota Coalition for Battered Women has found that most residents convicted of domestic assault receive supervised probation sentences with little or no jail time. According to supporters of the provision, the system is failing to hold domestic abusers accountable at the expense of battered women and their children.

— Joel Larson



## DWI

### Omnibus DWI bill

A bill that makes it illegal for citizens to drive an automobile or fly an airplane with any amount of certain controlled substances in their systems passed the House Ways and Means Committee March 27.

The bill, sponsored by Rep. Matt Entenza (DFL-St. Paul), would apply to Level I and Level II controlled substances which include most street drugs and are classified among the most addictive narcotics, stimulants, and depressants.

Under the bill (HF2779/SF2340\*), drivers would be charged with a DWI if any amount of a Level I or Level II drug was found in their bodies.

A typical scenario could work like this: 1) a driver is stopped after an officer suspects he or she is impaired; 2) the driver is given a field sobriety test and then a breathalyzer test, but no alcohol is registered; 3) the officer still suspects the driver is impaired by something; and 4) the officer arrests the individual and seeks a blood or urine test.

Law enforcement wouldn't have to prove the persons driving or flying abilities were strictly impaired only that the drug was found in their system.

The bill also directs the Peace Officer Standards and Training Board to develop a plan to train a "sufficient" number of officers as Drug-Recognition Experts (DRE) to ensure they are available statewide each day to evaluate suspected drug-impaired drivers.

The test administered by DRE officers is separate from the preliminary field test per-



Japanese journalists captured House floor action March 22. The Minnesota Capitol was one of their many stops on a tour of the Midwest reporting on violence in America and the possible threat to tourists traveling here.

formed on the side of the road. After a patrol officer stops a driver, performs a field test, and suspects the driver is under the influence, the driver could then be taken to a police or highway patrol station where a more extensive physical test would be performed by a DRE officer.

Some of the bill's other provisions would create a new gross misdemeanor crime for violating DWI laws while driving without insurance and provide a longer waiting period before a minor, who has committed a DWI offense, is issued a limited driver's license for work or postsecondary school.

Current law states that a minor must wait 15 days for a limited license if it is the person's first DWI offense; 90 days if it is the offender's second, assuming the minor agrees to take the breathalyzer test. Under the bill, the waiting periods would double.

The bill now heads to the House floor.



## ELECTIONS

### Public official recall

A bill the House passed March 26 would place a constitutional amendment on the November 1996 ballot for voters to decide if errant state officials should be subject to recall. The vote was 115-17.

The bill (**HF343**), sponsored by Rep. Betty McCollum (DFL-North St. Paul); would give voters an opportunity to force a recall election for legislators, constitutional officers, and district court judges.

A successful amendment sponsored by Rep. Jim Farrell (DFL-St. Paul) also adds a state supreme court or court of appeals judge to the list.

"This bill allows voters to recall an elected official for any act of malfeasance or nonfeasance," said McCollum.

Other grounds for recall would be if an official has been convicted of a "serious crime," defined by the bill as a gross misdemeanor. (See March 22, 1996, *Session Weekly*, page 6)

Under the bill, a citizen petition to recall a state official would be reviewed by the Minnesota Supreme Court. A public hearing would be held to determine whether a petition for signatures should be granted. If it's found to be valid, a petition signed by 25 percent of the total eligible voters in the accused elected officer's district would force a recall election.

A successful amendment by Rep. Ron Abrams (R-Minnetonka) would make anyone bringing a petition that is dismissed by

the court financially responsible for the court's proceedings.

Should the accused public official secure an attorney for the hearing process, the court may make the petitioners pay "reasonable attorney's fees and expenses incurred" by the official if the petition is dismissed. Those bringing a petition may also be required to file a bond for amounts that may be assessed by the court.

An amendment added by Majority Leader Phil Carruthers (DFL-Brooklyn Center) addresses vacancies for a statewide office. If a vacancy occurs between Aug. 1 and Sept. 30, or after the adjournment of a two-year legislative session, the special election would be held on the Tuesday following the first Monday in November.

**HF343** now moves to the Senate for consideration.

### Fusion candidates

A bill setting the framework for fusion candidates to appear on the ballot — those nominated by more than one political party — is headed for the governor's desk.

The measure (**HF3123/SF2720\***), sponsored in the House by Rep. Gene Pelowski (DFL-Winona), comes in the aftermath of an Eighth U.S. Circuit Court of Appeals decision issued in January. The court found state law forbidding fusion candidates on the ballot to be unconstitutional.

The bill would allow more than one nominating party to be listed under a candidate's name on the ballot.

With or without the bill, fusion candidates would still have to be allowed under the court decision. Such candidates could have their names appear two or more times — once for each nomination they accept — if no new law is passed.

The state is expected to appeal the court decision to the U.S. Supreme Court, but a decision by the court before the fall 1996 elections is unlikely.

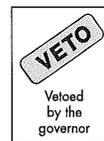
Should the Supreme Court grant a stay or overturn the lower court decision, the state would revert to existing law barring fusion candidates, under the bill.

The measure would allow a candidate to be listed as the nominee of one major party along with one or more minor parties or as the nominee of multiple minor parties. The candidate and the state chairperson of each nominating party would have to approve a fusion candidacy.

A single candidate would not be allowed to be listed as the nominee of more than one major party.

The bill received final passage in the House March 28 on a 131-2 vote. It passed the Senate one day earlier on a 59-1 vote.

### Candidate leave vetoed



Gov. Arne Carlson vetoed a bill March 26 that would have ensured that public employees who run for elected office are not required to take unpaid leave from their jobs.

Under current law, state employees are allowed to run for office without taking unpaid leave, but there is no state law providing the same right to local government employees.

At least 18 of Minnesota's 87 counties force employees to take unpaid leave if they become a candidate for office, according to House bill sponsor Rep. Don Ostrom (DFL-St. Peter).

That means lost wages and benefits for those employees, Ostrom said, and private sector workers face no such penalties for seeking office.

Carlson vetoed a similar bill in 1995. While he acknowledged that the authors of this year's measure "worked diligently to address the most objectionable portions of last year's bill," the governor believed that a fundamental problem remained.

"Simply put, the state should not unnecessarily interfere with decisions better left to locally elected officials," Carlson wrote in his veto message.

Employees should be allowed to run for office without taking leave as long as they can keep their campaign and job separate, Carlson wrote. But, he added, there are situations where an employee's campaign would be disruptive to the workplace.

"Locally elected officials should be able to keep the latitude they now have to establish policies suited to the local circumstances," Carlson wrote.

If citizens have concerns about the issue, they can take it up with the local officials, he added.

Sen. John Hottinger (DFL-Mankato), sponsored the bill in the Senate.

**HF2549/SF2267\*/CH368**

## Lobbying prohibition vetoed



Gov. Arne Carlson has vetoed a bill to prohibit the use of money raised through the state's political contribution refund program for lobbying purposes.

Under the program, created by the Legislature in 1990, an individual can give up to \$50 to a candidate or political party, obtain a receipt for the donation, complete a form from the Department of Revenue, and get the cash back from the state. Married couples can contribute up to \$100 and get it back. The program costs the state about \$5 million per biennium.

Carlson said the effect of the bill would be to prohibit legislators or constitutional officers from sending out legislative questionnaires "or other communications designed to influence public policy." He called such restrictions "unreasonable."

The governor said if the authors of the bill are offended by the political use of money raised through the state's political contribution refund program, they should "send [him] a bill to repeal the whole program."

The proposal was sponsored by Rep. Roger Cooper (DFL-Bird Island) and Sen. Doug Johnson (DFL-Cook).

HF1106/SF1086\*/CH375



## EMPLOYMENT

### Paying poverty wages

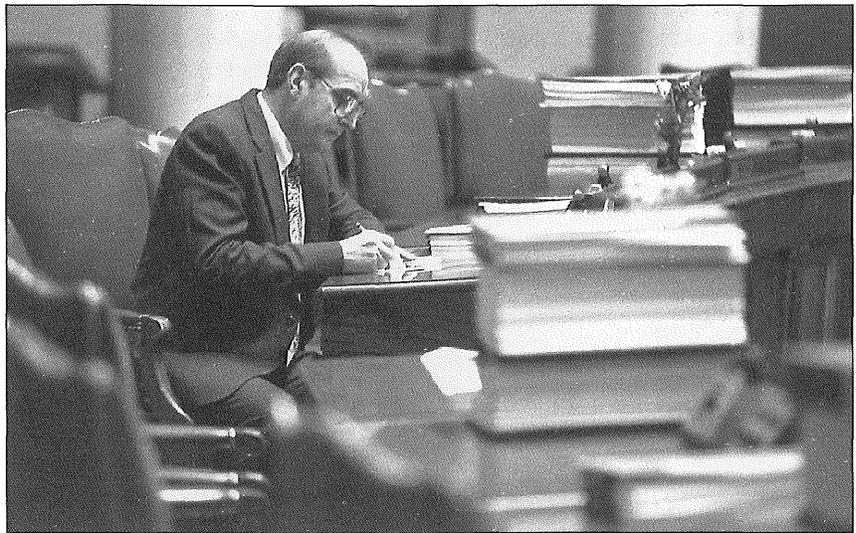
Many Minnesota businesses would have to pay employees at least \$7.28 per hour, including benefits, under a bill passed by the House March 27.

The proposal (HF2562/SF1997\*), sponsored by Rep. Karen Clark (DFL-Mpls), passed on a vote of 78-55.

Under the poverty wage bill, medium and large companies that get \$25,000 or more in state aid through loans, grants, or tax increment financing (TIF) must pay employees at least \$7.28 per hour. That is the current annual federal poverty level guideline for a family of four.

The bill aims to combat poverty by ensuring that employees of state-subsidized companies get paid enough, so they don't require other state assistance.

The bill exempts small businesses and most nonprofits. A heavily debated amendment by Rep. Ron Abrams (R-Minnetonka) removed a provision from the bill that exempted TIF districts that are classified as redevelopment or renovation districts. The provision, now gone, would have exempted



Rep. Henry Kalis worked at his chamber desk March 25 after the House cancelled its floor session due to a snow storm that made it impossible for many House members to make it to the Capitol. The last time the House cancelled a floor session was in 1985.

51 of 52 TIF districts in Minneapolis. It would have exempted a smaller proportion of TIF districts in areas outside of Minneapolis.

"What this is, is social engineering at its worst," said Abrams, who has been a vocal critic of the way Minnesota has managed TIF districts. "If [paying a poverty wage] is good enough for Plymouth, for Detroit Lakes, for Worthington, it's certainly good enough for Minneapolis."

A conference committee will negotiate differences with the Senate version of the bill.



## ENVIRONMENT

### Environmental funding

The House passed the environment and natural resources finance omnibus bill March 26. The proposal (HF2512/SF2167\*) passed on a 126-5 vote.

The \$10.5 million measure emerged from a conference committee with \$2.4 million more than the bill passed originally by the House. It includes a Senate provision that increases state park fees, an increase in the amount of money for an off-road vehicle park on the Iron Range and \$500,000 more for state resources.

Under the bill, the annual state park fee will increase from \$18 to \$20 for most people and from \$12 to \$20 for senior citizens. Those fee increases plus a hike in campground permit fees will raise an extra \$325,000 annually for state parks. The bill does not include an increase in fees for disabled park users, as originally proposed by the House.

Sponsored by Rep. Chuck Brown (DFL-Appleton), the bill also includes \$1.3 million for an off-road vehicle park in Gilbert, Minn. The House originally proposed \$850,000 for that purpose.

The bill does not include a House provision that would have allowed non-domestic corporations to own forestry land in Minnesota. Currently, a foreign company in Minnesota cannot acquire agricultural land, under most circumstances. The provision, which aimed to help Grand Rapids-based Blandin Paper Co., was included in a separate bill (HF3146/SF2760\*) that was signed into law.

Other provisions in the bill include:

### Timber damage

The northern Minnesota counties of Aitkin, Becker, Clearwater, Hubbard and St. Louis would get a total of \$250,000 in fiscal year 1996 to repair damage from thunderstorms that struck in July 1995. The money would be used to reimburse costs incurred in such areas as timber damage, cleanup, reconstruction, and debris removal.

An estimated 250,000 acres in northern Minnesota were hit, including state, county, federal, and private lands. One hundred seventy-five miles of roads were destroyed in the process. The storms ranged from an area west of Itasca State Park eastward through Clearwater County to south of Grand Rapids. The DNR has estimated that \$22.5 million worth of timber was lost or damaged. Nearly one-half of the annual wood supply needed by the state's forest industries was damaged or destroyed, the DNR has said.

The DNR also would get \$240,000 under

the bill to pay for unexpected clean-up costs associated with the 1995 storm.

### State park management

The bill appropriates \$350,000 in fiscal year 1997 for state park and recreation management. The money will fund the establishment of an electronic state park permit tracking system. The provision also raises state park permit fees for various users. The DNR expects to raise \$325,000 through increased fees by June 30, 1997.

### Solid waste

The Pollution Control Agency (PCA) will get \$779,000 through fiscal year 1997 to study water quality. The study targets "point source" pollution activities. The appropriation is an increase from the \$689,000 appropriation contained in the original House bill.

### All-terrain travel

The state would spend \$1.35 million to develop an all-terrain vehicle recreation area in the city of Gilbert, Minn. Brown's original bill contained an \$850,000 appropriation for an all-terrain vehicle recreation area to be located on the Iron Range. The bill also calls for the commissioner of natural resources to complete a long-range plan that spells out trail maintenance needs and accompanying costs through 2025.

### Dairy farms

A total of \$150,000 would be used to help both big and small dairy farmers under the bill. The money would help supply new technologies to dairy farmers. A board of farm business instructors, extension specialists and dairy industry representatives would help to administer the technology. The Dairy Producers Board would be charged with reporting on the program to the Legislature by Jan. 15, 1997.

### Beaver damage

Local governments affected by beaver damage would share \$75,000 to study statewide beaver damage. The appropriation, which requires an equal match by the Beaver Damage Control Joint Powers Board, is less than half the \$300,000 appropriated in the original House bill.

Beaver dams in ditches, rivers, and coulees have created flooding in the flat terrain of northern Minnesota. Last year, Gov. Arne Carlson vetoed a \$150,000 appropriation for the joint powers board.

### Alfalfa

A total of \$200,000 is appropriated under the bill for research and development relating to alfalfa production. The appropriation is four times the amount contained in the original House bill. The money would go toward developing alfalfa varieties that have optimal energy and protein levels as well as the development of value-added alfalfa products. The University of Minnesota, the Agricultural Utilization Research Institute, and other public and private groups would be involved in the research.

### Pest control

An urban, integrated pest management development and promotion program would be created with Metropolitan State University at a cost of \$75,000, under the bill. The goal of the program is to promote integrated pest management in urban areas.

### Environmental justice

A total of \$20,000 will help the Environmental Quality Board study the concept of "environmental justice." Originally proposed as **HF1661** by Rep. Karen Clark (DFL-Mpls), the study would explore the equitable or inequitable distribution of environmental efforts among different socioeconomic and ethnic groups. The board would issue a report to the Legislature by Jan. 1, 1997.

About 38 other states are considering similar legislation in an effort to get federal funding for community-based projects that address environmental equity, Clark has said. President Bill Clinton issued an executive order in 1994 urging states to explore the concept of environmental justice.

### River basin funding

The bill calls for \$125,000 in continued funding for the Minnesota River Basin Joint Powers Board. The 37-county board is charged with keeping the river clean through public education and local environmental projects. It was established more than a decade ago when the DNR found that the river exceeded acceptable phosphorous and nitrate levels.

Rep. Tom Osthoff (DFL-St. Paul) asked why the joint powers board couldn't be financed by the 37 local municipalities instead of the state.

DNR officials have said the state has a history of financing joint powers boards, such as the North Shore Management Board. In addition, efforts by the 37 counties help hold sewage treatment costs down in the metro area, said Ron Nargang of the DNR.

### Fighting river sedimentation

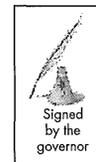
Morrison County would get \$75,000 to study and propose a solution to accelerated sedimentation along the eastern shoreline of the Mississippi River. The University of Minnesota would use the money at its St. Anthony Falls laboratory. The appropriation is \$25,000 less than the amount appropriated in the original House bill.

### Minnesota resources

Projects aimed at preserving the state's resources would get \$4.8 million under the bill. The appropriation is about \$500,000 more than the provision contained in the original House bill. The larger appropriations fund the development of recreational land. A total of \$1 million would fund the development of metro-area parks. Another \$1 million would go for state park and recreation development and \$895,000 for local grants for the same purposes. A total of \$410,000 is earmarked for development of the Chippewa County Regional Trail.

Other items include a \$360,000 joint project between the PCA and the DNR to develop an Internet program aimed at increasing public access to information. The state's Reinvest in Minnesota program, which aims to acquire and preserve wetlands and other conservation lands, would get \$750,000 under the bill.

### Reimbursing the state



A new state law, effective March 27, 1996, will help the state collect more insurance money to cover the costs of cleaning up contaminated landfills.

The law repeals portions of a 1994 law which simplified the cleanup of contaminated landfills. The law came after a rash of lawsuits were filed in connection with the contaminated Oak Grove landfill just north of the Twin Cities. That law took the responsibility for cleaning up contaminated sites away from landfill users and made the state responsible.

But the attorney general's office found the 1994 law brought many problems, especially in recovering costs from insurance companies. Under that law, the state would determine an insurance company's liability in a contaminated landfill case by using general statewide market share percentages. For example, the state would determine that an insurance company owed 25 percent of the costs of cleaning up a given landfill because 25 percent of that company's business was in business liability insurance. The insurance

company, in some cases, would then argue they weren't libel because none of their market share included landfill operators.

The new law, carefully negotiated between the attorney general and the insurance industry, establishes a new process. Instead of using market share to determine what an insurance company should pay, it addresses each contaminated landfill on a case-by-case basis to determine liability. Proponents say this will make it easier for the state to recover cleanup costs from insurance companies.

The case-by-case approach means extra work for the attorney general's office. A total of \$689,000 is included in the omnibus environment and natural resources finance bill (HF3231/SF2167\*) to cover the additional costs.

That proposal is pending before the governor.

The new law was sponsored by Rep. Jean Wagenius (DFL-Mpls) and Sen. Steve Morse (DFL-Dakota).

HF2588\*/SF2120/CH370

## Outbreak



A new law, effective May 1, 1996, will help the Department of Natural Resources better contain the spread of harmful exotic species.

The measure will create a general description in law applying to all exotic species defined as a wild animal or an aquatic plant that can naturalize and possibly threaten native species and natural resources. Previous law prohibits the transporting of only Eurasian water milfoil. Since, according to DNR officials, distinguishing between the different types of milfoil is nearly impossible, the DNR did not issue any tickets for illegal transport last year.

The law also prohibits (with limited exceptions) the transport of all aquatic plants, including transport on public highways, an area not covered by existing law. There is an exception for incidental transport of aquatic plants on decoys used during waterfowl hunting season.

The law does not apply to mammals and birds defined by statute as livestock.

The proposal was sponsored by Rep. Loren Jennings (DFL-Harris) and Sen. Len Price (DFL-Woodbury).

HF2379/SF2503\*/CH385



## GAME & FISH

### New turkey stamp



A new law will help boost the state's wild turkey population through additional license fees paid by hunters.

Effective March 1, 1997, the state's approximately 12,000 wild turkey hunters will be charged an extra \$5 each year.

Under current law, turkey hunters apply for a permit with the Department of Natural Resources (DNR). The extra charge will be for an additional stamp that turkey hunters must purchase. (A similar stamp now exists for those who wish to hunt migratory waterfowl or pheasant.)

About 90 percent of the funds raised by the new turkey stamp will go to the DNR for expanded wild turkey research and habitat preservation. Although the bird is thriving in parts of south central Minnesota, wild turkeys are non-existent in other areas of the state.

House sponsor Rep. Tom Hackbarth (R-Cedar) has said that some turkey hunters were especially concerned, having heard that the DNR considered reducing the amount of funds going toward wild turkey research and habitat development in outstate areas.

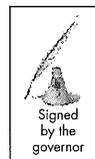
The proposal was sponsored in the Senate by Sen. Gene Merriam (DFL-Coon Rapids).

HF1964/SF1775\*/CH364



## GOVERNMENT

### State government finance law



The House passed a \$9.5 million state government omnibus bill March 21 which Gov. Arne Carlson has signed into law (with the exception of one section).

The law includes minor changes to the bill originally passed by the House. Those changes include an increase of \$2.1 million for a statewide computer system and \$200,000 more for the Department of Human Rights.

Items that were dropped in conference committee include a provision which would have required metal shredding companies to get an environmental impact statement before building such a plant. The provision was aimed at a controversial plan for a kondirator project along the Mississippi River in north Minneapolis. Another provision left out of the bill, proposed by Rep. Mike Oskopp (R-

Lake City), would have fined state agencies 10 percent of their budget if they did not follow laws.

Carlson line-item vetoed a \$50,000 study that would have addressed both the pending kondirator project and the University of Minnesota's controversial plan to refurbish a steam plant along the Mississippi River.

The bill was sponsored by Rep. Tom Rukavina (DFL-Virginia) and Sen. Gene Merriam (DFL-Coon Rapids)

HF3214/SF2857\*/CH390

### Statewide information system

Under the law, a one-time appropriation of \$6.4 million will be made to fund a statewide operating system. The appropriation will fund updates to computer software and hardware in the state's new operating system, which was put into place this year. The original House bill appropriated \$4.3 million.

### Target Center

The law aims to increase the state's use and efficiency in paying for the use of the Target Center. The provision appropriates \$750,000 to the Amateur Sports Commission — a state board — to enter into agreements with the Target Center that stimulate local, national and international amateur sports. The provision also attempts to limit the amount of ancillary costs incurred by the state by allowing the commission to resell reserved dates when necessary. Currently, the commission, which reserves dates at the center for state-sponsored activities, cannot resell reserved dates and must pay for operating costs whether or not an activity takes place on a reserved date.

### Celebrating emancipation

June 19, the date officially celebrated in other areas of the nation as Juneteenth, will become a day of recognition in Minnesota, under the law.

Juneteenth is observed as the day the Emancipation Proclamation was first publicly read in Texas in 1865. Initially proposed by Rep. Richard Jefferson (DFL-Mpls) as HF1889, the provision will add Juneteenth to the list of state days of recognition such as Arbor Day and Ethnic American Day. It will not be an official state holiday.

### Year 2000 project

A total of \$1.25 million will fund the governor's Year 2000 Project. About 80 percent of the computer programs used by the state will require modifications when the year changes from 1999 to 2000. Many computer programs cannot perform arithmetic operations or sort data fields when working with years outside of 1900 to 1999.

## Remembering suffrage

The women's suffrage movement, which observed its 75th anniversary last summer, will be commemorated in a memorial garden on the grounds of the Minnesota State Capitol. The proposal will use \$250,000 in conjunction with \$50,000 in private dollars.

The private money will be used for plaques, benches, and educational materials to be distributed in connection with the memorial garden.

Plans call for the garden to be constructed on a 100-foot-by-150-foot section of land that is south of Constitution Avenue near Cedar Street, close to the location of the 1996 Winter Carnival ice slide.

## Technology provision in budget

The law requires the governor to submit a separate information technology expenditure as part of the biennial budget.

The new component of the budget will include detailed recommendations on the state's technology initiatives for the current and following biennium. It also will require the governor to prioritize each project.

## Clearing the backlog

The Department of Human Rights will get \$300,000 this biennium to clear its backlog of cases. Originally proposed as **HF3083** by Rep. Matt Entenza (DFL-St. Paul), the provision originally appropriated \$100,000 to solve the problem, which was the subject of a January report by the Office of the Legislative Auditor. The report found the department had not processed discrimination complaints in a timely manner and had not effectively used the department's case-tracking system.

## Feedback

The House of Representatives Public Information Office has established an e-mail address to welcome comments or ideas on the *Session Weekly* and its contents.

### Send messages to:

[session@house.leg.state.mn.us](mailto:session@house.leg.state.mn.us)

We thank you for your input.

The editors

## Claims against the state



A new law will pay individuals who have claims against the state for everything from overdue war veteran bonuses to injuries sustained while performing community service work.

The law, effective March 22, 1996, totals about \$97,000.

It also appropriates \$4,180 to a Grygla, Minn., individual who overpaid tax on an airplane in 1989 and another \$4,000 to one individual who spent \$8,000 to build a useless stone wall to prevent erosion based on erroneous information from the Department of Natural Resources. The remaining \$4,000 will come from the department's existing budget.

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 measure, sponsored by Rep. Edgar Olson (DFL-Fosston) and Sen. Randy Kelly (DFL-St. Paul), contains claims that range from \$7.50 to \$4,180.

Most of the claims contained in the new law apply to the Department of Veterans 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 law appropriates about \$80,000 for the bonuses.

Other funds in the bill include \$7,120 for pre-paid claims against the Department of Corrections as well as for three people who were injured while performing court-ordered community work.

**HF3217\*/SF2835/CH360**

## Legislative auditing



A bill relating to the duties of the Office of the Legislative Auditor was vetoed by Gov. Arne Carlson.

"[This] bill unreasonably and substantially expands the scope and power" of the office, Carlson wrote in his veto message. "This is a deliberate attempt to shift power and responsibilities away from the judicial and executive branches to the Legislature while passing it off as non-controversial."

But where the governor sees major changes, Rep. Ann Rest (DFL-New Hope), House sponsor of the bill, sees only a codification of

existing practices where current law is vague.

The bill would have provided an appointment process for the auditor and the office's deputy auditors, addressed data privacy issues, and explicitly stated the duties that the legislative auditor already has been conducting at the request of the Legislature.

Carlson's mainly objected to a provision saying the auditor may perform a program evaluation of "any organization in the executive or judicial branches of state government" or the University of Minnesota.

The governor called the provision "a dangerous threat to the distribution of powers" outlined in the state constitution.

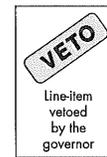
Rest said the authority has been in law since the Office of the Legislative Auditor was created in 1973.

"No agency activity or court function which uses taxpayer dollars is exempt from evaluation and this duty has nothing to do with the constitutional separation of powers," Rest said.

The proposal was sponsored in the Senate by Sen. Phil Riveness (DFL-Bloomington).

**HF2845/SF2418\*/CH350**

## No environmental assessment



Gov. Arne Carlson has line-item vetoed a \$50,000 study that would have addressed two pending projects near the Mississippi River in Minneapolis.

The omnibus state government finance bill contained a provision calling for the state's Environmental Quality Board (EQB) to assess two situations.

The first was to determine whether a metal shredding plant near the river was compatible with "tourism and other non-industrial uses" of the land which has been designated "an area of critical concern." Although unnamed by the legislation, the provision was targeting a specific kondirator, or metal-shredding plant which is pending along the river in north Minneapolis.

Secondly, the bill called for the EQB to study the environmental and health effects of burning coal "within or near residential areas of large urban centers." The provision is directly related to the University of Minnesota's controversial plan to refurbish a steam plant on the Mississippi riverfront. Some members have cited the potential environmental danger of coal-burning facilities as a need for further study and a reason to favor alternative energy-generating technologies. Others have said the issue has been studied enough.

The remainder of the bill was signed into law.

The law was sponsored by Rep. Tom Rukavina (DFL-Virginia) and Sen. Gene Merriam (DFL-Coon Rapids).

HF3214/SF2857\*/CH390

## No planning report



A bill calling for the St. Cloud area planning organization to provide a report and recommend legislative action to state lawmakers was vetoed by the governor.

The bill outlined specific areas of study to be addressed, including regional land use and coordination and the feasibility of a tax-base sharing program for the region. The proposal applied to Benton, Sherburne, and Stearns counties.

Gov. Arne Carlson called the bill an "unnecessary first step to take." He said the "bill amounts to legislative micro-management of the region, while ignoring the many cooperative agreements that are already in place to deal with jurisdictional problems."

The proposal was sponsored by Rep. Joe Opatz (DFL-St. Cloud) and Sen. Dave Kleis (R-St. Cloud).

HF2330\*/SF2107/CH379

## HIGHER EDUCATION

### Omnibus bill passes

A \$16 million higher education funding bill on its way to the governor would require changes in the tenure code for the University of Minnesota (Uof M) academic health center.

The bill (HF3239/SF2849\*) would provide supplemental funding for the state's higher education institutions, including the U of M and the Minnesota State Colleges and Universities (MnSCU) system.

The conference committee version of the bill won final passage in the House March 22 on a 118-12 vote. The Senate passed it March 21 on a 56-5 vote. The bill was sponsored by Rep. Tony Kinkel (DFL-Park Rapids) and Sen. LeRoy Stumpf (DFL-Thief River Falls).

The measure would devote a total of \$9 million to the U of M.

Under the proposal, the state would spend \$6.6 million to restructure the academic health center, but the money would be contingent upon specific performance goals.

The academic health center includes the medical school and dentistry, public health, nursing, and veterinary programs. Funds for

the center would be used to improve technology and update curriculum.

Ninety percent of the academic health center appropriation — about \$5.9 million — would be contingent on the U of M making changes to the personnel policies in the center.

The bill states that the Legislature "requests" that the school pursue changes in the tenure code for the academic health center without infringing on academic freedom.

Critics say the tenure code is often used as a job protection device that drains resources from academic programs.

Specifically, U of M trustees would have to allow for changes in base salary for health center faculty and provide streamlined procedures for their separation.

The remaining 10 percent of the \$6.6 million for the academic health center would be earmarked for the University of Minnesota-Duluth (UMD) medical school. But the money would hinge on the continued development of the medical school as a rural health center, which aims to produce more medical professionals to serve rural areas.

Under the bill, UMD would have to expand the training of rural nurse practitioners, pharmacists, physician assistants, and general practitioners. The school also would have to develop electronic links to facilitate video conferences and the transmission of images and other information.

Another \$2 million included in the bill would be used for interactive communications technology to link academic health center facilities in Minneapolis, St. Paul, and Duluth and other community-based sites.

The bill also includes a total of \$5.3 million

for the MnSCU system. Most of the money would be used to bolster technology on the campuses.

Under the measure, about \$4.5 million would be made available for grants for the use of technology to improve learning in the classroom.

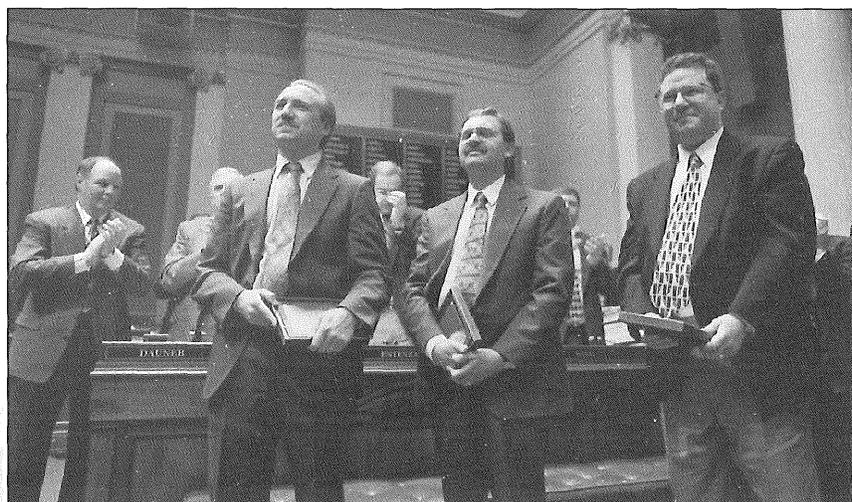
Grants of up to \$250,000 would be awarded to state colleges and universities on a competitive basis. A review panel, including faculty, students, and a member of the Minnesota High Technology Council would decide who receives the grants.

Both the governor and lawmakers have established technological upgrades at educational institutions — at all grade levels — as a high priority this year.

Also, the bill includes \$800,000 for the U of M and MnSCU to initiate a joint project that would aim to coordinate distance learning efforts and improve such programs.

Other provisions of the bill would:

- devote a total of \$1.5 million to increase living and miscellaneous allowances in state grants for college students;
- provide \$150,000 to establish a statewide on-line library system. The proposal would fund a library planning task force whose goal would be to set up an on-line system to serve colleges, public libraries, and public schools;
- spend \$150,000 to update the technology used in the state's six regional farm business management programs, which aim to help farmers learn business skills and improve profits; and
- provide \$50,000 to repay college loans for graduates of Minnesota law schools who practice low-paying, public-interest law.



The recipients of the 1996 Teaching Excellence Award, left to right, Christopher Anson, University of Minnesota Twin Cities campus; Gary Dauer, Central Lakes Technical College, Staples, Minn.; and Dr. Michael Gold-Biss, St. Cloud State University, were recognized for their achievements on the House floor March 27.

The bill requires the private bar to match the state funds for loan repayments.



## HOUSING

### Interest on deposits



Effective March 22, 1996, damage or security deposits held for tenants by landlords will not accrue as much interest.

Previously, the annual interest rate for such deposits was 4 percent, which is a full percentage point above what most banks are offering for savings accounts.

Under the new law, landlords must pay only 3 percent interest on a tenant's security deposit.

Should the law remain the same in the year 1999, the interest rate would climb to 4 percent. This provision would be subject to review by the 1998 Legislature.

The proposal was sponsored by Rep. Loren Jennings (DFL-Harris) and Sen. James Metzen (DFL-South St. Paul).

HF2672\*/SF2135/CH357



## HUMAN SERVICES

### Omnibus human services bill



Gov. Arne Carlson vetoed a \$12.5 million health and human services supplemental budget bill March 26.

Lawmakers can attempt to override the veto, which requires a two-thirds vote in both bodies of the Legislature. That means 90 votes in the House and 45 votes in the Senate.

Minority Leader Steve Sviggum (R-Kenyon) has said such an effort will fail in the House. "We will support the governor," he said.

The bill wasn't considered large in terms of dollar value, but it contained policy changes as well as money for a variety of programs.

It would have set aside \$4.7 million to restore cuts to two programs that help people with disabilities live independently at home instead of in an institution such as a group home or nursing home.

The bill also would have spent another \$5 million on nursing homes and attached a 30-day residency requirement for some welfare recipients who receive Aid to Families with Dependent Children (AFDC), Medical Assistance (MA), General Assistance (GA), or General Assistance Medical Care (GAMC).

Carlson cited several reasons for his veto. Among them, the governor said the bill failed to set aside money for medical education and research. He had requested \$10 million.

Instead, the bill permitted the Department of Health to set up a trust fund to pay for medical education and research grants necessary to keep Minnesota up-to-date in medical care. The measure appropriated no money but directed a task force to study the potential sources of funding for a trust fund. Recommendations were to be forwarded to the Department of Health and the Legislature by Dec. 15, 1996.

Carlson was also dissatisfied that the bill did not move quickly enough to transform the state's MA program for the poor into a prepaid managed care system.

Managed care is a method of health care that tries to cut costs by channeling patients to a limited network of doctors and other health care workers. The care is regularly reviewed to determine whether it is appropriate and necessary or whether medical procedures are being overused or underused. Health Maintenance Organizations (HMOs) are probably the most common examples of managed care.

The governor wants all counties to participate in what is known as the Prepaid Medical Assistance Plan (PMAP) which has been piloted in several counties, including Hennepin, Ramsey, and Dakota, for several years.

Under the plan, the state contracts with a select group of competitive health plans and pays them a fixed monthly rate to care for

each enrolled MA recipient. Among other factors, the rate paid by the state per enrollee depends on the person's age, gender, and county of residence. Currently, the state runs the PMAP system and directly negotiates contracts with health plan companies.

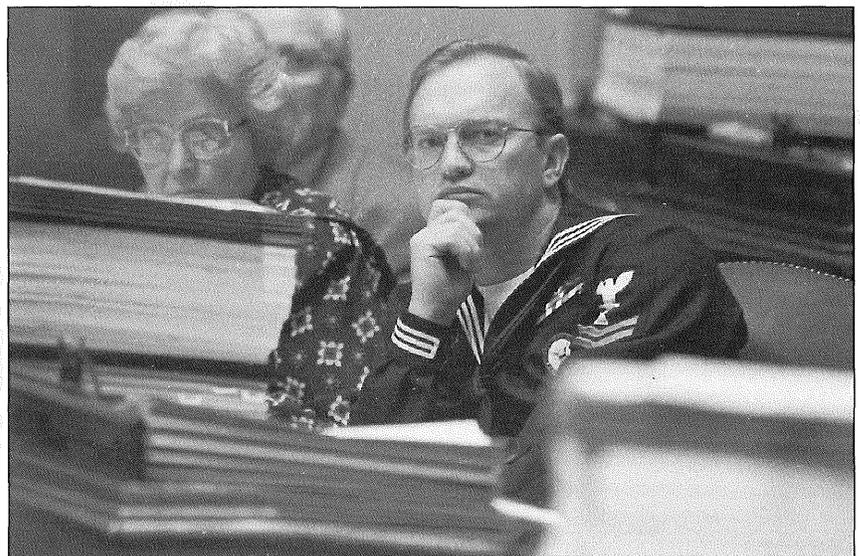
The bill, however, didn't go as far as the governor would have liked. Instead of mandating that all counties participate right away, it gave counties the option to experiment with a managed care pilot project for their citizens who receive MA, GAMC, and MinnesotaCare. If a county chose not to participate, PMAP may have been implemented by Oct. 1, 1996.

The bill also would have allowed each county to run its own managed care health program, solicit competitive bids from health care companies, and negotiate contracts with the health plans it selected.

Carlson not only objected to the optional language in the bill regarding county participation, he opposed the idea of each county managing its own program.

"With such a large group of health care consumers, we could expect a great deal of competition among providers, which would result in the highest quality of care for our most vulnerable citizens. Instead, this bill suggests that we should fragment our purchasing power across county demonstration projects," Carlson stated in his veto message.

Under the current MA fee-for-service program, citizens can choose their own doctors as long as the physician is approved by the state to treat MA patients in addition to their other clientele.



Rep. Jim Rostberg, a former second class petty officer in the U.S. Naval Reserve, wore his uniform on the House floor March 22 as part of a "patriotic" theme day encouraged by lawmakers. Other House members wore red, white, and blue ties, shirts, and hats. One member distributed patriotic stickers.

PMAP not only could limit the doctor selection for MA patients, it could put a dent in the practices of some physicians. Since MA patients under a managed care system could only see doctors affiliated with the approved HMO, those physicians not affiliated would likely see their practice diminish.

The proposal was sponsored by Rep. Lee Greenfield (DFL-Mpls) and Sen. Don Samuelson (DFL-Brainerd).

**HF2818\*/SF2308/CH393**



## METRO AFFAIRS

### Eliminating a perk



Prominent Minnesotans who for years have enjoyed free, heated, valet parking at Minneapolis-St. Paul International Airport have lost that privilege under a new state law.

About 100 people, including a handful of prominent Minnesota politicians, were on a Metropolitan Airports Commission list of those who could park free in a heated underground garage anytime they had business at the airport.

The law, effective March 26, 1996, states that the commission may only provide free airport parking to people who are attending a commission meeting or performing volunteer work at the airport. The commission also must keep records of who receives free parking, the value of that parking, and the purpose for which the person received free parking.

Sen. John Marty (DFL-Roseville) sponsored the proposal in the Senate.

**HF2321\*/SF2339/CH378**



## TRANSPORTATION

### Free driver's license

The state would provide a money-back guarantee that driver's licenses will be issued in a timely manner under a bill passed by the House March 27. The vote was 117-14.

**HF2895**, sponsored by Rep. Phil Carruthers (DFL-Brooklyn Center), would require a refund of the fees paid by qualified applicants if they don't receive a driver's license or Minnesota I.D. card within six weeks.

Gov. Arne Carlson vetoed similar legislation last year, saying the bill was unnecessary because the delays which prompted it had been resolved.

"Unfortunately, since then, we've found the department has continued to have prob-

lems," Carruthers said. The bill, he added, would "push them" to get the licenses out more quickly.

The bill now goes to the Senate.

(See Feb. 2, 1996, *SessionWeekly*, page 17 and Feb. 23, 1996, *SessionWeekly*, page 20)

### Single plate policy



A new law for old cars sped to passage this session.

The law, sponsored in the House by Rep. Richard Pellow (R-New Brighton), allows owners of antique automobiles to display a single original license plate on the rear of the vehicle if the plates were issued in 1911, 1944, 1945, or 1946.

In these years, the state issued only single plates, said Pellow. State efforts to conserve scrap metal led to the single-plate policy.

Previously, the law only allowed owners of antique automobiles to display original plates, if in good condition. However, another law that requires two plates to be displayed superseded the original plate law, leaving behind owners of vehicles made in the single-plate years. Owners of antique automobiles wanted the change in the law so they don't have to attach new plates, which reduce the vehicles' authenticity and aesthetic value.

The law, effective Aug. 1, 1996, was sponsored in the Senate by Sen. Paula Hanson (DFL-Ham Lake).

**HF2098/SF1793\*/CH345**



## VETERANS

### Gulf War bonuses

The House approved a proposed constitutional amendment March 28 that would permit the state to pay Persian Gulf War veterans monetary bonuses. The vote was 130-0.

If **HF532** passes the Senate, voters would be asked the following question on the ballot next November: "Shall the Minnesota Constitution be amended to permit the payment of bonuses to veterans of the Persian Gulf War?"

Bill sponsor Rep. Betty McCollum (DFL-North St. Paul) said the state should provide the bonuses to show support for those who served their country.

Some members expressed concerns of equity, asking if the proposed constitutional amendment would set a standard for citizens who served their country in Granada, Somalia, Bosnia, Panama, and other foreign endeavors in which the U.S. armed forces have engaged.

McCollum said she respected those concerns, but said the Gulf War is distinct from these examples because it was formally declared by the United States Congress.

Historically, the Legislature has recognized veterans' service in major wars, for example, World War I, World War II, the Korean War, and the Vietnam War. Wars of a smaller scale — the North Russia Expedition of 1918-19; Nicaragua, 1927-32; the Dominican Republic, 1956-66; and Lebanon, 1982-84 — have not been recognized.

If the voters approve the constitutional amendment, the Legislature would decide the amount and method of the payments in a subsequent session.

The proposal now goes to the Senate.



Persian Gulf War veterans would receive monetary bonuses if Minnesotans approve a constitutional amendment, under a bill moving through the Legislature.

More bill listings ...

## 1996 House files incorporated into other bills

**Editor's note:** This is the third installment of an unofficial listing of House files that have been incorporated into other bills.

Ongoing floor and conference committee action may well alter the makeup of these bills before they reach the end of the legislative process. In many cases, the language found in the major bills may not be exactly as it appears in the original House files.

The list was compiled by the House Public Information Office from a variety of sources, including committee administrators, committee legislative assistants, researchers, and fiscal analysts.

An asterisk after a House or Senate file number indicates the version of the bill under consideration.

If you're interested in following conference committee action (and have access to e-mail), you can subscribe to a service that will automatically e-mail an updated schedule of meetings.

To subscribe, simply address your e-mail message to:

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

In the body of the message, enter:

**subscribe h-schedules**

If you have questions, call the House Public Information Office, (612) 296-2146, or the Senate Information Office, (612) 296-0504.

### HIGHER EDUCATION

As of 3/28/96

#### **Omnibus higher education supplemental appropriations bill HF3239/SF2849\* (Kinkel)**

HF1170 (Kelley) Higher education consortium established to assess learning needs, open learning institution studied, and money appropriated.

HF2212 (Rostberg) Deceased volunteer firefighter survivor benefits provided to dependent children.

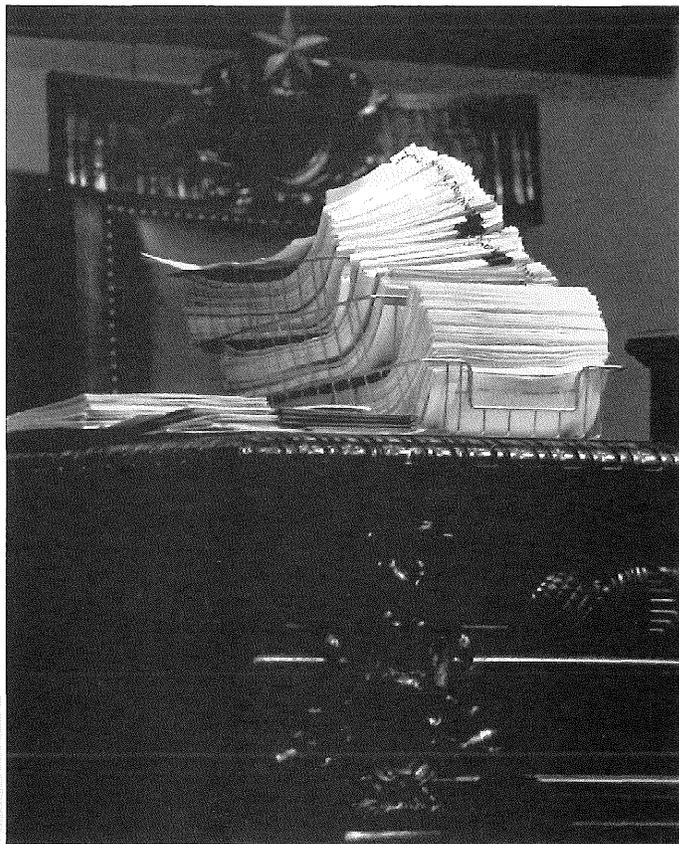
HF2874 (Kelso) Law school loan repayment assistance program established, and money appropriated.

HF2896 (Leppik) Permanent university fund financial conditions removed.

HF2960 (Orenstein) Work skills update program demonstration provided, and money appropriated.

HF3136 (Kelley) Statewide online information system established serving state colleges, universities, state government, and public school and private college libraries, and money appropriated.

HF3238 (Kelso) University of Minnesota appropriated money for academic health center and biomedical engineering institute.



So far, 1,277 bills have been introduced during the 1996 Legislative Session. Some of those bills will make it into law, some won't, and still others will join forces and become incorporated into larger bills in hopes of increasing their odds at passage.

### INSURANCE

As of 3/28/96

#### **Omnibus department insurance bill HF2378/SF1980\* (Osthoff)**

HF219 (Murphy) Lyme disease treatment coverage required by health plans.

HF623 (Tomassoni) Life insurance policy replacement information disclosure requirements established, and form provided.

HF2394 (Tomassoni) Prostate cancer screening health insurance coverage required.

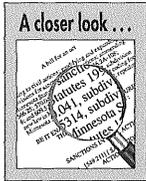
HF2430 (Carlson, L.) Self-insurance pool commerce department regulation provisions modified.

HF2611 (Lourey) Disabled Medicare enrollee eligibility provided without underwriting.

HF2819 (Erhardt) Health plan risk adjustment enrollee cost sharing provision disclosure required.

A closer look ...

## Constitutional protection for hunting and fishing?



Minnesota could become the first state with a constitutional amendment to protect hunting and fishing privileges.

A proposal to do so (HF1306/SF1111\*), which voters would have to approve in November, is now pending before the House Rules and Legislative Administration Committee.

As it now stands, the bill would ask if "citizens shall have the *privilege* [emphasis added] to fish, hunt and take game subject only to restrictions as prescribed by law." The original bill gave citizens the "right" — not privilege — to fish, hunt and take game. The Senate passed a similar bill March 13.

The change from "right" to "privilege" was made to address concerns raised by critics. With the weakened language, some have said the bill, sponsored by Rep. Mark Holsten (R-Stillwater), does little.

But others are nervous, saying it could set a precedent for "frivolous" constitutional amendments. And Holsten and his supporters say the amended bill could be the nation's first step in standing up to anti-hunting and animal rights groups.

"It's important to get the intent clear," said Holsten, after a recent committee meeting. "There are a lot of rumors flying around — that this is a front for the NRA, that this is going after the Indian treaties . . . All that we are trying to do is allow the citizens to vote on whether they want to preserve their cultural heritage of fishing and hunting."

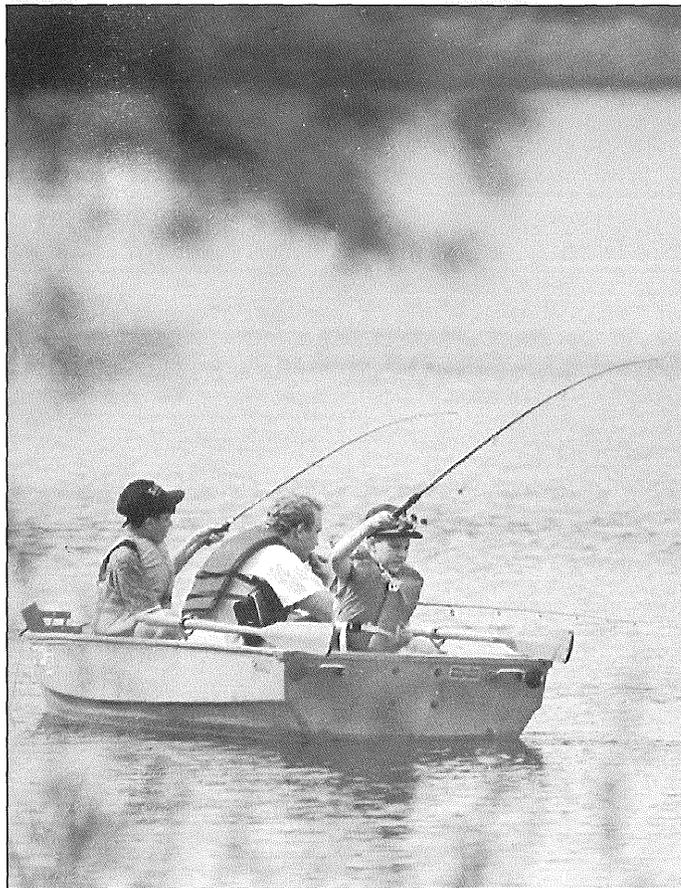
Currently, no states have a constitutionally protected right or privilege for hunting, fishing, and trapping, according to attorneys and other officials on each side of the issue. Holsten has said about 19 states are considering such an amendment.

Lifelong fishing advocate Frank Schneider has heard from some of those states. The St. Paul resident who is active in many fishing groups testified in support of the bill before the House Environment and Natural Resources Committee March 26. He said

Minnesota's history of pioneering environmental legislation gives it an important role in the hunting and fishing rights debate.

"In some of these states they think they can get [a constitutional amendment bill] introduced and maybe they could win, but they're all waiting for Minnesota to get off our duffs and do it," Schneider said. "This group here leads the show. . . you've never waited for other states. You've always led the fight."

Schneider echoed the concerns raised by other supporters of the bill such as the Minnesota Waterfowl Association and the Minnesota Outdoor Heritage Alliance.



Minnesota could become the first state with a constitutional amendment to protect hunting and fishing privileges. For that outcome, voters would have to approve the amendment during November's general election.

"Different groups are out there telling us we shouldn't eat flesh or meat, we shouldn't fish, we shouldn't this or that," said Schneider. "We have a problem."

Another citizen testified that the bill doesn't address a problem but rather fights the direction in which society is moving.

"This bill reflects a fear or a recognition that the world is changing, that attitudes are

changing about animals and their place in the world," said Linda Hatfield, speaking on behalf of the Minnesota Humane Society and Friends of Animals. "As a society, we are moving toward the view that wildlife should be treated with dignity and respect. This will end that dialogue."

Critics of the bill acknowledge that changing the word "right" to "privilege" has made the bill more acceptable. But they say they're still uncomfortable with the proposal.

"There is absolutely no need for this bill. Even if a group would try to ban hunting or fishing, they wouldn't get anywhere legislatively," said Hatfield.

A 1989 law targets animal rights groups and prohibits the harassment of hunters. Supporters of Holsten's bill say that statutory protection is not enough when anti-hunting groups are increasingly using voter referendums to curb hunting rights. Holsten said a Wyoming case that is currently pending in court could limit bear hunting privileges nationwide.

How a constitutional "privilege" to fish and hunt would affect existing laws such as property rights has been at the heart of committee debate. Holsten and other supporters such as Reps. Arlon Lindner (R-Corcoran) and Tom Bakk (DFL-Cook) say the bill clearly doesn't supersede statutory law. They point to language in the bill that says such a privilege is "subject only to restrictions as prescribed by law."

Rep. Myron Orfield (DFL-Mpls) has been a vocal critic of the bill. He and others such as Rep. Alice Hausman (DFL-St. Paul) have said the privilege to hunt and fish should not be equated with other constitutionally protected personal rights

such as voting or equal protection. Orfield also said if, as supporters claim, the bill doesn't give special privileges above and beyond current law, the measure amounts to constitutional clutter. If the bill does give a privilege above and beyond current law, then it amounts to an additional right that will conflict with current law, he added.

The attorney general's office has expressed

concern over the proposal, saying that a hunting and fishing right could offer a new constitutional defense for hundreds of laws governing game, fish, and possibly even guns.

Steve Masten of the attorney general's office said the amended bill addresses some of the concerns. But he said there are still questions — many of which cannot be answered because there is little case law on constitutional hunting and fishing rights or privileges.

"Calling it a privilege instead of a right is hopefully less problematic . . . it is more difficult to regulate rights than privileges," said Masten. "But anything you put in the constitution is potentially very problematic."

A recent case in Pennsylvania, where there is no constitutional amendment protecting hunting and fishing rights or privileges, sheds some light on the issue. In *Pennsylvania Game Commission v. Marich, Jr.* (1995), the Pennsylvania Supreme Court reversed a lower court decision that found the rights of two

duck hunters were violated when the gaming commission revoked the hunters' licenses for exceeding the bag limit. The lower court said the commission had violated the defendants' constitutional right to hunt. But the state supreme court reversed the lower court decision, citing an earlier opinion that stated hunting is a privilege, not an inherent right.

Supporters and critics of Holsten's bill both say it's hard to tell how such a case would play out in Minnesota, with or without the proposed constitutional amendment.

Some critics say they're confused: "We have some concerns. Nobody really understands what this [bill] would do," said Judy Bellairs, legislative director of the Minnesota Sierra Club.

Holsten says he rejects the most common complaint about his measure — that it doesn't belong in the constitution.

"If you want to talk about clutter, just open up the constitution," said Holsten. "We've got constitutional amendments in there for a

lottery, for a gas tax — our constitution is full of things that we've wanted our constituents to vote on. This is not inconsistent with our constitution."

Since 1858, the Minnesota Legislature has proposed 206 constitutional amendments. The proposed amendments — 113 of which were approved by voters — range from the right for blacks to vote to the authorization of a state lottery approved in 1988. Of the 206 amendments, only a handful relate to personal rights or privileges such as voting.

Holsten said the time is right for such an amendment.

"The citizens are going to say to those [anti-hunting] groups that it is our privilege to fish and hunt and take game," Holsten said. "We're not talking about the exclusive right to hunt or fish. We're talking about . . . managing that resource ourselves."

— Kendall Anderson

## Minnesota Senate 1995-96

District/Member/Party	Room*	Phone (612) 296-	District/Member/Party	Room*	Phone (612) 296-
66 Anderson, Ellen R. (DFL)	120 Cap.	5537	33 Limmer, Warren (R)	132D SOB	2159
26 Beckman, Tracy L. (DFL)	306 Cap.	5713	54 Marty, John (DFL)	G-9 Cap.	5645
41 Belanger, William V., Jr. (R)	113 SOB	5975	49 Merriam, Gene (DFL)	122 Cap.	4154
13 Berg, Charles A. (DFL)	328 Cap.	5094	39 Metzner, James P. (DFL)	303 Cap.	4370
61 Berglin, Linda (DFL)	G-9 Cap.	4261	2 Moe, Roger D. (DFL)	208 Cap.	2577
48 Betzold, Don (DFL)	G-24 Cap.	2556	44 Mondale, Ted A. (DFL)	226 Cap.	7-8065
55 Chandler, Kevin M. (DFL)	111 Cap.	9307	29 Morse, Steven (DFL)	G-24 Cap.	5649
8 Chmielewski, Florian W. (DFL)	325 Cap.	4182	32 Murphy, Steve L. (DFL)	301 Cap.	4264
64 Cohen, Richard J. (DFL)	317 Cap.	5931	25 Neuville, Thomas M. (R)	123 SOB	1279
28 Day, Dick (R)	105 SOB	9457	52 Novak, Steven G. (DFL)	322 Cap.	4334
20 Dille, Steve (R)	103 SOB	4131	43 Oliver, Edward C. (R)	121 SOB	4837
4 Finn, Harold R. "Skip" (DFL)	306 Cap.	6128	34 Olson, Gen (R)	119 SOB	1282
14 Fischbach, Michelle (R)	132C SOB	2084	19 Ourada, Mark (R)	145 SOB	5981
62 Flynn, Carol (DFL)	120 Cap.	4274	65 Pappas, Sandra L. (DFL)	120 Cap.	1802
23 Frederickson, Dennis R. (R)	139 SOB	8138	37 Pariseau, Pat (R)	109 SOB	5252
50 Hanson, Paula E. (DFL)	328 Cap.	3219	27 Piper, Pat (DFL)	G-9 Cap.	9248
24 Hottinger, John C. (DFL)	120 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. (R)	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. (R)	117 SOB	4123	45 Robertson, Martha R. (R)	125 SOB	4314
67 Kelly, Randy C. (DFL)	323 Cap.	5285	53 Runbeck, Linda (R)	107 SOB	1253
30 Kiscaden, Sheila M. (R)	143 SOB	4848	11 Sams, Dallas C. (DFL)	G-9 Cap.	7-8063
16 Kleis, David (R)	151 SOB	6455	12 Samuelson, Don (DFL)	124 Cap.	4875
36 Knutson, David L. (R)	133 SOB	4120	31 Scheevel, Kenric J. (R)	129 SOB	3903
47 Kramer, Don (R)	131 SOB	8869	7 Solon, Sam G. (DFL)	303 Cap.	4188
51 Krentz, Jane (DFL)	235 Cap.	7061	60 Spear, Allan H. (DFL)	120 Cap.	4191
58 Kroening, Carl W. (DFL)	124 Cap.	4302	17 Stevens, Dan (R)	127 SOB	8075
56 Laidig, Gary W. (R)	141 SOB	4351	1 Stumpf, LeRoy A. (DFL)	G-24 Cap.	8660
9 Langseth, Keith (DFL)	G-24 Cap.	3205	42 Terwilliger, Roy W. (R)	115 SOB	6238
10 Larson, Cal (R)	153 SOB	5655	22 Vickerman, Jim (DFL)	226 Cap.	5650
21 Lesewski, Arlene J. (R)	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

Let it snow ...

## Spring storm brings Legislature to grinding halt

The snow storm that struck Minnesota March 24 left some lawmakers stranded at home, some inactive in St. Paul, and at least one in a ditch.

Rep. Mike Jaros (DFL-Duluth) made it to the Capitol for a scheduled 10 a.m. March 25 floor session, but many of his House colleagues didn't. The House abruptly adjourned because the number of lawmakers present didn't amount to a quorum.

But Jaros didn't arrive without having some trouble along the way.

He set out from home to St. Paul at about 9:30 p.m. on March 24 because he heard the roads would be worse if he waited until morning.

Driving conditions worsened as Jaros drew nearer to the Twin Cities area, and around midnight he found himself driving his car in ruts of wet snow on Interstate 35 near North Branch.

"It just kind of pulled me off the road," Jaros said. "I could have tried to steer out, but I was afraid I was going to roll over."

Two men in a pick-up truck behind him on the highway saw his car go into the ditch and stopped to help. One half-hour and a few bucks later Jaros was safely back on the road.

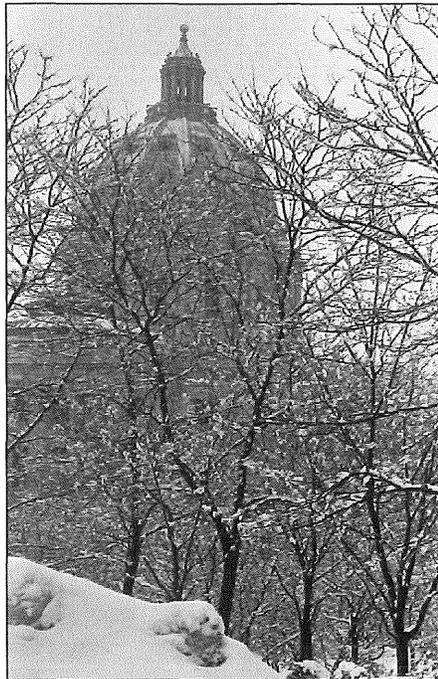
"I was very lucky," he said. "I was afraid I was going to have to sit there for a long time."

The March snowstorm, considered a rite of spring in Minnesota, scuttled most of the legislative action on March 25.

Sixty-six House members made it to the Capitol for that day's session. Sixty-eight must be present in order for official business to be transacted on the House floor.

The Senate also adjourned without taking up any serious business.

A small number of conference committees met, but the Capitol halls were unusually



A heavy March snowstorm, considered a rite of spring in Minnesota, scuttled most legislative action on March 25. Sixty-six House members made it to the Capitol for that day's session. Sixty-eight must be present for official business to be transacted on the House floor.

quiet for a day so near the end of a legislative session. (The 1996 session is expected to wrap up soon.)

Many of those who did make it to the Capitol on Monday had wild road stories to tell.

"The roads started out slushy, then they were icy, and then they were snowy," said Rep. Bill Gunther (R-Fairmont), who traveled at an average speed of 35 mph on his March 24 drive from southern Minnesota to the Capitol.

"There were 29 cars in the ditch on the way

up here. I counted them," Gunther said. "... I was awful happy to get here."

Several other legislators, especially those representing Greater Minnesota districts, chose to stay off the roads and wait out the storm at home.

Rep. Richard Mulder (R-Ivanhoe) said the storm's high winds created near white-out conditions around his southwestern Minnesota hometown.

"I knew there was no way I could've left," Mulder said. "We had about an inch of ice on the highways, and the snow on top of it made driving treacherous."

Mulder stayed at home and spent March 25 at work — seeing patients at his medical practice — before making the drive to St. Paul that evening.

Of course, it wasn't the first time Minnesota weather has brought action in the Legislature to a virtual halt.

Most recently, a March 4, 1985, floor session was cut short when only 21 members were able to make it to the Capitol through a severe winter storm.

The dreary weather this year didn't stop Rep. Tom Rukavina (DFL-Virginia) from having a little fun with his colleagues across the aisle, who were without Minority Leader Steve Sviggum (R-Kenyon) for the abbreviated floor session.

"Representative Sviggum asked that I serve as leader of the minority caucus in his absence," Rukavina joked. "... We'll be meeting in [a Capitol hearing room] to discuss raising the minimum wage to \$10 [per hour]."

— Nick Healy



**Q.** What happens to bills that are not acted upon during a legislative session? Do they carry over to the next year's session?

**A.** The Minnesota Legislature operates on a two-year, biennial schedule. Adjournment of the Legislature at the end of the first year of a biennial session does not mean the end of the road for a bill.

Bills that are in committee at the end of the first annual session may be heard during the second year's regular session.

Bills pending on the floor after the first session are returned to the committee last acting on the bill.

Bills in conference committee after adjournment are returned to their house of origin, where they are tabled and members of the conference committee are discharged.

They may be taken from the table in the second year of a biennium's regular session and acted upon.

Bills that fail to become law after the second year of the biennium are considered truly dead and must be re-introduced during the next biennium to be considered. Such would be the fate of bills not acted upon at the close of the 1996 Legislative Session.

Rep. Walter Perlt ...

## Lawmaker's consistent theme: control state spending

Stepping  
Down

There are a few things that Rep. Walter Perlt (DFL-Woodbury) is not.

He is not a partisan squabblor. He is not a smooth talker.

He is not slick.

"I don't consider myself much of a politician," Perlt said during a recent interview. "I stay away from the politics. That's probably why I've got as many good friends around here as I do."

The retiring lawmaker won those friends at the Capitol with a no-nonsense approach to the issues and a straightforward manner in dealing with his peers and others.

"Whether you're talking to a lobbyist, to a constituent, or to another member, you've got to say what you mean," Perlt said.

And he insists that such forthrightness comes from personality — not calculated persona.

"It's just how I am," he said. "Sometimes it helps you and sometimes it doesn't."

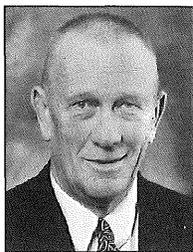
The second-term lawmaker recently announced he will not seek re-election this fall. His departure comes in large part as the result of health problems.

Arthritis at times limits Perlt's ability to get around. Because flare-ups of the malady make it difficult to get up and down stairs, he is now considering selling his Woodbury home and possibly moving out of the district he represents.

Perlt, 68, said two bills top his list of legislative accomplishments. One helped to bolster government accountability, and the other extended new protection to consumers.

Perlt was an integral part of a three-year effort to pass legislation to reduce state spending on private contractors and consultants and was a co-sponsor of a successful 1995 measure to that end.

The 1995 law mandated a 5 percent cut in the state's use of private contractors and consultants. The measure followed a vetoed



Rep. Walter Perlt

**Noted achievements:** Perlt co-sponsored a 1995 law that mandated a 5 percent cut in the state's use of private contractors and consultants. The measure followed a vetoed 1993 bill that would have required a 10 percent cut in such spending. Perlt also backed 1993 legislation that mandated telephone caller identification systems be made available to metropolitan-area consumers. The bill also mandated that other services such as selective call acceptance and rejection be made available to all consumers in the metro area.

1993 bill that would have required a 10 percent cut in such spending.

Perlt said the law represents a solid effort to deal with abuses and growth in state contracting, which increased by 83 percent between 1983 and 1993.

"The important thing is the [1995] bill passed and it's working," Perlt said. "We never tooted our horns about it, but really it was a pretty good piece of legislation."

Perlt also backed 1993 legislation that mandated telephone caller identification systems be made available to metropolitan-area consumers.

The law started as a more modest proposal to provide caller identification to taxi cab companies in order to protect cab drivers.

The bill grew in scope during the legislative process to require that caller identification and other services such as selective call acceptance and rejection be made available to all consumers in the metro area.

"That was a pretty important bill," Perlt said. "It's something people find useful."

If there is an overall theme to his time in the Legislature it is his consistent effort to control state spending, according to Perlt.

"More people have to move in that direction," he said. "People are concerned about the cost of government these days, and we need to find ways to reduce government spending without cutting necessary programs."

Perlt is upbeat about his future, although

he acknowledges he would not be stepping down if not for health problems.

He hopes to move to a spot on the St. Croix River, where he could "go fishing everyday." And he looks forward to spending winters with his wife, Dodie — away from the Minnesota cold.

Perlt was an unlikely candidate for the Legislature before mounting his first run in 1992. He had retired from his job as chief of enforcement for liquor control after 38 years in the Department of Public Safety.

"I never had any idea I'd be working again, much less running for office," Perlt said.

He got into politics only at the urging of DFLers in his district, but proceeded to run an energetic, scrappy campaign in 1992 and a similarly successful re-election bid in 1994.

"You hear people complaining and grumbling all the time, but the thing that surprised me is that the system works," Perlt said. "It works in large part thanks to some really dedicated people — in particular, the great staff."

As Perlt prepares to leave the House, he is happy to recall lessons learned and "good friends" made along the way.

"I'm going to miss it a lot," he said. "No one has enjoyed it more than I have. It's been a blast."

— Nick Healy

# Bills Sent to the Governor

## Bills await the governor's signature ... or veto

Once a bill has passed both the House and Senate in identical form, it's ready to be sent to the governor for consideration. The governor, who has several options when considering a bill, 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 can have two different effects. The timing of these actions is as important as the actions themselves.

In the second year of the biennium (even-numbered years), a bill passed by the Legislature and presented to the governor before the final three days of the session will become law unless the governor vetoes it by returning it to the Legislature within three days. The gover-

nor normally signs the bills and files them with the secretary of state, but his signature is not required.

But if a bill is passed during the last three days of session, the governor has a longer time to act on it. He/she must sign and deposit it with the secretary of state within 14 days after the Legislature adjourns "sine die" (Latin for adjournment "without a date certain"). If the governor does not sign a bill within this time frame, it will not become law, an action known as a "pocket veto." The governor is not required to provide a reason for the veto.

Only on appropriations bills can the governor exercise the line-item veto authority. This option allows the governor to eliminate the

appropriation items to which he/she objects. As with all vetoes (save pocket vetoes) the governor must include a statement listing the reasons for the veto with the returned bill. Here, too, the timetable is either 14 days after adjournment for bills passed during the final three days of the session, or within three days after the governor receives the bill at any other time.

A two-thirds vote of the members in each house is needed to override a veto. But because only the governor can call a special session of the Legislature, anything vetoed after the Legislature adjourns is history — at least until the next year.

The governor's veto authority is outlined in the Minnesota constitution (Article IV, Section 23).

Chapter	HF	SF	Description	Signed	Vetoed
362**	2415*	2594	Relating to housing; making technical and policy changes to the low-income housing tax credit program.	3/21	
363	2340*	2158	Relating to health professions; providing for the registration of speech-language pathologists.	3/21	
364	1964	1775*	Relating to game and fish; requiring a turkey stamp.	3/22	
365	2778*	2672	Relating to courts; extending the streamlined dissolution procedure pilot project.	3/22	
366	2565*	2636	Relating to private business, trade, and correspondence schools; modifying licensing standards.	3/22	
367	2242	2196*	Relating to housing; permitting a mortgagee to provide a resident caretaker for a premises.	3/22	
368	2549	2267*	Relating to elections; prohibiting public employers other than the state from requiring employees to take leave of absence upon becoming a candidate for elective office.		3/26
369	2256*	2056	Relating to economic development; changing classification of the director of tourism.	3/26	
370	2588*	2120	Relating to insurance; providing a process for resolving state claims for certain landfill cleanup costs and associated damages with insurers.	3/26	
371	3271	2874*	Relating to settlements; authorizing settlement of a lawsuit for age discrimination.	3/26	
372	2264	1905*	Relating to parks and recreation; adding to and deleting from state parks.	3/26	
373	2720	2260*	Relating to state government; modifying classifications for certain positions in the higher education system.	3/26	
374	2867	2552*	Relating to workers' compensation; modifying provisions governing calculation of premiums.	3/26	
375	1106	1086*	Relating to elections; campaign finance; prohibiting lobbying by a principal campaign committee or political party committee that issues refund receipt forms.		3/26

Chapter	HF	SF	Description	Signed	Vetoed
376	2625*	none	Relating to the city of Baxter; allowing the city of Baxter to expand its public utilities commission to five members.	3/26	
377	2587	2342*	Relating to motor carriers; providing for deregulation of motor carriers of property.	3/27	
378	2321*	2339	Relating to the Metropolitan Airports Commission; prohibiting free parking.	filed w/o signature 3/25	
379	2330*	2107	Relating to land use planning; requesting the St. Cloud area planning organization to assess and report on the land use planning and coordinating issues of the region.		3/27
380	2842	2275*	Relating to crime; requiring victim's account of domestic assault or harrasment to be considered in determining arrested person's release.	3/27	
381	1922*	1708	Relating to highways; authorizing cities to establish a municipal involvement process for certain trunk highway construction or reconstruction projects.		3/28
382	2735	2471*	Relating to labor relations; modifying provisions regarding mandatory arbitration for charitable hospital employers and employees.	3/27	
383	2556	2194*	Relating to metropolitan government; including Metropolitan Council and its agencies' employees in a certain definition of employee.		3/28
384	2236	1981*	Relating to commerce; regulating the enforcement powers of the commissioner of commerce.	3/27	
385	2379	2503*	Relating to exotic species; recodifying, modifying, and expanding provisions relating to regulation and management of harmful exotic species.	3/27	
386	2841*	2397	Relating to employment; modifying provisions regarding minimum wages.	3/27	
387	2163*	2053	Relating to motor carriers; prescribing conditions for granting medical waivers to truck drivers.	3/27	
388	2385*	2084	Relating to civil actions; establishing an evidentiary privilege for persons who preside at alternative dispute resolution.	3/27	
389	697*	1647	Relating to insurance; long-term care; permitting the sale of policies with longer waiting periods with disclosure of the purchaser.	3/28	
390	3214	2857*	State Government Finance Bill	3/27	Line-item veto
391	2357	1996*	Relating to family law; requiring specificity in visitation orders.	3/28	
392	2127*	1882	Relating to human services; amending MN Statutes relating to deaf and hard-of-hearing	3/28	
393	2818*	2308	Omnibus Health & Human Services Bill		3/26
394	2298*	2529	Relating to government efficiency; extending the effective period of certain exemptions granted by the Board of Government Innovation and Cooperation.	3/28	
Res #4	14	none	Urging the United Nations to admit the Republic of China as a full member.	filed w/o signature 3/28	

On the ice ...

## Bipartisan spirit invades legislative hockey team

Reps. Tim Pawlenty and Bob Milbert have been working toward the same goals for some time now.

No, the Eagan Republican and the South St. Paul Democrat haven't changed their partisan stripes. The two have just found common ground — or ice, to be more accurate.

They and at least three other House members belong to the Golden Sea Horses — a hockey team that's been playing for more than five years. No one figured the idea that grew from a stressful legislative session six years ago would last this long.

"It's a great time," said Rep. Phyllis Kahn (DFL-Mpls), who organized the team that plays weekly during Minnesota's frozen months. "It started after a really tough session. [Rep.] Mary Jo [McGuire] and I figured we needed something a little less mellow than cross country skiing and jogging."

The team includes Kahn, McGuire (DFL-Falcon Heights), Milbert, Rep. Howard Orenstein (DFL-St. Paul), Pawlenty, a few lobbyists and a handful of teenagers. Visiting players have included Sen. Gary Laidig (R-Stillwater), Rep. Andy Dawkins (DFL-St. Paul) and Rep. Thomas Pugh (DFL-South St. Paul). Patrick Murphy, House Journal editor, has also laced up his skates.

The team that doesn't have an audience but has fun anyway means different things to each legislator. For Pawlenty, it's a chance to know colleagues in a different setting. For McGuire, it's a lifelong sport. For Kahn, it's a chance to do what she couldn't growing up.

"I think it helps build camaraderie," said Pawlenty, loosening his skates after a recent game. "It's really a lot of fun."

Whether it's pre-game chatter, intense puck-chasing or just Orenstein's horseplay, the activity at a recent game contrasts sharply with the formality of legislative duties.

Team members say it takes the edge off the session. Seems it may contribute to bipartisanship as well.

Shooting down the ice like a bullet in a black jersey, Pawlenty handles the puck quickly and easily. He passes it to Milbert, who passes it back for a score.

"I love playing with Pawlenty," said Mil-

bert of the team's star player. "But it's because he's from South St. Paul. You can't be from South St. Paul and not be a good hockey player."

The team includes beginners like Milbert's wife, Vicky, to veteran players like Danielle Young of Edina High School's girls' hockey team. And the rules are simple but strict — no checking and helmets required.

One legislator forgot the helmet rule when he played five years ago. He hasn't been back, his former teammates chuckle.

"He came in with no helmet and kind of thought he was a hot shot and he ended up in the emergency room with stitches," recalled Doug Carnival, a lobbyist who often cheers on his teammates from the bench.

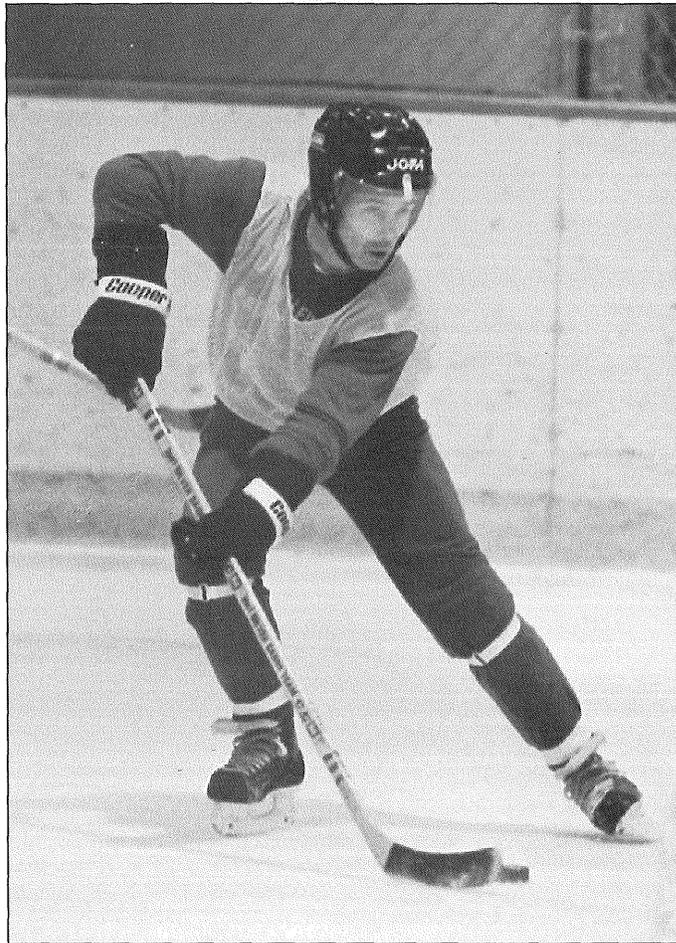
Rick Young of Edina was a lone spectator at a recent game at Phalen Arena in St. Paul. His daughter, Danielle, joined the team while she was a House page last year and now both her sisters play, too.

"The girls really enjoy it because this is a fun group," said Young. "It was neat for Danielle to know [the legislators] from hockey while she was paging. The other pages were really impressed that all these representatives were coming over to talk to her."

As the 1996 Golden Sea Horse schedule winds down, members say they're looking forward to next year's season. Some have begun making plans.

"We're going to put leg weights on Pawlenty and make him shoot the other way," said Milbert, after tossing a snowball at a teammate. "He's too good."

— Kendall Anderson



A handful of House members, including Rep. Bob Milbert (file photo), have spent years releasing legislative stress by chasing a hockey puck.

Coya Knutson ...

## First Minnesota congresswoman faced tough test

In 1995, a total of 49 women were seated in the U.S. House of Representatives and another eight in the U.S. Senate. Their presence did not provoke a bevy of news stories detailing their fashion and decorative tastes.

But when Minnesotans elected Coya Knutson as their first — and only — female Congresswoman 41 years ago, local newspapers ran photos of her grocery shopping, washing clothes, and opening the oven door in her new Washington, D.C. residence. The *Minneapolis Tribune* reported during Knutson's first week on the job in 1955 that she was planning how to arrange furniture in her apartment, "like any woman."

While the former Minnesota state representative made news headlines for everything from securing a spot on the powerful Agriculture Committee to helping farmers and passing the nation's first student loan program, it was her departure from office that became infamous.

The legendary "Coya Come Home" letters, later used for the title of Knutson's biography, garnered nationwide headlines in 1958. They became the flash point of a national debate on the role of women in politics.

The *Fargo Forum* first reported the letters, released to the press and allegedly written by Knutson's husband, Andy. The first asked DFL officials to pick someone else to run for his wife's seat because he didn't want her to run again. The second letter, addressed to Coya, begged the legislator to come home to save her family.

News of the letters swept across the country. Newspaper headlines from coast to coast focused on the former school teacher from northwestern Minnesota, including one in the *New York Daily News* that said: "Demands Wife Quit Congress: Resents Her Right Hand Man."

Stories about Knutson neglecting her family surfaced, spurring a debate between supporters and critics.

U.S. Rep. Harold Cooley, chair of the powerful House Agriculture Committee, rose to her defense saying he "wouldn't swap [Knutson's] service on the committee for any man."

But others echoed the sentiments of a New Jersey woman who wrote to Knutson, "You are the typical American career woman. You are a disgrace to womanhood."

Republican challenger Oden Langen tapped into that criticism, making the letter a center-



When Minnesotans elected Coya Knutson to the U.S. Congress she made headlines for securing a spot on the Agriculture Committee and passing the nation's first student loan program. It was her departure from office, however, that became infamous.

Photo from: *Coya Come Home: A Congresswoman's Journey* by Gretchen Urnes Beito

piece of his election campaign for the seventh district seat. He narrowly beat Knutson in 1958, garnering 50.7 percent of the vote to her 49.3 percent.

A DFL party official later admitted to writing the letter, but said he only followed Mr. Knutson's orders, according to Gretchen Urnes Beito's *Coya Come Home: A Congresswoman's Journey*.

Throughout her political career, Knutson was referred to as outspoken and spirited. At times she was criticized by strict party liners for her independence, a trait in which she took great pride. In 1956, when Minnesota DFL officials, including Sen. Hubert H. Humphrey, backed presidential candidate Adlai Stevenson, she rooted for Estes Kefauver. When most Democrats voted against a measure to give tax relief to a taconite company, she voted for it.

During her congressional term, she played an active role in increasing federal aid to mental health centers. The former school teacher also helped increase federal aid to schools.

Knutson also left her mark in the Minnesota House of Representatives where she served from 1951 to 1954. She sponsored a successful dairy act that increased the quality and sales of dairy products, helped pass a \$6

million appropriation increase for mental health programs, and helped establish the Fair Employment Practices Commission and Teachers Retirement Act.

Agriculture issues initially drew Knutson into politics as a young woman in 1941 when she began debating acreage allotments and farm support prices with the Agricultural Adjustment Administration. Her civic involvement continued in 1948 when she joined the Red Lake County Welfare Board and was later chosen to chair the county's DFL Party. She also helped found a local medical clinic and Red Cross chapter in Oklee, Minn.

It's hardly surprising that Knutson made several runs for political office after her unexpected removal from office.

She ran again for the seventh district seat in 1960 and defeated the DFL-endorsed candidate. Knutson then lost a rematch to sitting U.S. Rep. Langen in the general election.

In 1977, at age 64, she ran unsuccessfully against a DFL-endorsed candidate for a vacant state House seat. She told skeptics, "I may have gray hair but my feet are in good condition. Never say die and don't take yourself too seriously."

— Kendall Anderson

See **Then and now** next page.

Then and now ...

## Women in politics

It's hard to imagine today's Minnesotans drumming a woman out of office because her husband wanted her home, say current female office-holders.

But subtler shades of sexism persist, they say, four decades after Coya Knutson's time as the state's first and only congresswoman.

"I think there was probably a different standard applied to Coya Knutson than there is to women today," said Secretary of State Joan Grove. "But I believe that today when a woman runs for an office that no woman has run for, the scrutiny and standards are still different from men. There is still discrimination . . . sometimes it's subtle and sometimes it's overt."

The fact that Minnesotans haven't elected a woman to Congress since

Knutson speaks for itself, said Rep. Dee Long (DFL-Mpls).

"Maybe we haven't come as long a way baby as we think we have," said Long, paraphrasing an advertising jingle that emphasizes women's progress. "Certainly women have greater opportunities running for lower offices."

That lack of women in higher positions contributes to the public's frequent questioning of whether women are "tough enough" for office, said Grove.

"There is still a lack of women in higher positions which means women haven't had the opportunity to be there and perform well," said Grove.

Still, Grove and Long say progress has been made.

"If the kind of sleazy campaign that was run against Congresswoman Knutson were run today, I think the public would react far more negatively than they did then," said Long.

Rep. Barb Vickerman (R-Redwood Falls) remembers when, as a mother with four children, she ran unsuccessfully for a city office in 1979. She said the reaction of one voter illustrated the attitude toward female office-holders back then.

"One of the comments was, 'Oh, I am almost relieved you lost because I was wondering how you were going to take care of the children and do anything,'" recalled Vickerman. "I was ticked. They were making a decision on what my duties should be."

Since that time, the biggest change that's helped women officeholders is women themselves, Vickerman said.

"I really think you had to overcome women being jealous of each other back then," she said. "Women are much more supportive of each other now."

— Kendall Anderson

In the Hopper . . . March 22 - 28, 1996

## Bill Introductions

### Wednesday, March 27

#### HF3277—Munger (DFL) Environment and Natural Resources

State lottery proceed credit to Environment and Natural Resources Trust Fund period extended, and constitutional amendment proposed.

#### HF3278—Rest (DFL) Taxes

National guard and reserve members serving in Bosnia, Herzegovina, Croatia, and Macedonia provided income tax return and property tax refund filing extension.

Coming Up Next Week . . . April 1 - 5, 1996

## Committee Schedule

Session times for next week were unavailable as this issue went to press. Please call (612) 296-2146 for updated information.

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

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## New Laws 1996 Order Form

A publication outlining the new laws of 1996 will provide brief, easy-to-read summaries of the bills that were passed by both the House and Senate and signed or vetoed by the governor. *New Laws 1996* will be ready a few months after the session ends. Copies will be mailed without charge to those who order them.

Do you want to receive a copy of *New Laws 1996*?       Yes       No

Please place this form (with the mailing label on the back) in an envelope. Mail it by May 1, 1996, to: *Session Weekly*, House Public Information Office, 175 State Office Building, 100 Constitution Ave., St. Paul, MN 55155-1298.

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### 1996 Session Weekly Readership Survey

Please take a moment to tell us what you think about the *Session Weekly*. Your opinions will help in planning 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       Information (lists, etc.)       Features       Minnesota Index  
 Bill Introductions       Committee Schedule       Do You Know? It's a Fact!       Member profiles

4. In the last few issues of *Session Weekly*, we have published unofficial listings of 1996 House files that have been incorporated into other bills. Do you find this information useful?       Yes       No

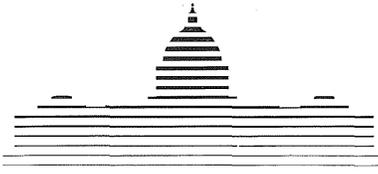
5. Please rate the following aspects of the *Session Weekly* by checking one answer in each set.

<b>Writing</b>	<input type="checkbox"/> Hard to understand	<input type="checkbox"/> Somewhat understandable	<input type="checkbox"/> Easy to understand
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6. What do you like about the *Session Weekly*? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

7. Do you have any suggestions for improving the *Session Weekly*? \_\_\_\_\_  
\_\_\_\_\_  
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9. We plan to continue the 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. \_\_\_\_\_  
\_\_\_\_\_  
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\_\_\_\_\_



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Speaker of the House: Irv Anderson  
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Minority Leader: Steven A. Sviggum

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Sources: *Washington Post National Weekly Edition*, March 11-17, 1996; *Charitable Gambling in Minnesota*, House Research Department; *Legislative Briefing*, Minnesota State Lottery.

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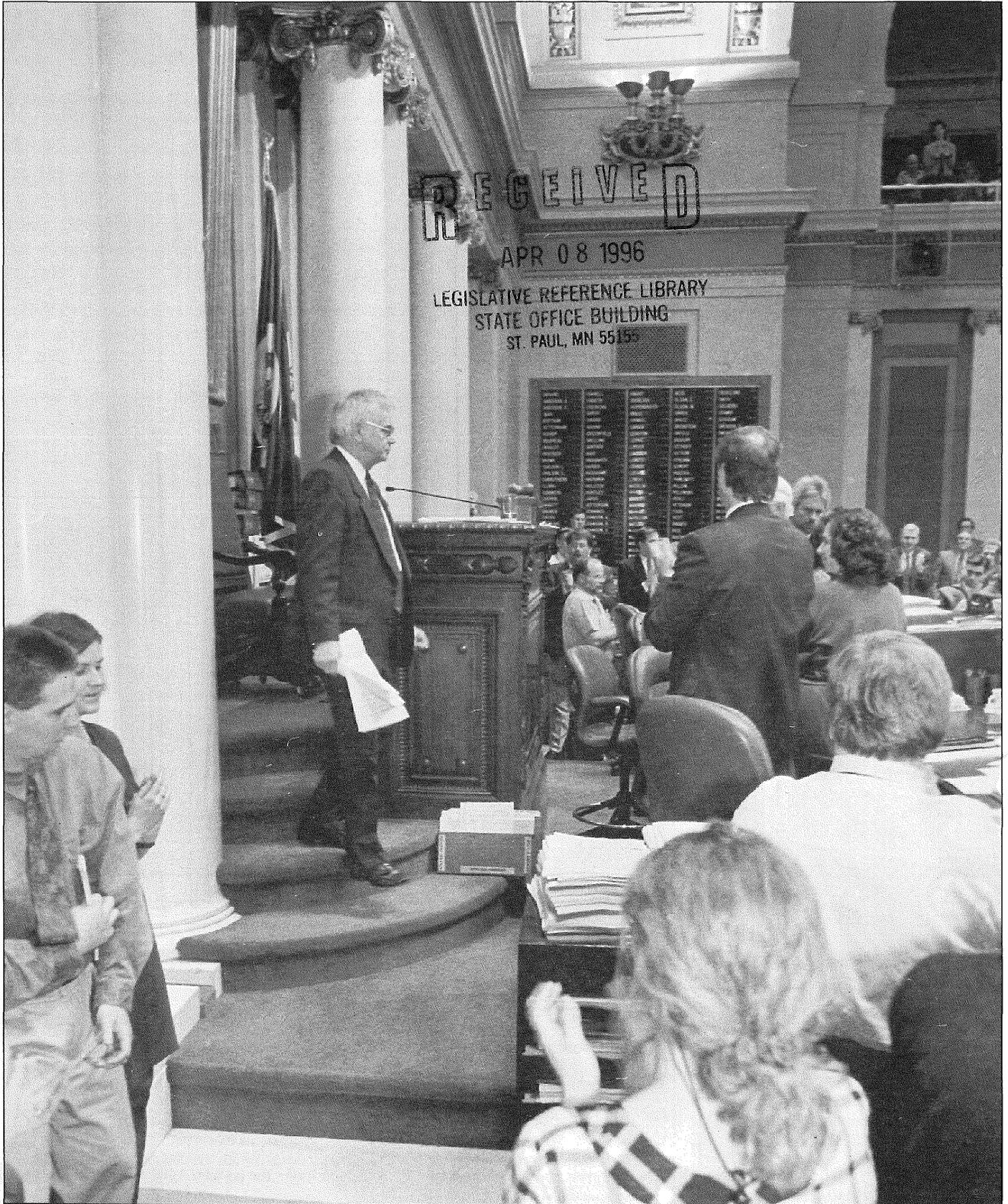


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96. April 5

# SESSION WEEKLY

A Non-Partisan Publication of the Minnesota House of Representatives ♦ April 5, 1996 ♦ Volume 13, Number 12



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# SESSION WEEKLY

Minnesota House of Representatives • April 5, 1996 • Volume 13, Number 12

## Week at a glance

- Capital projects approved** — A \$522.8 million bonding bill on its way to the governor would provide funds for construction and repair of public facilities around the state including \$89 million to build a new prison in Rush City, Minn. .... **Page 4**
- Minimum wage veto** — Gov. Arne Carlson has vetoed an increase in Minnesota's minimum wage. As he has stated in this and previous veto messages on the issue, "a minimum wage increase would cost jobs and cause inflation." .... **Page 11**
- Wetlands changes** — The lengthy debate between legislators, local officials, farmers, and environmentalists over wetlands has ended in a compromise that now awaits action by the governor. The much-awaited changes to the 1991 wetlands law, which stalled in conference committee last session, would provide broader exemptions and more flexibility in current replacement requirements. .... **Page 12**
- Omnibus game and fish bill** — It no longer will be a crime for kids to put sunfish in their home aquariums, under a new law that makes a number of changes to the state's hunting and fishing laws. .... **Page 13**
- Omnibus human services bill** — A \$14.8 million health and human services supplemental budget bill containing money for nursing homes and people with disabilities now awaits the governor's signature. A similar bill was vetoed by Gov. Arne Carlson March 26. House and Senate bill sponsors later repassed a governor-approved version of the bill. .... **Page 17**
- Welfare changes** — A welfare bill that includes new residency and work-search requirements and requires both caregivers in certain two-parent households on welfare to work was approved April 2 and is awaiting the governor's signature. .... **Page 18**
- Extending an AIDS statute** — Minnesota hemophiliacs who were treated with HIV-infected blood products and became infected with the virus that causes AIDS would have an additional year to file lawsuits under legislation on its way to the governor. .... **Page 20**
- Gender specific** — Women could exclude men and men could exclude women from certain athletic competitions under a new law signed April 2 by Gov. Arne Carlson. .... **Page 21**
- Transportation funding** — A bill that would increase the speed limit on some Minnesota highways is on its way to the governor. The \$60.3 million transportation funding bill includes a provision to boost the speed limit to 65 mph on rural, divided highways. .... **Page 23**

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On the cover: Speaker of the House Irv Anderson leaves the podium April 3 after adjourning the House sine die at 12:58 a.m.

— Photo by Laura Phillips

# Highlights

Sine die . . .

## 1996 Legislative Session ends in flurry of activity

House lawmakers ended the 1996 Legislative Session shortly before 1 a.m. on April 3 after a hectic final day that saw the passage of several major bills.

In its final hours, lawmakers decided not to build a new airport, approved a speed limit increase and changed the state's Wetland Conservation Act to ease development of northern Minnesota lands. The House also passed a \$522.8 million bonding bill and a proposed constitutional amendment that could lead to the recall of elected officials.

### No new airport

The bill (HF3012) would ban the construction of a new international airport in Dakota County. It would authorize the expansion of the existing airport near Bloomington with a new north-south runway designed to reduce flights over Minneapolis. The expected cost is less than \$1 billion.

The legislation, however, did not authorize the building of a new terminal on the airport's west side.

It also struck down a third runway that

presettlement wetlands, areas of up to 5,000 square feet would be exempt. In counties with less than 50 percent of presettlement wetlands, those up to 2,000 square feet would be exempt from replacement.

The bill (HF787) also offers more local government control over wetland management. Local governments would adopt wetland protection and management plans which, after review and approval by the Board of Water and Soil Resources, would replace the strict rules that now must be followed.

Provisions also were included to replace seven-county metropolitan area wetlands within the same area and to ease replacement requirements on road repair projects. (See story, page 12)

### Bonding

A \$522.8 million bonding bill on its way to the governor would provide funds for construction and repair of public facilities around the state.

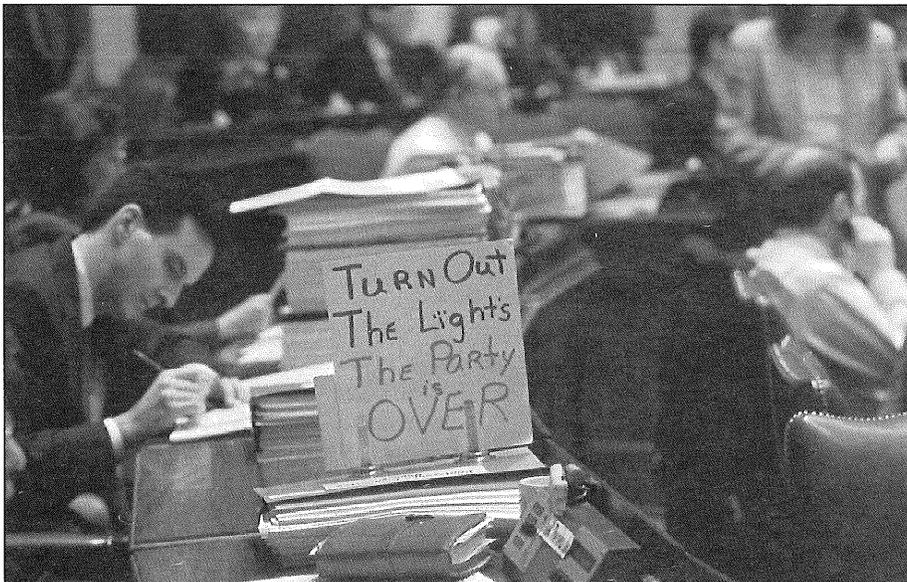
Under the bill (HF3273), the state would spend \$89 million to build a new prison in Rush City, Minn. Bond revenue would be used to build a \$29.5 million library on the St. Cloud State University campus and to construct a \$38.5 million library access center on the University of Minnesota-Twin Cities campus. Another \$30 million would be devoted to construction of a new home for the Science Museum of Minnesota in St. Paul. (See story, page 4)

### Public official recall

A constitutional amendment will be on the November 1996 ballot for voters to decide if certain state officials should be subject to recall.

If approved, legislators, constitutional officers, and state supreme court, court of appeals, and district court judges could be subject to recall elections.

The proposal (HF343) would allow voters to recall an elected official for any act of malfeasance or nonfeasance "in the performance of the duties" of office. Other grounds for recall would be if an official has been convicted of a "serious crime," defined by the



This sign on one House member's chamber desk echoed the sentiments of many lawmakers awaiting the end of the floor session April 2. The House adjourned the 1996 Legislative Session sine die at 1 a.m. April 3.

Proposals that faltered in the waning hours included a gas tax increase and a Senate-approved proposal to freeze property taxes for 1997.

Next week, the *Session Weekly* will publish a final, comprehensive summary of major bills the Legislature passed. This week's issue focuses on the flurry of activity that occurred during the final week of the Seventy-ninth Session of the Minnesota Legislature and bills signed into law or vetoed by Gov. Arne Carlson.

Highlights include:

would have directed air traffic — and the noise that accompanies it — deeper into Minneapolis. The bill prohibits the parallel runway from being built without the approval of all affected communities. (See story, page 14)

### Wetlands

In counties with more than 80 percent of presettlement wetlands the size of wetlands exempt from replacement requirements would rise from 400 square feet to 10,000 square feet outside of shoreland wetland protection zones. In counties with 50 to 80 percent of

bill as certain gross misdemeanor and misdemeanor offenses involving assault, injury, dishonesty, coercion, or aggravated DWI, among others. (See story, page 11)

### Welfare reform

A welfare reform bill that includes new residency and work-search requirements, prohibits immunization co-payments for older children, and requires both caregivers in certain two-parent households on welfare to work is awaiting action by the governor.

Under the bill (HF219), most individuals would have to reside in Minnesota for 30 days before they could receive General Assistance (GA) or Aid to Families with Dependent Children (AFDC).

The bill also includes \$5 million to help subsidize child care costs for more low- and moderate-income families and prohibits welfare recipients from cashing AFDC and GA benefit checks at casinos or other gambling establishments. (See story, page 18)

### Omnibus tax bill

There will be no state-imposed property tax freeze for 1997, but cabin owners will see a property tax break under a bill on its way to the governor.

The proposal (HF2102), sponsored by Rep. Ann Rest (DFL-New Hope), also gives Northwest Airlines a corporate income tax break and includes a tax refund on unsold pulltabs for charitable organizations.

The bill would cost the state \$5.1 million in fiscal year 1997 and \$41.7 million for the 1998-99 biennium.

Tax cuts for cabin owners will have the largest impact on the state treasury. (See story, page 21)

### Speed limit hike

A bill that would increase the speed limit on some Minnesota highways is on its way to the governor.

The \$60.3 million transportation funding bill (HF3137/SF2702\*) includes a provision to boost the speed limit to 65 mph on rural, divided highways.

The speed limit increase would be only on roads outside areas with a population of 50,000 or more. And it would be only on four-lane, divided highways with limited access.

The Minnesota Department of Transportation has indicated the change would increase speeds on about 560 miles of such Minnesota highways. (That does not include the more than 700 miles of rural interstate highways where the speed limit is already 65 mph.) (See story, page 22)



## BANKING

### Payday loans



Effective April 3, 1996, a new banking law alters regulations for "payday loans."

The 1995 Legislature passed a law permitting such small, tightly regulated, short-term consumer loans.

That law capped interest rates and other charges for "payday loans," named for the paycheck-to-paycheck consumers they were crafted to benefit.

Previously, the loans could be for no more than \$350 and required a 30-day term. But the loans have attracted little interest among lenders.

The new law aims to change that by giving lenders more flexibility. It allows such loans to be offered for terms of less than 30 days.

Another provision in the law affects homeowners who pay for mortgage insurance coverage.

Mortgage insurance to protect against default is required of many borrowers who put down less than 20 percent on their mortgages.

The law stipulates that mortgage insurance no longer should be required if the borrower has paid a specified percentage of the principal and met other conditions such as making monthly payments on time.

The measure also requires lenders to provide annual notice to consumers that they may be eligible to drop private mortgage insurance policies.

The requirements are the result of some lawmakers' concerns that borrowers often continue to pay for mortgage insurance long after it is needed.

Conference committee members removed from the bill a provision earlier approved by the House that would have allowed Minnesota financial institutions to charge up to 21.75 percent interest annually on credit cards.

Current state law caps the credit card interest rate for Minnesota financial institutions at 18 percent.

The catch is that federal law does not allow the state to limit the interest on credit cards issued to Minnesotans by financial institutions in other states. And most other states allow higher interest rates than Minnesota currently does.

As a result, very little issuing of credit cards is done in the state. Most Minnesota banks that do offer credit cards make arrangements

with out-of-state financial institutions so higher rates can be charged.

Supporters claimed that allowing a higher interest rate would have simplified business for Minnesota financial institutions and created more credit card industry jobs in the state.

The proposal was sponsored by Rep. Don Ostrom (DFL-St. Peter) and Sen. James Metzen (DFL-South St. Paul).

HF2369/SF2037/CH414



## BONDING

### Capital projects approved

A \$522.8 million bonding bill on its way to the governor would provide funds for construction and repair of public facilities around the state.

Under the bill, the state would spend \$89 million to build a new prison in Rush City, Minn.

Bond revenue would be used to build a \$29.5 million library on the St. Cloud State University campus and to construct a \$38.5 million library access center on the University of Minnesota-Twin Cities campus.

Another \$30 million would be devoted to construction of a new home for the Science Museum of Minnesota in St. Paul.

The 1996 bonding bill (HF3273), sponsored by Rep. Henry Kalis (DFL-Walters), received final passage in the House April 2 on a 99-34 vote. The Senate passed it the same day on a 62-3 vote.

The bill would allow the state to sell bonds to raise revenue for public works projects across the state.

More than \$1.3 billion in bond funding was requested this year by state agencies, local governments, and lawmakers.

The major projects include:

### New prison

A total of \$89 million would be used to construct and equip a maximum-security facility to house 800 inmates.

The bill also includes a provision calling for the corrections department to consider an alternative design that would allow double-bunking in one of the new prison's six residential sections. That would push the total occupancy of the facility to a maximum of 952 inmates.

In 1994, the Legislature spent \$2 million to design plans for the new prison. Originally, it was slated for Braham, Minn., but environmental issues such as the impact on area wetlands pushed the project east to

neighboring Rush City, about 50 miles north of the Twin Cities.

### **Science museum**

The Science Museum of Minnesota's plans to construct a new museum on St. Paul's riverfront would get a major boost from the state.

The bill would devote \$30 million to the effort to build a new science museum in downtown St. Paul. But the museum must garner \$59 million in funding from other sources before the state money is released.

The city of St. Paul already has promised to acquire the land for the museum and provide \$14 million. The remainder of the \$96 million price tag would come from private donors.

The science museum project is considered by many as a crucial step toward the effort to revitalize St. Paul. The new facility would be built along the river bluff east of the Civic Center parking ramp in downtown St. Paul.

### **State colleges**

Under the bill, \$93.9 million would be devoted to the Minnesota State Colleges and Universities (MnSCU) system.

A total of \$29.5 million earmarked for a new library at St. Cloud State University would account for a good share of the MnSCU bonds.

The bill also would spend \$10.4 million on major renovations at Anoka-Ramsey Community College, \$3.6 million to construct a dormitory at Fond du Lac Community College, and \$4.5 million for the merger of the Hibbing community and technical colleges on the community college campus.

### **University of Minnesota**

The University of Minnesota would receive a total of \$93.8 million for construction and repair projects.

A total of \$38.5 million would be used to construct a new library access center on the U of M's main campus. The facility is expected to serve as an information hub for libraries in Minnesota.

The building would house the university's special collections and archives and would store less-used materials from other libraries.

The bill also would spend \$12 million to revamp Haecker Hall, a 1923 building housing the animal science department on the St. Paul campus, and \$9 million to renovate the architecture building on the Minneapolis campus.

Another provision marks \$6.5 million for the U of M's academic health center, which includes the medical school and dentistry,

nursing, public health, and veterinary programs.

The money would be used to construct a new building for the magnetic resonance imaging (MRI) program and to remodel space for the molecular and cellular therapeutics program.

### **After-school enrichment**

The bill includes \$16 million to support after-school enrichment programs for children in grades four to eight.

Grants would be issued to improve or construct parks and buildings which, in turn, would be leased to non-profit community organizations running programs that help at-risk children.

A total of \$5 million in grant funds would be used in Minneapolis and another \$5 million would go to St. Paul. The remaining \$6 million would be used in suburban and rural areas with high concentrations of students on free and reduced-price lunch programs.

### **Capitol repairs**

The bill includes \$7.4 million for repair and renovation of the State Capitol.

A total of \$4.8 million would pay for replacement of corroded support structures under the terraces that ring the Capitol.

Serious damage to the supports was discovered during 1994 construction of accessibility ramps at the south carriage entry on the Capitol's ground floor.

Another \$1.4 million would be used to repair failing stone structures in the lantern, the 39-foot tall columned structure atop the Capitol dome.

Topped by a gold gilded roof and ornamental ball, the lantern features 12 columns clad with marble and precast concrete panels. Inspections conducted during 1994 and 1995 revealed serious cracking in the stone and marble slabs and in the joints between them.

And \$1.2 million would be devoted to the renovation of the building's cafeteria (once a unique spot fashioned after a German rathskeller).

### **Radio communication**

The bonding bill includes \$15 million for a metropolitan-area public safety radio communications system that would allow all metro public safety personnel to communicate through a common radio link.

Bond money would be used to assist in construction of the backbone of the system, including radio towers, transmitters, and the computers needed to run the system.

The \$15 million would cover just a share of

the system's total cost. In 1995, the Legislature passed a bill creating a Metropolitan Radio Board under the Metropolitan Council and allowing the council to issue up to \$13 million in bonds to assist in the construction of the system.

The Metropolitan Council won't issue the bonds without a guarantee of state participation.

Currently, communication among police, fire, and ambulance personnel (as well as state public safety units like the highway patrol) requires patching across several systems, making it difficult for separate public safety units to talk with one another.

### **Ice arenas**

The bonding bill would provide \$8 million for ice arenas as part of a program known as "Mighty Ducks."

The Minnesota Amateur Sports Commission would get \$6.5 million for grants to local communities for construction of new ice arenas. An additional \$500,000 would be for grants to renovate arenas that are at least 20 years old.

Another \$1 million would be available for construction of a national curling center on the Iron Range if the project is endorsed by the U.S. Olympic Committee.

The "Mighty Ducks" program was initiated by a 1995 law to expand opportunities for girls and boys participating in winter sports such as hockey and figure skating. (The name is taken from a movie about a group of misfit, young hockey players.)

Also, the bill includes \$7 million for construction of a new ice sheet for women's hockey at the U of M. The new facility would be adjacent to Mariucci Arena on the university's main campus.

### **Convention center**

The bill includes \$12 million for the planned expansion of the Minneapolis Convention Center, much less than what the city is seeking in state aid.

Minneapolis requested \$33.8 million from the state to help finance an expansion project expected to carry an eventual cost of \$162 million. The governor recommended lawmakers include no money for the project in this year's bonding legislation.

### **Training workers**

Finally, the bill calls for a \$5 million general fund appropriation for a robotics training facility at the Ford Motor Co. assembly plant in St. Paul.

Ford and United Auto Workers Local 879 requested the funds for the facility, which

would be used to provide technical training in the use of robotics and other subjects.



## BUSINESS

### Omnibus liquor bill



More free liquor samples, wine tastings, and wine service at bed and breakfasts will be available under a new law sponsored by Rep. Jeff Bertram (DFL-Paynesville) and Sen. Sam Solon (DFL-Duluth).

The law includes changes to current laws governing liquor licenses and warnings posted in the state's liquor establishments.

HF2590/SF2116\*/CH418

### Warnings

Effective Aug. 1, 1996, the law increases requirements for warning signs that must be posted in retail and municipal liquor stores.

Currently, liquor store owners must post notices notifying customers of the state's penalties for driving while intoxicated and underage drinking. Under the new law, liquor retailers are required to post a single sign in a conspicuous place that includes those warnings plus a warning about the consequences of drinking alcohol while pregnant.

### B and Bs

Effective April 3, 1996, the law allows Minnesota bed and breakfast facilities to give guests two complimentary glasses of wine per day. The drinks can be up to 4 ounces each and are to be consumed on the premises. The owners need not obtain an on-sale liquor license for that purpose (although, owners would have to register with the state's public safety commissioner).

A bed and breakfast facility, as defined by the new law, is a place of lodging that provides no more than eight rooms for rent and no more than 20 guests at a time. The law also allows the operators of such facilities to live in a building on the same property as a bed and breakfast. The original bill would have required guests to stay in the owner's personal residence.

### Free samples

Free liquor and beer samples are more abundant under the new law. New provisions allow liquor stores, effective April 3, 1996, to give customers free samples of hard liquor in containers up to 15 milliliters. The law currently allows free samples of wine, beer, cordials, and liqueurs. The law also

allows brewers to furnish restricted amounts of beer to off-sale retailers for samplings.

### Wine tastings

More wine tasting events are likely to occur under the new law. Effective Aug. 1, 1996, it allows the events at on-sale locations where no charitable organizations are participating, or at locations that are for designated charities, but where the tastings are primarily for educational purposes. Current law strictly regulates wine tastings that are associated with charitable, religious, and nonprofit organizations. The new provision clarifies that restrictions, such as not being allowed to take orders for off-premises consumption, do not apply to tastings sponsored by on-sale establishments that meet the above criteria.

### Liquor on the river

The mighty Mississippi and the St. Croix rivers will now join Lake Superior in accommodating tour boats that sell liquor. The law, effective April 3, 1996, allows tour boats on the St. Croix and Mississippi rivers to receive on-sale liquor licenses between May 1 and Oct. 31. Currently, only tour boats on Lake Superior are allowed to receive such licenses.

### Regulating pawnbrokers



A new law, effective Aug. 1, 1996, establishes minimum standards for cities and counties to regulate the state's 150 pawnbrokers.

Under current state law, cities and counties have the option of whether to regulate pawnbroker operations. Under the new law, municipalities are allowed to set stricter standards for pawnbrokers.

"This gives a basis for many cities to provide a floor," Greg Brooker, an assistant Bloomington city attorney, told lawmakers in committee testimony. He noted that Bloomington, Minneapolis, St. Paul, and other Minnesota cities have "very strict" pawnbroker ordinances already in place.

Among the provisions of the law, pawnbrokers are required to apply for and receive a license from the city or county in which they do business. Also, the city or county can revoke a pawnbroker's license and must then notify the appropriate law enforcement agency of such a revocation.

Additionally, to obtain a license, a pawnbroker must be 18 years of age or older; cannot have been convicted of any crime directly related to the pawnbroker business, unless he or she showed "competent evi-

dence of sufficient rehabilitation"; and must be "of good moral character or repute."

Concerned about compulsive gamblers, lawmakers also included a provision that prohibits any pawnshop from locating within 10 miles of a gambling casino.

The proposal was sponsored by Rep. Darlene Luther (DFL-Brooklyn Park) and Sen. Len Price (DFL-Woodbury).

HF2752\*/SF2472/CH404

### Counseling board vetoed



A bill that would have created a board of licensed professional counseling was vetoed by Gov. Arne Carlson.

The bill would have set forth licensure requirements for people who offer professional counseling services.

In his veto message, the governor said the "state should tread lightly when it comes to occupational regulation."

Carlson explained that "the bill exempts from licensure and board oversight a number of other professionals who offer the exact same type of services." He added that "if there is a valid public policy reason to more rigorously regulate counseling provided to the public, then we should address the problem in a comprehensive fashion, not in this piecemeal approach."

Increasing current state oversight should be explored as an alternative to licensure, said Carlson, noting that "there is already an existing government mechanism to investigate unlicensed counselors when the public has complaints against them."

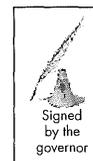
The proposal was sponsored by Rep. Roger Cooper (DFL-Bird Island) and Sen. Sam Solon (DFL-Duluth).

HF66\*/SF891/CH423



## CHILDREN

### Kids and boats



A new law aims to improve safety on Minnesota lakes by keeping young children away from the controls of high-powered watercraft.

Under the law, effective May 1, 1996, children under 13 are prohibited from operating personal watercraft, or Jet Ski-style machines. Effective Jan. 1, 1997, children under 12 are barred from operating motorboats of more than 75 horsepower.

The law, sponsored by Rep. Kris Has-

skamp (DFL-Crosby), also prohibits children under 12 from operating boats from 25 to 75 horsepower unless there is someone 21 or older within immediate reach of the controls. Those children would be allowed to operate boats of less than 25 horsepower without supervision. These changes also are effective Jan. 1, 1997.

The law comes in response to a 1995 boating accident that claimed the life of 10-year-old Aaron Sahli of Ham Lake, Minn.

Aaron was riding in a pontoon boat on a Crow Wing County lake last Memorial Day when the pontoon was struck by a 175-horsepower boat being driven by an 8-year-old boy.

The father of the 8-year-old was in the speedboat but was not at the controls.

Current law allows children under 12 to operate boats of less than 30 horsepower. They can operate more powerful boats as long as an adult is on board.

The proposal was sponsored by Sen. Janet Johnson (DFL-North Branch) in the Senate.

HF2834\*/SF2563/CH396



## DEVELOPMENT

### Omnibus bill passed

A \$28 million proposal to fund energy assistance and summer jobs programs is awaiting action by the governor.

Total appropriations in the omnibus economic development bill nearly doubled the \$15 million included in the version originally approved by the House. The increase would come primarily in the form of money appropriated to the Department of Economic Security for home energy assistance, although more money would also go toward community development, the creation of higher-paying jobs, and youth employment and training programs.

The bill, **HF3243**, sponsored by Rep. Jim Rice (DFL-Mpls), passed the House March 29 on a vote of 86-48. It passed the Senate April 2 on a 37-24 vote.

#### Home energy assistance

Potentially, \$10 million not found in the original House version of the bill would go toward home energy assistance programs. The money would come through the Department of Economic Security (DES).

A total of \$750,000 would become part of the low-income home energy assistance block grant. Another \$190,000 would be used for the Low-Income Home Weatherization Program.

Most of the money aimed at energy assistance, \$9 million, would come from the budget reserve account in the state's general fund and would be used for low-income home energy assistance, and in the form of grants for energy-related repairs to a home's primary heat source. This money would be used only if the governor determines that the federal money allocated to Minnesota as part of the low-income energy assistance block grant for fiscal year 1996 is less than the grant received by the state for fiscal year 1995. The amount available for use would equal the reduction as determined by the governor.

#### Youth Programs

A total of \$6 million appropriated to DES would be used to fund the Minnesota Youth Program, primarily the summer employment and training component. The money would be used to offset a potential cut to Title IIB of the Job Training Partnership Act, a parallel program funded by the federal government. Currently, the federal government hasn't appropriated any money for the program, as compared to \$8.9 million appropriated last year at this time.

The summer component of the program would allow disadvantaged youth to work in a variety of settings in all 87 Minnesota counties. Public works projects constitute most of the work undertaken: the construction of park retaining walls, environmental cleanup, and wetland restoration. The program funds site supervision so that participants can obtain the skills necessary to complete the projects. Cooperating communities provide the necessary materials. Participants also receive training in team building skills and conflict resolution.

One-half of the program participants are 14- and 15-year-olds who can't yet work in the private sector and are receiving their first employment experience.

There is also an academic enrichment component to the program, where young people struggling in school receive help in improving their communication and math skills.

And young people who drop out of school can receive help in obtaining their diploma, getting a GED, resume building, and the acquisition of work maturity skills.

#### Workforce centers

A total of \$500,000 would be given to DES to augment the Minnesota Workforce Center System. The system aims to combine the delivery of employment and training services (mostly administered by the department) under one roof whenever possible, saving money formerly spent on separate leases, and phone and data lines. It also streamlines customer access to services and programs, according to Jane Brown, department commissioner.

The department hopes that other state agencies that deliver services related to employment and training will want to locate their operations at the various workforce centers.

The specific appropriation within the bill would assist the department in hooking up to the MNet System and data lines to establish a cohesive computer system among the operations located within a workforce center. This way, people applying for services offered by the department — employment or job training services, services for the blind, vocational rehabilitation — would have to fill out only one application which could then be accessed by agencies throughout the department. This would eliminate paperwork, save money through the combination of resources, and more effectively match up applicants and services.



## CONSUMERS

### Notaries public

A new law to prevent notaries public from exploiting immigrants takes effect Aug. 1, 1996.

The law requires anyone who is not an attorney and provides immigration assistance services to post a notice in English and in the appropriate foreign language which says that he or she is not an attorney.

It also prohibits anyone who is not an attorney and offers such services from giving legal advice. A written contract — in both English and the appropriate foreign language — also is required and must include an explanation of services offered and the corresponding charges.

Any notary violating the provisions would be guilty of a misdemeanor.

The measure was proposed by Rep. Carlos Mariani (DFL-St. Paul) in response to reports in Minnesota and elsewhere of notaries public charging excessive amounts for legal services that they were not legally qualified to offer.

Because notary public means "super attorney" in Spanish, Mariani said many Spanish-speaking immigrants mistakenly believe notaries are the same as attorneys.

The proposal was sponsored in the Senate by Sen. Sandy Pappas (DFL-St. Paul).

HF2478\*/SF2372/CH401



## Minnesota Investment Fund

The bill includes \$4 million for the Department of Trade and Economic Development (DTED) to go to the Minnesota Investment Fund, formerly the Economic Recovery Grant Program. The fund would allow DTED to extend grants of up to \$500,000 to local units of government and recognized Indian tribal governments to help communities create and maintain private-sector jobs, increase local tax bases, stimulate environmentally safe economic growth, and improve employment and economic opportunities for local citizens. Among other things, the grant money could go toward loans for private business and industry, the creation or improvement of local infrastructure, and interest buy-downs. Any loan to a private entity could not exceed one-half of the cost of the project for which financing is sought.

The grant money would be administered as part of the Small Cities Development Block Grant Program. Any portion of a grant that exceeds \$100,000 must be repaid to the state when it is repaid to a local unit of government or a recognized Indian tribal government by a recipient.

To receive grant money, private entities would have to make a case for the need of public funds and meet job creation goals. Loan recipients also would have to pay their employees total compensation, including benefits not mandated by law, at least 110 percent of the federal poverty level for a family of four, or approximately \$16,665 per year, roughly \$8 per hour. The original House version required that loan recipients pay their employees at least \$7.44 per hour.

According to Jay Novak, DTED commissioner, the department doesn't currently consider funding development projects unless prospective employers in the metro areas pay employees at least \$10 per hour, and employers in outstate areas pay their employees at least \$8 per hour.

New language in the bill prohibits any grant being made for the operation or expansion of a casino, a store which is used solely or principally for retail sales, or for any project related to a sports facility, defined as a building that has a professional sports team as a principal tenant.

In case of breach of contract, loan recipients must repay the grant directly to the DTED commissioner.

## Rural development

DTED would also receive \$750,000 which would be given as a grant to the Morrison County Rural Development Finance Authority. The money could only be used to make capital improvements to the Hennepin Paper Company in Little Falls. According to Elmer Beale, the company's executive vice president and general manager, the money would be used to upgrade the facility and expand the possibilities for using recycled wastepaper. At least \$500,000 of the grant must be matched by other sources, or the money would not be available.

## Film board

Exactly \$100,000 would go to DTED to be distributed to the Minnesota Film Board, the only nonprofit state film commission in the country. This is on top of the \$229,000

appropriated for the film board for fiscal year 1997.

According to the board, nine movies were filmed in Minnesota in 1995, generating more than \$23 million in production revenue

## Minnesota Technology, Inc.

A total of \$700,000 would be appropriated to Minnesota Technology, Inc. Of those funds, the Natural Resources Research Institute in Duluth would receive \$575,000. The institute provides environmentally safe economic development within Minnesota as a means of creating private sector employment. They oversee approximately \$10 million per year for research and development activities.

The remaining \$125,000 would be used to study cold weather research needs and opportunities such as automobile starting tests in winter temperatures. Minnesota Technology would consult with the Minnesota Cold Weather Research Center. The study would address ways to encourage cold weather research in Minnesota funded by non-state entities, and the possible economic benefits for the state.

Findings of the study would need to be submitted to the Legislature by Jan. 1, 1998.

## Housing Finance Agency

The Housing Finance Agency would receive \$550,000 under the bill. Of those funds, \$250,000 would be used to purchase, tear down, or rehabilitate multi-unit residential rental property in an effort to combat concentrations of substandard housing. Projects that create a wide range of housing opportunities which would increase the tax base and the income mix within a community would be given priority.

The remaining \$300,000 would go to the Family Homeless Prevention and Assistance Program. The program was established to assist families who are homeless or are at imminent risk of homelessness. The agency provides grants to counties with a large number of homeless families or that experience a significant growth in the number of homeless families. To receive assistance, counties must work to secure permanent or transitional housing for homeless families. Any prevention project must be crafted to stabilize families in their existing homes and shorten the length of time families use emergency shelters. At least one grant must be given to a county outside the metro area.

## Workers' compensation

The bill appropriates \$2.8 million from the Special Compensation Fund to the Department of Labor and Industry to be used for the Daedalus Electronic Imaging Systems Project.



Retiring Rep. Roger Cooper wipes his eyes after saying good-bye to fellow House members when the House adjourned at about 1 a.m. April 3. Cooper is one of six DFLers retiring. Other DFLers are: Reps. Chuck Brown, Marv Dauner, Bob Johnson, Howard Orenstein, and Walt Perl.

The aim of the project is to provide a comprehensive computer reference system for workers' compensation files. This way, people needing access to the files (judges and case specialists) could do so via computer, and access could be provided simultaneously. Past research was done by hand.

The department hopes this will lower the number of disputes by getting good information to people more quickly. All paper files would eventually be eliminated.

The Special Compensation Fund is administered by the department, primarily covering system administrative costs, the reimbursement of second injuries, benefits to employees of uninsured employers, and supplemental costs. The fund is supported by required employer contributions resulting from the work-related death of an employee, or different types of work-related injuries.

### Historical society

Under the bill, the Minnesota Historical Society would receive over \$1.1 million, \$1 million of which would go to employee compensation.

The St. Anthony Falls Heritage Board would receive \$75,000. The board works to evaluate and interpret significant historical resources within the heritage interpretive zone, a two-mile stretch of the Mississippi River in Minneapolis. The bill also would increase board membership from 19 to 22 members.

### Humanities Commission

A total of \$300,000 would be given to the Minnesota Humanities Commission. The commission recently moved its operations into part of what was formerly the Gillette Children's Hospital near Phalen Park in St. Paul. The money would cover some moving and maintenance expenses. According to Cheryl Dickson, commission director, the money will be repaid if federal dollars earmarked for the project come through, or other sources of revenue are found.

### Voyageur recreation area

Under the bill, the Voyageur recreation area would be established and would be composed of all contiguous land in Koochiching County and the part of St. Louis County lying north of County Highway 23 and west of County Highway 24 to the Canadian border. It's hoped that such a designation would encourage private and public investment, leading to economic development and educational and recreational opportunities within the area.

The area would be administered by a nine-

member board consisting of county and city officials within the designated area, and representatives from some lake and resort associations. The board would be able to enter into contracts and grant agreements necessary to carry out its responsibilities.

Also included in the bill is \$450,000 for transitional housing programs, and \$200,000 for employment support services for the mentally ill.

### Local development plans

A bill on its way to the governor directs the state to draft a "model ordinance" for sustainable development by July 1, 1997, and make it available to local governments. The House passed the bill April 1 on an 87-47 vote; the Senate passed it April 2, 53-0.

Last year, the bill (HF1800) passed the House but didn't make it out of conference committee.

Sustainable development—a concept promoted by Gov. Arne Carlson— involves the development of land and waters that minimizes environmental damage and provides for economic opportunities and community well-being. The goal of sustainable development is to preserve the environment for future generations.

There are no funding or enforcement provisions in the bill. Local governments adopting the model ordinance, however, would be advised that it would be the minimum regulation to guide all sustainable development.

The model ordinance would be reviewed by the state at least once every five years.

Additionally, each state department, agency, and board would have to report to the Environmental Quality Board by Oct. 15, 1996, on how the mission and programs of the organization reflect and implement the state sustainable development principles, or how the mission and programs could be changed to do so.

The proposal was sponsored by Rep. Dee Long (DFL-Mpls) and Sen. Janet Johnson (DFL-North Branch).



DWI

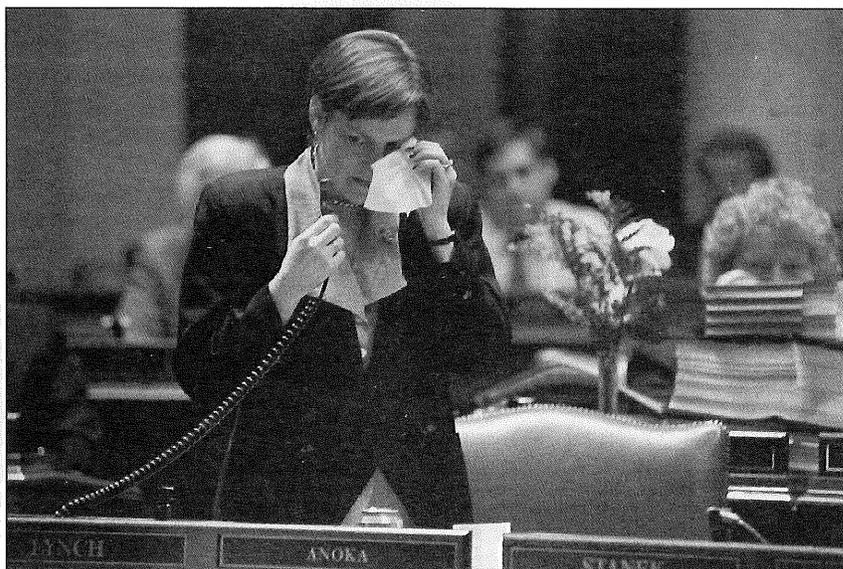
### Omnibus DWI bill

A bill on its way to the governor would make it illegal for citizens to drive an automobile or fly an airplane with any amount of certain controlled substances in their systems.

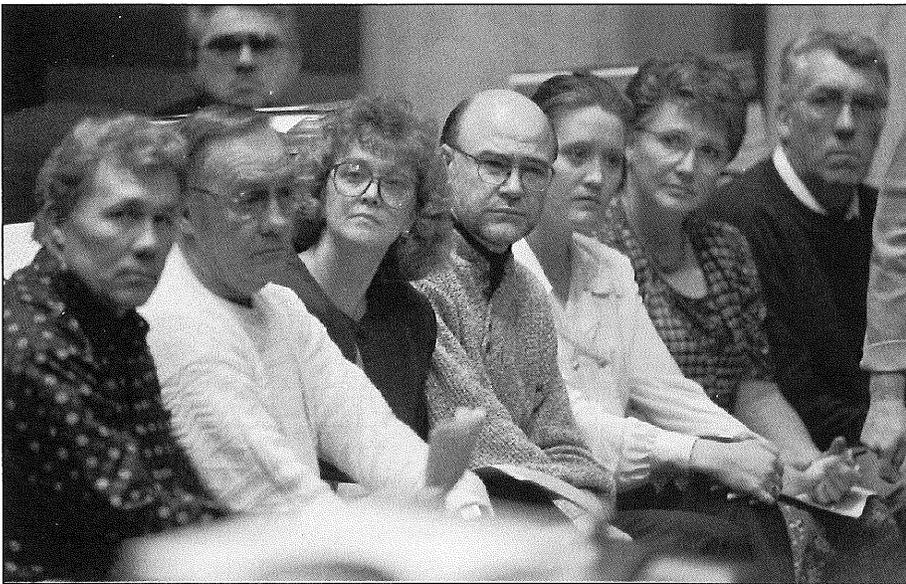
The proposal (HF2779/SF2340\*) applies to Level I and Level II controlled substances which include most street drugs and are classified among the most addictive narcotics, stimulants, and depressants. (Marijuana is not included.)

Under the bill, drivers would be charged with a crime if any amount of a Level I or Level II drug was found in their bodies. The penalties will be consistent with the state's current DWI laws.

A typical scenario could work like this: 1) a driver is stopped after an officer suspects he or she is impaired; 2) the driver is given a field sobriety test and then a breathalyzer test, but



Retiring Rep. Teresa Lynch also shed tears while saying good-bye to House members April 3. Lynch is one of four Republicans not seeking re-election in November 1996. The others are: Reps. Virgil Johnson, Tony Onnen, and Gary Worke.



Members of the Burr and Brossard families of the Paynesville-Cold Spring area listened March 30 as the House debated and passed a tough DWI bill which provides "zero tolerance" for driving under the influence of any amount of certain controlled substances. The families lost three loved ones when their car was struck from behind by a driver under the influence of a controlled substance.

no alcohol is registered; 3) the officer still suspects the driver is impaired by something; and 4) the officer arrests the individual and seeks a blood or urine test. If any trace of a Level I or a Level II controlled substance is found, the driver can be charged.

The bill also directs the Peace Officer Standards and Training Board to develop a plan to train a "sufficient" number of officers as Drug-Recognition Experts (DRE) to ensure they are available statewide each day to evaluate suspected drug-impaired drivers.

The test administered by DRE officers is separate from the preliminary field test performed on the side of the road. After a patrol officer stops a driver, performs a field test, and suspects the driver is under the influence, the driver could then be taken to a police or highway patrol station where a more extensive physical test would be performed by a DRE officer.

Some of the bill's other provisions create a new gross misdemeanor crime for violating DWI laws while driving without insurance and provide a longer waiting period before a minor who has committed a DWI offense is issued a limited driver's license for work or school.

Current law states that a minor must wait 15 days for a limited license if it is the person's first DWI offense; 90 days if it is the offender's second, assuming the minor agrees to take the breathalyzer test. Under the proposal, the waiting periods would double.

The bill also eliminates a loophole to keep more chronic DWI offenders off the roads.

Gov. Arne Carlson vetoed an identical bill in 1995 calling it 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 have found a way around the law. Once their plates are impounded, they often begin to drive someone else'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.

**HF2779/SF2340\*** would give the plates back to the car owner (if the car was reported missing), but the plates would be coded with specific letters, so that law enforcement officials would know the car had been involved in a prior DWI offense. The plates would remain on the car for a minimum of one year.

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

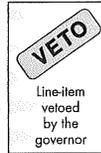
The bill includes \$79,000 for the Department of Public Safety to pay for the coded license plates and other costs associated with the proposed changes.

The proposal was sponsored by Rep. Matt Entenza (DFL-St. Paul) and Sen. John Marty (DFL-Roseville).



## EDUCATION

### K-12 vetoes



Gov. Arne Carlson used his line-item veto authority to slice \$629,000 from a K-12 education funding package signed into law April 3.

The new law still will provide \$31.7 million for K-12 education, with much of the money earmarked for school technology and full-day kindergarten programs.

Carlson line-item vetoed a \$300,000 grant program to foster constructive school discipline policies focused on keeping kids in the classroom.

Rep. Alice Johnson (DFL-Spring Lake Park) backed the grant program as a way to help schools address behavior problems before they get out of hand.

But Carlson did not like what he saw.

"Although solid discipline policies are a growing concern for school districts, I have a grave concern with providing additional funding for a program that is already required by law," Carlson wrote in his veto message.

The governor line-item vetoed another \$150,000 earmarked to allow students to ride city buses to St. Paul's new Arlington High School during the next school year. The money would have gone to the school district, which, in turn, would have signed a contract with Metropolitan Council Transit Operations.

"Districts should not be encouraged to believe that extra funds are available for such programs," Carlson wrote.

Carlson also line-item vetoed \$100,000 for a "family connections" program and \$79,000 to buy down property taxes in the Pequot Lakes school district.

The governor accepted the rest of the education spending package passed by the Legislature.

The measure was sponsored by Johnson and Sen. Larry Pogemiller (DFL-Mpls).

**HF2156\*/SF1884/CH412**



## ELECTIONS

### Campaign spending

A bill on its way to the governor closes a loophole in current law that allows independent candidates to ignore spending limits that often bind major-party opponents.

The proposal (**HF667/SF840\***) passed

both the House and Senate April 2. The votes were 123-10 and 48-15, respectively.

Currently, a candidate is held to campaign spending limits only if he or she is a member of a major political party and accepts a public subsidy. Independent candidates can spend as they wish and do not qualify for public campaign subsidies.

State law stipulates that only major party candidates are eligible for public subsidies. In Minnesota there are three major parties — Democratic-Farmer-Labor, Republican, and Independence.

If, for example, a DFL candidate's Republican opponent refuses a subsidy and ignores the spending limits, the DFLer also can exceed the limits — even if he or she has already taken the public subsidy. But under current law, this only applies when both parties are from major parties.

Bill sponsor Rep. Dee Long (DFL-Mpls) was affected by that hitch during her 1994 re-election campaign.

Long's opponent did not attach herself to a major party. Because the woman ran as an independent, her spending levels did not trigger the clause that would have allowed Long to exceed spending limits.

As a result, Long was bound by a \$21,000 spending limit while her independent opponent spent about \$50,000.

The bill would change current law to say that the candidate not agreeing to spending limits need not be from a major political party in order for the opponent to also ignore the limit.

## Public official recall

A constitutional amendment will be on the November 1996 ballot for voters to decide if certain state officials should be subject to recall.

If approved, legislators, constitutional officers, and state supreme court, court of appeals, and district court judges could be subject to recall elections.

The proposal (HF343) would allow voters to recall an elected official for any act of malfeasance or nonfeasance "in the performance of the duties" of office. Other grounds for recall would be if an official has been convicted of a "serious crime," defined by the bill as certain gross misdemeanor and misdemeanor offenses involving assault, injury, dishonesty, coercion, or aggravated DWI, among others.

Here's how it would work: A petition filed with the Office of the Secretary of State is forwarded for review to the Minnesota Su-

preme Court. If the allegations, if proven, would constitute grounds for recall, a public hearing would then be held. If the hearing reveals the allegations to be true "by a preponderance of the evidence," and the full Minnesota Supreme Court agrees, a petition for signatures would be released. If the petition is then signed by 25 percent of the total eligible voters in the accused elected officer's district, the governor would order a recall election. Such an election cannot be called less than six months before the end of an official's term.

The bill prohibits false information or allegations from being used in a petition or in support of allegations made during the hearing process. Violation of the provision would be a misdemeanor punishable by up to 90 days in jail and a \$700 fine. In such a case, a petition for recall also could be dismissed.

Anyone bringing a petition that is dismissed by the court could be held financially responsible for the court's proceedings.

The proposal was sponsored by Rep. Betty McCollum (DFL-North St. Paul) and Sen. Ember Reichgott Junge (DFL-New Hope).

## Vote by mail vetoed



Gov. Arne Carlson vetoed a bill April 3 that would have allowed more Minnesotans to vote by mail.

The bill would have allowed mail balloting in communities outside the metropolitan area with fewer than 1,000 eligible voters. Current law allows voting by mail only in Greater Minnesota communities with fewer than 400 eligible voters.

The proposal would have allowed "a creeping spread of an unwise policy instituted under a previous administration," Carlson wrote in his veto message.

And it would have allowed more Minnesotans "to ignore an important and relatively easy obligation of citizenship, that being to join fellow citizens at the polling place to cast their ballots," Carlson added.

About 250,000 voters live in communities now allowed to conduct mail balloting. The bill would have made about 600,000 people — or about 15 percent of the state voters — eligible to vote by mail.

Rep. Jim Tunheim (DFL-Kennedy) and Sen. LeRoy Stumpf (DFL-Thief River Falls) sponsored the bill.

HF2101\*/SF2283/CH432

## EMPLOYMENT

### Wage floor for businesses

Some Minnesota businesses receiving state subsidies would have to pay employees a poverty level wage — at least \$7.28 per hour — under a bill on its way to the governor.

The proposal (HF2562/SF1997\*), sponsored by Rep. Karen Clark (DFL-Mpls), received final passage in the House April 1 on a 78-56 vote. It passed the Senate March 29 on a 41-23 vote.

The governor has vowed to veto the proposal.

Under the bill, medium- and large-sized companies that get \$25,000 or more in state aid through loans or grants would have to pay employees an amount equal to the current federal poverty level for a family of four. That's at least \$7.28 per hour including benefits or about \$15,000 annually.

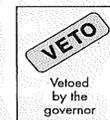
The wage requirement also would affect nonprofit organizations with a salary ratio between the highest paid and lowest paid employee of 25 to 1 or greater.

The bill would exempt other nonprofit organizations, small businesses, and companies that receive bona fide offers of financial assistance to relocate to other states.

Wage requirements in the bill also would not apply to businesses receiving aid through tax increment financing (TIF).

Provisions that would have required businesses receiving TIF assistance to pay at least \$7.28 per hour were deleted from the bill during conference committee negotiations.

## Minimum wage veto



Gov. Arne Carlson has vetoed an increase in Minnesota's minimum wage.

The governor, who has a history of vetoing such wage hikes, vetoed a 75-cent minimum wage increase in 1994.

As Carlson has stated in this and previous veto messages on the issue, "a minimum wage increase would cost jobs and cause inflation." Such an increase, he wrote, automatically raises the cost to business. "Naturally, retailers must pass on the increased cost to consumers in the form of higher prices or cut costs wherever they can. For businesses in highly competitive areas, such as retail, this will most likely trigger layoffs, hiring freezes, reduced benefits and even store closings."

Under this year's bill, the minimum wage for large businesses would have increased from \$4.25 per hour to \$5 per hour in September 1996 and to \$5.35 per hour in September 1997.

Small businesses also would have seen an increase in the \$4 hourly minimum wage required of them. For employers with gross annual sales under \$500,000, the minimum wage would have jumped to \$4.75 per hour in September 1996 and to \$5.10 in September 1997.

Originally, the bill called for the hourly minimum wage to increase \$2.75 over the next two years, peaking at \$7 per hour for large businesses. It also contained provisions that would have allowed employers to pay lower wages in exchange for providing benefits.

Supporters of the bill argued that raising the minimum wage would help people better support their families, especially the "working poor" — people who work two or three minimum wage jobs but still need help.

Opponents argued that the wage hike would cost the state jobs and exacerbate economic problems.

Minnesota last increased the minimum wage in 1991, when it was bumped from \$3.95 per hour to \$4.25.

The proposal was sponsored by Rep. Tom Rukavina (DFL-Virginia) and Sen. Randy Kelly (DFL-St. Paul).

**HF401/SF302\*/CH436**



## ENERGY

### Koch tax break

A bill exempting high-efficiency electric power generation plants from property taxes on equipment now awaits the governor's action.

The bill passed the House March 30 on a vote of 124-8. It passed the Senate April 1 on a 39-24 vote.

**HF637**, sponsored by Rep. Loren Jennings (DFL-Harris), aims to keep Koch Refining Co. from building its \$300 million cogeneration facility out of state. The company has said it wants to build the plant in Rosemount, Minn., and has lobbied extensively for the bill.

"Passage of this bill will assure a number of trade jobs in the community to build the facility," Jennings has said. "And it will be the cleanest burning facility of its type."

Cogeneration is a combustion process that uses heat more efficiently than does a conventional power plant. The exemption would

be granted to plants that reach a certain level of efficiency. The measure aims to make Minnesota more attractive to other plants that use or plan to use the process.

Supporters of the bill have said Minnesota is unattractive to electric generation companies relative to other states. Some also say the state needs an energy policy that encourages cleaner burning processes such as cogeneration.

Critics have said the exemption unfairly favors one industry over others.

The bill that emerged from conference committee could exempt Koch from all property taxes on equipment if the cogeneration plant reaches a certain level of efficiency.



## ENVIRONMENT

### Wetlands changes

The lengthy debate between legislators, local officials, farmers, and environmentalists over wetlands has ended in a compromise that now awaits action by the governor.

The House passed the bill (**HF787**) April 2 on a vote of 133-0. The Senate passed it 63-2 on the same day.

Rep. Willard Munger (DFL-Duluth), bill sponsor and chief proponent of wetlands regulations, said the compromise would make the landmark Wetlands Conservation Act "more workable" for all areas of the state, particularly those areas with a high percentage of wetlands remaining, while maintaining a high level of resource protection.

The much-awaited changes to the 1991 wetlands law, which stalled in conference committee last session, would provide broader exemptions and more flexibility in current replacement requirements.

Farmers who have shown a need for more flexibility would benefit from the bill's expanded definition of "agricultural land," which applies agricultural exemptions to wetlands located in farming areas. Another provision allows farmers to drain many wetlands that are less than five acres, under certain conditions. Munger said these are mostly "small, nuisance wetlands located in farmland."

The replacement requirements for drained or filled wetlands are also eased under the bill. These would benefit certain northern Minnesota counties, where officials have said new development is hindered by current law.

Current law requires most wetlands larger than 400 square feet that are eliminated to be replaced by two wetlands of equal size. Under the bill, in areas where 50 to 80 percent of presettlement wetlands exist, the 2:1 replacement ratio would drop to 1:1.

In counties with more than 80 percent of presettlement wetlands (where replacement is already at a 1:1 ratio), the size of wetlands exempt from replacement requirements would rise from 400 square feet to 10,000 square feet outside of shoreland wetland protection zones. In counties with 50 to 80 percent of presettlement wetlands, areas of up to 5,000 square feet would be exempt. In counties with less than 50 percent of presettlement wetlands, those up to 2,000 square feet would be exempt from replacement.

Environmentalists gained support for a provision that would require the replacement of wetlands lost in the metro area (due to road projects) to be made within the same area, if possible. Replacement should occur first within the same watershed district and, if that's not possible, within the county, or another county within the seven-county metro area. Previously, the law allowed such losses to be replaced in other areas of the state. Proponents of the provision argued that the metro area was losing what is left of its sparse wetlands. Rep. Betty McCollum (DFL-North St. Paul) said the proposed policy would create "clean water and green space," calling the change "the right step" to take.

Changes also would be made regarding wetlands affected by road projects.

Under current law, a public transportation authority that drains or fills a wetland while doing road work must replace the wetland. The bill exempts repair and replacement of existing local roads from that requirement. The Board of Water and Soil Resources (BWSR) would replace wetlands that are drained or filled from local road repair projects. The bonding bill (**HF3273**) includes a related provision that would appropriate \$3 million to BWSR for the purchase of perpetual easements, and to replace wetlands that are drained or filled as a result of the work on existing local public roads.

In addition to the added exemptions and flexibility, the bill offers more local government control over wetland management. Local governments would adopt wetland protection and management plans which, after review and approval by BWSR, would replace the strict rules that now must be followed. The measure also would set forth two programs to encourage local governments to preserve high priority wetlands: a modified tax exemption program and an easement program for the protection of at-risk wetlands.

The bill also calls for an analysis and recommendations on how wetlands regulations affect property values, and to determine levels of compensation for landowners who

have suffered losses as a result of wetlands regulations.

To help those with questions on the complex wetlands laws and regulations, a toll-free number and a local government integration program to offer assistance to landowners would be established if the bill becomes law.

## Environmental projects vetoed



The environment and natural resources appropriations bill was signed into law, but was stripped of \$215,000 by Gov. Arne Carlson's line-item vetoes.

The \$10.3 million law funds a variety of proposals relating to agriculture, natural resources, and the environment.

Carlson vetoed four projects:

- \$150,000 for the Minnesota Institute for Sustainable Agriculture. Carlson said the appropriation is a "premature funding proposal." He said there have been "many concerns raised by the agricultural community as to the necessity of this program based on the project's extremely broad charge." The program is also "duplicative of current university and state programs," according to Carlson.
- \$25,000 for the Wabasha County extension service. The governor said the funding for the "Wabasha County extension service for a pilot program to assist retiring farmers is also duplicative of the already established Passing on the Farm program which receives funding in this bill." Carlson added that "before expanding this program into other areas, the success of the Passing on the Farm program should first be evaluated."
- \$20,000 for the Environmental Quality Board to study environmental justice. According to the governor's veto message, "the appropriation for the environmental justice study is insufficient to fund a full examination of all the issues called for in the study." Carlson said that "to undertake extensive examination of all of these issues would be costly and cannot be supported by the current appropriation for the Environmental Quality Board. Furthermore, he added, the board, "through its current authority, has mechanisms in place to address issues of environmental justice."
- \$20,000 for the Minnesota Dairy Producers Board. Carlson said this appropriation was "unnecessary," noting that the "Department of Agriculture has been involved in the activities that would become the re-

sponsibility of the proposed dairy producers board. Furthermore, the governor said, "substantial opposition has been raised from within the dairy industry with regard to this proposal. Consequently, there is no need for a state sanction or appropriation for this activity."

The proposal was sponsored by Rep. Chuck Brown (DFL-Appleton) and Sen. Steve Morse (DFL-Dakota),  
HF3231/SF2167\*/CH407



## FAMILY

### Foster children, adoption



Effective April 3, 1996, a new law will bring Minnesota's foster care and adoption laws closer to conformity with new federal standards.

The federal Multi-ethnic Placement Act, which Congress approved in 1994, prohibits agencies from using race, color, or national origin as the sole criteria for denying or delaying placement of foster and adopted children. The new law amends the Minnesota Heritage Act to bring it into compliance with federal law.

House sponsor Rep. Barb Sykora (R-Excelsior) has said the law will increase efficiency and reduce the costs to counties of foster care and adoption placements. She noted that these improvements will help to bring stability into the lives of the children affected by these laws.

Under the law, agencies cannot delay the placement of children until a household of the same race has been found. In addition, the proposal repeals a law that requires agencies to make special efforts to recruit a foster family of a certain racial or ethnic heritage. Placement of children in households of the same race will be one of several factors that agencies consider, as opposed to previous law that places a priority on same-race placement.

Other provisions prohibit agencies from using race as the sole basis for determining eligibility for the Adoption Assistance Program. This program provides assistance to households adopting children who have been severely neglected, abused, or have major medical problems.

The law also establishes an appeals process for foster care providers who feel they haven't received the benefits to which they may be entitled.

It also uses statutory definitions of "egregious harm" and "substantial bodily harm"

within the context of the law to specify when children should be removed from the homes of foster care providers.

The proposal was sponsored in the Senate by Sen. David Knutson (R-Burnsville).  
HF2158/SF1885\*/CH416



## GAME & FISH

### Omnibus game and fish



It no longer will be a crime for kids to put sunfish in their home aquariums under a new law.

The law makes a number of changes to the state's hunting and fishing laws.

Under current law, transplanting a game fish from a lake to an aquarium is a misdemeanor, punishable by up to 90 days in jail and a \$700 fine. The new law allows those under age 16 to take by angling "fish for display" in aquariums. The law limits the take to no more than four fish of each species, none of which can exceed 10 inches in length. Not all fish can be taken, however. The law specifies that only largemouth bass, smallmouth bass, yellow perch, rock bass, black crappie, white crappie, bluegill pumpkin seed, green sunfish, orange spotted sunfish, and black, yellow and brown bullheads are permitted.

An amendment that would have allowed adults to take fish for their aquariums was removed in conference committee.

Other provisions in the law will:

- permit full-time students who are non-residents to take big game, except moose, if they buy a resident big game license. Current law allows these students to take only fish or small game;
- require the DNR to seek public input on the allowance to take antlered deer in more than one zone, and whether the license to do so should be extended to archery and muzzle-loader hunters at no additional fee. The DNR must report the results to the Legislature by March 1, 1997; and
- permit the possession of trout or salmon without the purchase of a license stamp on certain lakes where there are no limits and the methods of taking fish go beyond traditional hook and line. Currently, this benefit is given only to anglers with a 24-hour license.

The provisions described above are effective Aug. 1, 1996.

The proposal was sponsored by Rep. Bob Milbert (DFL-South St. Paul) and Sen. Janet Johnson (DFL-North Branch).

HF2799/SF2445\*/CH410



## GOVERNMENT

### No new airport

A bill banning the construction of a new international airport in Dakota County is awaiting action by Gov. Arne Carlson.

The bill (HF3012) would instead expand the existing airport near Bloomington with a new north-south runway designed to reduce flights over Minneapolis. It is expected to cost less than \$1 billion.

The legislation, however, did not authorize the building of a new terminal on the airport's west side.

It also struck down a third parallel runway that would have directed air traffic — and the noise that accompanies it — deeper into Minneapolis. Not only did the bill fail to authorize the third runway, it created extra protection, to prevent it.

Even if the Legislature changes its mind and someday authorizes a third parallel runway, that runway could not be built without the approval of affected cities in the area (Minneapolis, St. Paul, Bloomington, Richfield, Mendota Heights, and Eagan). It requires the Metropolitan Airports Commission (MAC) to sign contracts with each city stating that it will not construct a third runway without the affected city's approval.

If MAC acts in bad faith and fails to negotiate the contracts by Jan. 1, 1997, the airports commission must pay each city with which it fails to sign a contract (property owners would be third-party beneficiaries) twice the amount of money it usually does for airport noise mitigation.

The bill also requires a report on the environmental effects of expanding the airport and requires MAC to spend no less than \$185 million between 1996 and 2002 for sound-proofing homes, schools, and other publicly owned buildings as well as for acquiring property impacted by the noise. Furthermore, the airports commission must sound insulate and air condition four Minneapolis schools and two Richfield schools.

Another provision in the bill prohibits noisy aircraft from using the airport after Dec. 31, 1999. Specifically prohibited would be aircraft not complying with stage 3 noise levels, which means only newer planes or older ones with noise mitigation devices would be allowed.

The bill, sponsored by Rep. Dee Long (DFL-Mpls) and Sen. Ted Mondale (DFL-St. Louis Park), passed the House 94-39 April 2 and the Senate 56-9 the same day.

A separate section of the bill aims to redirect the expansion of the Mall of America in order to keep room available for the expansion of the Minneapolis-St. Paul International Airport and save the airports commission and the city of Bloomington some money.

The bill authorizes the city of Bloomington to transfer a 9-year-old special taxing district east of the mall to the north side of the mall.

To do that, the Metropolitan Sports Facilities Commission would have to be willing to sell its lucrative piece of land on the north side — the Met Center site — for the mall's new development.

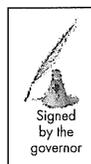
If the sports commission did, it would free up the east side land to help make room for the airport expansion.

Switching the taxing district is necessary because under its current contract with the city of Bloomington, the mall must expand wherever its special taxing district lies.

If the mall continued to expand on the east side and the airport expansion materialized, federal safety rules would come into play and dictate that the mall's east side development be razed because it would be too close to a runway.

Not only would it be a waste, but if the airports commission and the city of Bloomington came in at that time to buy up the already-developed land, the cost of the property would be significant.

### Chicano-Latino council



A new law will bring greater geographic diversity to the Minnesota Spanish-Speaking Affairs Council and change the group's name.

The law, effective April 3, 1996, also increases the number of members on the governor-appointed council from seven to 11, including eight members representing each of the state's congressional districts and three members appointed at large. Two non-voting members from both the House and the Senate also will sit on the council.

The group will now be called the Minnesota Council on Affairs of Chicano/Latino People.

The term "Chicano/Latino" is defined as a person born in or a descendent of people from Argentina, Bolivia, Brazil, Chile, Colombia, Costa Rica, Cuba, the Dominican Republic, Ecuador, El Salvador, Guatemala, Honduras, Mexico, Nicaragua, Peru, Panama, Paraguay, Puerto Rico, Uruguay, or Venezuela.

The council has expressed concern that their seven members do not represent out-state interests. Its current members, who are appointed by the governor, predominantly represent the metro area.

The law also makes minor changes to laws relating to the Council on Black Minnesotans, the Indian Affairs Council and the Council on Asian-Pacific Minnesotans.

The proposal was sponsored by Rep. Matt Entenza (DFL-St. Paul) and Sen. Sandy Pappas (DFL-St. Paul).

HF2193/SF1902\*/CH420



Brent Hartzell of Little Canada, who won a downhill skiing medal in the Special Olympics, received congratulations and applause from House members March 29 after speaking to the body about the importance of the program.

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## Recognizing Taiwan

A resolution the Legislature passed calls for the United States to recognize the Republic of China (Taiwan) and asks that it be admitted as a member of the United Nations. The governor filed the resolution without his signature.

The resolution, (HF14) calls for the United States government to consider rendering active support to "expedite the full participation of the Republic of China in the international community."

Rep. Mike Jaros (DFL-Duluth), who sponsored the measure, said Taiwan is the 14th largest trading nation in the world.

The U.S. established full diplomatic relations with the People's Republic of China in 1979. It severed its diplomatic relations with Taiwan but still maintains trade relations.

Copies of the resolution will be forwarded to Congress and other federal offices.

HF14\*/SFnone/Res. 4

## No new council



Gov. Arne Carlson vetoed a bill April 2 that aimed to improve cooperation between state and local government.

The bill called for the creation of a council on intergovernmental relations made up of representatives of the Legislature, the executive branch, counties, cities, townships, and school districts.

Council members would have been asked to study and make recommendations on issues ranging from state mandates on local government to opportunities for consolidation of services between governmental units on the state and local level.

Carlson maintains a new council is unnecessary. The Board of Government Innovation and Cooperation already works on such issues, he said.

"This is a clear case of duplication," Carlson wrote in his veto message. "If the Board of Government Innovation [and Cooperation] is not doing its job, then it should be eliminated as I recommended. But to simply create another council is absurd."

The administration is "ready and willing" to work with units of local government to plan for change and is already doing so, Carlson added.

"There are sufficient existing mechanisms to accomplish the necessary dialogue between levels of government, and my administration would be happy to better facilitate the existing efforts," he wrote.

The proposal was sponsored by Rep.

Howard Orenstein (DFL-St. Paul) and Sen. James Metzgen (DFL-South St. Paul).

HF2782\*/SF2597/CH400



## HEALTH

### MinnesotaCare veto



A bill that would have expanded eligibility for MinnesotaCare, the state's program to provide subsidized health coverage to uninsured residents, was vetoed by Gov. Arne Carlson April 4. The bill also would have made technical changes to health plan regulations.

The bill, sponsored by Rep. Roger Cooper (DFL-Bird Island), would have allowed individual adults and households without children that earn up to 150 percent of the federal poverty level to become insured under MinnesotaCare beginning July 1, 1996.

Currently, single adults and households without children that earn up to 125 percent of the federal poverty level are eligible for MinnesotaCare.

Under current federal poverty guidelines, that means the bill would have made eligible a single adult earning \$11,205 or less, and a two-person household without children earning \$15,045 or less.

The current limits for single adults and two-person households without children, respectively, are \$9,338 and \$12,538.

In his veto message, Carlson said "increases in eligibility for adults must be approached incrementally." The governor stated that he would direct the commissioner of human services "to use her existing authority to expand the eligibility for this population to 135 percent of the federal poverty level effective July 1, 1996. Carlson also suggested that as "the federal government continues to debate their role in providing public health care services, a cautious state approach is prudent in light of future federal reforms."

Sen. Linda Berglin (DFL-Mpls) sponsored the proposal in the Senate.

HF2190\*/SF2106/434



## HIGHER EDUCATION

### Reducing mandates



If there is a foot of fresh snow on the ground and travel is dangerous in Bemidji, the president of the local state university may want to close the campus for the day.

But he couldn't do it on his own. State law says the ultimate decision must be made by officials 220 miles south in St. Paul.

A new state law changes all that and aims to get rid of state mandates that neither bolster education nor improve accountability at state-funded higher education institutions, according to House sponsor Rep. Gene Pelowski (DFL-Winona).

The law grew out of a collaboration between lawmakers, system officials, college students, faculty, and administrators. The goal is to allow higher education institutions to devote more of their energy educating and less time and resources wrestling with unnecessary state regulations.

The law represents a philosophical shift in government's role in the delivery of higher education, according to Pelowski. The state still sets performance expectations for the systems and campuses, but the institutions are given more decision-making authority to meet those expectations.

One example is the simplification of procedures for closing campuses in weather emergencies.

Under the law, officials at Minnesota State Colleges and Universities (MnSCU) system campuses no longer must get approval from the Department of Employee Relations to close a campus because of bad weather.

Most changes are effective April 3, 1996, and include:

- Purchasing by MnSCU institutions is made more efficient and cost effective. Under previous law, campuses had the authority to make purchases only up to \$1,500, and most purchases had to be made through the state Department of Administration. But campus officials have said they often pay the state more than they would pay local merchants for the same products, whether it's toilet paper or computer disks. The law exempts the institutions from state purchasing requirements.
- Many reporting requirements are dropped. Officials from the colleges and universities consider some of the reports currently required to be especially onerous. For example, campuses now must file a report any time refreshments are served at a meeting. The report must list the names of all in attendance and disclose what was served and its cost. The report then must be signed by appropriate campus officials and filed with the Department of Finance. The law exempts the MnSCU system and its campuses from this and many other reporting requirements.
- Proof of immunization mandates are altered to spare colleges and universities a lot

of paperwork. Current law requires that each student produce evidence of immunization in order to register for classes. The new laws stipulates that beginning in 1997 the schools do not have to get immunization records from students who are graduates of Minnesota high schools. Determining if students are properly immunized will be done at the high school level.

- Common calendar requirements now on the books also are changed. A 1995 law required all MnSCU campuses to begin the school year at the same time. The law sought to ease transfers between schools. But some college officials complained the change would complicate local arrangements, such as those between technical colleges and school districts. The new law stipulates that co-located institutions (most often community and technical colleges) must be on the same calendar, but all institutions are otherwise free to set a calendar in the best interests of the students.

Pelowski has said that the collaborative effort to reduce mandates on higher education institutions demonstrates that reform "doesn't have to be a partisan affair."

The proposal was sponsored in the Senate by Sen. Steve Murphy (DFL-Red Wing).

**HF2206\*/SF2143/CH398**

## Higher ed bill signed



A \$14.4 million higher education funding law requires changes in the tenure code for the University of Minnesota academic health center.

The measure provides supplemental funding for the state's higher education institutions, including the University of Minnesota (U of M) and the Minnesota State Colleges and Universities (MnSCU) system. The dollars are available July 1, 1996.

A total of \$9 million is marked for the U of M. The state will spend \$6.6 million to restructure the academic health center, but the money is contingent upon specific performance goals.

The academic health center includes the medical school and dentistry, public health, nursing, and veterinary programs. Funds for the center will be used to improve technology and update curriculum.

Ninety percent of the academic health center appropriation — about \$5.9 million — is contingent on the U of M making changes to the personnel policies in the center.

The law states that the Legislature "requests" the school to pursue changes in the tenure code for the academic health center

without infringing on academic freedom.

Critics say the tenure code is often used as a job protection device that drains resources from academic programs.

Specifically, U of M trustees have to allow for changes in base salary for health center faculty and provide streamlined procedures for their separation.

The remaining 10 percent of the \$6.6 million for the academic health center is earmarked for the University of Minnesota-Duluth (UMD) medical school. But the money hinges on the continued development of the medical school as a rural health center, which aims to produce more medical professionals to serve rural areas.

Under the law, UMD has to expand the training of rural nurse practitioners, pharmacists, physician assistants, and general practitioners. The school also will have to develop electronic links to facilitate video conferences and the transmission of images and other information.

Another \$2 million in the law will be used for interactive communications technology to link academic health center facilities in Minneapolis, St. Paul, and Duluth and other community-based sites.

The law also includes \$5.3 million for the MnSCU system. Most of the money will bolster technology on the campuses.

Under the measure, about \$4.5 million will be made available for grants for the use of technology to improve learning in the classroom.

Grants of up to \$250,000 are to be awarded to state colleges and universities on a competitive basis. A review panel, including faculty, students, and a member of the Minnesota High Technology Council will decide who receives the grants.

Both the governor and lawmakers have established technological upgrades at educational institutions — at all grade levels — as a high priority this year.

Also, the law includes \$800,000 for the U of M and MnSCU to initiate a joint project to coordinate distance learning efforts and improve such programs.

Other provisions of the law:

- provide \$150,000 for the establishment of a statewide on-line library system. The dollars will fund a library planning task force whose goal is to set up an on-line system to serve colleges, public libraries, and public schools; and
- spend \$150,000 to update the technology used in the state's six regional farm business management programs, which aim to help farmers learn business skills and improve profits; and

A total of \$1.5 million to increase living

and miscellaneous allowances in state grants for college students was line-item vetoed by the governor, as was a \$50,000 appropriation to repay college loans for graduates of Minnesota law schools who practice low-paying, public-interest law.

The proposal was sponsored by Rep. Tony Kinkel (DFL-Park Rapids) and Sen. LeRoy Stumpf (DFL-Thief River Falls).

**HF3239/SF2849\*/CH395**

## Grant funds vetoed



Gov. Arne Carlson has line-item vetoed \$1.55 million contained in this year's higher education supplemental funding proposal.

Gone from the proposal is \$1.5 million to increase living and miscellaneous allowances in state grants for college students and another \$50,000 to repay college loans for graduates of Minnesota law schools who practice low paying, public interest law.

"In a time when colleges and universities . . . are struggling to provide quality programs with limited resources, this [\$1.5 million] appropriation is a particularly poor use of state resources," Carlson wrote in his veto message. "Changes in financial aid should be made in the budget year."

Regarding the loan forgiveness grants, Carlson said "Targeted resources and financial aid should be directed to students who are struggling to attend institutions currently, and not to someone who has successfully graduated."

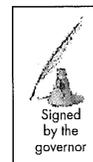
The proposal was sponsored by Rep. Tony Kinkel (DFL-Park Rapids) and Sen. LeRoy Stumpf (DFL-Thief River Falls).

**HF3239/SF2849\*/CH395**



## HOUSING

### Right to privacy



A new law, effective Aug. 1, 1996, eases the requirements of previous law governing the privacy rights of tenants.

The measure changes a 1995 tenant's privacy law that some tenants and landlords have said is too strict, according to House sponsor Rep. Linda Wejman (DFL-Mpls).

Under the law, a landlord or resident caretaker can — without giving notice — enter the apartment of a tenant who is over age 55 to do prearranged housekeeping. Under the 1995 law, landlords are subject to monetary

penalties if they enter an apartment without giving the tenant reasonable notice. Entering for anything other than showing an apartment or doing maintenance tasks also brings a fine under the law.

The proposal was sponsored in the Senate by Sen. Ellen Anderson (DFL-St. Paul).

**HF2242/SF2196\*/CH367**



## HUMAN SERVICES

### Omnibus human services bill

A \$14.8 million health and human services supplemental budget bill containing money for nursing homes and people with disabilities now awaits the governor's signature.

A similar bill was vetoed by Gov. Arne Carlson March 26. A House attempt to override the veto failed by three votes. It takes two-thirds or 90 members in the House to override a veto.

House and Senate bill sponsors then attached a governor-approved version of the bill onto **HF1584**.

Gone from the bill are provisions the governor said did not move quickly enough to transform the state's Medical Assistance program for the poor into a prepaid managed care system.

The governor wants all counties to participate in what is known as the Prepaid Medical Assistance Plan which has been piloted in several counties, including Hennepin, Ramsey, and Dakota, for several years. Each year, increasing numbers of counties participate.

**HF1584** would spend \$5 million on nursing homes and attaches a 30-day residency requirement for some welfare recipients who receive Aid to Families with Dependent Children, MA, General Assistance, or General Assistance Medical Care.

One of the most significant portions of the bill restores millions in cuts made by the 1995 Legislature to two programs that help people with disabilities live independently at home instead of in a group home or nursing home.

Without the \$4.7 million in the supplemental budget bill, hundreds of adults and children with disabilities will lose the help they receive at home that keeps them out of an institution.

Last year, at the urging of Carlson, lawmakers cut a program that provides in-home personal care attendants (PCA) for the disabled. The cuts are scheduled to go into effect July 1, 1996. Other scheduled cuts would hit a program known as TEFRA, which allows the families of children with disabilities to

buy into the joint state and federal Medical Assistance plan. This helps them afford costly medical care that their private insurance doesn't cover.

The 1995 law tightened eligibility requirements and limited some services for both programs. One section required those receiving the help of a personal care attendant to be capable of directing their own care or be cared for by family members or placed in an institution.

Another section reduced by 12.5 percent the maximum number of personal care service hours a recipient may receive.

And still another section directly affected mentally ill adults by eliminating services a PCA could provide. Specifically, the 1995 law cut what are called "prompting" and "monitoring" services. That meant mentally ill adults could no longer rely on a PCA to remind them to take medication, prepare meals, or help them get to and from the psychologist or doctor.

**HF1584** restores those cuts, eliminates the requirement that recipients be able to direct their own care, and reinstates services such as prompting and monitoring.

Rep. Lee Greenfield (DFL-Mpls) and Sen. Don Samuelson (DFL-Brainerd) sponsored the health and human services supplemental budget proposal. Below are some of the other highlights now found in **HF1584**:

### Welfare reductions

Welfare programs would see a \$30 million reduction due not to cutbacks but fewer people needing help. Forecasts used last year to put together the 1996-1997 two-year budget for human services overestimated how many people would participate in public assistance programs.

Reliance on welfare has lessened because Minnesota's job market is in good shape, according to state officials. Also, officials credit MinnesotaCare for keeping more people off welfare. MinnesotaCare is a state subsidized health plan that allows certain low-income families and individuals to buy health insurance at reduced costs.

### Discounted drugs

Another section of the bill directs the departments of health, human services, and administration to develop a plan to provide prescription drugs at discounted prices to individuals 65 and older whose income is below 200 percent of the federal poverty level.

For a family of two, that would have meant an annual income of \$20,060 and for a family of one, \$14,940. The departments are to

submit the report to certain legislative committees by Oct. 1, 1996.

### Adoption assistance

More parents wanting to adopt children with disabilities or other special needs could see some financial help from the state. The bill sets aside another \$1.5 million to help families adopt such children.

### Senior nutrition

The bill marks \$600,000 to expand programs that offer meals and groceries to the elderly across the state. Committee members were told that good nutrition can help keep senior citizens out of nursing homes.

A portion of the money would flow through the Minnesota Board on Aging to local agencies to expand elderly food programs statewide. Another portion would be given directly to local agencies on aging to help pay for such elderly services as the home delivery of meals, groceries, and prescriptions; transportation to supermarkets and congregate dining sites; vouchers for meals at selected restaurants in isolated rural areas; food stamp outreach; and nutrition screening and counseling.

Senior citizens quickly suffer from dehydration and become malnourished if they don't eat properly, proponents have said, adding that minor illnesses can worsen and broken bones take longer to heal due to poor eating.

Home delivery of meals to "shut-ins," as well as congregate meals at senior centers and other sites, are invaluable, they said, noting that they not only keep many seniors healthy, but the latter is especially helpful in getting seniors out and socializing.

### Lead poisoning

Money to help relocate families whose homes are affected by lead poisoning is also part of the bill.

In all, \$100,000 would be appropriated to the Department of Health to help clean up lead. Part of the money would be used to help relocate families whose children or other members are experiencing lead poisoning stemming from sources such as contaminated dirt, water, or paint chips. Affected residents would relocate while their old home undergoes a cleanup.

Another portion of the money would help fund a study of the legal responsibilities for landlords and tenants in the area of lead poisoning and clean up.

### Birth defects registry

The bill would spend \$195,000 to develop a statewide birth defects registry to collect,

analyze, and distribute information on birth defects. The Department of Health is to put the registry together.

According to the department, about 3 percent of babies are born with a birth defect and without a tracking system, it is difficult to isolate causes.

The purpose of the registry is to monitor the trends in birth defects, investigate clusters of birth defects to address concerns with scientific data, identify cases of birth defects for study to establish a cause, increase public awareness, and evaluate the effectiveness of certain prevention programs.

### Restaurant license fees

The bill also contains a proposal to cut license fees for temporary food stands — those at fairs and similar events — that operate seven days per year or less. Those establishments would pay \$60 for an inspection compared to the current fee of \$130. In addition, the bill also sets a \$30 fee for special event food stands with a limited menu.

### CHILD program

The supplemental budget bill would spend \$30,000 on a new child abuse prevention program known as Children Helped in Long-term Development or CHILD.

The measure authorizes the Department of Health, in consultation with the Department of Children, Families, and Learning and the Department of Human Services, to develop a statewide CHILD program using volunteers to promote a child's development in their own home.

The program would match volunteers with families before or soon after a child is born. The volunteer would visit the home and help the family cope with stresses that increase the risk of child abuse.

## Welfare changes

A welfare bill that includes new residency and work-search requirements and requires both caregivers in certain two-parent households on welfare to work was approved April 2 and is awaiting Gov. Arne Carlson's signature.

The vote was 112-22 in the House and 58-6 in the Senate.

Under the bill (HF219), most individuals would have to reside in Minnesota for 30 days before they could receive General Assistance (GA), General Assistance Medical Care (GAMC) or Aid to Families with Dependent Children (AFDC).

The bill also includes \$5 million to help subsidize child care costs for more low- and



Members of the Welfare Rights Committee displayed enlarged checks outside the House chamber March 29 depicting the annual income of an AFDC mother with two children compared to the yearly salary of Gov. Arne Carlson. The group was protesting a welfare bill which they believe is unfair to people on public assistance.

moderate-income families and prohibits welfare recipients from cashing AFDC and GA benefit checks at casinos or other gambling establishments.

In addition, the bill would prohibit private insurance companies from charging a co-payment on "appropriate immunizations" for children ages 6 to 18. Current law already prohibits co-payments for children from birth to age 6.

Under the bill, the Department of Human Services could, to the extent child care funding is available, require both caregivers in a two-parent household to work if they are receiving AFDC and their children are age 6 or older and not in kindergarten.

In all, this provision is expected to affect about 800 families in Minnesota, according to the Department of Human Services.

Assistant Commissioner Deborah Huskins has told lawmakers the provision is necessary to meet federal guidelines. Last year, she said, the federal government warned the state of a maximum \$5 million sanction because not enough two-parent welfare families were working.

Currently, the federal government, which funds the AFDC program jointly with the state, requires 60 percent of two-parent welfare families to work. To date, Huskins said, Minnesota has 37 percent or 1,231 families.

In 1997, the federal requirement jumps to 75 percent, so the state needs to do something to ensure that it can meet that target.

Huskins said the provision would trigger a need for more child care with both caregivers working. To help, the bill sets aside \$450,000

to pay for two-working-parent child care grants.

In addition, the bill would require two-parent families in the Minnesota Family Investment Plan (MFIP) welfare program to find work after receiving assistance for six months. This, too, would apply only to caregivers whose children are age 6 or older and not in kindergarten.

MFIP, a program operating in eight counties, allows families on AFDC to keep more of their earned income while receiving some public assistance. This goal is to help AFDC families become self-sufficient.

Another provision in the bill would allow counties the option of starting up a new jobs program for AFDC recipients called MNJOBS. Along with state agencies, counties would work with local public and private employers and work force councils to operate the employment program.

In counties that choose to use the program, AFDC recipients would be required to participate or face sanctions, such as the loss of their public assistance benefits.

Welfare recipients would complete a face-to-face orientation on the program within 10 days and be advised of their need to work.

Those on AFDC would be required to begin searching for a job within 30 days of the MNJOBS orientation and job hunt for at least 30 hours per week for up to four weeks. People who are working at least 20 hours per week would have to conduct a job search only for 12 hours per week for eight weeks.

AFDC recipients who can't find private or non-government funded employment within

24 months would be referred to a government-subsidized, public jobs program.

The welfare package originally began as **HF2609\*/SF2347** sponsored by Rep. Bob Anderson (DFL-Ottertail) and Sen. Don Samuelson (DFL-Brainerd). Toward the last hours of the 1996 Legislative Session, it was attached to a small bill requiring insurance companies to provide coverage for the treatment of diagnosed Lyme disease.



## INSURANCE

### Omnibus insurance bill

Insurance consumers would have new protections under a bill on its way to the governor.

The omnibus insurance bill (**HF2378/SF1980\***), sponsored by Rep. Tom Osthoff (DFL-St. Paul), received final passage in the House April 1 on a 130-0 vote. The Senate passed the bill March 29 on a 58-5 vote.

The bill would expand a ban on quotas for the sale of certain kinds of insurance. And the measure would provide consumers some protection from predatory sales tactics.

The bill also includes a provision requiring insurance companies to pay for screening for prostate cancer.

Here's a look at major provisions of the bill.

#### Quotas banned

A 1995 law freed independent agents from company-imposed quotas on the sale of certain kinds of insurance. The bill would extend the ban on quotas to many agents who sell directly for one company.

Current law bars insurance companies from requiring independent agents to meet quotas on the sale of certain types or mixes of policies.

For example, companies cannot link an independent agent's right to sell property or casualty insurance, such as homeowner and automobile policies, to quotas on the sale of life and health policies, which are more difficult to sell.

Critics of the quotas claim they can put unreasonable demands on insurance agents and can be detrimental to the service that consumers receive.

The bill would extend the quota ban to include agents who sell exclusively for one company, as long as the agent has been licensed for at least three years.

#### Protecting consumers

Consumers would be provided information about the potential risks involved in replacing an existing life insurance policy or annuity contract.

Predatory sales agents target consumers — in many cases senior citizens — in a practice called churning, which sometimes leaves individuals stripped of their savings and life insurance.

Here's one way it works: A person with a policy of small cash-value is approached by an agent who promises additional life insurance coverage at little or no cost.

What the consumer doesn't know is that the new policy, in some cases, will be paid for by borrowing against the value of the old policy which eats away at the policy's cash value and the death benefit.

When the cash value of the older policy runs dry, the consumer may be forced to pay large premiums or risk having the coverage lapse. In the end, the consumer can lose his or her savings and the insurance as well.

The bill would require life insurers to find out before selling a new policy if it would replace existing coverage.

If so, the insurance agent or company would be required to give the consumer a form discussing the possible disadvantages of replacing existing coverage.

Both the customer and the agent would be required to sign the form. The agent also would have to send the company holding the existing policy notice of the proposed replacement.

#### Insurance choices

Conference committee members attached a provision to the bill that would require all health insurers to offer an old-fashioned option to consumers.

Under the bill, each insurer would have to offer at least one policy that allows the consumer to seek treatment from the doctors of their choice.

Holders of such a policy would not be bound to see doctors within a specific health care system or to follow a system's requirements for specialist referrals.

For group coverage, it would be up to the employer — not individual employees — to decide whether to choose the coverage option.

#### Cancer screening

The bill would require insurance companies to cover prostate cancer screening.

Under the bill, companies would be required, under certain conditions, to pay for a blood test used to identify the disease.

Insurers would have to cover the prostate specific antigen (or PSA) test for all men older than 50 and for men older than 40 who have symptoms of the disease or are in a high-risk group.

The test is already covered by about half of the health insurance companies, according to Rep. David Tomassoni (DFL-Chisholm). He has argued it is too important to be denied to any policyholder.

Mandated coverage of PSA testing passed the House earlier but was not in the Senate bill. Conference committee members agreed to a compromise that will repeal the mandate after two years.

### Lyme disease

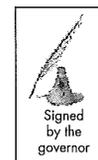
Health insurers in the state of Minnesota would have to cover the treatment for Lyme disease under a bill on its way to the governor.

Sponsored by Rep. Mary Murphy (DFL-Hermantown), the House passed the proposal (**HF219**) April 2 on a 112-22 vote. The Senate passed it on the same day, 58-6.

The disease — a bacterial illness transmitted by the bite of an infected deer tick — affects the skin, joints, and other parts of the body. It can have serious results including chronic arthritis and neurological impairment.

Proponents of the mandate claim it is needed because some insurers won't pay for adequate antibiotic treatment of the disease.

### Protecting employees



Gov. Arne Carlson signed a new law April 3 that aims to protect insurance agents from being fired after contacting the Legislature.

Under previous state law, insurance companies are prohibited from firing agents who contact a state agency or department about a problem.

The new law, sponsored by Rep. Don Ostrom (DFL-St. Peter) and Sen. John Hottinger (DFL-Mankato), would simply make it clear that Minnesota law protects agents who contact anyone in the executive, legislative, or judicial branches.

The new law, effective retroactively to May 18, 1989 (the effective date of the original statute), passed the House March 29 on a 129-0 vote. It passed the Senate the same day, 61-0.

An incident involving insurance agents Gary Kemp and Mary McClure led to the introduction of the legislation this year.

The agents claim they were trying to do the right thing when they backed legislation crafted to protect insurance consumers. It cost them their jobs.

Both long-time agents for American Fam-

ily Insurance, Kemp of West St. Paul, and McClure of Mankato, became active in an effort to pass a legislative proposal that the company opposed.

The agents backed a measure to bar insurance companies from requiring agents to meet quotas on the sale of certain types or mixes of policies. The 1995 Legislature passed a law freeing independent agents from such quotas.

Kemp and McClure were pushing for lawmakers to extend the quota ban to cover agents who sell policies directly for companies such as American Family and State Farm.

American Family said that Kemp and McClure engaged in "conduct prejudicial to the company." On Jan. 11, 1996, the agents were abruptly fired.

HF3052\*/SF2780/CH433



## LAW

### Data practices act

A bill to better protect the identities of students and loosen the red tape when it comes to picking up a library book passed the Legislature and is on its way to the governor.

The bill, sponsored by Rep. Mary Jo McGuire (DFL-Falcon Heights) and Sen. Jane Ranum (DFL-Mpls), is the omnibus data practices bill, which addresses privacy issues and the release of information held by the government. It passed the House by a vote of 121-10 and the Senate, 57-2.

Among its many provisions, the bill (HF2386/SF2410\*) would:

- allow a family or household member to pick up a reserved book at a library on behalf of a patron. Patrons, however, could request that books be released only to themselves. Current law prohibits any release of data that links a patron's name with a particular book;
- allow the release of private welfare data to the Department of Children, Families, and Learning to determine whether children are eligible for free and reduced-price school meals and to help calculate more accurately the number of children receiving Aid to Families with Dependent Children;
- allow the Department of Health or a local board of health to have the current address and telephone number of a welfare recipient to find the person when there is reason to believe the individual is carrying a disease or is at risk of illness;
- expand a 1995 law that states that 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. If they resign or are fired before an investigation is completed, the information also would become public. The bill expands officials covered under the law to include members of boards or commissions required by law to be appointed by the governor or other elective officers and executive or administrative heads of departments, bureaus, divisions, or institutions;
- provide that when a school designates school directory information (information about students that can be released to the

public), it must give students and parents notice that they have the right, under federal law, to refuse to release any information for the directory; and

- authorize the vital records division of the Department of Health to release the name and address of an unmarried mother and her child's date of birth to a family services collaborative. The objective is to connect new families in need with social services.

### Extending the statute

Minnesota hemophiliacs who were treated with HIV-infected blood products and became infected with the virus that causes AIDS would have an additional year to file lawsuits under legislation on its way to the governor.

The proposal passed the House April 2 on a 93-41 vote, having passed the Senate in March.

The bill (HF2453/SF2198\*), sponsored by Rep. Tom Pugh (DFL-South St. Paul), would extend the statute of limitations until June 1, 1997, for affected hemophiliacs.

Hemophilia is a hereditary disorder characterized by excessive, sometimes spontaneous, bleeding. A hemophiliac's blood doesn't carry the clotting factor that enables a non-hemophiliac to stop bleeding after a short time.

In the early to mid-1980s, some of the donated blood that is used to create the clotting factor to treat hemophiliacs was contaminated by the AIDS virus.

In Minnesota, about 110 hemophiliacs and their spouses have died of AIDS-related illnesses acquired through the tainted clotting factor.

Because it sometimes takes years to discover that a person is HIV-infected, the current six-year statute of limitations for filing lawsuits against companies that provided the contaminated clotting factor is not long enough, Pugh has said. His bill adds one more year in those cases.

Not included in the statute of limitations extension are patients who were infected with the AIDS virus through direct blood transfusions. "Transfusion problems did affect certain hemophiliacs, but also society in general," Pugh told the Judiciary Committee earlier this session. "We could more effectively narrow down on this group who used the clotting factor."



Three-year-old Brendan Rice had the best seat in the House on the lap of his grandfather, Rep. Jim Rice, during the floor session March 30.

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## LOCAL GOVERNMENT

### Temporary vacancies



City councils and other local government bodies will be able to fill temporary vacancies in their ranks under a new state law.

The law, effective Aug. 1, 1996, provides a way to replace local elected officials who are unable to serve due to illness or other reasons.

Under the law, the city council, town board, or county board could declare a temporary vacancy after a member has been absent from his or her job for 90 days.

Another person could then be appointed to fill the vacancy until the absent official returns or until the end of the term.

Previous law allows school boards to fill such temporary vacancies.

The proposal was sponsored by Rep. Phil Carruthers (DFL-Brooklyn Center) and Don Betzold (DFL-Fridley).

HF2425/SF2255\*/CH422



## METRO AFFAIRS

### Wastewater charges



A bill to change the way local sewage charges are allocated in the metro area was vetoed by Gov. Arne Carlson.

Under current law, rates for sewage services are set by local governments within the seven-country metro area. The bill would have placed that authority with the Metropolitan Council.

Carlson objected to "stripping" local governments "of their ability to specify sewer access charges" and "unilaterally" shifting that power to the Metropolitan Council.

Carlson also objected because a provision was dropped from the bill during conference committee negotiations that would have limited the cash-flow fund balance of the council. Carlson noted current law requires "this discipline of school districts and local units of government, and this provision should have remained in the bill."

The proposal was sponsored by Rep. Mark Mahon (DFL-Bloomington) and Sen. Carol Flynn (DFL-Mpls).

HF2556/SF2194\*/CH383



## SPORTS

### Gender specific



Women could exclude men and men could exclude women from certain athletic competitions under a new law signed April 2 by Gov. Arne Carlson.

The measure amends the state's Human Rights Act to exclude one gender "if the restriction is necessary to preserve the unique character of the team, program, or event and it would not substantially reduce comparable athletic opportunities for the other sex."

The law arose out of a conflict last year when a man filed a discrimination complaint against the Northern Lights Running Club for Women. The club wouldn't allow him to participate in its annual "Bruegger's Run for the Bagels," an event that includes a 10-kilometer and 5-kilometer race as well as running events for young girls. The spring event has attracted more than 3,000 runners.

When the man's complaint was dismissed, he filed a civil lawsuit against Bruegger's, the Minneapolis Park Board, and the running club, alleging sexual discrimination. Rather than dealing with the "logistical nightmare" of such a changed format and the "philosophical changes," club members canceled the race for 1996.

The new law, effective April 3, 1996, comes in time for an all-women's race to be scheduled this spring. It was sponsored by Rep. Phyllis Kahn (DFL-Mpls) and Sen. Ellen Anderson (DFL-St. Paul).

HF2042\*/SF2015/CH431



## TAXES

### Omnibus tax bill

There will be no state-imposed property tax freeze for 1997, but cabin owners will see a property tax break under a bill on its way to the governor.

The proposal (HF2102), sponsored by Rep. Ann Rest (DFL-New Hope), also gives Northwest Airlines a corporate income tax break and includes a tax refund on unsold pulltabs for charitable organizations.

The bill would cost the state \$5.1 million in fiscal year 1997 and \$41.7 million for the 1998-99 biennium.

Tax cuts for cabin owners will have the largest impact on the state treasury.

Last year, the 2-percent rate on the first \$72,000 in cabin value was cut to 1.9 percent

for taxes payable in 1997. For taxes payable in 1998, it is scheduled to decrease to 1.8 percent. Those changes mean a loss of \$24.1 million in property tax revenue over the 1998-1999 biennium.

Under HF2102, the rate on the first \$72,000 in cabin value would dip to 1.75 percent for taxes payable in 1997. For taxes payable 1998, the rate is reduced to 1.5 percent. The tax revenue lost due to the cuts would be another \$22.4 million, according to preliminary Department of Revenue calculations. Other property tax payers will not see their taxes increase to cover the lost revenue. Instead, the state would pick up the tab in additional homestead and agricultural credit aid (HACA) payments to local governments and increased school aids. These increased subsidies will continue to offset the cabin tax rate cut in future years.

Other major provisions in HF2102 include:

#### Pulltab refunds

An organization that purchases pulltabs and tipboard games could get a refund on unsold tickets under a provision in the bill.

Under current law, the state's 1,575 pulltab and tipboard game operators, whose games must be run by charitable organizations, pay a 2-percent tax on projected gross revenues to distributors of such games.

Rep. Bob Milbert's (DFL-South St. Paul) proposal would appropriate \$2.5 million this biennium and \$10.2 million in 1998-99 to refund taxes paid on unsold tickets.

#### Northwest Airlines break

Northwest Airlines would get a tax break beginning in 1998 under a provision that exempts some "leased movable property" from Minnesota taxes.

The provision modifies how leased movable property is treated in determining business income for corporate income tax purposes.

Currently, receipts from the leasing of movable property, such as airplanes, automobiles, or railroad cars, are accounted for in the state where the lessee is based. Under the provision, such receipts would be accounted for in the state where the property is used. The provision would cost the state \$3.6 million in tax revenue in the 1998-99 biennium.

#### Farm equipment exemption

The current sales-tax exemption on used farm machinery, set to expire in July, would be extended until June 30, 1997. (The tax rate on new farm machinery is 2.5 percent.)

The exemption, which is limited to equipment used in the business of farming, would cost the state \$1.6 million in lost revenue.

### Disabled homeowners

The bill expands the number of disabled homeowners who could qualify for reduced property taxes. Currently, a permanently or totally disabled person must get 90 percent of his or her income from public pension sources in order to qualify for the reduced tax rate of 0.45 percent. Proposals offered by Reps. Rich Stanek (R-Maple Grove) and Bill Macklin (R-Lakeville) would change that. Under the new provisions, private pensions and other financial sources could be included in the 90 percent figure. The bill also includes a \$50,000 annual income cap for those who qualify for the reduced rate. Currently, there is no income limit.

Macklin has estimated that the salary change would disqualify about 26 people currently covered under the rate.

### SCORE taxes

Disparities in the remittance of local waste collection and disposal taxes would be studied but not corrected under a provision in the bill. The provision is scaled back from Rep. Jean Wagenius' (DFL-Mpls) plan to credit counties that paid too much in SCORE taxes and collect from those that have underpaid.

SCORE, which stands for Select Committee on Recycling and the Environment, refers to the taxes counties and local governments pay on public and private mixed municipal solid waste management. There are wide disparities in the amounts of SCORE taxes paid, with some local governments reporting either overpayments or underpayments.

A task force established by the Office of Environmental Assistance would make recommendations to the Legislature on how to improve the collection of the SCORE tax. The office would get \$250,000 for the study.

### Helping foster children

Minnesota foster children would no longer have to pay sales tax on automobiles given to them as gifts by their foster parents.

The provision, sponsored by Rep. Darlene Luther (DFL-Brooklyn Park), expands current law governing motor vehicle sales tax exemptions to include the foster parent-child relationship.

Automobile buyers in Minnesota pay a 6.5 percent sales tax, based on the purchase price of the vehicle, less the value of any trade-in vehicle.

### Motor fuels taxes

Among the bill's mostly technical motor fuel provisions is a measure that clarifies when a tax should be collected on the sale of motor fuel. The provision, which is in response to a recent decision by the U.S. Supreme Court, mandates that the first distributor of motor fuel is responsible for the tax.

The measure aims to protect Minnesota against challenges to the current practice of collecting the motor fuels tax on reservation sales to individuals who don't live on the reservation.

### Special service districts

Cities and towns could establish on their own, special service districts for commercial or housing improvement projects. Currently, local governments must get legislative approval before establishing any special service district.

Such districts allow for additional tax levies to be imposed, with the additional revenue used for housing improvements.

The measure, proposed by Rep. Steve Kelley (DFL-Hopkins), aims to let cities — instead of the state — govern themselves.

The bill also requires a public hearing to be held before such a district is established.

### Iron Range tax sharing

Taconite producers would get some tax relief under a proposal that establishes a fiscal disparities tax-sharing program for the Iron Range.

The program would be modeled after the metro area's fiscal disparities program, which requires municipalities to contribute a percentage of their commercial-industrial tax base growth to an area-wide "pool." The pool is then used to equalize disparities in property wealth per capita between districts.

Areas with strong commercial-industrial growth often subsidize other areas under such a program.

Under the provision, commercial-industrial properties would pay a split tax rate in all of Cook and Lake counties, most of Itasca and St. Louis counties, and a small part of Aitkin, Crow Wing and Koochiching counties. Part of the tax would be based on the local tax rate and the other part would be based on the area-wide rate. Under the proposal, the area-wide portion of the tax rate would not exceed 40 percent of the total tax rate.

### Taconite relief

Koochiching and Carlton counties are among the northern Minnesota areas that would see increased environmental develop-

ment grants under a provision to help the Iron Range.

Under a provision aimed at the Iron Range economy by Reps. Steve Sviggum (R-Kenyon) and Tom Bakk (DFL-Cook), the share of taconite tax revenues paid to the Iron Range Resources and Rehabilitation Board (IRRRB) would be increased. Currently, the revenues from 1 cent per ton of the production tax on mining companies goes to the board. The bill increases the amount to 1.5 cents. The increase would cost \$200,000 this biennium and \$400,000 in 1998-99.

The IRRRB was established in 1941 to encourage economic diversification on the Iron Range.

### Performance goals

Cities and towns could either increase or decrease their share of state aid by setting performance goals. Rep. Andy Dawkins' (DFL-St. Paul) measure would require that cities establish "performance measures" in order to get aid from a newly established "performance aid" fund. The measure aims to increase the accountability of local governments by requiring cities and towns to adopt goals and work toward them.

The current homestead and agricultural credit aid (HACA) program would be modified to create the performance aid fund. Currently, cities and counties receive \$2 per capita from HACA. Under Dawkins' measure, HACA payments to cities and counties would be reduced by \$1 per capita and would be adjusted for inflation. The measure would cost \$2.2 million in the next biennium.

### School referendums

A measure aimed at reaffirming the state's commitment to "truth in taxation" policy would affect school districts holding bond referendums. Under the provision, county auditors must indicate on a school referendum ballot that approval of a bond issue could result in a higher tax than the school district has proposed.



## TRANSPORTATION

### Omnibus funding bill

A bill that would increase the speed limit on some Minnesota highways is on its way to the governor.

The \$60.3 million transportation funding bill includes a provision to boost the speed limit to 65 mph on rural, divided highways.

The speed limit increase would be only on

roads outside areas with a population of 50,000 or more. And it would be only on four-lane, divided highways with limited access.

The Minnesota Department of Transportation has indicated the change would increase speeds on about 560 miles of such Minnesota highways. (That does not include the more than 700 miles of rural interstate highways where the speed limit is already 65 mph.)

The commissioner of transportation also would have the authority to raise speed limits on other segments of rural, divided highway where it is appropriate according to traffic and engineering studies.

Efforts to increase the speed limit on Minnesota highways come in the wake of the 1995 repeal of federal speed limit mandates.

Supporters of a speed limit hike in the state suffered a setback early in the 1996 Legislative Session when several proposals stalled in a House committee.

But the Senate attached a speed limit increase to a transportation funding bill, and the provision survived conference committee to come to a final vote in both chambers.

The transportation finance bill (HF3137/SF2702\*), sponsored by Rep. Bernie Lieder (DFL-Crookston), won final passage in the House April 2 on a 113-19 vote. It passed the Senate the same day on a 62-2 vote.

It is unclear how Gov. Arne Carlson will respond to the speed limit increase. He had called for any speed hike to be accompanied by an infusion of additional funds to hire more state troopers.

The House rejected a separate bill that would have provided funds for the new troopers.

(The failed bill (HF1404), also sponsored

by Lieder, also called for a 5-cent increase in the gas tax to provide more money for highways. And the measure aimed to use a portion of the sales tax on new vehicles to finance public transit.)

The transportation funding package that eventually emerged from the Legislature would provide funds for highway repair and would set new requirements for receiving a driver's license.

Here's a look at major provisions of the bill.

### Road repair

The bill would provide \$51.4 million to the Department of Transportation largely to be used for highway construction, maintenance, and project engineering.

Carlson recommended spending \$12.8 million less for highway projects.

Under the bill, the transportation department's appropriation also would include \$110,000 for repair of the historic Stone Arch Bridge in Minneapolis and \$100,000 for driver education programs at the St. Cloud State University highway safety center.

Neither of those items were included in the governor's budget recommendations.

### Public transit

Under the bill, a total of \$1 million would be included in the transportation department budget to bolster public transit in greater Minnesota.

Another \$6 million would be dedicated to Metropolitan Council Transit Operations (MCTO) for public transit in the Twin Cities area. But critics argue the money would not

be enough to prevent possible fare hikes and service reductions looming as a result of a MCTO's financial struggles.

### More driving practice

Minnesotans 18 or under would have to have a learner's permit for six months before they would become eligible for a driver's license, under the bill.

Rep. Carol Molnau (R-Chaska), who backed the measure, said young people need more time to learn how to drive before they are allowed to go it alone.

Drivers 18 years of age and younger account for a disproportionate number of traffic accidents, according to Molnau. And, she said, the six hours of behind-the-wheel training required in driver education programs are not enough.

### Designated parents

A symbol placed on a parent's driver's license or state identification card would alert police and health care workers that the parent has designated someone to care for his or her children in times of crisis.

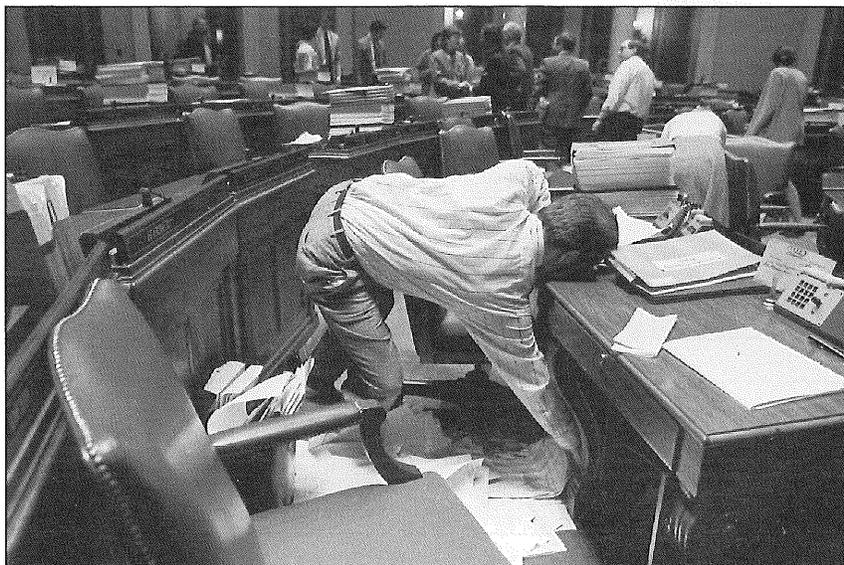
Parents who name another individual as a designated parent to care for their children in the case of an emergency would have to pay a \$3.50 fee to have the symbol placed on their licenses.

Designated parent information would be on file with the Department of Public Safety. The information would be released to law enforcement or health care workers if a parent is unable to communicate and there is a need to contact someone to care for the child or children.

### New dispatchers

The governor sought funds to hire 46 additional state troopers to be included in a \$4.8 million he sought for the Department of Public Safety.

But the bill includes only enough money to hire four additional state patrol dispatchers. The measure would provide \$150,000 for the new positions in a \$1.3 million appropriation to the department.



Mark Olson, a House page, starts the cleanup of the House chamber by pulling out the mounds of discarded paper stuffed between desks. The House adjourned the 1996 Legislative Session sine die at about 1 a.m. April 3.

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regarding *Session Weekly*  
to:

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We thank you for your input.

The editors

# Bills Sent to the Governor

## Bills await the governor's signature . . . or veto

Once a bill has passed both the House and Senate in identical form, it's ready to be sent to the governor for consideration. The governor, who has several options when considering a bill, 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 can have two different effects. The timing of these actions is as important as the actions themselves.

In the second year of the biennium (even-numbered years), a bill passed by the Legislature and presented to the governor before the final three days of the session will become law unless the governor vetoes it by returning it to the Legislature within three days. The gover-

nor normally signs the bills and files them with the secretary of state, but his signature is not required.

But if a bill is passed during the last three days of session, the governor has a longer time to act on it. He/she must sign and deposit it with the secretary of state within 14 days after the Legislature adjourns "sine die" (Latin for adjournment "without a date certain"). If the governor does not sign a bill within this time frame, it will not become law, an action known as a "pocket veto." The governor is not required to provide a reason for the veto.

Only on appropriations bills can the governor exercise the line-item veto authority. This option allows the governor to eliminate the

appropriation items to which he/she objects. As with all vetoes (save pocket vetoes) the governor must include a statement listing the reasons for the veto with the returned bill. Here, too, the timetable is either 14 days after adjournment for bills passed during the final three days of the session, or within three days after the governor receives the bill at any other time.

A two-thirds vote of the members in each house is needed to override a veto. But because only the governor can call a special session of the Legislature, anything vetoed after the Legislature adjourns is history — at least until the next year.

The governor's veto authority is outlined in the Minnesota constitution (Article IV, Section 23).

Chapter	HF	SF	Description	Signed	Vetoed
395**	none	2849*	Omnibus Higher Education Bill	4/1	Line-item
396	2834*	2563	Relating to watercraft; modifying the requirements for operation of a motor boat by a youth.	4/1	
397	2519*	2172	Relating to the environment; increasing the amount of reimbursement available for cleanup of petroleum releases by certain responsible persons.	4/2	
398	2206*	2143	Relating to education; removing mandates from higher education.	4/2	
399	1567*	1441	Relating to public funds; regulating the deposit and investment of these funds, and agreements related to these funds.	4/2	
400	2782*	2597	Relating to local government; providing for creation of an advisory council on intergovernmental relations.		4/2
401	2478*	2372	Relating to consumer protection; restricting the provision of immigration services; regulating notaries public.	4/2	
402	2375*	2073	Relating to local improvements; requiring a report to show the need and cost-effectiveness of local improvements.	4/2	
403	2580*	2409	Relating to game and fish; modifying restrictions for nonresident fish houses.	4/2	
404	2752*	2472	Relating to consumer protection; providing for the licensing and regulation of pawnbrokers.	4/2	
405	2171*	2252	Relating to state government; clarifying powers of the Pollution Control Agency board and commissioner.	4/2	
406	2284*	1948	Relating to family law; regulating reductions in monthly payments for overpayment of support or maintenance.	4/2	
407	2512	2167*	Omnibus Environment, Natural Resources, and Agriculture Bill.	4/2	Line-item
408	3242	2856*	Omnibus Crime Bill.	4/2	

Chapter	HF	SF	Description	Signed	Vetoed
409	2125*	1890	Relating to the environment; allowing the Pollution Control Agency to issue an air quality permit without regard to certain particulate standards.	4/2	
410	2799	2445*	Relating to natural resources; game and fish modifications.	4/2	
411	2041	1872*	Relating to peace officer training; requiring peace officers to undergo training in community policing techniques.	4/2	
412	2156*	1884	Omnibus K-12 Education Bill.	4/3	Line-item
413	2413*	1986	Relating to cemeteries; clarifying procedures for examination of certain accounts and records by the state auditor.	4/2	
414	2369*	2037	Relating to financial institutions; regulating consumer credit.	4/2	
415	2059*	1982	Relating to veterinarians; changing the veterinary practice act.	4/2	
416	2158	1885*	Relating to human services; clarifying foster care payment and placement.	4/2	
417	2319	1919*	Relating to re-employment insurance; making technical changes.	4/2	
418	2590	2116*	Relating to alcoholic beverages; modifying eligibility for manufacturer and wholesaler licenses.	4/2	
419	3123	2720*	Relating to elections; permitting simultaneous candidacy for nomination by major and minor parties with their consent under certain conditions.	4/2	
420	2193	1902*	Relating to several state councils; changing name, membership, and powers.	4/2	
421	2368	2123*	Relating to children; clarifying the procedures peace officers must follow when deciding where to place a child on a health and welfare hold.	4/2	
422	2425	2255*	Relating to local government; providing for certain vacancies in the elected offices of mayor or council member.	4/2	
423	66*	891	Relating to occupations and professions; establishing the board of licensed professional counseling.		4/3
424	1157	842*	Relating to occupations and professions; board of psychology; modifying board duties.	4/2	
425	none	2457*	Relating to public employees; regulating the salaries of certain higher education officers.	4/2	
426	2313	2012*	Relating to highways; designating a part of Highway No. 22 as Victory Drive; designating a part of Highway No. 15 as Veterans Memorial Highway.	4/2	
427	2112*	1987	Relating to the environment; authorizing establishment of municipal individual sewage treatment system and well loan programs.	4/2	
428	2207*	2013	Relating to the environment; adopting changes to the Midwest Interstate Compact on Low-Level Radioactive Waste.	4/2	
429	532*	530	Relating to veterans; proposing an amendment to the Minnesota Constitution permitting the payment of a monetary bonus to veterans of the Persian Gulf War.	4/2	
430	379	317*	Relating to cities; permitting cities to close certain unlawful businesses.	4/2	
431	2042*	2015	Relating to the human rights act; providing certain equal opportunities in athletic programs available on the basis of sex is not an unfair discriminatory practice.	4/2	
432	2101*	2283	Relating to elections; allowing mail balloting in certain elections in additional cities and towns.		4/3

Chapter	HF	SF	Description	Signed	Vetoed
433	3052*	2780	Relating to insurance; clarifying that existing law prohibits insurers from terminating agents as a result of contacts with any branch of government.	4/3	
434	2190*	2106	Relating to health insurance; making technical changes.		4/4
435	2402*	2209	Relating to motor vehicles; abolishing vehicle registration tax exemption for representatives of foreign powers, etc.	4/3	
436	401	302*	Relating to employment; increasing the minimum wage.		4/3
437	2194	1956*	Relating to the environment; providing for an environmental permitting project.	4/3	
438	2417*	2048	Relating to retirement; various Minnesota public pension plans.	4/3	

## In remembrance

Peter Popovich, former House member and chief judge of the Minnesota Supreme Court and Court of Appeals, was an Iron Range success story.

He died March 29 at Midway Hospital in St. Paul as a result of multiple-organ failure. He was 75.

Popovich often credited his Yugoslavian roots and Iron Range upbringing for giving him the strong work ethic and independence apparent throughout his public life.

He was born in Crosby, Minn., and also lived in Aurora and Chisholm while growing up.

"In the Iron Range, the emphasis was on education," Popovich said in a 1988 interview. "Education was the key to getting ahead. More than once I heard my father say, 'Get an education. They can't take that away from you.'"

His father, who came to this country from Yugoslavia at age 15, worked in the iron mines before going on to serve as a Chisholm city official. His mother, a teacher, died when Popovich was 13.

Popovich's path to the Legislature and later to the bench was not an easy one. Aside from the death of his mother, he was afflicted with vision problems serious enough to disqualify him from military

service during World War II. And, he had to overcome a bout with polio in his 20s.

He worked odd jobs including a stint as a dance instructor to put himself through college. He eventually earned a degree from St. Paul College of Law (now William Mitchell College of Law).

Popovich lost his first run for the Legis-

Throughout his career, Popovich was known as a strong advocate for government openness and for First Amendment freedoms.

In 1983, former Gov. Rudy Perpich, a friend and fellow Iron Ranger, picked Popovich to be the first chief judge of the newly created Minnesota Court of Appeals.

Popovich was known as an active administrator who shaped the court into the only intermediate court in the nation with no backlog.

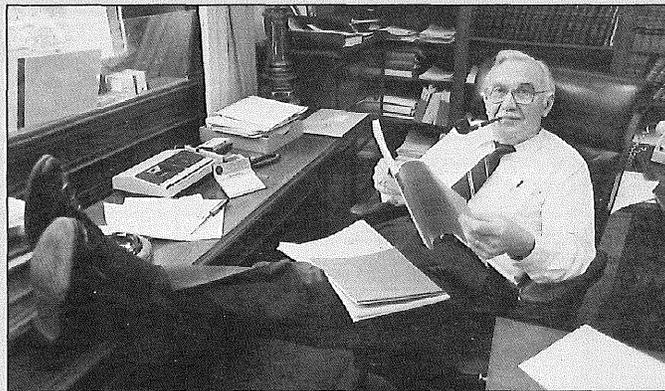
Perpich appointed Popovich to the state Supreme Court in 1987, and Popovich became chief justice in early 1989. He retired from the court in 1990 at age 70.

As the first person from the Iron Range to serve on the Supreme Court, Popovich was

considered a moderate and free thinker on the bench.

Popovich acknowledged that he could be stubborn and demanding, but he considered his determined approach to his work only one part of his character.

"I know the pangs and trauma other people feel. I'm warm. I've got a sense of humor," Popovich said in a 1983 interview. "... You live but once. You've got to do what you think."



Former Chief Justice of the Minnesota Supreme Court Peter Popovich

lature in 1950, but rebounded to win in 1952. He represented his St. Paul district with characteristic tenacity for 10 years.

"I just loved the legislative process — negotiating and drafting bills, negotiating compromises," he said.

His House colleagues named him outstanding freshman legislator in 1953 and most effective legislator in 1959. Among the many bills he sponsored was the state's first open meeting law.

# Bill Introductions

HF3279-HF3293

## Friday, March 29

**HF3279—Murphy (DFL)**  
 Commerce, Tourism & Consumer Affairs  
 Intoxicating off-sale liquor license time of day restrictions modified.

**HF3280—Smith (R)**  
 Rules & Legislative Administration  
 President and Congress memorialized to increase the federal minimum wage.

**HF3281—Jefferson (DFL)**  
 Governmental Operations  
 Public pension benefit accrual rates increased, pension plan financing adjusted, defined contribution early retirement options authorized, and money appropriated.

**HF3282—Orenstein (DFL)**  
 Judiciary  
 Firearms; right to keep and bear arms not abridged and constitutional amendment proposed.

**HF3283—Orenstein (DFL)**  
 Judiciary  
 Firearms; right to keep and bear arms established and constitutional amendment proposed.

**HF3284—Orenstein (DFL)**  
 Judiciary  
 Firearms; right to keep and bear arms for certain purposes not abridged and constitutional amendment proposed.

**HF3285—Orenstein (DFL)**  
 Judiciary  
 Firearms; right to keep and bear arms not abridged and constitutional amendment proposed.

**HF3286—Orenstein (DFL)**  
 Judiciary  
 Firearms; right to keep and bear arms not abridged and constitutional amendment proposed.

**HF3287—Jennings (DFL)**  
 Regulated Industries & Energy  
 Electric utility service provider service connection provisions modified.

**HF3288—Orenstein (DFL)**  
 Environment & Natural Resources  
 Hunting and fishing rights affirmed and constitutional amendment proposed.

**HF3289—Orenstein (DFL)**  
 Environment & Natural Resources  
 Hunting and fishing rights affirmed and constitutional amendment proposed.

**HF3290—Orenstein (DFL)**  
 Environment & Natural Resources  
 Hunting and fishing rights affirmed and constitutional amendment proposed.

## Saturday, March 30

**HF3291—Jaros (DFL)**  
 Environment & Natural Resources  
 Minnesota Point; Duluth federal land conveyance legal status report required.

**HF3292—Murphy (DFL)**  
 Taxes  
 City aid base definition modified for local government aid purposes.

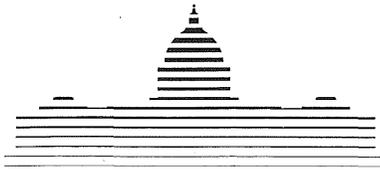
**HF3293—Osskopp (R)**  
 General Legislation, Veterans Affairs & Elections  
 Persian Gulf War veteran monetary bonus payment permitted, and constitutional amendment proposed.

## Frequently called numbers

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Majority Leader: Phil Carruthers  
Minority Leader: Steven A. Sviggum

## MINNESOTA INDEX

### Women in the U.S. and Minnesota

Year that the U.S. Congress designated March as Women's History Month .....	1987
Nationwide, private sector managerial jobs held by women, 1992 .....	3 in 10
professional jobs held by women .....	1 in 2
Percent of K-12 principals, nationwide, who were women, 1975-76	
school years .....	12.8
in 1992-93 .....	37.3
Number of women veterans in Minnesota .....	15,812
Minnesota women in the armed forces .....	381
Percent of adult women in Minnesota who are living in poverty	
(according to federal poverty guidelines) .....	11
percent of adult men living in poverty .....	7.5
Minnesota senior citizens who live alone .....	167,001
women .....	132,219
men .....	34,782
Minnesota women who were single, 1900 .....	1 in 3
in 1990 .....	1 in 4
Ratio of marriages to divorces, 1930 .....	8:1
in 1990 .....	2:1
Percent increase in the number of unmarried women giving birth, 1980-1990	100
Nationwide, percent of women with a bachelor's degree, 1990 .....	14
in Minnesota .....	17
Percent of men in Minnesota with a bachelor's degree, 1990 .....	17
Median annual income, all Minnesota families, 1990 .....	\$36,916
female heads of families .....	\$18,199
in Aitkin County, lowest in Minnesota .....	\$9,168
in Washington County, highest in Minnesota .....	\$24,383
Percent of women in the seven-county metro area working full-time .....	62
percent of non-metro women working full-time .....	38
Women as a percent of the labor force, 1900 .....	14.9

Source: Legislative Commission on the Economic Status of Women; *Indicators of Equal Employment Opportunity — Status and Trends*, U.S. Equal Opportunity Commission.

### For more information



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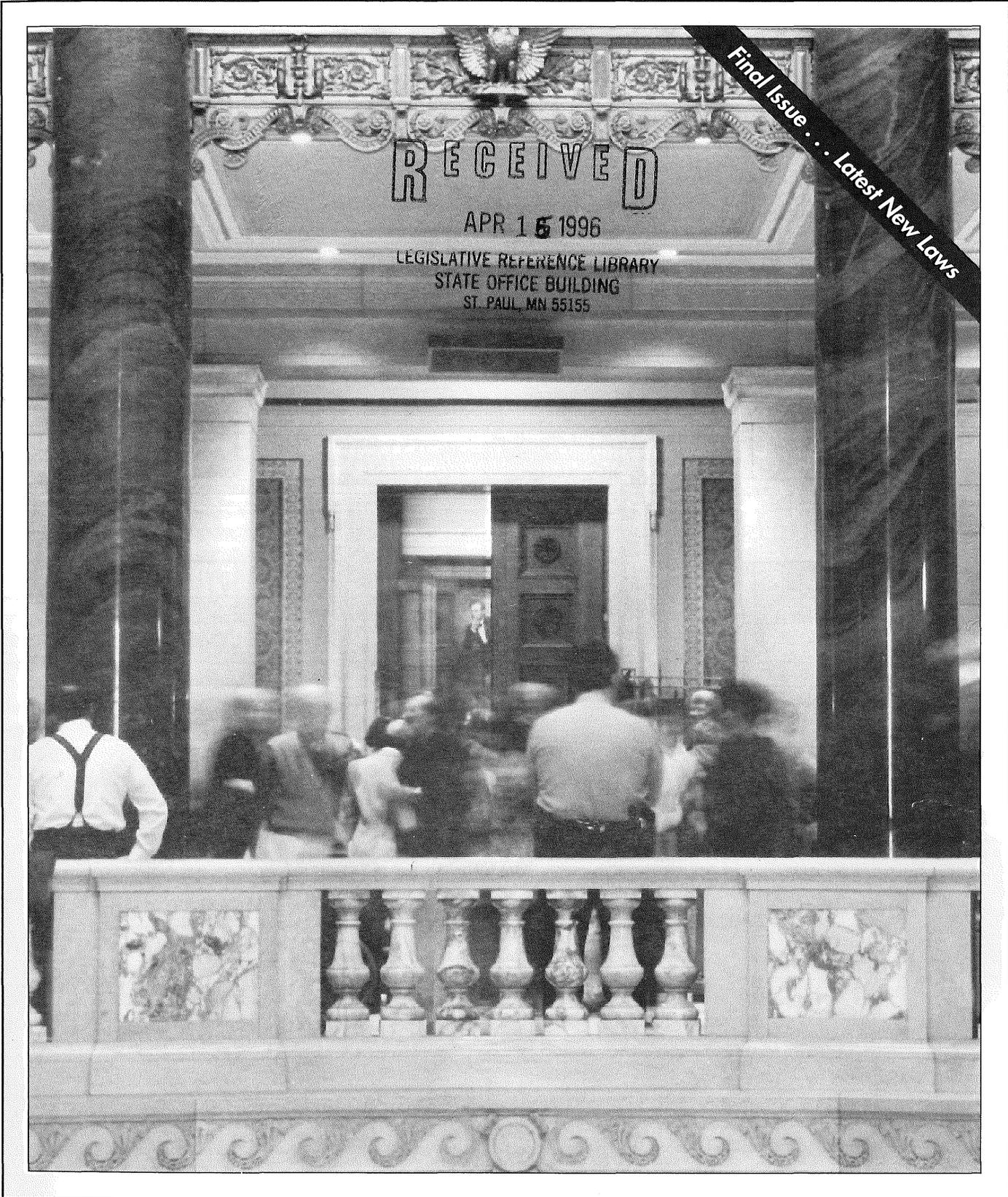
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# SESSION WEEKLY

A Non-Partisan Publication of the Minnesota House of Representatives ♦ April 12, 1996 ♦ Volume 13, Number 13



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# SESSION WEEKLY

Minnesota House of Representatives • April 12, 1996 • Volume 13, Number 13

## Session at a glance

- Capital projects approved** — A \$522.8 million bonding bill pending before the governor would provide funds for construction and repair of public facilities around the state. .... **Page 4**
- Penalties and prevention** — A \$17.4 million proposal to fund corrections, crime prevention programs, and more police officers on the streets, in neighborhoods, and in schools has been signed by the governor. .... **Page 7**
- Omnibus education bill** — A new law signed by the governor will infuse \$31.7 million into Minnesota's public schools largely to bolster technology in classrooms and programs directed at disadvantaged children. .... **Page 14**
- Omnibus DWI** — A bill now pending before the governor would make it illegal for citizens to drive an automobile or fly an airplane with any amount of certain controlled substances in their systems. .... **Page 14**
- Environmental funding** — A \$10.3 million environmental budget package that increases state park fees and sets aside \$1.3 million for an off-road vehicle park in Gilbert, Minn., has been signed into law. .... **Page 18**
- Wetlands changes** — The lengthy debate between legislators, local officials, farmers, and environmentalists over wetlands has ended in a compromise that now awaits action by the governor. .... **Page 19**
- State government finance law** — The governor has signed a \$9.5 million state government omnibus bill into law that includes an increase of \$2.1 million for a statewide computer system and \$300,000 more for the Department of Human Rights. .... **Page 22**
- Higher ed bill signed** — A \$14.4 million higher education funding law requires changes in the tenure code for the University of Minnesota academic health center. .... **Page 24**
- Omnibus human services bill** — A \$14.8 million health and human services bill containing money for nursing homes and people with disabilities now awaits the governor's signature. .... **Page 26**
- Omnibus tax bill** — There would be no state-imposed property tax freeze for 1997, but cabin owners would see a property tax break under a bill now being considered by the governor. .... **Page 32**
- Omnibus transportation bill** — The \$60.3 million transportation funding bill, which awaits the governor's signature, includes a provision to boost the speed limit to 65 mph on rural, divided highways. .... **Page 34**

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On the cover: Lobbyists, lawmakers, and onlookers scurry about the Capitol during the last hours of the 1996 Legislative Session.

— photo by Andrew Von Bank

# Highlights

**Editor's Note:** Through Thursday, April 11, the governor had taken action on all but 12 of the 206 chapters (and one resolution) sent to him by the 1996 Legislature. He has vetoed 20 of those bills (16 outright vetoes and four line-item vetoes).

The bills still pending (Chapters 439-471) include this year's bonding bill, several omnibus bills, and the long-awaited wetlands compromise proposal.

A complete accounting of bills passed by the Legislature, and their status, can be found on page 43. Short summaries of each vetoed bill, including the reasons for the governor's action, begin on page 36.

This edition of Session Weekly is a preliminary summary of some of the major issues addressed by the Legislature this year. A more comprehensive summary, New Laws 1996, will follow.



## AGRICULTURE

### A vote on canola

A new state law, effective Feb. 29, 1996, allows another vote before the 1996 harvest to determine whether to create a Minnesota canola council.

That's good news for farmers who pushed for a referendum on the issue only to see it fail by a narrow margin in the fall of 1995.

Many blamed the initiative's failure on the Department of Agriculture's choice to schedule the vote in the middle of the harvest season.

Voter participation was low and many were disappointed with the results.

State law mandates that another referendum vote cannot be held until a year after the previous failed ballot issue was held.

The new law makes an exception for the proposed canola council by requiring that only six months pass before another vote on the matter.

Without the exception, growers would have faced another harvest time vote on the canola council or further delay on the issue.

If approved, the canola council would become one of more than a dozen state commodity councils created to guide research and promotion efforts.

Canola is a specialty grain crop used mainly for oil products such as cooking oil.

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

HF2454/SF2111\*/CH290



## BANKING

### Payday loans

Effective April 3, 1996, a new banking law alters regulations for "payday loans."

The 1995 Legislature passed a law permitting such small, tightly

regulated, short-term consumer loans.

That law capped interest rates and other charges for "payday loans," named for the paycheck-to-paycheck consumers they were crafted to benefit.

Previously, the loans could be for no more than \$350 and required a 30-day term. But the loans have attracted little interest among lenders.

The new law aims to change that by giving lenders more flexibility. It allows such loans to be offered for terms of less than 30 days.

Another provision in the law affects homeowners who pay for mortgage insurance coverage.

Mortgage insurance to protect against default is required of many borrowers who put down less than 20 percent on their mortgages.

The law stipulates that mortgage insurance no longer should be required if the borrower has paid a specified percentage of the principal and met other conditions such as making monthly payments on time.

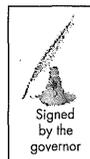
The measure also requires lenders to provide annual notice to consumers that they may be eligible to drop private mortgage insurance policies.

The requirements are the result of some lawmakers' concerns that borrowers often continue to pay for mortgage insurance long after it is needed.

Conference committee members removed from the bill a provision earlier approved by



Signed by the governor



Signed by the governor



State leaders, left to right, House Minority Leader Steve Sviggum, Gov. Arne Carlson, Speaker Irv Anderson, and Majority Leader Phil Carruthers, briefed

the public on the 1996 Legislative Session in two separate news conferences as the session drew to a close.

the House that would have allowed Minnesota financial institutions to charge up to 21.75 percent interest annually on credit cards.

Current state law caps the credit card interest rate for Minnesota financial institutions at 18 percent.

The catch is that federal law does not allow the state to limit the interest on credit cards issued to Minnesotans by financial institutions in other states. And most other states allow higher interest rates than Minnesota currently does.

As a result, very little issuing of credit cards is done in the state. Most Minnesota banks that do offer credit cards make arrangements with out-of-state financial institutions so higher rates can be charged.

Supporters claimed that allowing a higher interest rate would have simplified business for Minnesota financial institutions and created more credit card industry jobs in the state.

The proposal was sponsored by Rep. Don Ostrom (DFL-St. Peter) and Sen. James Metzen (DFL-South St. Paul).

HF2369\*/SF2037/CH414



A \$522.8 million bonding bill pending before the governor would provide funds for construction and repair of public facilities around the state. Among the projects slated for funding are repairs to the state Capitol, a new prison in Rush City, Minn., and a new library at St. Cloud State University.

#### **New prison**

A total of \$89 million would be used to construct and equip a maximum-security facility to house 800 inmates.

The bill also includes a provision calling for the corrections department to consider an alternative design that would allow double-bunking in one of the new prison's six residential sections. That would push the total occupancy of the facility to a maximum of 952 inmates.

In 1994, the Legislature spent \$2 million to design plans for the new prison. Originally, it was slated for Braham, Minn., but environmental issues such as the impact on area wetlands pushed the project east to neighboring Rush City, about 50 miles north of the Twin Cities.

#### **Science museum**

The Science Museum of Minnesota's plans to construct a new museum on St. Paul's riverfront would get a major boost from the state.

The bill would devote \$30 million to the effort to build a new science museum in downtown St. Paul. But the museum must

garner \$59 million in funding from other sources before the state money is released.

The city of St. Paul already has promised to acquire the land for the museum and provide \$14 million. The remainder of the \$96 million price tag would come from private donors.

The science museum project is considered by many as a crucial step toward the effort to revitalize St. Paul. The new facility would be built along the river bluff east of the Civic Center parking ramp in downtown St. Paul.

#### **State colleges**

Under the bill, \$93.9 million would be devoted to the Minnesota State Colleges and Universities (MnSCU) system.

A total of \$29.5 million earmarked for a new library at St. Cloud State University would account for a good share of the MnSCU bonds.

The bill also would spend \$10.4 million on major renovations at Anoka-Ramsey Community College, \$3.6 million to construct a dormitory at Fond du Lac Community College, and \$4.5 million for the merger of the Hibbing community and technical colleges on the community college campus.

#### **University of Minnesota**

The University of Minnesota would receive a total of \$93.8 million for construction and repair projects.

A total of \$38.5 million would be used to construct a new library access center on the U of M's main campus. The facility is expected to serve as an information hub for libraries in Minnesota.

The building would house the university's special collections and archives and would store less-used materials from other libraries.

The bill also would spend \$12 million to revamp Haecker Hall, a 1923 building housing the animal science department on the St. Paul campus, and \$9 million to renovate the architecture building on the Minneapolis campus.

Another provision marks \$6.5 million for the U of M's academic health center, which includes the medical school and dentistry, nursing, public health, and veterinary programs.

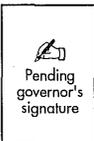
The money would be used to construct a new building for the magnetic resonance imaging (MRI) program and to remodel space for the molecular and cellular therapeutics program.

#### **After-school enrichment**

The bill includes \$16 million to support after-school enrichment programs for children in grades four to eight.

## BONDING

### **Capital projects approved**



A \$522.8 million bonding bill pending before the governor would provide funds for construction and repair of public facilities around the state.

Under the bill, the state would spend \$89 million to build a new prison in Rush City, Minn.

Bond revenue would be used to build a \$29.5 million library on the St. Cloud State University campus and to construct a \$38.5 million library access center on the University of Minnesota-Twin Cities campus.

Another \$30 million would be devoted to construction of a new home for the Science Museum of Minnesota in St. Paul.

The bill would allow the state to sell bonds to raise revenue for public works projects across the state.

More than \$1.3 billion in bond funding was requested this year by state agencies, local governments, and lawmakers.

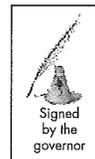
The proposal was sponsored by Rep. Henry Kalis (DFL-Walters).

HF3273\*/SFnone/CH463

The major projects include:



**Omnibus liquor**



Signed by the governor

More free liquor samples, wine tastings, and wine service at bed and breakfasts will be available under a new law sponsored by Rep. Jeff Bertram (DFL-Paynesville) and Sen. Sam Solon

(DFL-Duluth).

The law includes changes to current laws governing liquor licenses and warnings posted in the state's liquor establishments.

**HF2590/SF2116\*/CH418**

**Warnings**

Effective Aug. 1, 1996, the law increases requirements for warning signs that must be posted in retail and municipal liquor stores.

Currently, liquor store owners must post notices notifying customers of the state's penalties for driving while intoxicated and underage drinking. Under the new law, liquor retailers are required to post a single sign in a conspicuous place that includes those warnings plus a warning about the consequences of drinking alcohol while pregnant.

**B and Bs**

Effective April 3, 1996, the law allows Minnesota bed and breakfast facilities to give guests two complimentary glasses of wine per day. The drinks can be up to 4 ounces each and are to be consumed on the premises. The owners need not obtain an on-sale liquor license for that purpose (although, owners would have to register with the state's public safety commissioner).

A bed and breakfast facility, as defined by the new law, is a place of lodging that provides no more than eight rooms for rent and no more than 20 guests at a time. The law also allows the operators of such facilities to live in a building on the same property as a bed and breakfast. The original bill would have required guests to stay in the owner's personal residence.

**Free samples**

Free liquor and beer samples are more abundant under the new law. New provisions allow liquor stores, effective April 3, 1996, to give customers free samples of hard liquor in containers up to 15 milliliters. The law currently allows free samples of wine, beer, cordials, and liqueurs. The law also allows brewers to furnish restricted amounts of beer to off-sale retailers for samplings.

Grants would be issued to improve or construct parks and buildings which, in turn, would be leased to non-profit community organizations running programs that help at-risk children.

A total of \$5 million in grant funds would be used in Minneapolis and another \$5 million would go to St. Paul. The remaining \$6 million would be used in suburban and rural areas with high concentrations of students on free and reduced-price lunch programs.

**Capitol repairs**

The bill includes \$7.4 million for repair and renovation of the State Capitol.

A total of \$4.8 million would pay for replacement of corroded support structures under the terraces that ring the Capitol.

Serious damage to the supports was discovered during 1994 construction of accessibility ramps at the south carriage entry on the Capitol's ground floor.

Another \$1.4 million would be used to repair failing stone structures in the lantern, the 39-foot tall columned structure atop the Capitol dome.

Topped by a gold gilded roof and ornamental ball, the lantern features 12 columns clad with marble and precast concrete panels. Inspections conducted during 1994 and 1995 revealed serious cracking in the stone and marble slabs and in the joints between them.

And \$1.2 million would be devoted to the renovation of the building's cafeteria (once a unique spot fashioned after a German rathskeller).

**Radio communication**

The bonding bill includes \$15 million for a metropolitan-area public safety radio communications system that would allow all metro public safety personnel to communicate through a common radio link.

Bond money would be used to assist in construction of the backbone of the system, including radio towers, transmitters, and the computers needed to run the system.

The \$15 million would cover just a share of the system's total cost. In 1995, the Legislature passed a bill creating a Metropolitan Radio Board under the Metropolitan Council and allowing the council to issue up to \$13 million in bonds to assist in the construction of the system.

The Metropolitan Council won't issue the bonds without a guarantee of state participation.

Currently, communication among police, fire, and ambulance personnel (as well as state public safety units like the highway patrol) requires patching across several sys-

tems, making it difficult for separate public safety units to talk with one another.

**Ice arenas**

The bonding bill would provide \$8 million for ice arenas as part of a program known as "Mighty Ducks."

The Minnesota Amateur Sports Commission would get \$6.5 million for grants to local communities for construction of new ice arenas. An additional \$500,000 would be for grants to renovate arenas that are at least 20 years old.

Another \$1 million would be available for construction of a national curling center on the Iron Range if the project is endorsed by the U.S. Olympic Committee.

The "Mighty Ducks" program was initiated by a 1995 law to expand opportunities for girls and boys participating in winter sports such as hockey and figure skating. (The name is taken from a movie about a group of misfit, young hockey players.)

Also, the bill includes \$7 million for construction of a new ice sheet for women's hockey at the U of M. The new facility would be adjacent to Mariucci Arena on the university's main campus.

**Convention center**

The bill includes \$12 million for the planned expansion of the Minneapolis Convention Center, much less than what the city is seeking in state aid.

Minneapolis requested \$33.8 million from the state to help finance an expansion project expected to carry an eventual cost of \$162 million. The governor recommended lawmakers include no money for the project in this year's bonding legislation.

**Training workers**

Finally, the bill calls for a \$5 million general fund appropriation for a robotics training facility at the Ford Motor Co. assembly plant in St. Paul.

Ford and United Auto Workers Local 879 requested the funds for the facility, which would be used to provide technical training in the use of robotics and other subjects.

**Send e-mail comments regarding  
Session Weekly to:**  
[session@house.leg.state.mn.us](mailto:session@house.leg.state.mn.us)  
We thank you for your input.  
  
The editors

## Wine tastings

More wine tasting events are likely to occur under the new law. Effective Aug. 1, 1996, it allows the events at on-sale locations where no charitable organizations are participating, or at locations that are for designated charities, but where the tastings are primarily for educational purposes. Current law strictly regulates wine tastings that are associated with charitable, religious, and nonprofit organizations. The new provision clarifies that restrictions, such as not being allowed to take orders for off-premises consumption, do not apply to tastings sponsored by on-sale establishments that meet the above criteria.

## Liquor on the river

The mighty Mississippi and the St. Croix rivers will now join Lake Superior in accommodating tour boats that sell liquor. The law, effective April 3, 1996, allows tour boats on the St. Croix and Mississippi rivers to receive on-sale liquor licenses between May 1 and Oct. 31. Currently, only tour boats on Lake Superior are allowed to receive such licenses.

## Regulating pawnbrokers



A new law, effective Aug. 1, 1996, establishes minimum standards for cities and counties to regulate the state's 150 pawnbrokers.

Under current state law, cities and counties have the option of whether to regulate pawnbroker operations. Under the new law, municipalities are allowed to set stricter standards for pawnbrokers.

"This gives a basis for many cities to provide a floor," Greg Brooker, an assistant Bloomington city attorney, told lawmakers in committee testimony. He noted that Bloomington, Minneapolis, St. Paul, and other Minnesota cities have "very strict" pawnbroker ordinances already in place.

Among the provisions of the law, pawnbrokers are required to apply for and receive a license from the city or county in which they do business. Also, the city or county can revoke a pawnbroker's license and must then notify the appropriate law enforcement agency of such a revocation.

Additionally, to obtain a license, a pawnbroker must: be at least 18 years old; cannot have been convicted of any crime directly related to the pawnbroker business, unless he or she showed "competent evidence of sufficient rehabilitation"; and be of "good moral character or repute."

Concerned about compulsive gamblers,

lawmakers also included a provision that prohibits any pawnshop from locating within 10 miles of a gambling casino.

The proposal was sponsored by Rep. Darlene Luther (DFL-Brooklyn Park) and Sen. Len Price (DFL-Woodbury).

HF2752\*/SF2472/CH404

## Playing our song



A new state law puts some order in the process by which performing rights societies enter into contracts with businesses that play their music for commercial gain.

Under federal copyright laws, there is a royalty charge for playing copyright-protected music for commercial gain in bars, hotels, restaurants, and other businesses. This charge and the manner of its collection has been the cause of many disputes over the years, according to business owners and artist representatives.

The law prohibits societies such as the Broadcast Music, Inc. (BMI), SESAC, Inc., and the American Society of Composers, Authors and Publishers from attempting to collect rates that are higher than those set forth in contracts. Under the law, the copyright holders have to provide the schedule of rates and the list of works that are covered by the contract at least 72 hours before entering a contract. Representatives of societies also must identify themselves to proprietors upon entering affected establishments.

The law does not apply to contracts between copyright owners or performance societies and broadcasters licensed by the

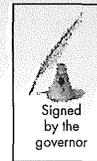
Federal Communications Commission or to contracts with cable operators, programmers, or other transmission services. Musical works for karaoke performances are exempt as well, according to the law.

The law, sponsored by Rep. Tom Pugh (DFL-South St. Paul) and Sen. James Metzen (DFL-South St. Paul), is effective Aug. 1, 1996.

HF732\*/SF950/CH336

## CHILDREN

### Kids and boats



A new law aims to improve safety on Minnesota lakes by keeping young children away from the controls of high-powered watercraft.

Under the law, effective May 1, 1996, children under 13 are prohibited from operating personal watercraft, or Jet Ski-style machines. Effective Jan. 1, 1997, children under 12 are barred from operating motorboats of more than 75 horsepower.

The law, sponsored by Rep. Kris Haskamp (DFL-Crosby), also prohibits children under 12 from operating boats from 25 to 75 horsepower unless there is someone 21 or older within immediate reach of the controls. Those children would be allowed to operate boats of less than 25 horsepower without supervision. The changes are effective Jan. 1, 1997.

The law comes in response to a 1995 boating accident that claimed the life of 10-year-old Aaron Sahli of Ham Lake, Minn.

Aaron was riding in a pontoon boat on a



A new law aims to improve safety on Minnesota lakes by keeping young children away from the controls of high-powered watercraft. Under the law, effective May 1, 1996, children under 13 are prohibited from operating personal watercraft, or Jet Ski-style machines. Effective Jan. 1, 1997, children under 12 are barred from operating motorboats of more than 75 horsepower.

Crow Wing County lake last Memorial Day when the pontoon was struck by a 175-horsepower boat being driven by an 8-year-old boy.

The father of the 8-year-old was in the speedboat but was not at the controls.

Current law allows children under 12 to operate boats of less than 30 horsepower. They can operate more powerful boats as long as an adult is on board.

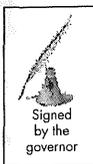
The proposal was sponsored by Sen. Janet Johnson (DFL-North Branch) in the Senate.

**HF2834\*/SF2563/CH396**



## CONSUMERS

### Ethanol compromise



Classic car owners and snowmobilers will be able to buy ethanol-free premium gasoline at gas stations throughout Minnesota under a new state law.

Effective March 22, 1996, the law allows gasoline without ethanol to be sold at airports, resorts, and marinas. Gas stations statewide also can have one pump for ethanol-free premium gasoline.

The law requires gas station pumps to be labeled to inform consumers that the ethanol-free gas is for use only in classic cars, motorcycles, boats, snowmobiles, lawnmowers, and other machines with small engines.

The law comes on the heels of an extended battle between ethanol's supporters, including corn farmers and ethanol producers, and its detractors, including classic car enthusiasts and at least one major oil company.

Existing state law requires all gas sold in the metropolitan area to contain a certain amount of oxygen, and beginning in October 1997, all gas sold in the state was to have met the oxygen requirements.

(Use of ethanol is not mandated, but the corn-derived product is the most common oxygenation agent used in the state.)

But the new law provides a limited exception to the oxygen standards.

Ethanol proponents argue that adding ethanol or another oxygenate to gasoline makes the fuel burn cleaner and reduces harmful emissions. Critics claim ethanol is harmful to certain engines.

Supporters of the new law say it is a compromise that will protect the state's growing ethanol industry while providing classic car owners and some other consumers the choice they seek.

The legislation was sponsored by Rep. Alice Johnson (DFL-Spring Lake Park) and Sen. Randy Kelly (DFL-St. Paul).

**HF2205\*/SF2040/CH354**

## No more slamming



It will be illegal for telecommunications companies to change a person's long-distance carrier without proper authorization under a new state law.

The law prevents "slamming," which is the practice of tricking telephone customers into changing their long-distance carriers.

Proponents have said the law stems from the (at times) confusing methods some telecommunications companies have used to persuade Minnesotans to change their carriers.

In one such case, a Minneapolis man received a \$50 check in the mail from a long-distance company, not realizing that if he cashed the check, he would be giving the company permission to supplant the long-distance provider he was using.

Under the law, telephone customers may require long-distance providers to receive their authorization before changing the long-distance service.

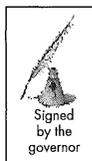
According to the law, the customer's authorization can be either written or verbal. In cases of verbal agreements, if the customer files a complaint over being switched, the long-distance carrier will be required to provide proof that the agreement was made.

If a long-distance carrier is found to have violated provisions of the anti-slamming law, the company must immediately return the customers to their original long-distance providers at company expense. The company also must pay for providing long-distance service to the customers during the period of unauthorized service.

The new law, effective Jan. 1, 1997, was sponsored by Rep. Mike Delmont (DFL-Lexington) and Sen. Janet Johnson (DFL-North Branch).

**HF2055\*/SF2262/CH340**

## Notaries public



A new law to prevent notaries public from exploiting immigrants takes effect Aug. 1, 1996.

The law requires anyone who is not an attorney and provides immigration assistance services to post a notice in English and in the appropriate foreign language which says that he or she is not an attorney.

It also prohibits anyone who is not an attorney and offers such services from giving legal advice. A written contract — in both English and the appropriate foreign language

— also is required and must include an explanation of services offered and the corresponding charges.

Any notary violating the provisions would be guilty of a misdemeanor.

The measure was proposed by Rep. Carlos Mariani (DFL-St. Paul) in response to reports in Minnesota and elsewhere of notaries public charging excessive amounts for legal services that they were not legally qualified to offer.

Because notary public means "super attorney" in Spanish, Mariani said many Spanish-speaking immigrants mistakenly believe notaries are the same as attorneys.

The proposal was sponsored in the Senate by Sen. Sandy Pappas (DFL-St. Paul).

**HF2478\*/SF2372/CH401**



## CRIME

### Penalties and prevention



A \$17.4 million proposal to fund corrections, crime prevention programs, and more police officers on the streets in neighborhoods and in schools has been signed by the governor.

Also under the law, neighbors would be notified when serious sex offenders are released to communities and state prisoners could be housed at the Prairie Correctional Facility in Appleton, Minn.

Dropped from the proposal during conference committee negotiations was a provision that would have made it easier for Minnesotans to carry a concealed weapon. Other proposed changes calling for increased prison sentences for certain crimes were also removed. Stiffer sentences that became law are expected to add 50 to 85 prison beds to current demands.

Stopping crime before it occurs is the best way to trim the budget, according to supporters of crime prevention programs. The law includes a number of measures that are intended to stop crime before it starts. Community safety and law enforcement grants received over \$8 million in funding.

The law also includes proposals that would prohibit prison inmates from smoking and provides funding for an automobile theft prevention program.

The proposal was sponsored by Rep. Mary Murphy (DFL-Hermantown) and Sen. Tracy Beckman (DFL-Bricelyn).

Below are some highlights.

**HF3242\*/SF2856\*/408**

## COPS, Weed and Seed

Two new programs garner \$4.7 million of the law's grant dollars.

The community-oriented policing program, known as "COPS," aims to increase the number of officers in local law enforcement agencies. The goal is to assign officers with community experience to investigate and prevent juvenile crime. COPS will expand community policing duties, such as block clubs and community-based crime watch programs. COPS also will assign overtime officers to high crime areas within their jurisdictions.

Weed and Seed, another grant program, will assist local communities in eradicating violent crime, illegal drug activity, and illegal gang activity in targeted neighborhoods. The Weed and Seed program also aims to revitalize neighborhoods, both economically and physically. Local law enforcement agencies will work with members of targeted neighborhoods to develop plans and apply for funding.

### Community crime prevention

Community crime prevention grants that aim to enhance communities' sense of personal security and to assist in crime control and prevention efforts receive \$1.8 million in funding.

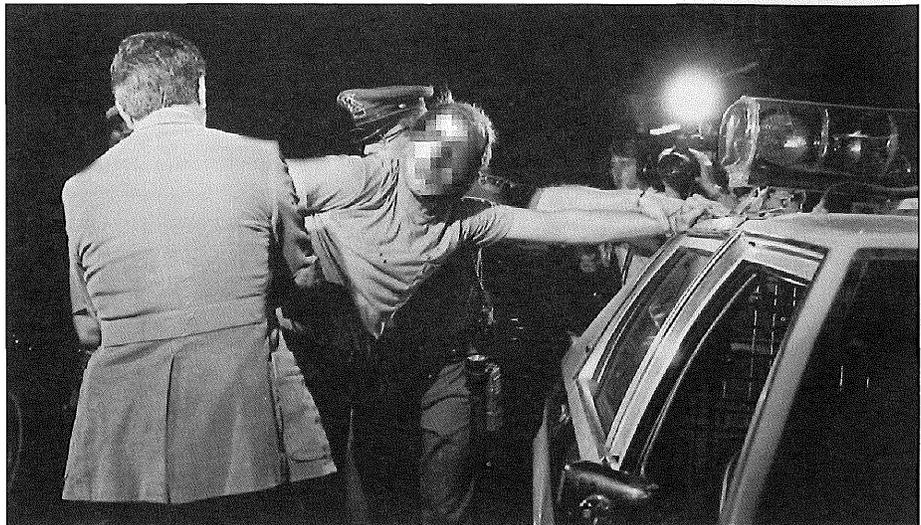
Programs that may qualify for the grants include those that provide services for at-risk children, neighborhood youth centers, block clubs, community-based crime prevention programs, and community-based collaboratives.

### Knock and Talk

A program dubbed "Knock and Talk," gives Hennepin County \$100,000 to establish a community-oriented chemical dependency pilot project. The project will take a comprehensive public health approach to chemical dependency problems, focusing on cocaine abuse in certain neighborhoods.

Knock and Talk allows law officers and health workers to knock on the doors of so-called crack houses and offer chemical dependency treatment to addicts. Under the program, officers will be able to approach homes that have been identified as crack houses and offer to transport crack users to treatment programs, including aftercare programs that assist addicts in staying off drugs and securing jobs and housing.

Rep. Karen Clark (DFL-Mpls), a key sponsor of the project, has pointed out that many of the people who spend their time in crack houses, particularly women with children, find themselves in an "intimidating" situation and don't know how to extricate themselves.



A \$17.4 million proposal to fund corrections, crime prevention programs, and more police officers on the streets in neighborhoods and in schools has been signed by the governor. Also under the law, neighbors will be notified when serious sex offenders are released to communities.

### Car theft prevention

Increasing occurrences of car theft led to the approval of a \$930,000 proposal by Gov. Arne Carlson to combat the problem. The law establishes an automobile theft prevention board, which will develop, coordinate, and implement statewide plans on car theft.

To help pay for the program, each automobile insurance policy sold in Minnesota will carry a surcharge of \$0.50 per car for each six months of coverage. Critics argued against the surcharge and the board, saying it was nothing more than a tax increase. However, proponents of the plan noted that several states have adopted this approach, which has led to drops of 16 to 20 percent in insurance rates, netting a gain for consumers because of the reduction in auto theft.

Proponents also stressed that the funds will be used to pay for local prosecutors, investigations, and more police, as well as neighborhood and business groups trying to fight the problem.

### Council on Black Minnesotans

The measure appropriates \$200,000 to the Council on Black Minnesotans to complete the Martin Luther King Jr. nonviolent institutional child development pilot project. The project will provide community violence prevention and intervention programs.

Before the project starts, the commissioner of public safety will need to evaluate it based on specific outcomes. The proposals will require the project to begin by Jan. 2, 1997, and end by July 1, 1998, at which time several state department commissioners will review it.

### Community notification

A key part of the law that has received wide support throughout the process authorizes local law enforcement agencies to notify the public when a sex offender is released from prison. The community notification policy, co-sponsored by Rep. Dave Bishop (R-Rochester) and Rep. Wes Skoglund (DFL-Mpls), has been debated publicly since 1994 when Minnesota Supreme Court rulings released two men who had been committed under the state's sexual psychopathic personality law. Lawmakers met in special session that year to pass legislation to keep sexual psychopaths off the street.

The level of notification will depend on a risk assessment of the offender. Offenders will be classified as either low, intermediate, or high risk to the community.

If the offender is considered low-risk, police may notify other law enforcement agencies and any victims of, or witnesses to, the offender's crime. For intermediate-risk offenders, schools, day care centers, and other groups that serve individuals likely to be victimized by the offender could be notified. Anyone a high-risk offender is "likely to encounter" could be notified. Widespread notification, however, will not occur while an offender is living in a residential treatment home.

The provision also amends the sex offender registration law to include persons whom the courts have convicted of a "kiddie porn" offense or other offenses stemming from the same set of circumstances.

Currently, some 20 other states have similar laws.

The legislation includes \$340,000 to ensure the program's implementation and to finance any legal challenges resulting from the law.

## Victims of violence

In accordance with the state's policy of "zero tolerance" for violence, the law outlines state goals that will give crime victims access to the following services: crisis intervention, including a 24-hour emergency telephone line; safe housing; counseling and peer support; assistance in pursuing legal remedies; and appropriate medical care.

The goals also include giving children who are witnesses to abuse and/or victims of violence access to crisis child care; safe supervised child visitation, when needed; age-appropriate counseling and support; and assistance with legal remedies, medical care, and needed social services.

In an effort to increase efficiency in the administration of victim services, the law requires several offices that deal with crime victims to meet four times a year. The so-called "crime victims services roundtable" will discuss methods for improving the delivery of services, in addition to securing increased funding.

The witness and victim protection fund also receives \$50,000 in grant money.

## Juvenile monitoring

The law allots \$225,000 for an intensive juvenile monitoring pilot program that focuses on juveniles who have committed or are at risk to commit crimes. Peace officers, juvenile courts, and juvenile probation officers will refer certain juveniles to the program. Qualified college and graduate students with related majors will monitor and supervise the juveniles.

College students will work with a juvenile's probation officer and serve as a "big brother" or a "big sister" to a teen who has committed, or is at risk for committing, delinquent acts or crimes.

The Department of Corrections will determine the particulars of the monitoring program. In addition, the department will work with colleges, universities, and community corrections agencies to establish the criteria for college students to participate in the program, what kind of training they should receive, and how they should be compensated.

Their responsibilities could include checking on the juvenile in the morning, reminding them about homework, checking on them after school, and helping them with homework several times a week.

The college student would then report back to the probation officer so the officer could determine which juveniles need more help.

## Truancy, curfew

A total of \$340,000 will be available to eligible cities and counties for the creation and expansion of programs for curfew enforcement, truancy prevention, pretrial diversion, and for juveniles who are at risk of incarceration.

## Crisis nurseries

The law appropriates \$250,000 to the Department of Human Services to assist eligible private and public organizations that provide crisis nurseries.

Children's advocates have said that the increase in violent crime is directly related to an increase in child abuse and neglect. Crisis nurseries offer temporary, safe nurturing care for children and support services for parents in times of crisis. The nurseries may also offer family counseling, in-home crisis intervention, parenting support, information and referral services, and service coordination.

## Home visits

As part of the state's ongoing effort to prevent child abuse and neglect, the law appropriates \$250,000 to the Department of Health for grants to home visiting projects. The funding increases the efforts of public health nurses who visit homes with at-risk babies, giving advice on nutrition and other parenting issues.

## Group conferencing

A pilot program for family group conferencing programs in Dakota County will receive \$95,000. The program will provide an administrative alternative to a courtroom prosecution. In the forums, persons accused of crimes will meet with victims, family members of victims or the offender, law enforcement agencies, prosecutors, and community members. The forums will focus on the impact that crimes have on victims and the community. Members of the group would then determine an appropriate sanction for offender reparations, including community service and other options.

## Tattoos

Kids under the age of 18 who want to get a tattoo will need written parental consent to do so. Anyone who provides a tattoo to a minor in violation of the provision will be guilty of a misdemeanor.

## Prairie Correctional Facility

A city-owned correctional facility in Appleton, Minn., may receive some Minnesota prisoners. The nonprofit facility presently sells space to prisoners from Idaho and

Colorado. The city gains economic benefits from the facility through job opportunities for residents and increased business for local merchants who sell food and supplies to the prison.

The law instructs the commissioner of corrections to contract with the facility to house at least 200 inmates if the cost does not exceed \$55 per inmate, per day.

## Inmate health care

Inmates will have to make a co-payment for health care services that they receive in prison. The co-payments will be deducted from inmates' earnings accounts. Supporters say this will help to curb the rise in prison health care costs caused by overuse of services.

## Tougher gun penalties

A felon who has been convicted of a crime of violence who is later found to be illegally possessing a firearm will receive a mandatory minimum prison sentence of 18 months and could get up to 15 years and a fine of up to \$30,000.

A provision that imposes a mandatory minimum for felons illegally in possession of a firearm has been loudly applauded by county prosecutors who say it will make their jobs easier. According to the provision, it doesn't matter if the felon is using the firearm to commit another crime or has it in his or her car — it is an automatic 18-month minimum sentence.

The provisions are not designed to limit the rights of law abiding citizens to own a gun, but punish criminals caught with guns, Skoglund has said.

## Guns and kids

An adult who negligently stores a loaded firearm that ends up in the hands of someone under age 18 will be guilty of a gross misdemeanor.

Previous law applied only to minors under the age of 14.

A provision to require guns and ammunition to be locked and stored separately in households with minors was defeated earlier this session.

## Guns on buses

To combat continued crime on public buses, the law increases the penalty for firing a gun "in" a public transit vehicle or facility.

The proposal expands current law which makes it a crime to recklessly discharge a firearm "at" a public transit vehicle or facility.

Penalties will range from up to a three-year felony and a \$6,000 fine to up to a five-year

felony and a \$10,000 fine, depending on whether the vehicle or facility was occupied by individuals other than the offender.

The provision stems from recent incidents of gunfire inside buses and transit stations.

In addition, the proposal, sponsored by Rep. Darlene Luther (DFL-Brooklyn Park), increases the maximum felony penalty for intentionally discharging a firearm under "dangerous circumstances" to five years imprisonment, up from the current two-year penalty. (Dangerous circumstances are defined by the jury in a given case.)

Under previous law, it is a felony, punishable by a maximum of five years' imprisonment and a \$10,000 fine, to intentionally discharge a firearm in a school zone, park zone, or public housing project.

### Stalkers and guns

Minnesotans convicted of stalking or violating protection orders will have to surrender their pistols for three years.

The provision also specifies that if defendants in such cases use a firearm while violating the protection order or stalking a victim, they will be required to surrender the gun and could be barred from owning any firearm for the rest of their lives.

The county in which a domestic abuse offense is committed will conduct a domestic abuse assessment of the offense. The county will then submit a report to the court for any defendant convicted of domestic abuse or arrested for domestic abuse but convicted of another crime connected to the incident.

Defendants sentenced for domestic abuse will be required to pay a \$125 domestic abuse assessment fee. Anyone who commits domestic assault knowing that a child younger than 18 is likely to witness the assault will be guilty of a gross misdemeanor, punishable by up to a year in jail and a \$3,000 fine.

### Code grabbing devices

The law provides a three-year felony penalty for possessing a code-grabbing device with the intent to use it to commit a crime.

Criminals use the devices to gain access to locked cars, garages, and other things that use a remote control and radio wave security code.

Once a home or car owner presses a remote control to open a garage door or unlock a car from a distance, the code grabbing device scrambles to find the code. Once the code is in hand, the criminal can gain easy access to a home or car.

### Sexual conduct

The law also expands the definition of fifth-degree criminal sexual conduct to include instances where a person is forced to touch a perpetrator's intimate body parts.

The provision, sponsored by Rep. Bill Macklin (R-Lakeville), was prompted by a Dakota County case in which prosecutors couldn't charge an offender because such a provision was not in the law.

### Indecent exposure

It will be a felony to commit a second indecent exposure offense in the presence of a minor under age 16. Under previous law, the penalty was a gross misdemeanor regardless of how many times the offense is repeated. The maximum penalty increases from a one-year jail sentence and a \$3,000 fine to a five-year prison sentence and a \$10,000 fine.

### Expunging criminal records

It will be more difficult for people to conceal an arrest or conviction record under provisions sponsored by Rep. Phil Carruthers (DFL-Brooklyn Center).

People petition the courts to have their records expunged for a variety of reasons — some were arrested but never charged, others were charged but found not guilty. There also are cases where an individual who was found guilty wants the record sealed for personal or employment reasons.

Law enforcement agencies and prosecutors generally oppose the practice because it takes records and information out of the system that could provide leads in current and future criminal investigations.

Currently, there is no definition on the books and the provision tries to address some existing case law that allows judges to return records to defendants or have them destroyed.

Under the law, expungement is defined as sealing a record and opening it only under a court order or statutory authority. It does not include the complete destruction of arrest or conviction records.

The process applies to both arrest records and criminal conviction records. If charges are dismissed for lack of probable cause or if a prosecutor and a grand jury decline to file charges or return an indictment, arrest records are returned at the demand of an arrested person.

Other arrest records may be sealed if the proceedings were resolved in favor of the arrested person. The burden of proof will rest on the government to show, by clear and convincing evidence, why the records should not be sealed.

### Penalizing domestic abusers

Minnesotans convicted more than once of domestic assault will be more severely penalized.

The proposal, sponsored by Rep. Tim Pawlenty (R-Eagan), requires that anyone convicted of gross misdemeanor domestic assault must be sentenced to a mandatory minimum of 20 days in jail, with eight of them required to be served continuously.

Those convicted of felony domestic assault will be required to spend at least 45 days in jail, 15 of them consecutively.

Pawlenty noted that prosecutors across Minnesota are concerned about "lenient or inconsistent" treatment of repeat domestic assault offenders.

Previous law mandated a minimum of 30 days in jail for repeat convicted drunk drivers, but there is no mandatory minimum jail term for Minnesotans convicted more than once of domestic assault.

Research done by the Minnesota Coalition for Battered Women has found that most residents convicted of domestic assault receive supervised probation sentences with little or no jail time. According to supporters of the provision, the system is failing to hold domestic abusers accountable at the expense of battered women and their children.

### Investigating physicians



The investigation of Minnesota physicians accused of sexual misconduct becomes a more open process Aug. 1, 1996, under a new state law.

The law requires a probable cause hearing to be held before an administrative law judge in cases where a doctor is accused of sexual misconduct. Current law requires no such hearing.

If a judge determines that the physician is guilty of violating Minnesota Board of Medical Practice rules governing such behavior, the notice of and order for a hearing filed by the board would become public, allowing other victims to come forward with new information for the board to consider.

Proponents have said the law also will improve the board's ability to keep complainants and victims — who are not always the same in such cases — informed of the progress of an investigation into allegations of sexual misconduct. Under current law, only the person filing the complaint can be given information about the status of an investigation.

The law provides that probable cause hearings be closed to the public. However, the

board must make public a notice of the hearing; findings of fact, conclusions, and recommendations issued by the administrative law judge and arguments before the board in cases where the judge finds a violation of the state's sexual misconduct rules; and any final order of the board.

The law adds a seven-year statute of limitations for all complaints filed with the Minnesota Board of Medical Practice except sexual misconduct cases, which are subject to no statute of limitations.

The law was sponsored by Rep. Lee Greenfield (DFL-Mpls) and Sen. Gene Merriam (DFL-Coon Rapids).

**HF2633/SF2332\*/CH334**

### Suing a public nuisance

 A bill that would allow a property owner or neighborhood group to file a civil nuisance suit and seek monetary damages against a drug dealer, prostitute, john, or gun dealer is awaiting the governor's signature.

Under current law, only a prosecutor can file a nuisance action with the court. Such a case usually involves trying to shut down a property or evict a tenant for two separate incidents in a 12-month period that violate prostitution or drug and firearms offenses outlined in law.

The bill, which would become effective Aug. 1, 1996, proposes to open the door for citizens to sue, seek monetary damages, and combat "nuisance behavior" that is not necessarily tied to one specific building.

Under the bill, to win a nuisance civil action it must be proven that the individual has two or more convictions within the previous 12 months for prostitution, gambling, drug dealing, or other nuisance offense listed in existing law. Or "two or more separate behavioral incidents within the previous 12-months that would constitute a nuisance" must be proven. The latter, however, is limited to prostitution, drug dealing, and gun dealing.

The proposal, however, does outline legitimate defenses against nuisance claims such as being coerced into committing the nuisance. This language was specifically included for prostitutes. Several groups said that individuals in prostitution are already victims and are often coerced into the act.

If a suit is won, the court must permanently prohibit the perpetrator from continuing the activity and award actual damages or \$500, whichever is greater. In cases where a homeowner or neighborhood group wins,

the court would have the discretion to require defendants to pay all attorneys fees.

The bill was sponsored by Rep. Andy Dawkins (DFL-St. Paul) and Sen. Ellen Anderson (DFL-St. Paul).

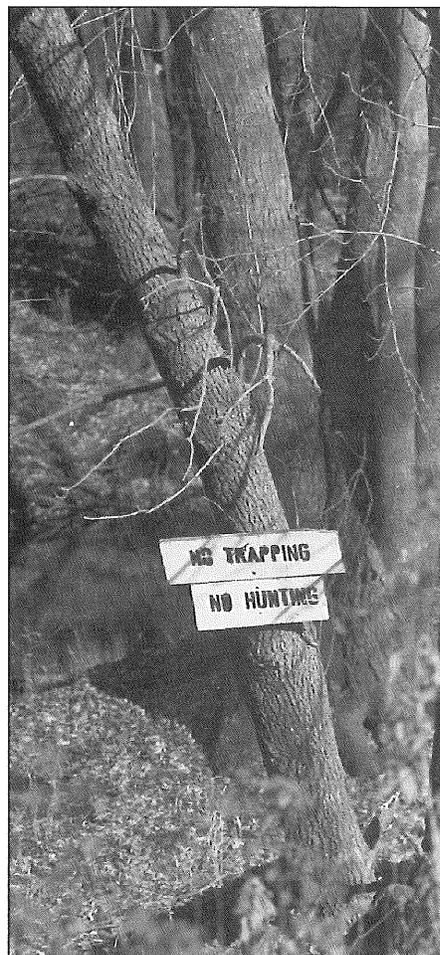
**HF2204\*/SF2014/CH453**

### No trespassing



A new law, effective Aug. 1, 1996, makes it easier to punish those who trespass on private property.

Previously, trespassing was solely a criminal offense, punishable by up to 90 days in jail and a \$700 fine. Under the new law, local sheriffs and conservation officers can issue trespassers a civil citation at the time they are caught. Violators would be fined \$50 for a first offense, \$200 for a second, and could have their hunting license or other registration revoked for a third violation within three years.



A new law, effective Aug. 1, 1996, makes it easier to punish those who trespass on private property. Under the new law, local sheriffs and conservation officers can issue trespassers a civil citation at the time they are caught. The law applies not just to hunters but hikers, boaters, campers, or anyone engaging in "outdoor recreation."

Anyone caught removing a "no trespassing sign" will face a \$50 civil penalty as well.

While an offender can request a hearing to appeal the penalty, using a civil rather than a criminal approach eliminates the time and cost of a court proceeding.

The law applies not just to hunters but hikers, boaters, campers, or anyone engaging in "outdoor recreation."

Additionally, the trespassing exemption for hunters retrieving wounded game is expanded to include all lands. Current law applies to agricultural land only.

The law also prohibits a hunter from carrying a firearm onto private land when retrieving a hunting dog.

The proposal was sponsored by Rep. Virgil Johnson (R-Caledonia) and Sen. Steve Murphy (DFL-Red Wing).

**HF2411\*/SF2556/CH301**

### No cloning allowed



A new law, effective Aug. 1, 1996, makes it a crime to engage in cellular phone "cloning."

The law addresses what phone company officials say has become an increasingly popular crime.

Cellular phone cloning — or counterfeiting — would be a felony under the bill, punishable by up to five years imprisonment and a \$10,000 fine. Current statute prohibits cellular phone eavesdropping but does not specifically address any other wireless phone violations.

House sponsor Rep. Chuck Brown (DFL-Appleton) has said cellular phone cloning is a \$500 million illegal industry.

Cellular phone cloning occurs when someone acquires a phone identification number — assigned by the manufacturer — and alters it. Cloners either use the number or provide it to a computer network system for others to use. Some use a combination of scanners, cables, computer chips, and software to create identification numbers themselves.

The proposal was sponsored in the Senate by Sen. Don Betzold (DFL-Fridley).

**HF2526\*/SF2170/CH331**

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## DEVELOPMENT

### Omnibus Development



A \$28 million proposal to fund energy assistance and summer jobs programs is awaiting action by the governor.

Total appropriations in the omnibus economic development bill nearly doubled the \$15 million included in the version originally approved by the House. The increase would come primarily in the form of money appropriated to the Department of Economic Security for home energy assistance, although more money would also go toward community development, the creation of higher-paying jobs, and youth employment and training programs.

The bill was sponsored by Rep. Jim Rice (DFL-Mpls).

HF3243\*/SFnone/CH452

#### Home energy assistance

Potentially, \$10 million not found in the original House version of the bill would go toward home energy assistance programs. The money would come through the Department of Economic Security (DES).

A total of \$750,000 would become part of the low-income home energy assistance block grant. Another \$190,000 would be used for the Low-Income Home Weatherization Program.

Most of the money aimed at energy assistance, \$9 million, would come from the budget reserve account in the state's general fund and would be used for low-income home energy assistance, and in the form of grants for energy-related repairs to a home's primary heat source. This money would be used only if the governor determines that the federal money allocated to Minnesota as part of the low-income energy assistance block grant for fiscal year 1996 is less than the grant received by the state for fiscal year 1995. The amount available for use would equal the reduction as determined by the governor.

#### Youth Programs

A total of \$6 million appropriated to DES would be used to fund the Minnesota Youth Program, primarily the summer employment and training component. The money would be used to offset a potential cut to Title IIB of the Job Training Partnership Act, a parallel program funded by the federal government. Currently, the federal government hasn't appropriated any money for the program, as compared to \$8.9 million appropriated last year at this time.

The summer component of the program would allow disadvantaged youth to work in a variety of settings in all 87 Minnesota counties. Public works projects constitute most of the work undertaken: the construction of park retaining walls, environmental cleanup, and wetland restoration. The program funds site supervision so that participants can obtain the skills necessary to complete the projects. Cooperating communities provide the necessary materials. Participants also receive training in team building skills and conflict resolution.

One-half of the program participants are 14- and 15- year-olds who can't yet work in the private sector and are receiving their first employment experience.

There is also an academic enrichment component to the program, where young people struggling in school receive help in improving their communication and math skills.

And young people who drop out of school can receive help in obtaining their diploma, getting a GED, resume building, and the acquisition of work maturity skills.

#### Workforce centers

A total of \$500,000 would be given to DES to augment the Minnesota Workforce Center System. The system aims to combine the delivery of employment and training services (mostly administered by the department) under one roof whenever possible, saving money formerly spent on separate leases, and phone and data lines. It also streamlines customer access to services and programs, according to Jane Brown, department commissioner.

The department hopes that other state agencies that deliver services related to employment and training will want to locate their operations at the various workforce centers.

The specific appropriation within the bill would assist the department in hooking up to the MNet System and data lines to establish a cohesive computer system among the operations located within a workforce center. This way, people applying for services offered by the department — employment or job training services, services for the blind, vocational rehabilitation — would have to fill out only one application which could then be accessed by agencies throughout the department. This would eliminate paperwork, save money through the combination of resources, and more effectively match up applicants and services.

#### Minnesota Investment Fund

The bill includes \$4 million for the Department of Trade and Economic Development (DTED) to go to the Minnesota Investment Fund, formerly the Economic Recovery Grant Program. The fund would allow DTED to extend grants of up to \$500,000 to local units of government and recognized Indian tribal governments to help communities create and maintain private-sector jobs, increase local tax bases, stimulate environmentally safe economic growth, and improve employment and economic opportunities for local citizens. Among other things, the grant money could go toward loans for private business and industry, the creation or improvement of local infrastructure, and interest buy-downs. Any loan to a private entity could not exceed one-half of the cost of the project for which financing is sought.

The grant money would be administered as part of the Small Cities Development Block Grant Program. Any portion of a grant that exceeds \$100,000 must be repaid to the state when it is repaid to a local unit of government or a recognized Indian tribal government by a recipient.

To receive grant money, private entities would have to make a case for the need of public funds and meet job creation goals. Loan recipients also would have to pay their employees total compensation, including benefits not mandated by law, at least 110 percent of the federal poverty level for a family of four, or approximately \$16,665 per year, roughly \$8 per hour. The original House version required that loan recipients pay their employees at least \$7.44 per hour. According to Jay Novak, DTED commissioner, the department doesn't currently consider funding development projects unless prospective employers in the metro area pay employees at least \$10 per hour, and employers in outstate areas pay their employees at least \$8 per hour.

New language in the bill prohibits any grant being made for the operation or expansion of a casino, a store which is used solely or principally for retail sales, or for any project related to a sports facility, defined as a building that has a professional sports team as a principal tenant.

In case of breach of contract, loan recipients must repay the grant directly to the DTED commissioner.

#### Rural development

DTED would also receive \$750,000 which would be given as a grant to the Morrison County Rural Development Finance Authority. The money could only be used to make capital improvements to the Hennepin Paper

Company in Little Falls. According to Elmer Beale, the company's executive vice president and general manager, the money would be used to upgrade the facility and expand the possibilities for using recycled wastepaper. At least \$500,000 of the grant must be matched by other sources, or the money would not be available.

### Film board

Exactly \$100,000 would go to DTED to be distributed to the Minnesota Film Board, the only nonprofit state film commission in the country. This is on top of the \$229,000 appropriated for the film board for fiscal year 1997.

According to the board, nine movies were filmed in Minnesota in 1995, generating more than \$23 million in production revenue

### Minnesota Technology, Inc.

A total of \$700,000 would be appropriated to Minnesota Technology, Inc. Of those funds, the Natural Resources Research Institute in Duluth would receive \$575,000. The institute provides environmentally safe economic development within Minnesota as a means of creating private sector employment. They oversee approximately \$10 million per year for research and development activities.

The remaining \$125,000 would be used to study cold weather research needs and opportunities such as automobile starting tests in winter temperatures. Minnesota Technology would consult with the Minnesota Cold Weather Research Center. The study would address ways to encourage cold weather research in Minnesota funded by non-state entities, and the possible economic benefits for the state.

Findings of the study would need to be submitted to the Legislature by Jan. 1, 1998.

### Housing Finance Agency

The Housing Finance Agency would receive \$550,000 under the bill. Of those funds, \$250,000 would be used to purchase, tear down, or rehabilitate multi-unit residential rental property in an effort to combat concentrations of substandard housing. Projects that create a wide range of housing opportunities which would increase the tax base and the income mix within a community would be given priority.

The remaining \$300,000 would go to the Family Homeless Prevention and Assistance Program. The program was established to assist families who are homeless or are at imminent risk of homelessness. The agency provides grants to counties with a large number of homeless families or that experience a significant growth in the number of homeless

families. To receive assistance, counties must work to secure permanent or transitional housing for homeless families. Any prevention project must be crafted to stabilize families in their existing homes and shorten the length of time families use emergency shelters. At least one grant must be given to a county outside the metro area.

### Workers' compensation

The bill appropriates \$2.8 million from the Special Compensation Fund to the Department of Labor and Industry to be used for the Daedalus Electronic Imaging Systems Project.

The aim of the project is to provide a comprehensive computer reference system for workers' compensation files. This way, people needing access to the files (judges and case specialists) could do so via computer, and access could be provided simultaneously. Past research was done by hand.

The department hopes this will lower the number of disputes by getting good information to people more quickly. All paper files would eventually be eliminated.

The Special Compensation Fund is administered by the department, primarily covering system administrative costs, the reimbursement of second injuries, benefits to employees of uninsured employers, and supplemental costs. The fund is supported by required employer contributions resulting from the work-related death of an employee, or different types of work-related injuries.

### Historical society

Under the bill, the Minnesota Historical Society would receive over \$1.1 million, \$1 million of which would go to employee compensation.

The St. Anthony Falls Heritage Board would receive \$75,000. The board works to evaluate and interpret significant historical resources within the heritage interpretive zone, a two-mile stretch of the Mississippi River in Minneapolis. The bill also would increase board membership from 19 to 22 members.

### Humanities Commission

A total of \$300,000 would be given to the Minnesota Humanities Commission. The commission recently moved its operations into part of what was formerly the Gillette Children's Hospital near Phalen Park in St. Paul. The money would cover some moving and maintenance expenses. According to Cheryl Dickson, commission director, the money will be repaid if federal dollars earmarked for the project come through, or other sources of revenue are found.

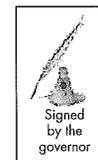
### Voyageur recreation area

Under the bill, the Voyageur recreation area would be established and would be composed of all contiguous land in Koochiching County and the part of St. Louis County lying north of County Highway 23 and west of County Highway 24 to the Canadian border. It's hoped that such a designation would encourage private and public investment, leading to economic development and educational and recreational opportunities within the area.

The area would be administered by a nine-member board consisting of county and city officials within the designated area, and representatives from some lake and resort associations. The board would be able to enter into contracts and grant agreements necessary to carry out its responsibilities.

Also included in the bill is \$450,000 for transitional housing programs, and \$200,000 for employment support services for the mentally ill.

### Local development plans



A new law directs the state to draft a "model ordinance" for sustainable development by July 1, 1997, and make it available to local governments.

Sustainable development — a concept promoted by Gov. Arne Carlson — involves the development of land and waters that minimizes environmental damage and provides for economic opportunities and community well-being. The goal of sustainable development is to preserve the environment for future generations.

There are no funding or enforcement provisions in the new law which became effective April 12, 1996. Local governments adopting the model ordinance, however, will be advised that it will become the minimum regulation to guide all sustainable development.

The model ordinance will be reviewed by the state at least once every five years.

Additionally, each state department, agency, and board must report to the Environmental Quality Board by Oct. 15, 1996, on how the mission and programs of the organization reflect and implement the state sustainable development principles, or how the mission and programs could be changed to do so.

The proposal was sponsored by Rep. Dee Long (DFL-Mpls) and Sen. Janet Johnson (DFL-North Branch).

HF1800\*/SF1655/CH454



## DWI

### Omnibus DWI bill



A new law signed by the governor makes it illegal for citizens to drive an automobile or fly an airplane with any amount of certain controlled substances in their systems.

The measure applies to Level I and Level II controlled substances which include most street drugs and are classified among the most addictive narcotics, stimulants, and depressants. (Marijuana is not included.)

Under the new law, drivers will be charged with a crime if any amount of a Level I or Level II drug was found in their bodies. The penalties will be consistent with the state's current DWI laws.

A typical scenario could work like this: 1) a driver is stopped after an officer suspects he or she is impaired; 2) the driver is given a field sobriety test and then a breathalyzer test, but no alcohol is registered; 3) the officer still suspects the driver is impaired by something; and 4) the officer arrests the individual and seeks a blood or urine test. If any trace of a Level I or a Level II controlled substance is found, the driver can be charged.

The new law also directs the Peace Officer Standards and Training Board to develop a plan to train a "sufficient" number of officers as Drug-Recognition Experts (DRE) to ensure they are available statewide each day to evaluate suspected drug-impaired drivers.

The test administered by DRE officers is separate from the preliminary field test performed on the side of the road. After a patrol officer stops a driver, performs a field test, and suspects the driver is under the influence, the driver could then be taken to a police or highway patrol station where a more extensive physical test would be performed by a DRE officer.

Some of the law's other provisions create a new gross misdemeanor crime for violating DWI laws while driving without insurance and provide a longer waiting period before a minor who has committed a DWI offense is issued a limited driver's license for work or school.

Current law states that a minor must wait 15 days for a limited license if it is the person's first DWI offense; 90 days if it is the offender's second, assuming the minor agrees to take the breathalyzer test. Under the new law, the waiting periods would double.

The measure also eliminates a loophole to keep more chronic DWI offenders off the roads.

Gov. Arne Carlson vetoed an identical bill

in 1995 calling it 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 have found a way around the law. Once their plates are impounded, they often begin to drive someone else'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 new law gives the plates back to the car owner (if the car was reported missing), but the plates will be coded with specific letters, so that law enforcement officials will know the car has been involved in a prior DWI offense. The plates will remain on the car for a minimum of one year.

The coded plates provide 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.

The new law includes \$79,000 for the Department of Public Safety to pay for the coded license plates and other costs associated with the proposed changes.

The proposal was sponsored by Rep. Matt Entenza (DFL-St. Paul) and Sen. John Marty (DFL-Roseville).

HF2779/SF2340\*/CH442



## EDUCATION

### Omnibus education bill



A new law signed by the governor will infuse \$31.7 million into Minnesota's public schools largely to bolster technology in classrooms and programs directed at disadvantaged children.

Under the law, the state will spend \$11.9 million to expand access to technology in schools, \$5 million to provide after-school programs in troubled neighborhoods, and \$3.5 million to offer full-day kindergarten at some schools.

Gov. Arne Carlson used his line-item veto authority to slice \$629,000 from the K-12 spending package approved by the Legislature. He cut a provision that would have allowed some students to ride city buses to school and a grant program designed to foster constructive discipline policies in schools.

Also, the new law does not include a controversial proposal to provide alternative testing for teaching candidates who cannot pass the state's basic skills test. That provision was removed in conference committee after being rejected by the House.

The legislation was sponsored by Rep. Alice Johnson (DFL-Spring Lake Park) and Sen. Larry Pogemiller (DFL-Mpls).

HF2156\*/SF1884/CH412

### Boosting technology

Much of the \$11.9 million earmarked for school technology will be spent to expand Internet access in schools and libraries.

The 1995 Legislature passed a law that included a \$10.5 million grant program to connect schools and regional public library systems to the information superhighway.

Effective July 1, 1996, an additional \$5 million in grant funding is available under the new law.

Also effective July 1, 1996, another \$3.5 million will go to school districts for training teachers in the use of technology and acquiring new computer hardware.

A seemingly minor provision could greatly help to improve Internet access in rural Minnesota schools.

Effective April 4, 1996, the provision will allow telephone companies to provide service to schools and libraries at reduced prices or for no cost.

Such a change could have a significant impact in rural areas where a long-distance call is required to connect to the worldwide communications network.

Also, the law will set up a grant program to enhance the use of technology in after-school programs.

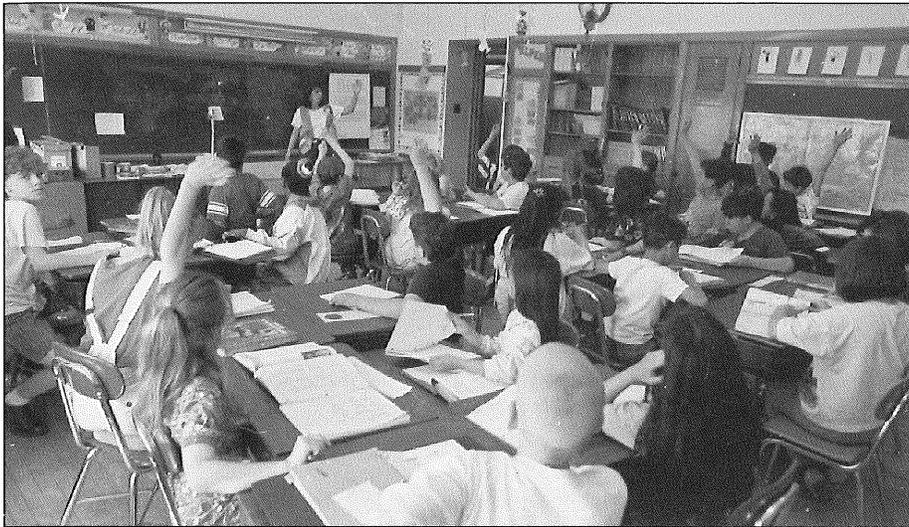
Effective July 1, 1996, a total of \$1 million will be offered in grants to school districts and other organizations that operate after-school programs giving children access to computers.

### Afternoon activities

Children in some of the state's poorest areas will be the beneficiaries of \$5 million included for after-school programs.

The governor, in his January State of the State Address, identified after-school enrichment programs as a top spending priority.

The new law matches Carlson's request for funds to finance after-school programs in



A new law signed by the governor will infuse millions into Minnesota's public schools: \$11.9 million to expand access to technology; \$5 million to provide after-school programs in troubled neighborhoods; and \$3.5 million to offer full-day kindergarten at some schools.

neighborhoods with especially high rates of poverty, teen pregnancy, and juvenile crime.

Under a provision effective July 1, 1996, grant funding will go to school districts and community organizations that run after-school programs.

Minneapolis and St. Paul each will get \$2 million for the programs. The remaining \$1 million will go to other areas with high percentages of needy students.

Children ages eight to 13 who live in troubled neighborhoods will be the target of programs aiming to reduce juvenile crime and school behavioral problems.

The programs also will seek to increase academic achievement, school attendance, and skills in computers, the arts, and athletics.

### All-day kindergarten

The spending package includes a provision crafted to ensure disadvantaged children are ready for first grade by having them spend more time in a kindergarten classroom.

Effective July 1, 1996, \$3.5 million in grant funding will allow certain schools to offer full-day kindergarten or to provide half-day kindergarten for 4-year-olds.

The goal of the expanded kindergarten program is to make sure students arrive in first grade prepared to handle academic basics such as reading and writing.

Proponents of the measure also said it will have benefits that reach far beyond the first grade. They argued that kids who fall behind at a young age often end up with serious academic and behavioral problems in later grades.

The grant funding will be divided evenly four ways among districts in Minneapolis, St. Paul, Twin Cities suburbs, and Greater Minnesota.

Districts receiving grant funds will be allowed to decide whether to use the money for all-day kindergarten programs or to initiate half-day kindergarten for 4-year-olds, which would put kids in the classroom a year earlier than usual.

### Graduation standards

Effective July 1, 1996, a total of \$2.9 million will be marked for continued development of the state's graduation rule, but the law will narrow the scope of the proposed standards.

The state has spent about \$20 million developing and testing the new graduation standards.

Requirements for reading and math proficiency are slated to take effect beginning with the ninth-grade class in 1996-97. Those students will have to meet math and reading requirements before they can receive a diploma.

Ninth graders in 1997-98 were expected to have been tested on writing and science standards in addition to the math and reading requirements. Other tests in government, geography, and physical health and safety were expected to follow.

But all that has changed.

Minimum proficiency tests will be limited to the subjects of math, reading, and writing.

Assessment of performance in the other subjects will be shifted from minimum standards testing to the Profile of Learning, a broad analysis of each student's overall performance.

The changes in the graduation standards follow the direction taken in recent months by the newly created Department of Children, Families, and Learning.

### Community schools

A new provision effective July 1, 1996, will provide \$300,000 for a joint effort between the St. Paul school district and the Wilder Foundation (a St. Paul-based social service organization) to develop community based schools.

State funds will be used in the development of charter schools focused on helping low-achieving elementary school students from low-income families.

The Wilder Foundation hopes to create three such charter schools over a four-year span, but those plans may depend on future appropriations from the state.

The charter school plan is the last vestige of the governor's proposals to allow public funds to be used for private school vouchers.

After his initial plan to set up school voucher pilot programs in four Minnesota school districts stalled in legislative committees, the governor came back with a \$12 million plan to test vouchers in the St. Paul district alone.

That proposal also failed to win support among lawmakers. But the Wilder Foundation initiative — just a small part of the governor's St. Paul proposal — won favor in conference committee and passed into law.

### Gang resistance

The law will allow existing tax revenue to pay for education programs that teach children how to resist gangs.

Currently, school districts can collect an extra \$1 per resident in taxes to help pay for school police officers and drug abuse prevention programs.

The optional levy provides funding for efforts such as the DARE (Drug Abuse Resistance Education) program, which teaches fifth and sixth graders about the dangers of drugs.

Effective Aug. 1, 1996, a provision of the new law will simply expand the law to allow districts to pay for gang-resistance education with money collected through the tax.

### Name change

Effective Aug. 1, 1996, the name of the state arts high school located in Golden Valley, Minn., will be changed to the Lola and Rudy Perpich Minnesota Center for Arts Education. The name change is in honor of the late Gov. Rudy Perpich, who was instrumental in efforts to create and support the school.

### Moment of silence

A measure to allow a moment of silence to be observed in public schools won approval earlier in both the House and Senate. But critics in both chambers described the provi-

sion as a thinly veiled effort to bring prayer into the schools.

The provision, effective Aug. 1, 1996, was reduced to a single sentence in the education funding law. "A moment of silence may be observed," it reads.

## Grant funds



Three St. Paul-area school districts planned all along to use state grant funding to buy computers and other equipment for a new magnet school facility under construction.

But it took a new state law to allow them to do it.

A 1994 law set up a \$20 million grant program for metropolitan area magnet schools, which are created to promote integration and to attract students with specialized programs.

The St. Paul, Roseville, and North St. Paul-Maplewood-Oakdale school districts were awarded \$10 million for a magnet school scheduled to open in Maplewood, Minn., for the 1996-97 school year. The K-6 facility is expected to serve 450 students.

The districts planned to use the grant funding to design, construct, and equip the magnet school. But the districts were later told that design and equipment costs were not permitted uses for the state grant money.

A new state law changes that. The districts will be able to go ahead and use the grant funding to purchase computers, copy machines, furnishings, and other equipment needed to get the new school up and running.

The legislation, effective Feb. 28, 1996, was sponsored by Rep. Lyndon Carlson (DFL-Crystal) and Sen. Gene Merriam (DFL-Coon Rapids).

HF2077/SF2019\*/CH284



## ELECTIONS

### Public official recall

A constitutional amendment will be on the November 1996 ballot for voters to decide if certain state officials should be subject to recall.

If approved, legislators, constitutional officers, and state supreme court, court of appeals, and district court judges could be subject to recall elections.

The proposal would allow voters to recall an elected official for any act of malfeasance or nonfeasance "in the performance of the duties" of office. Other grounds for recall

would be if an official has been convicted of a "serious crime," defined by the bill as certain gross misdemeanor and misdemeanor offenses involving assault, injury, dishonesty, coercion, or aggravated DWI, among others.

Proposed constitutional amendments do not require the governor's approval.

Here's how it would work: A petition filed with the Office of the Secretary of State is forwarded for review to the Minnesota Supreme Court. If the allegations, if proven, would constitute grounds for recall, a public hearing would then be held. If the hearing reveals the allegations to be true "by a preponderance of the evidence," and the full Minnesota Supreme Court agrees, a petition for signatures would be released. If the petition is then signed by 25 percent of the total eligible voters in the accused elected officer's district, the governor would order a recall election. Such an election cannot be called less than six months before the end of an official's term.

The new law prohibits false information or allegations from being used in a petition or in support of allegations made during the hear-



**A constitutional amendment will be on the November 1996 ballot for voters to decide whether certain state officials should be subject to recall. If approved, legislators, constitutional officers, and state supreme court, court of appeals, and district court judges could be subject to recall elections.**

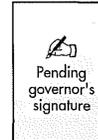
ing process. Violation of the provision would be a misdemeanor punishable by up to 90 days in jail and a \$700 fine. In such a case, a petition for recall also could be dismissed.

Anyone bringing a petition that is dismissed by the court could be held financially responsible for the court's proceedings.

The measure was sponsored by Rep. Betty McCollum (DFL-North St. Paul) and Sen. Ember Reichgott Junge (DFL-New Hope).

HF343\*/SF153/CH469

## Election day campaigning



Candidates would be allowed to campaign on election day under a bill awaiting action by the governor.

Current law bans election day campaigning, including the broadcast of political advertising and the distribution of literature.

Rep. Richard Jefferson (DFL-Mpls), House sponsor of the bill, has said the one-day prohibition is largely unenforceable and likely is unconstitutional.

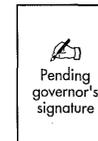
The ban was originally passed during a 13-day special session in 1912. It was part of a radical election reform package that also included campaign spending limits, a state-wide primary election, and popular election of U.S. senators, who were previously selected by the Legislature.

In 1988, the ban on election-day campaigning was ruled unconstitutional by a district court judge in Hennepin County. The ruling applied only to that county and was never appealed.

Sen. Dallas Sams (DFL-Staples) also sponsored the bill.

HF289/SF315\*/CH441

## Campaign spending



A new law effective April 12, 1996 closes a loophole that allows independent candidates to ignore spending limits that often bind major-party opponents.

Currently, a candidate is held to campaign spending limits only if he or she is a member of a major political party and accepts a public subsidy. Independent candidates can spend as they wish and do not qualify for public campaign subsidies.

State law stipulates that only major party candidates are eligible for public subsidies. In Minnesota there are three major parties — Democratic-Farmer-Labor, Republican, and Independence.

If, for example, a DFL candidate's Repub-

lican opponent refuses a subsidy and ignores the spending limits, the DFLer also can exceed the limits — even if he or she has already taken the public subsidy. But under current law, this only applies when both parties are from major parties.

House sponsor Rep. Dee Long (DFL-Mpls) was affected by that hitch during her 1994 reelection campaign.

Long's opponent did not attach herself to a major party. Because the woman ran as an independent, her spending levels did not trigger the clause that would have allowed Long to exceed spending limits.

As a result, Long was bound by a \$21,000 spending limit while her independent opponent spent about \$50,000.

The new law says that the candidate not agreeing to spending limits need not be from a major political party in order for the opponent to also ignore the limit.

The measure was sponsored in the Senate by Sen. Richard Cohen (DFL-St. Paul).

**HF667/SF840\*/CH459**

## Fusion candidates



A new law establishes the framework for fusion candidates to appear on the 1996 state primary election ballot.

Such candidates are nominated by more than one political party.

The measure comes in the aftermath of an Eighth U.S. Circuit Court of Appeals decision issued in January. The court found state law forbidding fusion candidates on the ballot to be unconstitutional.

The law allows more than one nominating party to be listed under a candidate's name on the ballot.

The state is expected to appeal the court decision to the U.S. Supreme Court, but a decision is unlikely before the fall 1996 elections.

Should the Supreme Court grant a stay or overturn the lower court decision, the state would revert to existing law barring fusion candidacies.

The measure allows a candidate to be listed as the nominee of one major party along with one or more minor parties or as the nominee of multiple minor parties. The candidate and the state chairperson of each nominating party must approve a fusion candidacy.

A single candidate is not allowed to be listed as the nominee of more than one major party.

The proposal was sponsored by Rep. Gene Pelowski (DFL-Winona) and Sen. John Marty (DFL-Roseville).

**HF3123/SF2720\*/CH419**

## EMPLOYMENT

### Wage floor for businesses



Some Minnesota businesses receiving state subsidies would have had to pay employees a poverty level wage — at least \$7.28 per hour — under a bill vetoed by Gov. Arne Carlson April 11.

The governor's veto message explains his action: First (the bill) is inflexible. It would lock many businesses into paying \$7.28 an hour in return for state aid regardless of the industry, region, or economic conditions. . . . Second, the bill is unnecessary. Most economic development funds already target high quality jobs. . . . Third the bill is counterproductive. . . . it suggests that the legislature knows better than the marketplace about how to provide secure, decent wage jobs.

Under the bill, medium- and large-sized companies that get \$25,000 or more in state aid through loans or grants would have had to pay employees an amount equal to the current federal poverty level for a family of four. That's at least \$7.28 per hour including benefits or about \$15,000 annually.

The wage requirement also would have affected nonprofit organizations with a salary ratio between the highest paid and lowest paid employee of 25 to 1 or greater.

The bill would have exempted other nonprofit organizations, small businesses, and companies that receive bona fide offers of financial assistance to relocate to other states.

Wage requirements in the bill also would not have applied to businesses receiving aid through tax increment financing (TIF).

The proposal was sponsored by Rep. Karen Clark (DFL-Mpls) and Sen. John Hottinger (DFL-Mankato).

**HF2562/SF1997\*/CH447**

See additional vetoes page 36.

### Time off for kids



A bill to allow parents to take a few hours of unpaid time off to attend their child's school play or parent-teacher conference — regardless of how long they've worked for a company — was signed into law March 19 by Gov. Arne Carlson.

The new law, effective July 1, 1996, expands current law which allows parents who have worked for a company for at least a year to take unpaid leave for a school activity.

Committee testimony indicated that at least one company has strictly interpreted the law

and denied an employee's request to attend a child's school lunch because the one-year requirement was not met.

As in current law, the new law allows parents up to 16 hours during a 12-month period to attend their child's school-related activities, provided the activities cannot be scheduled during non-work hours.

The law also keeps provisions in current statute which, in certain cases, require an employee to "provide reasonable prior notice of the leave and make a reasonable effort to schedule the leave so as not to disrupt unduly the operations of the employer."

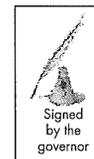
Employers are not required to pay for the leave, but if the employee has accumulated vacation time or other paid time off, he or she may use it.

The measure was sponsored by Rep. Mindy Greiling (DFL-Roseville) and Sen. Ellen Anderson (DFL-St. Paul).

**HF2682\*/SF2438/CH341**

## ENERGY

### Koch tax break



A bill exempting high-efficiency electric power generation plants from property taxes on equipment has become law.

The measure, sponsored in the House by Rep. Loren Jennings (DFL-Harris), aims to keep Koch Refining Co. from building its \$300 million cogeneration facility out of state. The company has said it wants to build the plant in Rosemount, Minn., and has lobbied extensively for the new law.

"Passage of this bill will assure a number of trade jobs in the community to build the facility," Jennings has said. "And it will be the cleanest burning facility of its type."

Cogeneration is a combustion process that uses heat more efficiently than does a conventional power plant. The exemption will be granted to plants that reach a certain level of efficiency. The measure aims to make Minnesota more attractive to other plants that use or plan to use the process.

Supporters of the new law have said Minnesota is unattractive to electric generation companies relative to other states. Some also say the state needs an energy policy that encourages cleaner burning processes such as cogeneration.

Critics have said the exemption unfairly favors one industry over others.

The measure signed into law could exempt Koch from all property taxes on equipment if the cogeneration plant reaches a certain level of efficiency.

The bill was sponsored in the Senate by Sen. Steve Novak (DFL-New Brighton).

HF637\*/SF1147/CH444



## ENVIRONMENT

### Environmental funding



The \$10.3 million environmental budget package has been signed into law.

The measure increases state park fees, provides relief for northern Minnesota counties that suffered extensive timber damage, and sets aside \$1.3 million for an off-road vehicle park in Gilbert, Minn.

Under the law, the annual state park fee will increase from \$18 to \$20 for most people and from \$12 to \$20 for senior citizens. Those 1997 fee increases, plus a hike in campground permit fees, will raise an extra \$325,000 annually for state parks. The law does not include an increase in fees for disabled park users, as originally proposed by the House.

Gone from the measure are four projects totaling \$215,000 that were line-item vetoed by the governor. (See page 37 for related story.)

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

HF3231/SF2167\*/CH407

### Timber damage

The northern Minnesota counties of Aitkin, Becker, Clearwater, Hubbard and St. Louis receive a total of \$250,000 in fiscal year 1996 to repair damage from thunderstorms that struck in July 1995. The money will be used to reimburse costs incurred in such areas as timber damage, cleanup, reconstruction, and debris removal.

An estimated 250,000 acres in northern Minnesota were hit, including state, county, federal, and private lands. One hundred seventy-five miles of roads were destroyed in the process. The storms ranged from an area west of Itasca State Park eastward through Clearwater County to south of Grand Rapids. The Department of Natural Resources (DNR) has estimated that \$22.5 million worth of timber was lost or damaged. Nearly one-half of the annual wood supply needed by the state's forest industries was damaged or destroyed, the DNR has said.

The DNR also will get \$240,000 to pay for unexpected clean-up costs associated with the 1995 storm.

### State park management

The law appropriates \$350,000 in fiscal year 1997 for state park and recreation management. The money will fund the establishment of an electronic state park permit tracking system. The provision also raises state park permit fees for various users. The DNR expects to raise \$325,000 through increased fees by June 30, 1997.

### Solid waste

The Pollution Control Agency (PCA) will get \$779,000 through fiscal year 1997 to study water quality. The study targets "point source" pollution activities. The appropriation is an increase from the \$689,000 appropriation contained in the original House bill.

### All-terrain travel

The state will spend \$1.3 million to develop an all-terrain vehicle recreation area in the city of Gilbert, Minn. Brown's original proposal contained an \$850,000 appropriation for an all-terrain vehicle recreation area to be located on the Iron Range. The law also calls for the commissioner of natural resources to complete a long-range plan that spells out trail maintenance needs and accompanying costs through 2025.

### Dairy farms

A total of \$150,000 will be used to help both big and small dairy farmers under the law. The money will help supply new technologies to dairy farmers. A board of farm business instructors, extension specialists, and dairy industry representatives will help to administer the technology. The Dairy Producers Board will be charged with reporting on the program to the Legislature by Jan. 15, 1997.

### Beaver damage

Local governments affected by beaver damage will share \$75,000 to study statewide beaver damage. The appropriation, which requires an equal match by the Beaver Damage Control Joint Powers Board, is less than half the \$300,000 appropriated in the original House bill.

Beaver dams in ditches, rivers, and coulees have created flooding in the flat terrain of northern Minnesota. Last year, Gov. Arne Carlson vetoed a \$150,000 appropriation for the joint powers board.

### Alfalfa

A total of \$200,000 is appropriated for research and development relating to alfalfa production. The appropriation is four times the amount contained in the original House bill. The money will go toward developing alfalfa varieties that have optimal energy and protein levels as well as the development of value-added alfalfa products. The University of Minnesota, the Agricultural Utilization Research Institute, and other public and private groups would be involved in the research.

### Pest control

An urban, integrated pest management development and promotion program will be created with Metropolitan State University at a cost of \$75,000. The goal of the program is to promote integrated pest management in urban areas.

### River basin funding

The law calls for \$125,000 in continued funding for the Minnesota River Basin Joint Powers Board. The 37-county board is charged with keeping the river clean through public education and local environmental



The \$10.3 million environmental budget package signed into law provides relief for northern Minnesota counties that suffered extensive timber damage during severe thunderstorms in July 1995.

projects. It was established more than a decade ago when the DNR found that the river exceeded acceptable phosphorous and nitrate levels.

DNR officials have said the state has a history of financing joint powers boards, such as the North Shore Management Board. In addition, efforts by the 37 counties help hold sewage treatment costs down in the metro area, said Ron Nargang of the DNR.

### Fighting river sedimentation

Morrison County will get \$75,000 to study and propose a solution to accelerated sedimentation along the eastern shoreline of the Mississippi River. The University of Minnesota will use the money at its St. Anthony Falls laboratory.

### Minnesota resources

Projects aimed at preserving the state's resources will get \$4.8 million under the law. The appropriation is about \$500,000 more than the provision contained in the original House bill. The larger appropriations fund the development of recreational land. A total of \$1 million will fund the development of metro-area parks. Another \$1 million will go for state park and recreation development and \$895,000 for local grants for the same purposes. A total of \$410,000 is earmarked for development of the Chippewa County Regional Trail.

Other items include a \$360,000 joint project between the PCA and the DNR to develop an Internet program aimed at increasing public access to information. The state's Reinvest in Minnesota program, which aims to acquire and preserve wetlands and other conservation lands, will get \$750,000 under the law.

## Wetlands changes



The lengthy debate between legislators, local officials, farmers, and environmentalists over wetlands has ended in a compromise that has been signed by the governor.

Rep. Willard Munger (DFL-Duluth), House sponsor of the new measure and chief proponent of wetlands regulations, said the compromise will make the landmark Wetlands Conservation Act "more workable" for all areas of the state, particularly those areas with a high percentage of wetlands remaining, while maintaining a high level of resource protection.

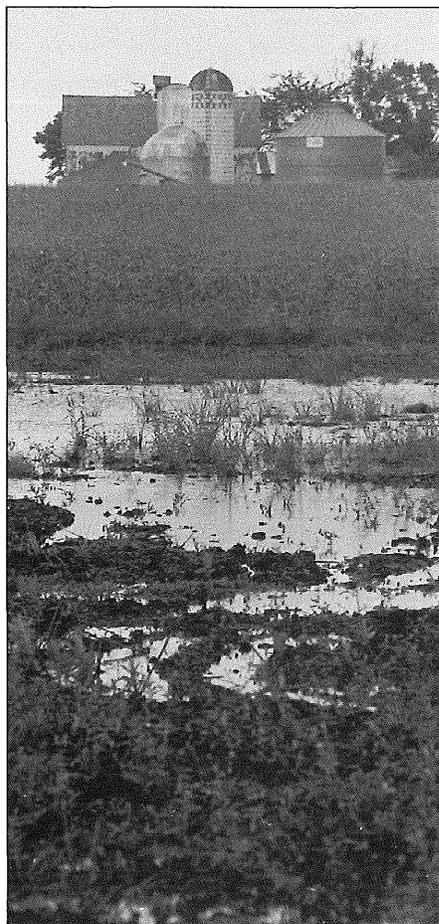
The much-awaited changes to the 1991 wetlands law, which stalled in conference

committee last session, will provide broader exemptions and more flexibility in current replacement requirements.

Farmers who have shown a need for more flexibility will benefit from the law's expanded definition of "agricultural land," which applies agricultural exemptions to wetlands located in farming areas. Another provision will allow farmers to drain many wetlands that are less than five acres, under certain conditions. Munger said these are mostly "small, nuisance wetlands located on farmland."

The replacement requirements for drained or filled wetlands also will be eased under the law. These will benefit certain northern Minnesota counties, where officials have said new development is hindered by current law.

Current law requires most wetlands larger than 400 square feet that are eliminated to be replaced by two wetlands of equal size. Under the new law, in areas where 50 to 80 percent of presettlement wetlands exist, the



The lengthy debate between legislators, local officials, farmers, and environmentalists over wetlands has ended in a compromise signed into law by the governor. One provision allows farmers to drain many wetlands that are less than five acres, under certain conditions. The replacement requirements for drained or filled wetlands are also eased under the new law.

2:1 replacement ratio would drop to 1:1.

In counties with more than 80 percent of presettlement wetlands (where replacement is already at a 1:1 ratio), the size of wetlands exempt from replacement requirements will rise from 400 square feet to 10,000 square feet outside of shoreland wetland protection zones. In counties with 50 to 80 percent of presettlement wetlands, areas of up to 5,000 square feet will be exempt. In counties with less than 50 percent of presettlement wetlands, those up to 2,000 square feet will be exempt from replacement.

Environmentalists gained support for a provision that will require the replacement of wetlands lost in the metro area (due to road projects) to be made within the same area, if possible. Replacement should occur first within the same watershed district and, if that's not possible, within the county, or another county within the seven-county metro area. Current law allows such losses to be replaced in other areas of the state. Proponents of the new provision argued that the metro area was losing what is left of its sparse wetlands. Rep. Betty McCollum (DFL-North St. Paul) said the new policy will create "clean water and green space," calling the change "the right step" to take.

Changes also will be made regarding wetlands affected by road projects.

Under current law, a public transportation authority that drains or fills a wetland while doing road work must replace the wetland. The new law exempts repair and replacement of existing local roads from that requirement. The Board of Water and Soil Resources (BWSR) will replace wetlands that are drained or filled from local road repair projects. The 1996 bonding bill (HF3273/SFnone/CH463) includes a related provision that would appropriate \$3 million to BWSR for the purchase of perpetual easements, and to replace wetlands that are drained or filled as a result of the work on existing local public roads.

In addition to the added exemptions and flexibility, the new wetlands law offers more local government control over wetland management. Local governments will adopt wetland protection and management plans which, after review and approval by BWSR, will replace the strict rules that now must be followed. The measure also will set forth two programs to encourage local governments to preserve high priority wetlands: a modified tax exemption program and an easement program for the protection of at-risk wetlands.

The law also calls for an analysis and recommendations on how wetlands regulations affect property values, and to determine levels of

compensation for landowners who have suffered losses as a result of wetlands regulations.

To help those with questions on the complex wetlands laws and regulations, a toll-free number and a local government integration program to offer assistance to landowners will be established.

The new law is effective April 12, 1996.

Sen LeRoy Stumpf (DFL-Thief River Falls) sponsored the bill in the Senate.

**HF787\*/SF1116/CH462**

## Reimbursing the state



A new state law, effective March 27, 1996, will help the state collect more insurance money to cover the costs of cleaning up contaminated landfills.

The law repeals portions of a 1994 law which simplified the cleanup of contaminated landfills. The law came after a rash of lawsuits were filed in connection with the contaminated Oak Grove landfill just north of the Twin Cities. That law took the responsibility for cleaning up contaminated sites away from landfill users and made the state responsible.

But the attorney general's office found the 1994 law brought many problems, especially in recovering costs from insurance companies. Under that law, the state would determine an insurance company's liability in a contaminated landfill case by using general statewide market share percentages. For example, the state would determine that an insurance company owed 25 percent of the costs of cleaning up a given landfill because 25 percent of that company's business was in business liability insurance. The insurance company, in some cases, would then argue they weren't liable because none of their market share included landfill operators.

The new law, carefully negotiated between the attorney general and the insurance industry, establishes a new process. Instead of using market share to determine what an insurance company should pay, it addresses each contaminated landfill on a case-by-case basis to determine liability. Proponents say this will make it easier for the state to recover cleanup costs from insurance companies.

The case-by-case approach means extra work for the attorney general's office. A total of \$689,000 is included in the new environment and natural resources finance law (HF3231/SF2167\*/CH407) to cover the additional costs.

The new law was sponsored by Rep. Jean Wagenius (DFL-Mpls) and Sen. Steve Morse (DFL-Dakota).

**HF2588\*/SF2120/CH370**

## Outbreak



A new law, effective May 1, 1996, will help the Department of Natural Resources better contain the spread of harmful exotic species.

The measure will create a general description in law applying to all exotic species defined as a wild animal or an aquatic plant that can naturalize and possibly threaten native species and natural resources. Previous law prohibits the transporting of only Eurasian water milfoil. Since, according to DNR officials, distinguishing between the different types of milfoil is nearly impossible, the DNR did not issue any tickets for illegal transport last year.

The law also prohibits (with limited exceptions) the transport of all aquatic plants, including transport on public highways, an area not covered by existing law. There is an exception for incidental transport of aquatic plants on decoys used during waterfowl hunting season.

The law does not apply to mammals and birds defined by statute as livestock.

The proposal was sponsored by Rep. Loren Jennings (DFL-Harris) and Sen. Len Price (DFL-Woodbury).

**HF2379/SF2503\*/CH385**



## FAMILY

### Foster children, adoption



Effective April 3, 1996, a new law will bring Minnesota's foster care and adoption laws closer to conformity with new federal standards.

The federal Multi-ethnic Placement Act, which Congress approved in 1994, prohibits agencies from using race, color, or national origin as the sole criteria for denying or delaying placement of foster and adopted children. The new law amends the Minnesota Heritage Act to bring it into compliance with federal law.

House sponsor Rep. Barb Sykora (R-Excelsior) has said the law will increase efficiency and reduce the costs to counties of foster care and adoption placements. She noted that these improvements will help to bring stability into the lives of the children affected by these laws.

Under the law, agencies cannot delay the placement of children until a household of the same race has been found. In addition, the proposal repeals a law that requires agen-

cies to make special efforts to recruit a foster family of a certain racial or ethnic heritage. Placement of children in households of the same race will remain one of four factors in law that agencies consider, within the stated policy goal that all placements be in the "best interests of the child."

But the law also adds a new consideration in determining the placement of a child; with an important friend with whom the child has lived or had significant contact. In order of consideration, the law now asks that child-placing agencies look to relatives of the child, an important friend, a family of the same racial or ethnic heritage, or a family of a different racial or ethnic heritage.

Other provisions prohibit agencies from using race as the sole basis for determining eligibility for the Adoption Assistance Program. This program provides assistance to households adopting children who have been severely neglected, abused, or have major medical problems.

The law also establishes an appeals process for foster care providers who feel they haven't received the benefits to which they may be entitled.

It also uses statutory definitions of "egregious harm" and "substantial bodily harm" within the context of the law to specify when children should be removed from the homes of foster care providers.

The proposal was sponsored in the Senate by Sen. David Knutson (R-Burnsville).

**HF2158/SF1885\*/CH416**



## GAMBLING

### Retail lottery contracts



A new state law, effective Feb. 29, 1996, reduces red tape for retailers who sell state lottery tickets.

The law allows retailers to sell lottery tickets at more than one site under a single contract with the state. The new law also will change requirements for the posting of bonds by lottery retailers.

Previous law required a contract for lottery sales at each retail location. That meant a business person who ran five convenience stores had to enter into five separate lottery contracts with the state.

Also under previous law, all lottery retailers had to post a bond to protect the state's financial interests. The new law makes the posting of bonds optional at the discretion of the state lottery director.

The legislation was sponsored by Rep.

John Dorn (DFL-Mankato) and Sen. Jerry Janezich (DFL-Chisholm).

HF2316/SF1936\*/CH288



## GAME & FISH

### Omnibus game and fish



It no longer will be a crime for kids to put sunfish in their home aquariums under a new law.

The law makes a number of changes to the state's hunting and fishing laws.

Under current law, transplanting a game fish from a lake to an aquarium is a misdemeanor, punishable by up to 90 days in jail and a \$700 fine. The new law allows those under age 16 to take by angling "fish for display" in aquariums. The law limits the take to no more than four fish of each species, none of which can exceed 10 inches in length. Not all fish can be taken, however. The law specifies that only largemouth bass, smallmouth bass, yellow perch, rock bass, black crappie, white crappie, bluegill pumpkinseed, green sunfish, orange spotted sunfish, and black, yellow and brown bullheads are permitted.

An amendment that would have allowed adults to take fish for their aquariums was removed in conference committee.

Other provisions in the law will:

- permit full-time students who are non-residents to take big game, except moose, if they buy a resident big game license. Current law allows these students to take only fish or small game;
- require the DNR to seek public input on the allowance to take antlered deer in more than one zone, and whether the license to do so should be extended to archery and muzzle-loader hunters at no additional fee. The DNR must report the results to the Legislature by March 1, 1997; and
- permit the possession of trout or salmon without the purchase of a license stamp on certain lakes where there are no limits and the methods of taking fish go beyond traditional hook and line. Currently, this benefit is given only to anglers with a 24-hour license.

The provisions described above are effective Aug. 1, 1996.

The proposal was sponsored by Rep. Bob Milbert (DFL-South St. Paul) and Sen. Janet Johnson (DFL-North Branch).

HF2799/SF2445\*/CH410



Deer populations hurt by this winter's intense cold and heavy snow could be helped under a new law. The law provides \$750,000 for an emergency deer feeding program in the northern one-third of the state. The funds were made available March 2.

### Feeding hungry deer



Deer populations hurt by this winter's intense cold and heavy snow could be helped under a new law.

The law provides up to \$750,000 for an emergency deer feeding program in the northern one-third of the state. The funds were made available March 2.

The dollars will come from a portion of the proceeds from hunting and fishing licenses, but the law will not increase the cost of those licenses.

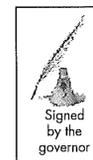
Rep. Tom Bakk (DFL-Cook), said he initially proposed the law when he discovered the Department of Natural Resources operates a deer feeding program only in northwestern — not northeastern — Minnesota. The feeding program in the northwestern portion of the state targets agricultural lands. The DNR ran a deer feeding program in the heavily-forested northeastern region in 1989 but discontinued it because it led to less than a 3 percent increase in the deer population. Bakk has said hunters from the northeast, who contribute to the state's deer feeding fund through their annual license fees, also deserve an emergency feeding program.

The law calls for a study to be conducted to examine the costs associated with the emergency deer feeding program and the effect the project has on the deer population.

The proposal was sponsored by Bakk and Sen. Doug Johnson (DFL-Cook).

HF2902/SF2596\*/CH294

### New turkey stamp



A new law will help boost the state's wild turkey population through additional license fees paid by hunters.

Effective March 1, 1997, the state's approximately 12,000 wild turkey hunters will be charged an extra \$5 each year.

Under current law, turkey hunters apply for a permit with the Department of Natural Resources (DNR). The extra charge will be for an additional stamp that turkey hunters must purchase. (A similar stamp now exists for those who wish to hunt migratory waterfowl or pheasant.)

About 90 percent of the funds raised by the new turkey stamp will go to the DNR for expanded wild turkey research and habitat preservation. Although the bird is thriving in parts of south central Minnesota, wild turkeys are non-existent in other areas of the state.

House sponsor Rep. Tom Hackbarth (R-Cedar) has said that some turkey hunters were especially concerned, having heard that the DNR considered reducing the amount of funds going toward wild turkey research and habitat development in outstate areas.

The proposal was sponsored in the Senate by Sen. Gene Merriam (DFL-Coon Rapids).

HF1964/SF1775\*/CH364

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### State government finance law



The House passed a \$9.5 million state government omnibus bill March 21 which Gov. Arne Carlson has signed into law (with the exception of one section).

The law includes minor changes to the bill originally passed by the House. Those changes include an increase of \$2.1 million for a statewide computer system and \$200,000 more for the Department of Human Rights.

Items that were dropped in conference committee include a provision which would have required metal shredding companies to get an environmental impact statement before building such a plant. The provision was aimed at a controversial plan for a kondirator project along the Mississippi River in north Minneapolis. Another provision left out of the bill, proposed by Rep. Mike Osskopp (R-Lake City), would have fined state agencies 10 percent of their budget if they did not follow laws.

Carlson line-item vetoed a \$50,000 study that would have addressed both the pending kondirator project and the University of Minnesota's controversial plan to refurbish a steam plant along the Mississippi River.

The bill was sponsored by Rep. Tom Rukavina (DFL-Virginia) and Sen. Gene Merriam (DFL-Coon Rapids)

HF3214/SF2857\*/CH390

### Statewide information system

Under the law, a one-time appropriation of \$6.4 million will be made to fund a statewide operating system. The appropriation will fund updates to computer software and hardware in the state's new operating system, which was put into place this year. The original House bill appropriated \$4.3 million.

### Target Center

The law aims to increase the state's use and efficiency in paying for the use of the Target Center. The provision appropriates \$750,000 to the Amateur Sports Commission — a state board — to enter into agreements with the Target Center that stimulate local, national and international amateur sports. The provision also attempts to limit the amount of ancillary costs incurred by the state by allowing the commission to resell reserved dates when necessary. Currently, the commission, which reserves dates at the center for state-sponsored activities, cannot resell reserved dates and must pay for operating costs whether

or not an activity takes place on a reserved date.

### Celebrating emancipation

June 19, the date officially celebrated in other areas of the nation as Juneteenth, will become a day of recognition in Minnesota, under the law.

Juneteenth is observed as the day the Emancipation Proclamation was first publicly read in Texas in 1865. Initially proposed by Rep. Richard Jefferson (DFL-Mpls) as HF1889, the provision will add Juneteenth to the list of state days of recognition such as Arbor Day and Ethnic American Day. It will not be an official state holiday.

### Year 2000 project

A total of \$1.25 million will fund the governor's Year 2000 Project. About 80 percent of the computer programs used by the state will require modifications when the year changes from 1999 to 2000. Many computer programs cannot perform arithmetic operations or sort data fields when working with years outside of 1900 to 1999.

### Remembering suffrage

The women's suffrage movement, which observed its 75th anniversary last summer, will be commemorated in a memorial garden on the grounds of the Minnesota State Capitol. The proposal will use \$250,000 in conjunction with \$50,000 in private dollars.

The private money will be used for plaques, benches, and educational materials to be distributed in connection with the memorial garden.

Plans call for the garden to be constructed on a 100-foot-by-150-foot section of land that is south of Constitution Avenue near Cedar Street, close to the location of the 1996 Winter Carnival ice slide.

### Technology provision in budget

The law requires the governor to submit a separate information technology expenditure as part of the biennial budget.

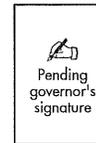
The new component of the budget will include detailed recommendations on the state's technology initiatives for the current and following biennium. It also will require the governor to prioritize each project.

### Clearing the backlog

The Department of Human Rights will get \$300,000 this biennium to clear its backlog of cases. Originally proposed as HF3083 by Rep. Matt Entenza (DFL-St. Paul), the provision originally appropriated \$100,000 to solve the problem, which was the subject of a

January report by the Office of the Legislative Auditor. The report found the department had not processed discrimination complaints in a timely manner and had not effectively used the department's case-tracking system.

### No new airport



A bill banning the construction of a new international airport in Dakota County is awaiting action by Gov. Arne Carlson.

The bill would instead expand the existing airport near Bloomington with a new north-south runway designed to reduce flights over Minneapolis. It is expected to cost less than \$1 billion.

The legislation, however, did not authorize the building of a new terminal on the airport's west side.

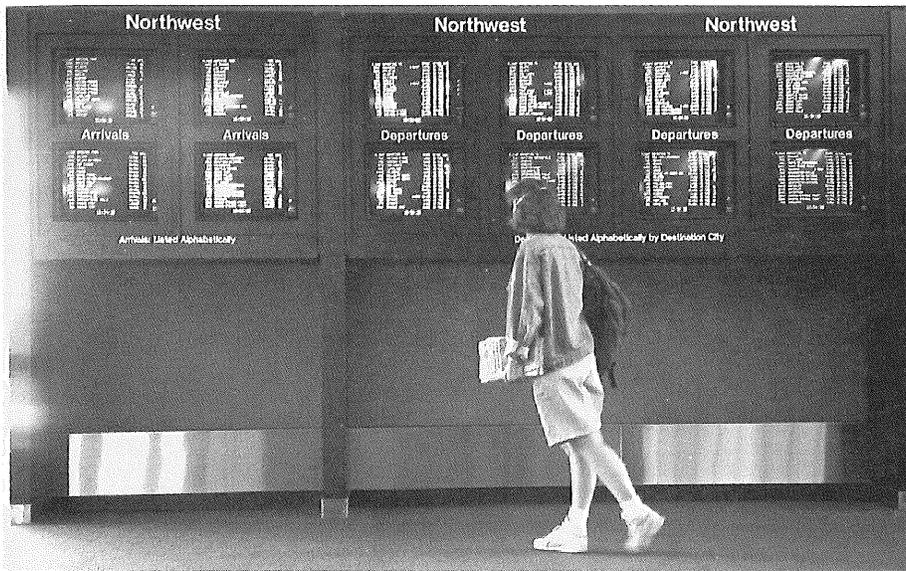
It also struck down a third parallel runway that would have directed air traffic — and the noise that accompanies it — deeper into Minneapolis. Not only did the bill fail to authorize the third runway, it created extra protection to prevent it from being built.

Even if the Legislature changes its mind and someday authorizes a third parallel runway, that runway could not be built without the approval of affected cities in the area (Minneapolis, St. Paul, Bloomington, Richfield, Mendota Heights, and Eagan). It requires the Metropolitan Airports Commission (MAC) to sign contracts with each city stating that it will not construct a third runway without the affected city's approval.

If MAC fails to negotiate the contracts by Jan. 1, 1997, the airports commission must pay each city with which it fails to sign a contract (property owners would be third-party beneficiaries) twice the amount of money it usually does for airport noise mitigation.

The bill also requires a report on the environmental effects of expanding the airport and requires MAC to spend no less than \$185 million between 1996 and 2002 for sound-proofing homes, schools, and other publicly owned buildings as well as for acquiring property impacted by the noise. Furthermore, the airports commission must sound insulate and air condition four Minneapolis schools and two Richfield schools.

Another provision in the bill prohibits noisy aircraft from using the airport after Dec. 31, 1999. Specifically prohibited would be aircraft not complying with stage 3 noise levels, which means only newer planes or older ones with noise mitigation devices would be allowed.



A bill banning the construction of a new international airport in Dakota County is awaiting action by Gov. Arne Carlson. The bill would instead expand the existing airport near Bloomington with a new north-south runway designed to reduce flights over Minneapolis.

A separate section of the bill aims to redirect the expansion of the Mall of America in order to keep room available for the expansion of the Minneapolis-St. Paul International Airport and save the airports commission and the city of Bloomington some money.

The bill authorizes the city of Bloomington to transfer a 9-year-old special taxing district east of the mall to the north side of the mall.

To do that, the Metropolitan Sports Facilities Commission would have to be willing to sell its lucrative piece of land on the north side — the Met Center site — for the mall's new development.

If the sports commission did, it would free up the east side land to help make room for the airport expansion.

Switching the taxing district is necessary because under its current contract with the city of Bloomington, the mall must expand wherever its special taxing district lies.

If the mall continued to expand on the east side and the airport expansion materialized, federal safety rules would come into play and dictate that the mall's east side development be razed because it would be too close to a runway.

Not only would it be a waste, but if the airports commission and the city of Bloomington came in at that time to buy up the already-developed land, the cost of the property would be significant.

The bill was sponsored by Rep. Dee Long (DFL-Mpls) and Sen. Ted Mondale (DFL-St. Louis Park).

**HF3012\*/SF2365/CH464**

### Claims against the state



A new law will pay individuals who have claims against the state for everything from overdue war veteran bonuses to injuries sustained while performing community service work.

The law, effective March 22, 1996, totals about \$97,000.

It also appropriates \$4,180 to a Grygla, Minn., individual who overpaid tax on an airplane in 1989 and another \$4,000 to one individual who spent \$8,000 to build a useless stone wall to prevent erosion based on erroneous information from the Department of Natural Resources. The remaining \$4,000 will come from the department's existing budget.

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 measure, sponsored by Rep. Edgar Olson (DFL-Fosston) and Sen. Randy Kelly (DFL-St. Paul), contains claims that range from \$7.50 to \$4,180.

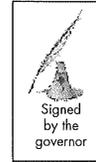
Most of the claims contained in the new law apply to the Department of Veterans Affairs to compensate Minnesota veterans for state-authorized bonuses based on their length of military service during wartime. Each veteran must apply for the bonus. The law appropriates about \$80,000 for the bonuses.

Other funds in the bill include \$7,120 for pre-paid claims against the Department of

Corrections as well as for three people who were injured while performing court-ordered community work.

**HF3217\*/SF2835/CH360**

### Chicano-Latino council



A new law will bring greater geographic diversity to the Minnesota Spanish-Speaking Affairs Council and change the group's name.

The law, effective April 3, 1996, also increases the number of members on the governor-appointed council from seven to 11, including eight members representing each of the state's congressional districts and three members appointed at large. Two non-voting members from both the House and the Senate also will sit on the council.

The group will now be called the Minnesota Council on Affairs of Chicano/Latino People.

The term "Chicano/Latino" is defined as a person born in or a descendent of people from Argentina, Bolivia, Brazil, Chile, Colombia, Costa Rica, Cuba, the Dominican Republic, Ecuador, El Salvador, Guatemala, Honduras, Mexico, Nicaragua, Peru, Panama, Paraguay, Puerto Rico, Uruguay, or Venezuela.

The council has expressed concern that their seven members do not represent out-state interests. Its current members, who are appointed by the governor, predominantly represent the metro area.

The law also makes minor changes to laws relating to the Council on Black Minnesotans, the Indian Affairs Council and the Council on Asian-Pacific Minnesotans.

The proposal was sponsored by Rep. Matt Entenza (DFL-St. Paul) and Sen. Sandy Pappas (DFL-St. Paul).

**HF2193/SF1902\*/CH420**

### Recognizing Taiwan



A resolution the Legislature passed calls for the United States to recognize the Republic of China (Taiwan) and asks that it be admitted as a member of the United Nations. The governor filed the resolution without his signature.

The resolution, **(HF14)** calls for the United States government to consider rendering active support to "expedite the full participation of the Republic of China in the international community."

Rep. Mike Jaros (DFL-Duluth), who sponsored the measure, said Taiwan is the 14th largest trading nation in the world.

The U.S. established full diplomatic relations with the People's Republic of China in 1979. It severed its diplomatic relations with Taiwan but still maintains trade relations.

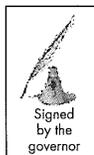
Copies of the resolution will be forwarded to Congress and other federal offices.

HF14\*/SFnone/Res. 4



## HEALTH

### Hospital stays after birth



Mothers and their newborn babies will have the option to stay in the hospital a little longer under a new law signed by Gov. Arne Carlson.

The new law, effective March 20, 1996, requires insurance companies to cover a minimum of 48 hours of inpatient care following an uncomplicated vaginal delivery and at least 96 hours of inpatient care following an uncomplicated cesarean section.

Currently, many mothers and newborns are being sent home 24 hours after delivery and doctors worry about the health risks to both patients.

Under existing law, hospital patients can sign a waiver to be released whenever they dictate, so a mother could still leave before 48 or 96 hours. No doctor or health plan, however, could force a mother and child to leave before 48 or 96 hours elapse following the delivery, depending on the method of delivery.

The new law also prohibits health plans from providing any compensation or other non-medical benefit to encourage a mother and newborn to leave the hospital early.

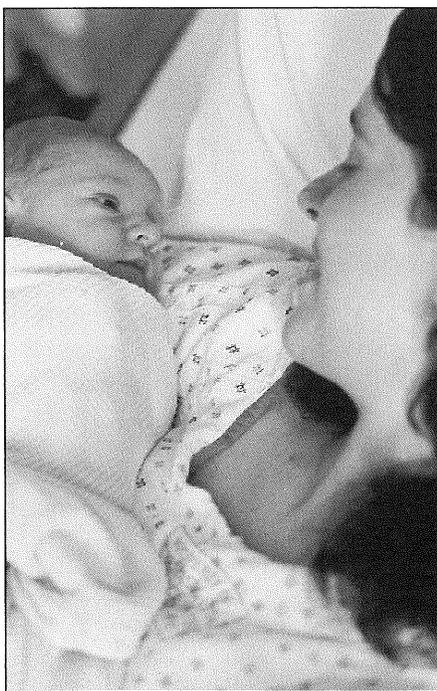
The provision represents a preemptive strike. While lawmakers acknowledged that this practice currently doesn't occur in Minnesota, it does in other states.

Should a mother leave the hospital before 48 or 96 hours have elapsed, her insurance company must provide coverage for the option of one home visit by a registered nurse, under the new law. Services provided by the nurse include parent education, training in breast and bottle feeding, and conducting any necessary and appropriate clinical tests.

The new law does not apply to businesses that are self-insured or to health plans administered by the state, such as MinnesotaCare or Medical Assistance.

The measure was sponsored by Rep. Joe Opatz (DFL-St. Cloud) and Sen. Don Betzold (DFL-Fridley).

HF2008\*/SF1791/CH335



Mothers and their newborn babies will have the option to stay in the hospital a little longer under a new law that became effective March 20, 1996. It requires insurance companies to cover a minimum of 48 hours of inpatient care following an uncomplicated vaginal delivery and at least 96 hours of inpatient care following an uncomplicated cesarean section.

### Unmarked cars OK



Effective Feb. 16, 1996, employees with the Department of Health's Disease Prevention and Control Division can use unmarked motor vehicles for work, under a new law.

The law adds a handful of health department employees to the list of those authorized to drive unmarked state motor vehicles.

The law was proposed to both keep state employees from using their own cars for work and to prevent embarrassing residents by having a labeled health department van visit their home. The job duties of the added employees include notifying people who are infected with a sexually transmitted disease.

The proposal was sponsored by Rep. Bill Haas (R-Champlin) and Sen. Don Betzold (DFL-Fridley).

HF2110/SF1862\*/CH269

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## HIGHER EDUCATION

### Higher ed bill signed



A \$14.4 million higher education funding law requires changes in the tenure code for the University of Minnesota academic health center.

The measure provides supplemental funding for the state's higher education institutions, including the University of Minnesota (U of M) and the Minnesota State Colleges and Universities (MnSCU) system. The dollars are available July 1, 1996.

A total of \$9 million is marked for the U of M. The state will spend \$6.6 million to restructure the academic health center, but the money is contingent upon specific performance goals.

The academic health center includes the medical school and dentistry, public health, nursing, and veterinary programs. Funds for the center will be used to improve technology and update curriculum.

Ninety percent of the academic health center appropriation — about \$5.9 million — is contingent on the U of M making changes to the personnel policies in the center.

The law states that the Legislature "requests" the school to pursue changes in the tenure code for the academic health center without infringing on academic freedom.

Critics say the tenure code is often used as a job protection device that drains resources from academic programs.

Specifically, U of M trustees have to allow for changes in base salary for health center faculty and provide streamlined procedures for their separation.

The remaining 10 percent of the \$6.6 million for the academic health center is earmarked for the University of Minnesota-Duluth (UMD) medical school. But the money hinges on the continued development of the medical school as a rural health center, which aims to produce more medical professionals to serve rural areas.

Under the law, UMD has to expand the training of rural nurse practitioners, pharmacists, physician assistants, and general practitioners. The school also will have to develop electronic links to facilitate video conferences and the transmission of images and other information.

Another \$2 million in the law will be used for interactive communications technology to link academic health center facilities in Minneapolis, St. Paul, and Duluth and other community-based sites.

The law also includes \$5.3 million for the

MnSCU system. Most of the money will bolster technology on the campuses.

Under the measure, about \$4.5 million will be made available for grants for the use of technology to improve learning in the classroom.

Grants of up to \$250,000 are to be awarded to state colleges and universities on a competitive basis. A review panel, including faculty, students, and a member of the Minnesota High Technology Council will decide who receives the grants.

Both the governor and lawmakers have established technological upgrades at educational institutions — at all grade levels — as a high priority this year.

Also, the law includes \$800,000 for the U of M and MnSCU to initiate a joint project to coordinate distance learning efforts and improve such programs.

Other provisions of the law will:

- provide \$150,000 for the establishment of a statewide on-line library system. The dollars will fund a library planning task force whose goal is to set up an on-line system to serve colleges, public libraries, and public schools; and
- spend \$150,000 to update the technology used in the state's six regional farm business management programs, which aim to help farmers learn business skills and improve profits.

A total of \$1.5 million to increase living and miscellaneous allowances in state grants for college students was line-item vetoed by the governor, as was a \$50,000 appropriation to repay college loans for graduates of Minnesota law schools who practice low-paying, public-interest law.

The proposal was sponsored by Rep. Tony Kinkel (DFL-Park Rapids) and Sen. LeRoy Stumpf (DFL-Thief River Falls).

HF3239/SF2849\*/CH395

## Reducing mandates



If there is a foot of fresh snow on the ground and travel is dangerous in Bemidji, the president of the local state university may want to close the campus for the day.

But he couldn't do it on his own. State law says the ultimate decision must be made by officials 220 miles south in St. Paul.

A new state law changes all that and aims to get rid of state mandates that neither bolster education nor improve accountability at state-funded higher education institutions, according to House sponsor Rep. Gene Pelowski (DFL-Winona).

The law grew out of a collaboration between lawmakers, system officials, college students, faculty, and administrators. The goal is to allow higher education institutions to devote more of their energy to educating and less time and resources wrestling with unnecessary state regulations.

The law represents a philosophical shift in government's role in the delivery of higher education, according to Pelowski. The state still sets performance expectations for the systems and campuses, but the institutions are given more decision-making authority to meet those expectations.

One example is the simplification of procedures for closing campuses in weather emergencies.

Under the law, officials at Minnesota State Colleges and Universities (MnSCU) system campuses no longer must get approval from the Department of Employee Relations to close a campus because of bad weather.

Most changes are effective April 3, 1996, and the list below includes some of the highlights.

- Purchasing by MnSCU institutions is made more efficient and cost effective. Under previous law, campuses had the authority to make purchases only up to \$1,500, and most purchases had to be made through the state Department of Administration. But campus officials have said they often pay the state more than they would pay local merchants for the same products, whether it's toilet paper or computer disks. The law exempts the institutions from state purchasing requirements.
- Many reporting requirements are dropped. Officials from the colleges and universities consider some of the reports currently required to be especially onerous. For example, campuses now must file a report any time refreshments are served at a meeting. The report must list the names of all in attendance and disclose what was served and its cost. The report then must be signed by appropriate campus officials and filed with the Department of Finance. The law exempts the MnSCU system and its campuses from this and many other reporting requirements.
- Proof of immunization mandates are altered to spare colleges and universities a lot of paperwork. Current law requires that each student produce evidence of immunization in order to register for classes. The new law stipulates that beginning in 1997 the schools do not have to get immunization records from students who are graduates of Minnesota high schools. Determining if students are properly immunized

will be done at the high school level.

- Common calendar requirements now on the books also are changed. A 1995 law required all MnSCU campuses to begin the school year at the same time. The law sought to ease transfers between schools. But some college officials complained the change would complicate local arrangements, such as those between technical colleges and school districts. The new law stipulates that co-located institutions (most often community and technical colleges) be on the same calendar, but all institutions are otherwise free to set a calendar in the best interests of the students.

Pelowski has said that the collaborative effort to reduce mandates on higher education institutions demonstrates that reform "doesn't have to be a partisan affair."

The proposal was sponsored in the Senate by Sen. Steve Murphy (DFL-Red Wing).

HF2206\*/SF2143/CH398



## HOUSING

### Deterring illicit activity



Vacant houses in the inner city could lose their allure to criminals under a new state law.

The law will require, effective Aug. 1, 1996, that owners of vacant buildings pay for at least one of the following: external lighting; "no trespassing" signs; a resident caretaker; or an alarm system. The cost of securing the building would become a lien against the property if an owner couldn't be found.

Besides inviting the danger of drug dealing and prostitution, vacant buildings cost tax dollars in frequent police calls, lost homeowners, and increased refurbishing costs due to wire-stripping and plumbing removal, proponents argue.

The law applies to all cities in Minnesota. House sponsor Rep. Karen Clark (DFL-Mpls) has estimated there are about 400 abandoned houses alone in the Phillips neighborhood of Minneapolis. That neighborhood — home to Clark's district — is bounded by Lake Street and Interstate 94 and Hiawatha Avenue and Interstate 35W.

Current Minneapolis regulations require building owners to secure and sometimes board up property left vacant because it is condemned or foreclosed. But owners can be hard to find and unwilling to pay — a reality that costs.

The Minneapolis Police Department spent about \$30,000 last year to board up vacant buildings. Police have said that price is much

cheaper than the legal costs of pursuing property owners.

Sen. Linda Berglin (DFL-Mpls) sponsored the proposal in the Senate.

HF2039/SF1812\*/CH286

## Problem tenants



A new state law aims to help landlords and residents fight drugs and prostitution.

The proposal, sponsored in the House by Rep. Karen Clark (DFL-Mpls), makes it easier for community members to get the names and addresses of suspicious drivers in the neighborhood. It also attempts to give landlords an easier route to both keeping out bad tenants and evicting drug dealers.

The law's provisions include:

- waiving the \$1.50 fee required to obtain motor vehicle registration information. Effective Aug. 1, 1996, community members who work to fight crime will be able to learn the identities of suspicious-looking drivers in their areas at no charge. Neighborhood groups could use this information to send "notice" letters to the drivers to let them know they are being watched. Minneapolis Police already do this, Clark has said, but the new law will allow more letters to be sent by enlisting the help of community members;
  - adding to lease provisions the "purchase" of a drug as grounds for eviction, effective Aug. 1, 1996. According to Clark, community crime officers have said there is a loophole in current law that prevents landlords from evicting tenants solely for a drug purchase. She said it is easier to evict when drugs are found in a tenant's apartment; and
  - specifying, effective Aug. 1, 1996, that tenant screening agencies must get the full name and date of birth of those seeking housing. Full names and dates of birth are required by the FBI to do criminal history searches. Full names are also required to do an accurate background check on previous residences, Clark said. She said many landlords end up with problem tenants because they didn't get such information before offering the tenant a lease.
- The proposal was sponsored in the Senate by Sen. Linda Berglin (DFL-Mpls).
- HF2040\*/SF1811/CH328

## Right to privacy



A new law, effective Aug. 1, 1996, eases the requirements of previous law governing the privacy rights of tenants.

The measure changes a 1995 tenant's privacy law that some tenants and landlords have said is too strict, according to House sponsor Rep. Linda Wejcman (DFL-Mpls).

Under the law, a landlord or resident caretaker can — without giving notice — enter the apartment of a tenant who is over age 55 to do prearranged housekeeping. Under the 1995 law, landlords are subject to monetary penalties if they enter an apartment without giving the tenant reasonable notice. Entering for anything other than showing an apartment or doing maintenance tasks also brings a fine under the law.

The proposal was sponsored in the Senate by Sen. Ellen Anderson (DFL-St. Paul).

HF2242/SF2196\*/CH367

## Interest on deposits



Effective March 22, 1996, damage or security deposits held for tenants by landlords will not accrue as much interest.

Previously, the annual interest rate for such deposits was 4 percent, which is a full percentage point above what most banks are offering for savings accounts.

Under the new law, landlords must pay only 3 percent interest on a tenant's security deposit.

Should the law remain the same in the year 1999, the interest rate would climb to 4 percent. This provision would be subject to review by the 1998 Legislature.

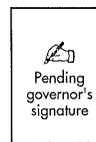
The proposal was sponsored by Rep. Loren Jennings (DFL-Harris) and Sen. James Metzen (DFL-South St. Paul).

HF2672\*/SF2135/CH357



## HUMAN SERVICES

### Omnibus human services bill



A \$14.8 million health and human services supplemental budget bill containing money for nursing homes and people with disabilities now awaits the governor's signature.

The bill would spend \$5 million on nursing homes and attaches a 30-day residency requirement for some welfare recipients who

receive Aid to Families with Dependent Children, MA, General Assistance, or General Assistance Medical Care.

One of the most significant portions of the bill restores millions in cuts made by the 1995 Legislature to two programs that help people with disabilities live independently at home instead of in a group home or nursing home.

Without the \$4.7 million in the supplemental budget bill, hundreds of adults and children with disabilities will lose the help they receive at home that keeps them out of an institution.

Last year, at the urging of Carlson, lawmakers cut a program that provides in-home personal care attendants (PCA) for the disabled. The cuts are scheduled to go into effect July 1, 1996. Other scheduled cuts would hit a program known as TEFRA, which allows the families of children with disabilities to buy into the joint state and federal Medical Assistance plan. This helps them afford costly medical care that their private insurance doesn't cover.

The 1995 law tightened eligibility requirements and limited some services for both programs. One section required those receiving the help of a personal care attendant to be capable of directing their own care or be cared for by family members or placed in an institution.

Another section reduced by 12.5 percent the maximum number of personal care service hours a recipient may receive.

And still another section directly affected mentally ill adults by eliminating services a PCA could provide. Specifically, the 1995 law cut what are called "prompting" and "monitoring" services. That meant mentally ill adults could no longer rely on a PCA to remind them to take medication, prepare meals, or help them get to and from the psychologist or doctor.

The proposal restores those cuts, eliminates the requirement that recipients be able to direct their own care, and reinstates services such as prompting and monitoring.

Rep. Lee Greenfield (DFL-Mpls) and Sen. Don Samuelson (DFL-Brainerd) sponsored the health and human services supplemental budget proposal. Below are some of the other highlights of the bill.

HF1584\*/SF1703/CH451

### Welfare reductions

Welfare programs would see a \$30 million reduction due not to cutbacks, but fewer people needing help. Forecasts used last year to put together the 1996-1997 two-year budget for human services overestimated how many people would participate in public assistance programs.

Reliance on welfare has lessened because

Minnesota's job market is in good shape, according to state officials. Also, officials credit MinnesotaCare for keeping more people off welfare. MinnesotaCare is a state subsidized health plan that allows certain low-income families and individuals to buy health insurance at reduced costs.

### Discounted drugs

Another section of the bill directs the departments of health, human services, and administration to develop a plan to provide prescription drugs at discounted prices to individuals 65 and older whose income is below 200 percent of the federal poverty level.

For a family of two, that would mean an annual income of \$20,060 and for a family of one, \$14,940. The departments are to submit the report to certain legislative committees by Oct. 1, 1996.

### Adoption assistance

More parents wanting to adopt children with disabilities or other special needs could see some financial help from the state. The bill sets aside another \$1.5 million to help families adopt such children.

### Senior nutrition

The bill marks \$600,000 to expand programs that offer meals and groceries to the elderly across the state. Committee members were told that good nutrition can help keep senior citizens out of nursing homes.

A portion of the money would flow through the Minnesota Board on Aging to local agencies to expand elderly food programs statewide. Another portion would be given directly to local agencies on aging to help pay for such elderly services as: the home delivery of meals, groceries, and prescriptions; transportation to supermarkets and congregate dining sites; vouchers for meals at selected restaurants in isolated rural areas; food stamp outreach; and nutrition screening and counseling.

Senior citizens quickly suffer from dehydration and become malnourished if they don't eat properly, proponents have said, adding that minor illnesses can worsen and broken bones take longer to heal due to poor eating.

Proponents of the bill content that home delivery of meals to "shut-ins," as well as congregate meals at senior centers and other sites, are invaluable. They not only keep many seniors healthy, but the latter is especially helpful in getting seniors out and socializing.

### Lead poisoning

Money to help relocate families whose homes are affected by lead poisoning is also part of the bill.

In all, \$100,000 would be appropriated to the Department of Health to help clean up lead. Part of the money would be used to help relocate families whose children or other members are experiencing lead poisoning stemming from sources such as contaminated dirt, water, or paint chips. Affected residents would relocate while their old home undergoes a cleanup.

Another portion of the money would help fund a study of the legal responsibilities for landlords and tenants in the area of lead poisoning and clean up.

### Birth defects registry

The bill would spend \$195,000 to develop a statewide birth defects registry to collect, analyze, and distribute information on birth defects. The Department of Health is to put the registry together.

According to the department, about 3 percent of babies are born with a birth defect and without a tracking system, it is difficult to isolate causes.

The purpose of the registry is to monitor the trends in birth defects, investigate clusters of birth defects to address concerns with scientific data, identify cases of birth defects for study to establish a cause, increase public awareness, and evaluate the effectiveness of certain prevention programs.

### Restaurant license fees

The bill also contains a proposal to cut license fees for temporary food stands — those at fairs and similar events — that operate seven days per year or fewer. Those establishments would pay \$60 for an inspection compared to the current fee of \$130. In addition, the bill also sets a \$30 fee for special event food stands with a limited menu.

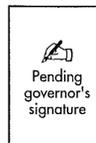
### CHILD program

The supplemental budget bill would spend \$30,000 on a new child abuse prevention program known as Children Helped in Long-term Development or CHILD.

The measure authorizes the Department of Health, in consultation with the Department of Children, Families, and Learning and the Department of Human Services, to develop a statewide CHILD program using volunteers to promote a child's development in their own home.

The program would match volunteers with families before or soon after a child is born. The volunteer would visit the home and help the family cope with stresses that increase the risk of child abuse.

## Welfare changes



A welfare bill that includes new residency and work-search requirements and requires both caregivers in certain two-parent households on welfare to work is awaiting Gov. Arne Carlson's signature.

Under the bill, most individuals would have to reside in Minnesota for 30 days before they could receive General Assistance (GA), General Assistance Medical Care (GAMC) or Aid to Families with Dependent Children (AFDC).

The bill also includes \$5 million to help subsidize child care costs for more low- and moderate-income families and prohibits welfare recipients from cashing AFDC and GA benefit checks at casinos or other gambling establishments.

In addition, the bill would prohibit private insurance companies from charging a co-payment on "appropriate immunizations" for children ages 6 to 18. Current law already prohibits co-payments for children from birth to age 6.

Under the bill, the Department of Human Services could, to the extent child care funding is available, require both caregivers in a two-parent household to work if they are receiving AFDC and their children are age 6 or older and not in kindergarten.

In all, this provision is expected to affect about 800 families in Minnesota, according to the Department of Human Services.

Assistant Commissioner Deborah Huskins has told lawmakers the provision is necessary to meet federal guidelines. Last year, she said, the federal government warned the state of a maximum \$5 million sanction because not enough two-parent welfare families were working.

Currently, the federal government, which funds the AFDC program jointly with the state, requires 60 percent of two-parent welfare families to work. To date, Huskins said, Minnesota has 37 percent or 1,231 families.

In 1997, the federal requirement jumps to 75 percent, so the state needs to do something to ensure that it can meet that target.

Huskins said the provision would trigger a need for more child care with both caregivers working. To help, the bill sets aside \$450,000 to pay for two-working-parent child care grants.

In addition, the bill would require two-parent families in the Minnesota Family Investment Plan (MFIP) welfare program to find work after receiving assistance for six months. This, too, would apply only to caregivers whose children are age 6 or older and not in kindergarten.

MFIP, a program operating in eight counties, allows families on AFDC to keep more of their earned income while receiving some public assistance. This goal is to help AFDC families become self-sufficient.

Another provision in the bill would allow counties the option of starting up a new jobs program for AFDC recipients called MNJOBS. Along with state agencies, counties would work with local public and private employers and work force councils to operate the employment program.

In counties that choose to use the program, AFDC recipients would be required to participate or face sanctions, such as the loss of their public assistance benefits.

Welfare recipients would complete a face-to-face orientation on the program within 10 days and be advised of their need to work.

Those on AFDC would be required to begin searching for a job within 30 days of the MNJOBS orientation and job hunt for at least 30 hours per week for up to four weeks. People who are working at least 20 hours per week would have to conduct a job search only for 12 hours per week for eight weeks.

AFDC recipients who can't find private or non-government funded employment within 24 months would be referred to a government-subsidized, public jobs program.

The welfare package originally began as **HF2609\*/SF2347** sponsored by Rep. Bob Anderson (DFL-Ottertail) and Sen. Don Samuelson (DFL-Brainerd). Toward the last hours of the 1996 Legislative Session, it was attached to a small bill requiring insurance companies to provide coverage for the treatment of diagnosed Lyme disease.

**HF219\*/SF221/CH465**



## INSURANCE

### Omnibus insurance bill



Insurance consumers will have better protection under a new state law.

The omnibus insurance measure expands a ban on quotas for the sale of certain kinds of insurance and provides consumers some protection from predatory sales tactics.

The law, sponsored by Rep. Tom Osthoff (DFL-St. Paul) and Sen. John Hottinger (DFL-Mankato), also includes a provision requiring insurance companies to pay for a prostate cancer screening.

Here's a look at the law's major provisions.

**HF2378/SF1980\*CH446**

### Quotas banned

A 1995 law freed independent agents from company-imposed quotas on the sale of certain kinds of insurance. The new law extends the ban on quotas to many agents who sell directly for one company.

Previous law barred insurance companies from requiring independent agents to meet quotas on the sale of certain types or mixes of policies.

For example, companies cannot link an independent agent's right to sell property or casualty insurance, such as homeowner and automobile policies, to quotas on the sale of life and health policies, which are more difficult to sell.

Critics of the quotas claim they can put unreasonable demands on insurance agents and can be detrimental to the service that consumers receive.

The new law extends the quota ban to include agents who sell exclusively for one company, as long as the agent has been licensed for at least three years.

### Protecting consumers

Consumers will be provided information about the potential risks involved in replacing an existing life insurance policy or annuity contract.

Predatory sales agents target consumers — in many cases senior citizens — in a practice called churning, which sometimes leaves individuals stripped of their savings and life insurance.

Here's one way it works: A person with a policy of small cash-value is approached by an agent who promises additional life insurance coverage at little or no cost.

What the consumer doesn't know is that the new policy, in some cases, will be paid for by borrowing against the value of the old policy which eats away at the policy's cash value and the death benefit.

When the cash value of the older policy runs dry, the consumer may be forced to pay large premiums or risk having the coverage lapse. In the end, the consumer can lose his or her savings and the insurance as well.

The new law requires life insurers to find out before selling a new policy if it would replace existing coverage.

If so, the insurance agent or company will be required to give the consumer a form discussing the possible disadvantages of replacing existing coverage.

Both the customer and the agent will be required to sign the form. The agent also will have to send the company holding the existing policy notice of the proposed replacement.

### Insurance choices

Conference committee members attached a provision to require all health insurers to offer an old-fashioned option to consumers.

Under the law, each insurer will have to offer at least one policy that allows the consumer to seek treatment from the doctors of their choice.

Holders of such a policy will not be bound to see doctors within a specific health care system or to follow a system's requirements for specialist referrals.

For group coverage, it will be up to the employer — not individual employees — to decide whether to choose the coverage option.

### Cancer screening

The law requires insurance companies to cover prostate cancer screening.

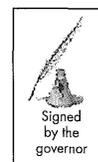
Under the law, companies will be required, under certain conditions, to pay for a blood test used to identify the disease.

Insurers will have to cover the prostate specific antigen (or PSA) test for all men older than 50 and for men older than 40 who have symptoms of the disease or are in a high-risk group.

The test is already covered by about half of the health insurance companies, according to Rep. David Tomassoni (DFL-Chisholm). He has argued that it is too important to be denied to any policyholder.

Mandated coverage of PSA testing passed the House earlier but was not in the Senate bill. Conference committee members agreed to a compromise that will repeal the mandate after two years.

### Canceling insurance



Insurance companies and HMOs can no longer retroactively terminate a person's coverage without the person's consent under a new state law.

The law, effective March 14, 1996, applies to group health and life policies, including group accidental death and dismemberment policies, and disability policies. The law makes clear that insurers may not retroactively cancel, rescind, or terminate the coverage of an employee, dependent, or other person covered under a group plan without the affected person's written consent.

Rep. Wes Skoglund (DFL-Mpls), who sponsored the proposal in the House, has said the need for the law was illustrated by a man whose coverage was canceled after leaving a job where he was covered under a group

plan. The employee successfully passed a three-month probation period and was formally granted health benefits. After receiving his insurance card, he went to the doctor, accumulating some bills that were less than a \$1,000. Several weeks after receiving the health benefits, his employment was terminated, and his employer instructed the insurer to remove the employee from the group coverage retroactive to the date he was added to the group policy.

Even though his premiums were paid, his insurer refused to pay for the doctor bills that were clearly covered under the plan.

The insurer relied on a provision in the contract allowing them to retroactively cancel in the event of an administrative "mistake."

But in this case there was no mistake, according to committee testimony. It simply was a "bad faith" effort on the part of the employer and insurer to save money (the employer received a refund of the premiums paid to the insurer), said proponents of the law.

"Everyone who is in an accident would be canceled 'yesterday,'" if insurance companies were allowed to exercise such tactics, Skoglund has said.

If an employer does not notify an insurer about the termination of an employee, the insurer may retroactively terminate coverage, so long as the termination date is after the person's last day of employment. However, this provision does not limit a person's right to continuation of coverage under federal and state law.

The proposal was sponsored in the Senate by Sen. Ellen Anderson (DFL-St. Paul).

**HF2044\*/SF2516/CH304**

## Denying a claim



A new law will ensure that insurance companies are not denying a legitimate homeowner's claim due to a technicality.

The law affects homeowners' policyholders who have a property claim. In some cases, insurance companies require a "proof of loss" form (a formal document sworn to under oath) within 60 days of the claim. The proof of loss document is in addition to the claim filed with the company.

Under the new law, insurance companies cannot deny claims because a proof of loss document was not filed, unless they give written notice to policyholders that the document is required and provide the form. Policyholders then will have 60 days from receipt

of the notice to file the proof of loss (or longer if it can be proven the deadline was missed for a good reason).

Rep. Bill Macklin (R-Lakeville), House sponsor of the law, said the law stems from a woman whose valid claim was denied because she did not know she had to file the proof of loss form. Although an insurance company representative interviewed the woman extensively, the woman was never informed that such a form was required. The company then denied the claim because the form was not filed within 60 days, under an obscure law.

The courts ruled on the side of the insurance company because of the way the obscure law was written; however, the judge said that it was an "egregious" result based on a technicality. The woman lost her battle for her rightful claim, but the law will prevent insurance companies from using this type of legal maneuver in the future.

The law, sponsored in the Senate by Sen. David Knutson (R-Burnsville), became effective Feb. 28, 1996, and applies to losses that occur on or after that date.

**HF1749/SF1622\*/CH285**

## Protecting employees



Gov. Arne Carlson signed a new law that aims to protect insurance agents from being fired after contacting the Legislature.

Under previous state law, insurance companies are prohibited from firing agents who contact a state agency or department about a problem.

The new law, sponsored by Rep. Don Ostrom (DFL-St. Peter) and Sen. John Hottinger (DFL-Mankato), would simply make it clear that Minnesota law protects agents who contact anyone in the executive, legislative, or judicial branches.

The new law, effective retroactively to May 18, 1989 (the effective date of the original statute), passed the House March 29 on a 129-0 vote. It passed the Senate the same day, 61-0.

An incident involving insurance agents Gary Kemp and Mary McClure led to the introduction of the legislation this year.

The agents claim they were trying to do the right thing when they backed legislation crafted to protect insurance consumers. It cost them their jobs.

Both long-time agents for American Family Insurance, Kemp of West St. Paul, and McClure of Mankato, became active in an effort to pass a legislative proposal that the company opposed.

The agents backed a measure to bar insurance companies from requiring agents to meet quotas on the sale of certain types or mixes of policies. The 1995 Legislature passed a law freeing independent agents from such quotas.

Kemp and McClure were pushing for lawmakers to extend the quota ban to cover agents who sell policies directly for companies such as American Family and State Farm.

American Family said that Kemp and McClure engaged in "conduct prejudicial to the company." On Jan. 11, 1996, the agents were abruptly fired.

**HF3052\*/SF2780/CH433**

## Protected from discrimination



Victims of domestic abuse will be protected from discrimination by insurance companies under a new state law.

Effective Aug. 1, 1996, the law will prohibit insurance companies from using domestic abuse as a negative underwriting factor for life or health insurance.

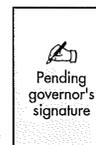
Such discrimination is occurring, House sponsor Rep. Dee Long (DFL-Mpls) has said, and that sends the wrong message to abuse victims.

In most circles, abuse victims are encouraged to speak out and to seek help. Insurance companies, however, are sending a message that abuse victims should stay silent or face consideration as a high risk and denial of coverage.

The proposal was sponsored in the Senate by Sen. Deanna Wiener (DFL-Eagan).

**HF2344/SF1815\*/CH278**

## Lyme disease



Health insurers in the state of Minnesota would have to cover the treatment for Lyme disease under a bill now pending before the governor.

The disease — a bacterial illness transmitted by the bite of an infected deer tick — affects the skin, joints, and other parts of the body. It can have serious results including chronic arthritis and neurological impairment.

Proponents of the mandate claim it is needed because some insurers won't pay for adequate antibiotic treatment of the disease.

The proposal was sponsored by Rep. Mary Murphy (DFL-Hermantown) and Sen. Don Samuelson (DFL-Brainerd).

**HF219\*/SF221/CH465**

## Day care coverage



A new law, effective March 19, 1996, clarifies that a homeowner's insurance policy does not cover liabilities arising from a home day care operation.

Insurance companies have, in some cases, been held liable under homeowners' policies for claims stemming from home day care.

The result is that some insurance companies are refusing to issue homeowners' policies to people who provide day care services in the home.

Some day care providers must now choose between having no homeowners' insurance or giving up their day care business, House sponsor Rep. Becky Lourey (DFL-Pine City) has said.

The bill would simply clarify that homeowners' policies do not cover day care unless it is specifically stated in the policy.

The proposal was sponsored in the Senate by Sen. Deanna Weiner (DFL-Eagan).

**HF3078/SF2624\*/CH326**



## LAW

### Data practices act



A new law will better protect the identities of students and loosen the red tape when it comes to picking up a library book.

The law, sponsored by Rep. Mary Jo McGuire (DFL-Falcon Heights) and Sen. Jane Ranum (DFL-Mpls), is the omnibus data practices proposal, which addresses privacy issues and the release of information held by the government.

**HF2386/SF2410\*/CH440**

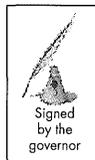
Among its many provisions, the law will:

- allow a family or household member to pick up a reserved book at a library on behalf of a patron. Patrons, however, could request that books be released only to themselves. Previous law prohibited any release of data that links a patron's name with a particular book;
- allow the release of private welfare data to the Department of Children, Families, and Learning to determine whether children are eligible for free and reduced-price school meals and to help calculate more accurately the number of children receiving Aid to Families with Dependent Children;
- allow the Department of Health or a local board of health to have the current address and telephone number of a welfare recipi-

ent to find the person when there is reason to believe the individual is carrying a disease or is at risk of illness;

- expand a 1995 law that states that heads of state agencies, their assistants, or deputies who have a complaint or charge lodged against them will see investigative information about the charge become public after the investigation is completed. If they resign or are fired before an investigation is completed, the information also will become public. The new law expands officials covered under the requirements to include members of boards or commissions required by law to be appointed by the governor or other elective officers and executive or administrative heads of departments, bureaus, divisions, or institutions;
- provide that when a school designates school directory information (information about students that can be released to the public), it must give students and parents notice that they have the right, under federal law, to refuse to release any information for the directory; and
- authorize the vital records division of the Department of Health to release the name and address of an unmarried mother and her child's date of birth to a family services collaborative. The objective is to connect new families in need with social services.

### Protecting an address



Effective March 21, 1996, a new law will allow homeowners to prevent their address from being used wrongfully on another person's driver's license.

Rep. Lyndon Carlson (DFL-Crystal), who sponsored the measure in the House, said the new law will help to prevent the kind of trouble experienced by a couple who lives in his legislative district.

The couple's address was listed on their adult son's driver's license despite the fact that he did not live at the couple's home and had not for several years.

The son had a history of trouble with the law, and that created a variety of problems for his parents. For example, the couple faced higher insurance rates simply because their address was listed on the son's driver's license, according to Carlson.

Under the new law, the couple can file notice with the commissioner of public safety to prevent their address from being used on their son's driver's license or state identification card.

The law provides that a homeowner must submit a request naming the affected person to prevent him or her from using the homeowner's address.

The measure was sponsored in the Senate by Sen. Ember Reichgott Junge (DFL-New Hope).

**HF2780/SF2571\*/CH356**

### Regulating veterinarians



The board that oversees Minnesota's veterinarians will have powers and protections similar to the bodies that oversee other medical practitioners under a new state law.

The law, effective Aug. 1, 1996, will alter provisions governing the State Board of Veterinary Medicine. The board issues licenses for veterinarians and can take disciplinary action against license holders who run afoul of proper conduct.

The new law will grant board members and employees immunity from civil or criminal sanctions for actions performed in the course of their jobs.

Also, the disciplinary actions available to the board will be expanded. In addition to existing authority to suspend or revoke licenses, the board will have the new option of placing limits on a veterinarian's license.

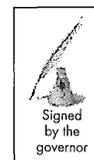
The grounds for disciplinary action will be clarified. Existing law allows action to be taken against veterinarians for the "conviction of a crime involving moral turpitude or conviction of a felony" and for, among other things, "chronic inebriety."

The new law will replace those provisions to allow disciplinary action against those convicted of a felony or gross misdemeanor or who are unable to properly practice because of illness, use of alcohol or drugs, or as a result of any mental or physical condition.

The measure was sponsored by Rep. Steve Kelley (DFL-Hopkins) and Sen. Steve Dille (R-Dassel).

**HF2059\*/SF1982/CH415**

### Damages for bias crimes



Effective Aug. 1, 1996, a new law allows victims of hate crimes to seek civil damages for crimes committed against them because of race, color, religion, sex, sexual orientation, or disability.

Under the law, a person who is damaged by such a bias offense could sue in civil court and recover either \$500 or general and spe-

cial damages, including those for emotional distress, whichever is greater. The plaintiff also may seek punitive damages in certain cases and an injunction to stop a particular act or prevent an offender from contacting the victim.

The hate crimes language was proposed by Rep. Jim Rhodes (R-St. Louis Park) who has said: "There are hate groups alive and well . . . they're not just in the metro area. This is one way of assuring you can get some kind of damages for the emotional distress."

In cases where a minor commits the bias offense, the law holds the parent or guardian liable for all types of damages as long as the amount does not exceed \$5,000. It goes on to say that a parent or guardian is not liable if they have made reasonable efforts to exercise control over their child's behavior.

The law was sponsored by Rep. Tom Pugh (DFL-South St. Paul) and Sen. John Hottinger (DFL-Mankato).

**HF1648\*/SF1500/CH468**

## Extending the statute

Minnesota hemophiliacs who were treated with HIV-infected blood products and became infected with the virus that causes AIDS would have an additional year to file lawsuits under legislation on its way to the governor.

Sponsored in the House by Rep. Tom Pugh (DFL-South St. Paul), the bill would extend the statute of limitations until June 1, 1997, for affected hemophiliacs.

Hemophilia is a hereditary disorder characterized by excessive, sometimes spontaneous, bleeding. A hemophiliac's blood doesn't carry the clotting factor that enables a non-hemophiliac to stop bleeding after a short time.

In the early to mid-1980s, some of the donated blood that is used to create the clotting factor to treat hemophiliacs was contaminated by the AIDS virus.

In Minnesota, about 110 hemophiliacs and their spouses have died of AIDS-related illnesses acquired through the tainted clotting factor.

Because it sometimes takes years to discover that a person is HIV-infected, the current six-year statute of limitations for filing lawsuits against companies that provided the contaminated clotting factor is not long enough, Pugh has said. His bill adds one more year in those cases.

Not included in the statute of limitations extension are patients who were infected with the AIDS virus through direct blood

transfusions. "Transfusion problems did affect certain hemophiliacs, but also society in general," Pugh told the Judiciary Committee earlier this session. "We could more effectively narrow down on this group who used the clotting factor."

Sen. Warren Limmer (R-Maple Grove) sponsored the proposal in the Senate.

**HF2453/SF2198\*/CH458**

## License suspension



The Department of Public Safety will have to provide two weeks notice before suspending a driver's license under a new state law.

House sponsor Rep. Peggy Leppik (R-Golden Valley) has said the measure is necessary to give people who face a license suspension "some time to put their lives in order."

Under the law, a license suspension won't take effect until at least 14 days after the department mails notice to the driver.

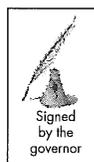
Leppik said the measure stems from the troubles of one of her constituents.

The new notice requirements will not apply if the delay "poses a threat to public safety."

The legislation, effective Aug. 1, 1996, was sponsored in the Senate by Sen. Don Betzold (DFL-Fridley).

**HF2012/SF1797\*/CH346**

## Unnecessary laws repealed



State statutes regulating the state's non-existent ferryboat industry will be scratched from the books Aug. 1, 1996, under a new state law.

The law repeals a diverse mix of obsolete, and in some cases, arcane laws ranging from outdated directives to state agencies to provisions regarding long-unfunded programs.

More than 250 provisions in current law — largely technical and inconsequential — are scheduled to be deleted from the books.

Eliminated will be 70-year-old sections of law regulating the state's ferryboat industry, which apparently disappeared after the 1958 completion of the Baudette-Rainy River Bridge.

Dashed will be measures, enacted in 1969, that set requirements for contracts for social skills instruction and contracts for patrons of dance halls or studios. The measure forbids any such contracts exceeding \$500 in an

apparent effort to protect consumers from unseemly dance teachers.

Also mixed will be a 1937 provision giving the University of Minnesota permission to establish a law enforcement school. The U of M has yet to set up such a school and wouldn't need statutory permission to do so, anyway.

The proposal was sponsored by Rep. Mike Delmont (DFL-Lexington) and Sen. Deanna Weiner (R-Eagan).

**HF2377\*/SF2092/CH310**



## LOCAL GOVERNMENT

### Temporary vacancies



City councils and other local government bodies will be able to fill temporary vacancies in their ranks under a new state law.

The law, effective Aug. 1, 1996, provides a way to replace local elected officials who are unable to serve due to illness or other reasons.

Under the law, the city council, town board, or county board could declare a temporary vacancy after a member has been absent from his or her job for 90 days.

Another person could then be appointed to fill the vacancy until the absent official returns or until the end of the term.

Previous law allows school boards to fill such temporary vacancies.

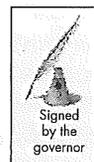
The proposal was sponsored by Rep. Phil Carruthers (DFL-Brooklyn Center) and Don Betzold (DFL-Fridley).

**HF2425/SF2255\*/CH422**



## METRO AFFAIRS

### Eliminating a perk



Prominent Minnesotans who for years have enjoyed free, heated, valet parking at Minneapolis-St. Paul International Airport have lost that privilege under a new state law.

About 100 people, including a handful of prominent Minnesota politicians, were on a Metropolitan Airports Commission list of those who could park free in a heated underground garage anytime they had business at the airport.

The law, effective March 26, 1996, states that the commission may only provide free airport parking to people who are attending a commission meeting or performing volunteer work at the airport. The commission also

must keep records of who receives free parking, the value of that parking, and the purpose for which the person received free parking.

Sen. John Marty (DFL-Roseville) sponsored the proposal in the Senate.

HF2321\*/SF2339/CH378



## SAFETY

### Stopping for pedestrians



Effective Sept. 1, 1996, Minnesota drivers must stop for pedestrians in a crosswalk or face a criminal charge under a new state law.

Current law requires only that drivers slow down and yield the right-of-way to pedestrians in crosswalks where there are no traffic signals or where signals are not operating. The new law requires drivers always to stop in such circumstances, not just slow down.

First-time offenders who fail to stop will be guilty of a misdemeanor, which is punishable by up to 90 days in jail and a \$700 fine. Drivers who violate the law within a year of a previous conviction will be guilty of a gross misdemeanor, punishable by up to one year in jail and a \$3,000 fine.

Statistics show that in 1994, the most recent year for which data is available, three Minnesotans were killed as they legally tried to cross streets in crosswalks; another 245 were injured.

The law also requires the Department of Public Safety, effective Aug. 1, 1996, to revise the state's driver's manual to include a section explaining when a driver must stop to yield to a pedestrian and the penalties for failing to do so.

In addition, the department will have to produce a series of public service announcements to educate the public on the law's changes. The announcements are to be aired on radio and television, according to the law.

The proposal was sponsored by Rep. Jim Farrell (DFL-St. Paul) and Sen. Randy Kelly (DFL-St. Paul).

HF2930/SF2054\*/CH333

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## SPORTS

### Gender specific



Women can exclude men and men can exclude women from certain athletic competitions under a new law signed by Gov. Arne Carlson.

The measure amends the state's Human Rights Act to exclude one gender "if the restriction is necessary to preserve the unique character of the team, program, or event and it would not substantially reduce comparable athletic opportunities for the other sex."

The law arose out of a conflict last year when a man filed a discrimination complaint against the Northern Lights Running Club for Women. The club wouldn't allow him to participate in its annual "Bruegger's Run for the Bagels," an event that includes a 10-kilometer and 5-kilometer race as well as running events for young girls. The spring event has attracted more than 3,000 runners.

When the man's complaint was dismissed, he filed a civil lawsuit against Bruegger's, the Minneapolis Park Board, and the running club, alleging sexual discrimination. Rather than dealing with the "logistical nightmare" of such a changed format and the "philosophical changes," club members canceled the race for 1996.

The new law, effective April 3, 1996, comes in time for an all-women's race to be scheduled this spring. It was sponsored by Rep. Phyllis Kahn (DFL-Mpls) and Sen. Ellen Anderson (DFL-St. Paul).

HF2042\*/SF2015/CH431



## TAXES

### Omnibus tax bill



There would be no state-imposed property tax freeze for 1997, but cabin owners would see a property tax break under a bill now being considered by the governor.

The proposal also would give corporations that lease airplanes to Northwest Airlines a corporate income tax break and includes a tax refund on unsold pulltabs for charitable organizations.

The bill would cost the state \$5.1 million in fiscal year 1997 and \$41.7 million for the 1998-99 biennium.

Tax cuts for cabin owners would have the largest impact on the state treasury.

Last year, the 2-percent class rate on the first \$72,000 market value of each cabin was cut to 1.9 percent for taxes payable in 1997. For taxes payable in 1998, it was scheduled to decrease to 1.8 percent. Those changes cost the state's general fund \$24.1 million in the 1998-1999 biennium.

Under the bill, the class rate on the first \$72,000 in cabin value would dip to 1.75 percent for taxes payable in 1997. For taxes payable 1998, that rate is reduced to 1.5 percent. The tax revenue lost due to the additional class rate changes would be another \$22.4 million, according to preliminary Department of Revenue calculations. Other property tax payers would not see their taxes increase to cover the lost revenue. Instead, the state would pick up the tab in additional homestead and agricultural credit aid (HACA) payments to local governments and increased school aids. These increased state aid payments will continue in future years.

The proposal was sponsored by Rep. Ann Rest (DFL-New Hope) and Sen. John Hottinger (DFL-Mankato).

HF2102\*/SF2304/CH271

### Pulltab refunds

An organization that purchases pulltabs and tipboard games could get a refund on unsold tickets under a provision in the bill.

Under current law, the state's 1,575 pulltab and tipboard game operators, whose games must be run by charitable organizations, pay a 2-percent tax on projected gross revenues to distributors of such games.

Rep. Bob Milbert's (DFL-South St. Paul) proposal would appropriate \$2.5 million this biennium and \$10.2 million in 1998-99 to refund taxes paid on unsold tickets.

### Northwest Airlines

Companies that lease airplanes to Minnesota-based airlines, such as Northwest Airlines, would receive a tax reduction under the bill. The bill treats part of the income from these leases as not subject to Minnesota corporate income tax. Since these taxes are commonly added to the lease fees, this change would reduce Northwest Airlines' lease payments.

The provision modifies how leased movable property is treated in determining the Minnesota share of business income for corporate income tax purposes.

Currently, receipts from the leasing of movable property, such as airplanes, automobiles, or railroad cars, are apportioned to the state where the lessee is based. Under the provision, such receipts would be apportioned to the state where the property is used.

The provision would cost the state \$3.6 million in tax revenue in the 1998-99 biennium.

### **Farm equipment exemption**

The current sales-tax exemption on used farm machinery, set to expire in July, would be extended until June 30, 1997. (The tax rate on new farm machinery is 2.5 percent.) The exemption would cost the state \$1.6 million in lost revenue.

### **Disabled homeowners**

The bill expands the number of disabled homeowners who are eligible for reduced property taxes. Currently, a permanently or totally disabled person must get 90 percent of his or her income from public pension sources in order to qualify for the reduced class rate of 0.45 percent on the first \$32,000 market value of the home. Proposals offered by Reps. Rich Stanek (R-Maple Grove) and Bill Macklin (R-Lakeville) would change that. Under the new provisions, private pensions and other financial sources could be included in the 90 percent figure. The bill also includes a \$50,000 annual income cap for those who qualify for the reduced class rate. Currently, there is no income limit.

### **SCORE taxes**

Disparities in the remittance of local waste collection and disposal taxes would be studied but not corrected under a provision in the bill. SCORE, which stands for Select Committee on Recycling and the Environment, refers to the taxes counties and local governments pay on public and private mixed municipal solid waste management. There are wide disparities in the amounts of SCORE taxes paid by local governments.

Under the bill, the moratorium on collecting underpayments or making refunds on a previous year's sales taxes on solid waste management services would be extended for one more year.

A task force would be established to make recommendations to the Legislature and the Sales Tax Advisory Council on the past and future collection of the SCORE tax.

### **Helping foster children**

Minnesota foster children would no longer have to pay sales tax on automobiles given to them as gifts by their foster parents.

The provision, sponsored by Rep. Darlene Luther (DFL-Brooklyn Park), expands current law governing motor vehicle sales tax exemptions to include the foster parent-child relationship.

Automobile buyers in Minnesota pay a 6.5 percent sales tax, based on the purchase price

of the vehicle, less the value of any trade-in vehicle.

### **Motor fuels taxes**

Among the bill's mostly technical motor fuel provisions is a measure that clarifies when a tax should be collected on the sale of motor fuel. The provision, which is in response to a recent decision by the U.S. Supreme Court, mandates that the first distributor of motor fuel is responsible for the tax.

The measure aims to protect Minnesota against challenges to the current practice of collecting the motor fuels tax on reservation sales to individuals who don't live on the reservation.

### **Special service districts, housing improvement districts**

Cities could establish on their own, special service districts for commercial or housing improvement projects. In addition, cities would be allowed to establish, by ordinance, housing improvement districts. Currently, local governments must get legislative approval before establishing any special service district.

Such districts allow for additional tax fees to be imposed, with the additional revenue used for the costs of the additional services within the district.

The measure, proposed by Rep. Steve Kelley (DFL-Hopkins), gives cities more flexibility in deciding how to provide services.

The bill also requires a public hearing to be held before such a district is established.

### **Iron Range tax sharing**

Taconite areas experiencing little or no commercial-industrial growth would get some tax relief under a proposal that establishes a fiscal disparities tax-sharing program for the Iron Range.

The program would be modeled after the metro area's fiscal disparities program, which requires municipalities to contribute a percentage of their commercial-industrial tax base growth to an area-wide "pool." The pool is then used to equalize disparities in property wealth per capita between districts.

Areas with strong commercial-industrial growth often subsidize other areas under such a program.

Under the provision, municipalities in Cook and Lake counties, most of Itasca and St. Louis counties, and a small part of Aitkin, Crow Wing and Koochiching counties would contribute 40 percent of their commercial-industrial growth since 1995 to an areawide pool. Each municipality would then receive a distribution back from the area-wide pool.

### **Taconite relief**

Koochiching and Carlton counties are among the northern Minnesota areas that would see increased environmental development grants under a provision to help the Iron Range.

Under a provision aimed at the Iron Range economy, the share of taconite tax revenues paid to the Iron Range Resources and Rehabilitation Board (IRRRB) would be increased. Currently, the revenues from 1 cent per ton of the production tax on mining companies goes to the board. The bill increases the amount to 1.5 cents, which amounts to \$200,000 this biennium and \$400,000 in 1998-99.

The IRRRB was established in 1941 to encourage economic diversification on the Iron Range.

### **Performance goals**

Cities and towns could either increase or decrease their share of state aid by setting performance goals. Rep. Andy Dawkins' (DFL-St. Paul) measure would require that cities establish "performance measures" in order to get aid from a newly established "performance aid" fund. The measure aims to increase the accountability of local governments by requiring cities and towns to adopt goals and work toward them.

The current homestead and agricultural credit aid (HACA) program would be modified to create the performance aid fund. Under Dawkins' measure, HACA payments to cities and counties would be reduced by \$1 per capita to provide revenue for the fund, along with a supplemental appropriation of \$1 million.

### **School referendums**

A measure sponsored by Rep. Tom Pugh (DFL-South St. Paul), aimed at reaffirming the state's commitment to "truth in taxation" policy, would affect school districts holding bond referendums. Under the provision, school districts must notify county auditors and a notation must be made on the truth in taxation proposed notice that if the pending school referendum was approved by the voters, it could result in a higher tax than the school district has proposed.

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## TOURISM

### Improved snowmobile trails



A new law, effective March 2, 1996, marks \$600,000 in emergency funding for snowmobile trails.

The law provides emergency funding for trail maintenance and safety efforts. The money will come from the snowmobile trails and enforcement account in the state natural resources fund, according to the legislation.

The boom in snowmobiling has elevated the sport from a form of recreation to a major part of the state's tourism industry. That popularity has caused funding shortfalls, House sponsor Rep. Kris Hasskamp (DFL-Crosby-Ironton) has said.

The law also requires the Department of Natural Resources to prepare a report that contains a plan for using at least 65 percent of all money from the snowmobile trails and enforcement account for snowmobile grants-in-aid, beginning in fiscal year 1998. In addition, the report would have to contain recommendations for additional funding sources for snowmobile grants, which would provide funding to local snowmobile clubs to develop and maintain trails.

The proposal was sponsored in the Senate by Sen. Doug Johnson (DFL-Cook).

HF3125/SF2802\*/CH293



## TRANSPORTATION

### Omnibus transportation bill



A bill that would increase the speed limit on some Minnesota highways is on its way to the governor.

The \$60.3 million transportation funding bill includes a provision to boost the speed limit to 65 mph on rural, divided highways.

The speed limit increase would be only on roads outside areas with a population of 50,000 or more. And it would be only on four-lane, divided highways with limited access.

The Minnesota Department of Transportation has indicated the change would increase speeds on about 560 miles of such Minnesota highways. (That does not include the more than 700 miles of rural interstate highways where the speed limit is already 65 mph.)

The commissioner of transportation also would have the authority to raise speed limits on other segments of rural, divided highway where it is appropriate according to traffic and engineering studies.

Efforts to increase the speed limit on Minnesota highways come in the wake of the 1995 repeal of federal speed limit mandates.

Supporters of a speed limit hike in the state suffered a setback early in the 1996 Legislative Session when several proposals stalled in a House committee.

But the Senate attached a speed limit increase to a transportation funding bill, and the provision survived in conference committee to come to a final vote in both chambers.

It is unclear how Gov. Arne Carlson will respond to the speed limit increase. He had called for any speed hike to be accompanied by an infusion of additional funds to hire more state troopers. The proposal he received includes no dollars for more troopers.

The transportation funding package that eventually emerged from the Legislature would provide funds for highway repair and would set new requirements for receiving a driver's license.

The proposal was sponsored by Rep. Bernie Lieder (DFL-Crookston) and Sen. Keith Langseth (DFL-Glyndon).

HF3137/SF2702\*/CH455

### Road repair

The bill would provide \$51.4 million to the Department of Transportation largely to be used for highway construction, maintenance, and project engineering.

Carlson recommended spending \$12.8 million less for highway projects.

Under the bill, the transportation department's appropriation also would include \$110,000 for repair of the historic Stone Arch Bridge in Minneapolis and \$100,000 for driver education programs at the St. Cloud State University highway safety center.

Neither of those items were included in the governor's budget recommendations.

### Public transit

Under the bill, a total of \$1 million would be included in the transportation department budget to bolster public transit in greater Minnesota.

Another \$6 million would be dedicated to Metropolitan Council Transit Operations (MCTO) for public transit in the Twin Cities area. But critics argue the money would not be enough to prevent possible fare hikes and service reductions looming as a result of a MCTO's financial struggles.

### More driving practice

Minnesotans 18 or under would have to have a learner's permit for six months before they would become eligible for a driver's license, under the bill.

Rep. Carol Molnau (R-Chaska), who backed the measure, said young people need more time to learn how to drive before they are allowed to go it alone.

Drivers 18 years of age and younger account for a disproportionate number of traffic accidents, according to Molnau. And, she said, the six hours of behind-the-wheel training required in driver education programs are not enough.

### Designated parents

A symbol placed on a parent's driver's license or state identification card would alert police and health care workers that the parent has designated someone to care for his or her children in times of crisis.

Parents who name another individual as a designated parent to care for their children in the case of an emergency would have to pay a \$3.50 fee to have the symbol placed on their licenses.

Designated parent information would be on file with the Department of Public Safety. The information would be released to law enforcement or health care workers if a parent is unable to communicate and there is a need to contact someone to care for the child or children.

### New dispatchers

The governor sought funds to hire 46 additional state troopers to be included in a \$4.8 million he sought for the Department of Public Safety.

But the bill includes only enough money to hire four additional state patrol dispatchers. The measure would provide \$150,000 for the new positions in a \$1.3 million appropriation to the department.

### Amish Buggy Byway



Effective Aug. 1, 1996, a new state law will designate Highway 52 in Fillmore County as the Amish Buggy Byway. The stretch will be marked as such by road signs.

Supporters of the law hope it will make drivers more cautious and more aware of the possible presence of Amish buggies on the busy stretch of road.

A recent *Rochester Post-Bulletin* article quotes Fillmore County Sheriff Jim Connolly as saying there have been three or four minor

accidents on the road in the past year, as well as other unreported accidents.

There are approximately 700 Amish residents in Fillmore County.

The law calls for local residents to reimburse the Minnesota Department of Transportation (MnDOT) the cost of marking the highway, estimated to be about \$3,000.

Area officials have said the signs will encourage interest in local culture and add more tourist dollars to southeastern Minnesota.

The proposal was sponsored by Rep. Greg Davids (R-Preston) and Sen. Kenric Scheevel (R-Preston).

HF2092/SF1909\*/CH279

## Czech highway



Effective Aug. 1, 1996, state Highway 13 between the city of New Prague and the city of Montgomery will be designated the "Czech Heritage Highway."

The stretch of road cuts through an area of Minnesota with a rich Czech tradition. (For example, New Prague's annual Dozinsky festival showcases traditional Czech dancers and foods.)

The Department of Transportation will erect signs marking the highway, but the local communities, "having resolved to support and financially back the marking of this highway," will foot the bill.

The proposal was sponsored by Rep. John Tuma (R-Northfield) and Sen. Tom Neuville (R-Northfield).

HF2439/SF2121\*/CH287

## Memorial roadways



A new law, effective Aug. 1, 1996, will grant special designations to three stretches of Minnesota highway:

- POW/MIA Memorial Highway (Trunk Highway 169, from its intersection with Trunk Highway 10 near Elk River to its intersection with Minnesota Highway 18 near Garrison, and Minnesota Highway 18 from its intersection with Trunk Highway 169 to its intersection with Trunk Highway 371 near Brainerd).
- Veterans Memorial Highway (Trunk Highway 115).
- John Riley Memorial Boulevard (A segment of Old County Road 21, from its intersection with Trunk Highway 73 to the Moose Lake Psychopathic Center).



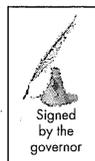
A new state law designates Highway 52 in Fillmore County as the Amish Buggy Byway. Supporters of the law hope it will make drivers more cautious and more aware of the possible presence of Amish buggies on the busy stretch of road.

John Riley, former commissioner of transportation and chief of staff under Gov. Arne Carlson, died of brain cancer in March 1994.

The proposal was sponsored by Rep. Kris Hasskamp (DFL-Crosby-Ironton) and Sen. Don Samuelson (DFL-Brainerd).

HF2410/SF1946\*/CH272

## Single plate policy



A new law for old cars sped to passage this session.

The law, sponsored in the House by Rep. Richard Pellow (R-New Brighton), allows owners of antique automobiles to display a single original license plate on the rear of the vehicle if the plates were issued in 1911, 1944, 1945, or 1946.

In these years, the state issued only single plates, said Pellow. State efforts to conserve scrap metal led to the single-plate policy.

Previously, the law only allowed owners of antique automobiles to display original plates, if in good condition. However, another law

that requires two plates to be displayed superseded the original plate law, leaving behind owners of vehicles made in the single-plate years. Owners of antique automobiles wanted the change in the law so they don't have to attach new plates, which reduce the vehicles' authenticity and aesthetic value.

The law, effective Aug. 1, 1996, was sponsored in the Senate by Sen. Paula Hanson (DFL-Ham Lake).

HF2098/SF1793\*/CH345



## VETERANS

### Gulf war bonuses



There will be a proposed constitutional amendment on the November ballot to determine whether the state should pay Persian Gulf War veterans monetary bonuses.

Voters will be asked the following question: "Shall the Minnesota Constitution be amended to permit the payment of bonuses to veterans of the Persian Gulf War?"

Historically, the Legislature has recognized veterans' service in major wars, for example, World War I, World War II, the Korean War, and the Vietnam War. Wars of a smaller scale — the North Russia Expedition of 1918-19; Nicaragua, 1927-32; the Dominican Republic, 1956-66; and Lebanon, 1982-84 — have not been recognized.

If voters approve the constitutional amendment, the Legislature will decide the amount and method of the payments in a subsequent session.

The proposal was sponsored by Rep. Betty McCollum (DFL-North St. Paul) and Sen. James Metzen (DFL-South St. Paul).

HF532\*/SF530/CH429

# Governor continues veto pace, 20 and holding

**Editor's note:** As of April 11, 1996, Gov. Arne Carlson has vetoed 16 bills and deleted line-item appropriations in four others.

The following section highlights the changes the bills would have made to current law and, where available, cites the governor's reasons for his actions.



## BUSINESS

### Counseling board vetoed



A bill that would have created a board of licensed professional counseling was vetoed by Gov. Arne Carlson.

The bill would have set forth licensure requirements for people who offer professional counseling services.

In his veto message, the governor said the "state should tread lightly when it comes to occupational regulation."

Carlson explained that "the bill exempts from licensure and board oversight a number of other professionals who offer the exact same type of services." He added that "if there is a valid public policy reason to more rigorously regulate counseling provided to the public, then we should address the problem in a comprehensive fashion, not in this piecemeal approach."

Increasing current state oversight should be explored as an alternative to licensure, said Carlson, noting that "there is already an existing government mechanism to investigate unlicensed counselors when the public has complaints against them."

The proposal was sponsored by Rep. Roger Cooper (DFL-Bird Island) and Sen. Sam Solon (DFL-Duluth).

HF66\*/SF891/CH423



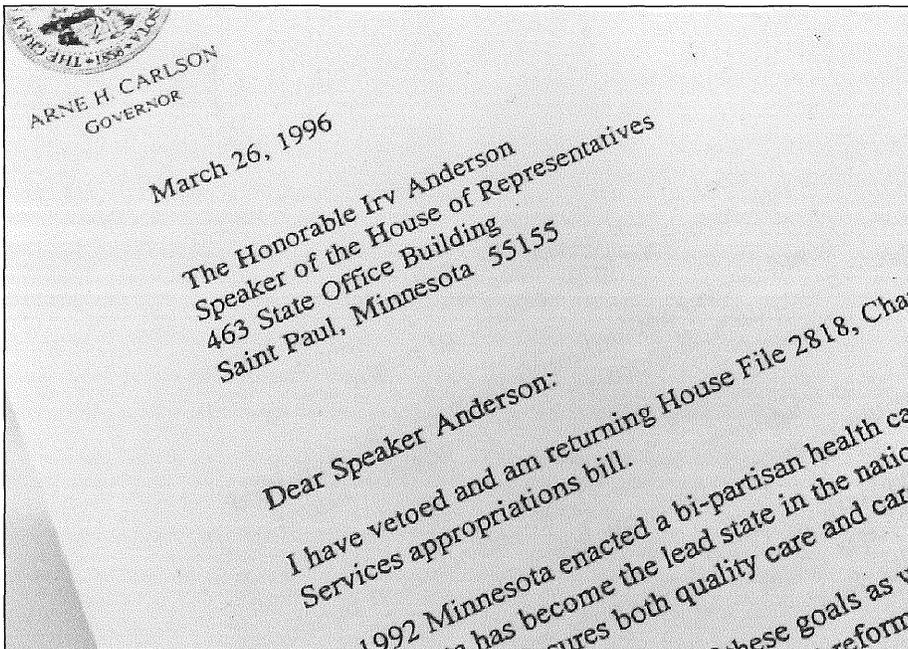
## EDUCATION

### K-12 vetoes



Gov. Arne Carlson used his line-item veto authority to slice \$629,000 from a K-12 education funding package signed into law.

The new law still will provide \$31.7 million for K-12 education, with much of the money earmarked for school technology and full-day kindergarten programs.



As of April 11, 1996, 16 full bills and parts of four others from the 1996 Legislative Session fell victim to the veto pen of Gov. Arne Carlson.

Carlson line-item vetoed a \$300,000 grant program to foster constructive school discipline policies focused on keeping kids in the classroom.

Rep. Alice Johnson (DFL-Spring Lake Park) backed the grant program as a way to help schools address behavior problems.

But Carlson did not like what he saw.

"Although solid discipline policies are a growing concern for school districts, I have a grave concern with providing additional funding for a program that is already required by law," Carlson wrote in his veto message.

The governor line-item vetoed another \$150,000 earmarked to allow students to ride city buses to St. Paul's new Arlington High School during the next school year. The money would have gone to the school district, which, in turn, would have signed a contract with Metropolitan Council Transit Operations.

"Districts should not be encouraged to believe that extra funds are available for such programs," Carlson wrote.

Carlson also line-item vetoed \$100,000 for a "family connections" program and \$79,000 to buy down property taxes in the Pequot Lakes school district.

The governor accepted the rest of the education spending package.

The measure was sponsored by Johnson and Sen. Larry Pogemiller (DFL-Mpls).

HF2156\*/SF1884/CH412



## ELECTIONS

### Candidate leave vetoed



Gov. Arne Carlson vetoed a bill that would have ensured that public employees who run for elected office are not required to take unpaid leave from their jobs.

Under current law, state employees are allowed to run for office without taking unpaid leave, but there is no state law providing the same right to local government employees.

At least 18 of Minnesota's 87 counties force employees to take unpaid leave if they become a candidate for office, according to House bill sponsor Rep. Don Ostrom (DFL-St. Peter).

That means lost wages and benefits for those employees, Ostrom said, and private sector workers face no such penalties for seeking office.

Carlson vetoed a similar bill in 1995. While he acknowledged that the authors of this year's measure "worked diligently to address the most objectionable portions of last year's bill," the governor believed that a fundamental problem remained.

"Simply put, the state should not unnecessarily interfere with decisions better left to

locally elected officials," Carlson wrote in his veto message.

Employees should be allowed to run for office without taking leave as long as they can keep their campaign and job separate, Carlson wrote. But, he added, there are situations where an employee's campaign would be disruptive to the workplace.

"Locally elected officials should be able to keep the latitude they now have to establish policies suited to the local circumstances," Carlson wrote.

If citizens have concerns about the issue, they can take it up with the local officials, he added.

Sen. John Hottinger (DFL-Mankato) sponsored the bill in the Senate.

HF2549/SF2267\*/CH368

## Lobbying prohibition vetoed



Gov. Arne Carlson has vetoed a bill to prohibit the use of money raised through the state's political contribution refund program for lobbying purposes.

Under the program, created by the Legislature in 1990, an individual can give up to \$50 to a candidate or political party, obtain a receipt for the donation, complete a form from the Department of Revenue, and get the cash back from the state. Married couples can contribute up to \$100 and get it back. The program costs the state about \$5 million per biennium.

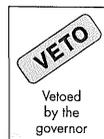
Carlson said the effect of the bill would be to prohibit legislators or constitutional officers from sending out legislative questionnaires "or other communications designed to influence public policy." He called such restrictions "unreasonable."

The governor said if the authors of the bill are offended by the political use of money raised through the state's political contribution refund program, they should "send [him] a bill to repeal the whole program."

The proposal was sponsored by Rep. Roger Cooper (DFL-Bird Island) and Sen. Doug Johnson (DFL-Cook).

HF1106/SF1086\*/CH375

## Vote by mail vetoed



Gov. Arne Carlson vetoed a bill that would have allowed more Minnesotans to vote by mail.

The bill would have allowed mail balloting in communities outside the metropolitan area with fewer than 1,000 eligible voters. Current law allows voting by

mail only in Greater Minnesota communities with fewer than 400 eligible voters.

The proposal would have allowed "a creeping spread of an unwise policy instituted under a previous administration," Carlson wrote in his veto message.

And it would have allowed more Minnesotans "to ignore an important and relatively easy obligation of citizenship, that being to join fellow citizens at the polling place to cast their ballots," Carlson added.

About 250,000 voters live in communities now allowed to conduct mail balloting. The bill would have made about 600,000 people — or about 15 percent of the state voters — eligible to vote by mail.

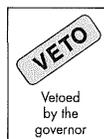
Rep. Jim Tunheim (DFL-Kennedy) and Sen. LeRoy Stumpf (DFL-Thief River Falls) sponsored the bill.

HF2101\*/SF2283/CH432



## EMPLOYMENT

### Minimum wage veto



Gov. Arne Carlson has vetoed an increase in Minnesota's minimum wage.

The governor, who has a history of vetoing such wage hikes, vetoed a 75-cent minimum wage increase in 1994.

As Carlson has stated in this and previous veto messages on the issue, "a minimum wage increase would cost jobs and cause inflation." Such an increase, he wrote, automatically raises the cost to business. "Naturally, retailers must pass on the increased cost to consumers in the form of higher prices or cut costs wherever they can. For businesses in highly competitive areas, such as retail, this will most likely trigger layoffs, hiring freezes, reduced benefits and even store closings."

Under this year's bill, the minimum wage for large businesses would have increased from \$4.25 per hour to \$5 per hour in September 1996 and to \$5.35 per hour in September 1997.

Small businesses also would have seen an increase in the \$4 hourly minimum wage required of them. For employers with gross annual sales under \$500,000, the minimum wage would have jumped to \$4.75 per hour in September 1996 and to \$5.10 in September 1997.

Originally, the bill called for the hourly minimum wage to increase \$2.75 over the next two years, peaking at \$7 per hour for large businesses. It also contained provisions that would have allowed employers to pay lower wages in exchange for providing benefits.

Supporters of the bill argued that raising the minimum wage would help people better support their families, especially the "working poor" — people who work two or three minimum wage jobs but still need help.

Opponents argued that the wage hike would cost the state jobs and exacerbate economic problems.

Minnesota last increased the minimum wage in 1991, when it was bumped from \$3.95 per hour to \$4.25.

The proposal was sponsored by Rep. Tom Rukavina (DFL-Virginia) and Sen. Randy Kelly (DFL-St. Paul).

HF401/SF302\*/CH436

## No workers' comp study



Gov. Arne Carlson vetoed a bill that would have required the commissioner of employee relations to develop a proposal for a pilot project to determine the feasibility of coordinating workers' compensation and insurance benefits.

In his veto message, the governor said the legislation was unnecessary because the "agency already has the authority to perform this study." He also noted the bill said "this project shall be undertaken only if grants for this purpose are awarded to the commissioner." Therefore, "absent a funding source to carry out this requirement, this legislation has no purpose," he said.

The proposal could have included a pilot project for local units of government as well as state employees. The commissioner was to have consulted with the Joint Labor-Management Committee on Health Plans, the Public Employees Insurance Program Advisory Board, health plans serving state and other public employees, and three other state departments: labor and industry, health, and commerce.

The pilot project would have resulted in a report to the Legislature by Jan. 15, 1997.

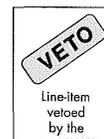
The proposal was sponsored by Rep. Linda Wejcman (DFL-Mpls) and Sen. Linda Berglin (DFL-Mpls).

HF2953\*/SF1871/CH342



## ENVIRONMENT

### Environmental projects vetoed



The environment and natural resources appropriations bill was signed into law, but was stripped of \$215,000 by Gov. Arne Carlson's line-item vetoes.

The \$10.3 million law funds a

variety of proposals relating to agriculture, natural resources, and the environment.

Carlson vetoed four projects:

- \$150,000 for the Minnesota Institute for Sustainable Agriculture. Carlson said the appropriation is a "premature funding proposal." He said there have been "many concerns raised by the agricultural community as to the necessity of this program based on the project's extremely broad charge." The program is also "duplicative of current university and state programs," according to Carlson.
- \$25,000 for the Wabasha County extension service. The governor said the funding for the "Wabasha County extension service for a pilot program to assist retiring farmers is also duplicative of the already established Passing on the Farm program which receives funding in this bill." Carlson added that "before expanding this program into other areas, the success of the Passing on the Farm program should first be evaluated."
- \$20,000 for the Environmental Quality Board to study environmental justice. According to the governor's veto message, "the appropriation for the environmental justice study is insufficient to fund a full examination of all the issues called for in the study." Carlson said that "to undertake extensive examination of all of these issues would be costly and cannot be supported by the current appropriation for the Environmental Quality Board." Furthermore, he added, the board, "through its current authority, has mechanisms in place to address issues of environmental justice."
- \$20,000 for the Minnesota Dairy Producers Board. Carlson said this appropriation was "unnecessary," noting that the "Department of Agriculture has been involved in the activities that would become the responsibility of the proposed dairy producers board. Furthermore, the governor said, "substantial opposition has been raised from within the dairy industry with regard to this proposal. Consequently, there is no need for a state sanction or appropriation for this activity."

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

**HF3231/SF2167\*/CH407**

## No environmental assessment



Gov. Arne Carlson has line-item vetoed a \$50,000 study that would have addressed two pending projects near the Mississippi River in Minneapolis.

The omnibus state government finance bill contained a provision calling for the state's Environmental Quality Board (EQB) to assess two situations.

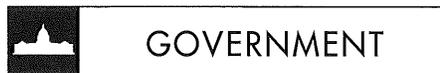
The first was to determine whether a metal shredding plant near the river was compatible with "tourism and other non-industrial uses" of the land which has been designated "an area of critical concern." Although unnamed by the legislation, the provision was targeting a specific kondirator, or metal-shredding plant, which is pending along the river in north Minneapolis.

Secondly, the bill called for the EQB to study the environmental and health effects of burning coal "within or near residential areas of large urban centers." The provision is directly related to the University of Minnesota's controversial plan to refurbish a steam plant on the Mississippi riverfront. Some members have cited the potential environmental danger of coal-burning facilities as a need for further study and a reason to favor alternative energy-generating technologies. Others have said the issue has been studied enough.

The remainder of the bill was signed into law.

The law was sponsored by Rep. Tom Rukavina (DFL-Virginia) and Sen. Gene Merriam (DFL-Coon Rapids).

**HF3214/SF2857\*/CH390**



## Legislative auditing



A bill relating to the duties of the Office of the Legislative Auditor was vetoed by Gov. Arne Carlson.

"[This] bill unreasonably and substantially expands the scope and power" of the office, Carlson wrote in his veto message. "This is a deliberate attempt to shift power and responsibilities away from the judicial and executive branches to the Legislature while passing it off as non-controversial."

But where the governor sees major changes, Rep. Ann Rest (DFL-New Hope), House sponsor of the bill, sees only a codification of existing practices where current law is vague.

The bill would have provided an appointment process for the auditor and the office's deputy auditors, addressed data privacy issues, and explicitly stated the duties that the legislative auditor already has been conducting at the request of the Legislature.

Carlson mainly objected to a provision saying the auditor may perform a program evaluation of "any organization in the executive or judicial branches of state government" or the University of Minnesota.

The governor called the provision "a dangerous threat to the distribution of powers" outlined in the state constitution.

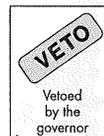
Rest said the authority has been in law since the Office of the Legislative Auditor was created in 1973.

"No agency activity or court function which uses taxpayer dollars is exempt from evaluation and this duty has nothing to do with the constitutional separation of powers," Rest said.

The proposal was sponsored in the Senate by Sen. Phil Riveness (DFL-Bloomington).

**HF2845/SF2418\*/CH350**

## Non-English services



Gov. Arne Carlson has vetoed a bill that would have assessed whether non-English speaking Minnesotans are adequately being served by state agencies.

Under the proposal, the state Spanish-Speaking Affairs Council, the Council on Asian-Pacific Minnesotans, the Council on Black Minnesotans, the Indian Affairs Council, and other groups that work with non-English-speaking Minnesotans would have identified the languages of the clients they most frequently serve.

Liaisons for each group then would have formulated a plan that included the current status of each state agency's compliance with Minnesota laws governing communication services for non-English-speaking residents and suggestions for improving those services.

The state Department of Administration, in consultation with the attorney general, would have reviewed the plans and then submitted them to the Legislature by Jan. 15, 1997.

In his veto message, the governor said the bill "represents a solution in search of a problem." Minnesota state agencies have a track record of accommodating non-English speaking persons in need of assistance, according to the governor. The bill would have only burdened state agencies and their clientele with additional mandates, he said, stress-

ing that the bill contained no mechanism to fund employees, mandated reports, or any activity resulting from these reports.

The proposal was sponsored by Rep. Carlos Mariani (DFL-St. Paul) and Sen. Sandy Pappas (DFL-St. Paul).

HF1303\*/SF1299/CH325

## No planning report



A bill calling for the St. Cloud area planning organization to provide a report and recommend legislative action to state lawmakers was vetoed by the governor.

nor.

The bill outlined specific areas of study to be addressed, including regional land use and coordination and the feasibility of a tax-base sharing program for the region. The proposal applied to Benton, Sherburne, and Stearns counties.

Gov. Arne Carlson called the bill an "unnecessary first step to take." He said the "bill amounts to legislative micro-management of the region, while ignoring the many cooperative agreements that are already in place to deal with jurisdictional problems."

The proposal was sponsored by Rep. Joe Opatz (DFL-St. Cloud) and Sen. Dave Kleis (R-St. Cloud).

HF2330\*/SF2107/CH379

## No new council



Gov. Arne Carlson vetoed a bill that aimed to improve cooperation between state and local government.

The bill called for the creation of a council on intergovernmental relations made up of representatives of the Legislature, the executive branch, counties, cities, townships, and school districts.

Council members would have been asked to study and make recommendations on issues ranging from state mandates on local government to opportunities for consolidation of services between governmental units on the state and local level.

Carlson maintains a new council is unnecessary. The Board of Government Innovation and Cooperation already works on such issues, he said.

"This is a clear case of duplication," Carlson wrote in his veto message. "If the Board of Government Innovation [and Cooperation] is not doing its job, then it should be eliminated as I recommended. But to simply create another council is absurd."

The administration is "ready and willing" to work with units of local government to plan for change and is already doing so, Carlson added.

"There are sufficient existing mechanisms to accomplish the necessary dialogue between levels of government, and my administration would be happy to better facilitate the existing efforts," he wrote.

The proposal was sponsored by Rep. Howard Orenstein (DFL-St. Paul) and Sen. James Metzen (DFL-South St. Paul).

HF2782\*/SF2597/CH400



## HEALTH

### MinnesotaCare veto



A bill that would have expanded eligibility for MinnesotaCare, the state's program to provide subsidized health coverage to uninsured residents, was vetoed by

Gov. Arne Carlson. The bill also would have made technical changes to health plan regulations.

The bill, sponsored by Rep. Roger Cooper (DFL-Bird Island), would have allowed individual adults and households without children that earn up to 150 percent of the federal poverty level to become insured under MinnesotaCare beginning July 1, 1996.

Currently, single adults and households without children that earn up to 125 percent of the federal poverty level are eligible for MinnesotaCare.

Under current federal poverty guidelines, that means the bill would have made eligible a single adult earning \$11,205 or less, and a two-person household without children earning \$15,045 or less.

The current limits for single adults and two-person households without children, respectively, are \$9,338 and \$12,538.

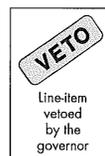
In his veto message, Carlson said "increases in eligibility for adults must be approached incrementally." The governor stated that he would direct the commissioner of human services "to use her existing authority to expand the eligibility for this population to 135 percent of the federal poverty level effective July 1, 1996. Carlson also suggested that as "the federal government continues to debate their role in providing public health care services, a cautious state approach is prudent in light of future federal reforms."

Sen. Linda Berglin (DFL-Mpls) sponsored the proposal in the Senate.

HF2190\*/SF2106/434

## HIGHER EDUCATION

### Grant funds vetoed



Gov. Arne Carlson has line-item vetoed \$1.55 million contained in this year's higher education supplemental funding proposal.

Gone from the proposal is \$1.5 million to increase living and miscellaneous allowances in state grants for college students and another \$50,000 to repay college loans for graduates of Minnesota law schools who practice low paying, public interest law.

"In a time when colleges and universities ... are struggling to provide quality programs with limited resources, this [\$1.5 million] appropriation is a particularly poor use of state resources," Carlson wrote in his veto message. "Changes in financial aid should be made in the budget year."

Regarding the loan forgiveness grants, Carlson said "Targeted resources and financial aid should be directed to students who are struggling to attend institutions currently, and not to someone who has successfully graduated."

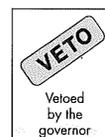
The proposal was sponsored by Rep. Tony Kinkel (DFL-Park Rapids) and Sen. LeRoy Stumpf (DFL-Thief River Falls).

HF3239/SF2849\*/CH395



## HUMAN SERVICES

### Omnibus human services bill



Gov. Arne Carlson vetoed a \$12.5 million health and human services supplemental budget bill.

Lawmakers later removed provisions the governor opposed and repassed virtually the same bill, which he is expected to sign.

Carlson was dissatisfied that the original bill did not move quickly enough to transform the state's Medical Assistance program for the poor into a prepaid managed care system.

Managed care is a method of health care that tries to cut costs by channeling patients to a limited network of doctors and other health care workers. The care is regularly reviewed to determine whether it is appropriate and necessary or whether medical procedures are being overused or underused. Health Maintenance Organizations (HMOs) are probably the most common examples of managed care.

The governor wants all counties to participate in what is known as the Prepaid Medical Assistance Plan (PMAP) which has been piloted in several counties, including Hennepin, Ramsey, and Dakota, for several years.

Under the plan, the state contracts with a select group of competitive health plans and pays them a fixed monthly rate to care for each enrolled MA recipient. Among other factors, the rate paid by the state per enrollee depends on the person's age, gender, and county of residence. Currently, the state runs the PMAP system and directly negotiates contracts with health plan companies.

The bill, however, didn't go as far as the governor would have liked. Instead of mandating that all counties participate right away, it gave counties the option to experiment with a managed care pilot project for their citizens who receive MA, GAMC, and MinnesotaCare. If a county chose not to participate, PMAP may have been implemented by Oct. 1, 1996.

The bill also would have allowed each county to run its own managed care health program, solicit competitive bids from health care companies, and negotiate contracts with the health plans it selected.

Carlson not only objected to the optional language in the bill regarding county participation, he opposed the idea of each county managing its own program.

"With such a large group of health care consumers, we could expect a great deal of competition among providers, which would result in the highest quality of care for our most vulnerable citizens. Instead, this bill suggests that we should fragment our purchasing power across county demonstration projects," Carlson stated in his veto message.

Under the current MA fee-for-service program, citizens can choose their own doctors as long as the physician is approved by the state to treat MA patients in addition to their other clientele.

PMAP not only could limit the doctor selection for MA patients, it could put a dent in the practices of some physicians. Since MA patients under a managed care system could only see doctors affiliated with the approved HMO, those physicians not affiliated would likely see their practice diminish.

The proposal was sponsored by Rep. Lee Greenfield (DFL-Mpls) and Sen. Don Samuelson (DFL-Brainerd).

**HF2818\*/SF2308/CH393**

 **METRO AFFAIRS**

**Wastewater charges**



A bill to change the way local sewage charges are allocated in the metro area was vetoed by Gov. Arne Carlson.

Under current law, rates for sewage services are set by local governments within the seven-country metro area. The bill would have placed that authority with the Metropolitan Council.

Carlson objected to "stripping" local governments "of their ability to specify sewer access charges" and "unilaterally" shifting that power to the Metropolitan Council.

Carlson also objected because a provision was dropped from the bill during conference committee negotiations that would have limited the cash-flow fund balance of the council. Carlson noted current law requires "this discipline of school districts and local units of government, and this provision should have remained in the bill."

The proposal was sponsored by Rep. Mark Mahon (DFL-Bloomington) and Sen. Carol Flynn (DFL-Mpls).

**HF2556/SF2194\*/CH383**

 **RETIREMENT**

**Pension bill vetoed**



Gov. Arne Carlson vetoed a bill that would have allowed members of the Minneapolis Teachers Retirement Fund to purchase prior service credit for teacher service outside the state of Minnesota.

Such a law would have allowed for such teachers to contribute a lump sum payment to their pension fund to cover previous years in which no pension contributions were made. The benefits would then be received upon retirement.

The governor noted that "the bill does not expressly prohibit the school district or any third party from making payments on behalf of the member." He added that "this is a flaw that leaves the issue unresolved."

The governor also said that he is "very concerned about any pension legislation that might magnify already significant inequities among the benefit provisions of major public pension plans in Minnesota."

The proposal was sponsored by Rep. Richard Jefferson (DFL-Mpls) and Sen. Larry Pogemiller (DFL-Mpls).

**HF1540\*/SF2461/CH327**

 **TRANSPORTATION**

**Local approval vetoed**



A bill to give cities the authority to approve or reject certain transportation projects was vetoed by Gov. Arne Carlson.

"It does not serve the best interests of Minnesota's traveling public to grant local task forces the power to unilaterally determine the state's transportation policy for that locality," Carlson said.

Under the bill, local task forces could have been assembled to examine trunk highway projects that significantly affected a city's trunk highway access. Task force approval would have been needed for the corridor proposal, layout plan, and construction plans for the project.

This process would have been an alternative to existing law that provides for arbitration of disputes between MnDOT and local governments over trunk highway projects.

The proposal was sponsored by Rep. Gene Pelowski (DFL-Winona) and Sen. Steve Morse (DFL-Dakota).

**HF1922\*/SF1708/CH381**

**Frequently called numbers**

State Information .....	296-6013
<b>Secretary of the Senate</b>	
231 Capitol .....	296-2344
Voice mail/order bills .....	296-2343
<b>Chief Clerk of the House</b>	
Copies of bills	
211 Capitol .....	296-2314
<b>Index, Senate</b>	
110 Capitol .....	296-2887
<b>Index, House</b>	
211 Capitol .....	296-6646
<b>Information, Senate</b>	
231 Capitol .....	296-0504
<b>Information, House</b>	
175 State Office Building .....	296-2146
<b>Counsel and Research, Senate</b>	
G-17 Capitol .....	296-4791
<b>Research, House</b>	
600 State Office Building .....	296-6753
<b>Legislative Reference Library</b>	
645 State Office Building .....	296-3398
<b>Governor's Office</b>	
130 Capitol .....	296-3391
<b>Attorney General's Office</b>	
102 Capitol .....	296-6196
<b>Secretary of State's Office</b>	
180 State Office Building .....	296-2803
<b>Capitol Security</b>	
B-4 Capitol .....	296-6741
<b>Emergency</b>	296-2100
<b>TDD*, Senate</b>	296-0250
<b>TDD*, House</b>	296-9896
or 1-800-657-3550	

Rep. Roger Cooper . . .

## Teacher produces laws to benefit rural Minnesota



Some 28 years ago, Roger Cooper ventured to Bird Island, Minn., on a journey from Illinois. He started teaching high school there the next year, settled down, and eventually weighed in on local political matters as a city council member. Later, he served as DFL party chair for Renville County.

He's proud to be from rural Minnesota. In fact, improving life in Greater Minnesota dominated Cooper's legislative experience. It's the reason he ran for the House 10 years ago.

"I did not feel I was being represented at the Legislature," Cooper said. So with some encouragement from his friends and colleagues — and a lot of votes from a lot of folks — Cooper became Representative Cooper in 1986.

Whether the issue was improving transportation infrastructure, looking out for farmers, or reforming the health care system, Cooper was (and still is) a solid and steadfast advocate for rural Minnesota.

His work, particularly the development of MinnesotaCare, gained him respect on both sides of the aisle, as well as from staff and the public. Cooper was always looked to for input on "the rural perspective," according to many of his colleagues.

It all started when he became the chair of a subcommittee on rural health care in 1988.

"That was a time when health insurance premiums were rising 15 to 25 percent a year, we were losing a great number of primary care physicians, hospital stays were cut short, and volunteer ambulance services were having a difficult time recruiting and retaining people," Cooper noted. "There was a tremendous concern within the medical sector, and with individuals worried about their health care," he added.

"I feel very fortunate that I had this opportunity. I'll never claim to have the answers. As a chairman, I've always tried to hold hearings to identify problems. Then, with the help of



Rep. Roger Cooper

**Noted achievements:** As chair of the MinnesotaCare Division, Cooper was instrumental in the ongoing development of MinnesotaCare, the state's subsidized health insurance program for low-income Minnesotans and their families. As legislator and chair, he focused on the rural health needs of state residents. Cooper also sponsored several laws improving volunteer ambulance services statewide, again a key issue to rural Minnesotans. Workers' compensation reform is another policy area where Cooper was able to make a difference.

many, many people, we try to find solutions," explained Cooper.

He is quick to credit a host of doctors, medical professionals, and other folks from his area and beyond who have been instrumental in health care reform.

"I love to work on constructive solutions to problems," Cooper said. "Part of the reason I decided to leave was not that I don't still enjoy that — it's because it has become increasingly more difficult for people to concentrate on policy, rather than politics.

"Whether it's a family, a school, or a legislature, compromise is absolutely crucial if you're going to solve a problem," he said. "Legislation by intimidation and confrontation has become increasingly frustrating," Cooper said.

"Frustration leads to anger, and anger leads to bitterness. I don't want to be bitter and angry," he said. "When you act in anger, it becomes more difficult to come to a solution. . . . It's time for me to go home," he concluded.

Reducing local school districts' dependency on property taxes is an example of an issue that never made much headway because it was so mired in politics, Cooper said. The Minnesota Constitution, he observed, clearly requires a "uniform system of public schools" throughout the state. Cooper said this means schools should be as equal as possible. The Legislature's long-standing inability to meet this requirement stems from "the lack of leadership and will — on both sides of the

aisle — to solve the problem," said Cooper.

"If the development of public policy is put first, people's talents can be unleashed. Then, politics will take care of itself. I hope we get back to giving folks the opportunity that I was given to work on solving problems. I know that will happen at some point in the future," Cooper predicted.

His message for future legislators and those involved in politics and policy: "Criticism needs to be more constructive. Instead of just tearing things and people down, find solutions to make society better.

"For me, this has been one of the greatest opportunities a person can be given," Cooper said, adding that "you have to serve with your heart and soul, with all your energies."

And to whom did Cooper look upon for inspiration?

"President Abraham Lincoln for his courage; Marge, [Cooper's wife] for her compassion; Pastor Paul Sorlien for his genuine commitment; and Sue and Julie [his campaign manager and treasurer] for their kindness," he said.

Cooper looks forward to teaching and spending more time with Marge. His departure also will give him more time to tinker in his flower garden, but he admitted there is some work to be done, too. "This year, I'm going to make sure that the lake lot gets mowed," he said.

— Joel Larson

## Five more House members announce retirement

### Stepping Down

*Editor's note: After the 1996 Legislative Session adjourned sine die, several members announced their retirement.*

### Rep. Chuck Brown



Rep. Chuck Brown

Citing a desire to spend more time with his family, Rep. Chuck Brown has announced his retirement from the House.

Brown, a DFLer from Appleton, Minn., has been a legislator for the past 12 years.

He's chaired the Environment and Natural Resources Finance Committee the past two legislative sessions. Before that he chaired the Local Government and Metropolitan Affairs Committee.

During his tenure, Brown was one of the sponsors of a bill that authorized living wills. He also sponsored a bill that raised the fine for not wearing a seat belt from \$10 to \$25, with the majority of money raised from the fine going to rural emergency medical training.

According to the *Morris Sun* newspaper, a return to politics isn't out of the question. For now, however, Brown, who was known for impassioned speeches on the House floor, plans to stick with auctioneering, his career outside of the Legislature.

### Rep. Virgil Johnson



Rep. Virgil Johnson

Rep. Virgil Johnson (R-Caledonia) has announced his retirement after 14 years in the House.

Johnson said he is leaving to allow more time for his family, his farm, and the champion Dalmatians he and his wife raise.

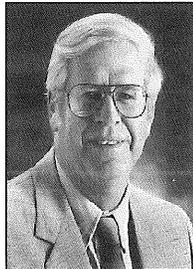
"You tend to put off a lot of things you really want to do," he said. "I think my wife and I will take a few trips, and I'll probably do a lot more hunting and fishing."

Johnson's work in the House focused on environmental and outdoors issues. He backed efforts to pass significant water management, agricultural, and hunting laws during his tenure.

Johnson also served as vice chair of the Select Committee on Technology, a panel charged with guiding the use of technology in the Legislature as it moves into the 21st century.

Before coming to the House, where he is tied for fourth place in seniority among House Republicans, Johnson served 18 years as a Houston County commissioner.

### Rep. Tony Onnen



Rep. Tony Onnen

He announced that he would not seek re-election as the 1996 Legislative Session came to an end.

Onnen, a husband, father of five children, and the most senior Republican in the House, serves on the Health and Human Services Committee as well as its finance division, the Regulated Industries and Energy Committee, and the Financial Institutions and Insurance Committee. He chaired the Health and Human Services Committee for a period during the mid-1980s.

Onnen, an accountant and insurance salesman, is known for many legislative efforts, including a 1994 law that provides a tax break for families in which one of the parents or a relative stays home to raise a child during the first year of life.

### Rep. John Sarna



Rep. John Sarna

his family.

"I have enjoyed my years . . . but it is time to let someone else have a chance," Sarna said. "I have been proud to represent Northeast Minneapolis."

Sarna was instrumental in saving and restoring the 113-year old Stone Arch Bridge in Minneapolis, which now has a bike and pedestrian trail.

Only two House members — Reps. Jim Rice (DFL-Mpls) and Willard Munger (DFL-Duluth) have served in the House longer than Sarna.

Sarna, representing District 59A, is the current chair of the Commerce, Tourism, and Consumer Affairs Committee.

### Rep. Gary Worke



Rep. Gary Worke

I told the party I would serve two terms," he said. "I just feel the time is right in my life to let someone else have the opportunity to serve."

Minority Leader Steve Sviggum (R-Kenyon) said Worke "has proven to be a leader" on both health care and welfare reform issues.

Worke said he enjoyed his time serving the people of Waseca and Steele counties in District 28A.

"It has truly been an honor to be a member of the House of Representatives," he said.

# Final Action\*

## Now it's up to the governor

Exactly 2,398 bills were introduced by the Legislature during the regular session — 1,294 by the House and 1,104 by the Senate. Of those, 206 bills (and one resolution) were passed by both bodies during the 1996 Legislative Session and sent to the governor.

So what happened to the other 2,192 bills? Some were duplicates, some were folded into other bills, but most are dead, gone from the legislative process unless they are reintroduced next year. The biennium has ended, and bills do not carry over from one biennium to the next.

And what happened to the 206 bills (and one resolution) 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 second 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 at the end of the biennium, results in a pocket veto.

The timing of these actions is as important as the actions themselves.

If a bill was passed by the Legislature and presented to the governor before the final three days of the session, the bill will become law unless the governor vetoes it by returning it to the Legislature within three days. The governor normally signs the bills and files them with the Secretary of State, but his signature is not required.

But if a bill is passed during the last three days of the session, the governor has a longer time to act on it. He/she must sign and deposit it with the secretary of state within 14 days of adjournment or the bill will not become law. Inaction by the governor results in a "pocket veto," and the governor is not required to provide a reason for the veto.

Only on appropriations bills can the governor exercise the line-item veto authority. This option allows the governor to eliminate the appropriation items to which he/she objects. As with all vetoes, the governor must include a statement listing the reasons for the veto with the returned bill. Here, too, the timetable is either 14 days after adjournment for bills passed during the final three days of the session, or within three days after the governor receives the bill at any other time.

A two-thirds vote of the members in each house is needed to override a veto. But because only the governor can call a special session of the Legislature, anything vetoed after the Legislature adjourns is history — unless it is reintroduced next year.

After each session, a comprehensive summary of all bills that were signed into law or vetoed is published. You can obtain a copy by calling or writing the House Public Information Office, 175 State Office Building, St. Paul, MN 55155-1298; (612) 296-2146, 1-800-657-3550.

*Editor's note: The following chart includes the 206 bills (and one resolution) that passed both the House and the Senate and have been sent on to the governor for consideration. Final action is as yet incomplete on 12 of the bills. The bills are, for the most part, sorted according to the committee of origin.*

*Here are definitions of some of the terms used in the chart.*

### Governor's Options

#### • enactment

The date the governor signed the bill into law.

#### • line-item veto (liv)

The power or action of the governor to reject individual items within an appropriations bill while approving the rest of the bill.

#### • Veto

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, 1996

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

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, 1996

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

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.

#### • retroactive

Act goes into effect as of a specified date in the past.

**1996 MINNESOTA LEGISLATURE  
FINAL ACTION (as of April 11, 1996)**

HF — House File                      we — with exceptions                      liv — line-item veto  
 SF — Senate File                      wq — with qualifications  
 R — Resolution                      \* — bill the governor signed or vetoed  
 CH — Chapter                      † — approved without governor's signature

HF	Author	SF	Author	Bill Title	CH	Governor's signature	Governor's veto	Awaiting governor's action	Effective date
				RESOLUTION					
14	Jaros	none	Berqlin	Urging United Nations to admit Taiwan	R4	3/28†			
				AGRICULTURE					
2115*	Harder	2301	Sams	Rural Finance Agency program net worth definitions modified	347	3/19			3/20/96
2116*	Harder	2071	Stevens	Plant pest, fertilizer, and lime provisions	330	3/18			8/1/96; 12/30/95 (Sec. 18)
2454	Tunheim	2111*	Stumpf	Canola council referenda exemptions	290	2/28			2/29/96
3146	Brown	2760*	Lessard	Agricultural land alien ownership exception	315	3/15			3/16/96
				CAPITAL INVESTMENT					
3273	Kalis		Merriam	Omnibus bonding bill	463			x	
				COMMERCE, TOURISM & CONSUMER AFFAIRS					
732*	Pugh	950	Metzen	Copyright enforcement regulation	336	3/19			8/1/96
1704*	Rest	1492	Reichgott Junge	Limited liability company	361	3/21			8/1/96; 1/1/96 (Secs. 15, 53, 54)
1998*	Bishop	1735	Knutson	Prudent investor uniform act adoption	314	3/15			1/1/97
2150*	Holsten	1823	Laidig	Stillwater liquor license issuance	270	2/15			Upon local approval
2205*	Johnson, A.	2040	Kelly	Oxygenated gasoline mandate exceptions	354	3/21			3/22/96
2233	Entenza	1915*	Oliver	Commerce department bill	439	4/11			Various
2236	Entenza	1981*	Hottinger	Commerce commissioner enforcement powers regulated	384	3/27			8/1/96; 3/28/96 (Secs. 3-6, 8)
2391*	Jennings	2010	Novak	Petroleum tank cleanup reimbursement regulated	308	3/13			3/14/96 w/varying application
2478*	Mariani	2372	Pappas	Immigration service restrictions	401	4/2			8/1/96
2519*	Pelowski	2172	Morse	Petroleum release cleanup reimbursement	397	4/2			4/3/96
2525*	Rukavina	2201	Janezich	Motor vehicle dealer relocation	343	3/18			3/19/96
2590	Bertram	2116*	Solon	Liquor licensure	418	4/2			Various
2752*	Luther	2472	Price	Pawnbroker regulation act	404	4/2			8/1/96
2788*	Frerichs	2591	Scheevel	Temporary liquor license restrictions	323	3/15			8/1/96
3016	Daggett	2813*	Janezich	Heavy, utility equipment manufacturers regulated	291	3/1			3/2/96
				ECONOMIC DEVELOPMENT, INFRASTRUCTURE & REGULATION FINANCE					
2680	Wenzel	2166*	Morse	Water and wastewater treatment system loans	297	3/4			3/5/96
3137	Lieder	2702*	Langseth	Omnibus transportation appropriations bill	455			x	
3243*	Rice		Kroening	Omnibus economic development bill	452			x	
				EDUCATION					
none	Kinkel	2849*	Stumpf	Omnibus higher education bill	395	4/1	liv		Various
none		2457*	Flynn	Higher education officers' salaries regulation	425	4/2			7/1/96
2077	Carlson, L.	2019*	Merriam	Metropolitan magnet school cost provisions	284	2/27			2/28/96
2156*	Johnson, A.	1884	Pagenmiller	Omnibus K-12 education bill	412	4/3	liv		Various
2206*	Pelowski	2143	Murphy	Higher education mandates removed	398	4/2			Various
2565*	Tuma	2636	Larson	Licensing standards modified for business, trade, correspondence schools	366	3/22			3/23/96
				ENVIRONMENT & NATURAL RESOURCES					
787*	Munger	1116	Stumpf	Wetlands Conservation Act amendments	462	4/11			4/12/96 wq
1964	Hackbarth	1775*	Merriam	Turkey hunting stamp required	364	3/22			3/1/97
2065	Hackbarth	2499*	Stevens	Used motor oil law effective date delayed	351	3/20			Various
2112*	Bishop	1987	Morse	Sewage treatment systems	427	4/2			Various
2125*	Boudreau	1890	Frederickson	Air quality permit issuance	409	4/2			4/3/96
2149*	Perlt	1847	Hanson	Pollution Control Agency board membership	348	3/19			1/5/98
2171*	Ozment	2252	Morse	Pollution Control Agency Board	405	4/2			6/1/96

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2194	Weaver	1956*	Dille	Environmental regulatory innovations act	437	4/3			4/4/96
2207*	Trimble	2013	Novak	Low-level radioactive waste	428	4/2			8/1/96
2259	Wagenius	1861*	Johnson, J.B.	Waste Management Act provisions modified	470	4/11			Various
2264	Peterson	1905*	Laidig	State parks; adding to, deleting from	372	3/26			8/1/96
2282*	Winter	2114	Morse	RIM program provisions modified	449	4/11			8/1/96
2332*	Trimble	1900	Laidig	Public waters work permit requirements modified	443	4/11			4/12/96
2365*	Bakk	2384	Lessard	Open burning restrictions, timber sales	295	3/4			Various
2374	Gunther	1984*	Beckman	Watowan River designated canoe and boating river	280	2/23			8/1/96
2379	Jennings	2503*	Price	Exotic species control	385	3/27			5/1/96
2411*	Johnson, V.	2556	Murphy	Trespassing on private land for recreation prohibited	301	3/6			8/1/96
2580*	Wenzel	2409	Samuelson	Nonresident fish house restrictions modified	403	4/2			8/1/96
2799	Milbert	2445*	Johnson, J.B.	Omnibus game and fish bill	410	4/2			8/1/96; 4/3/96 (Secs. 52, 56)
2834*	Hasskamp	2563	Johnson, J.B.	Aaron Sahli Child Boating Safety Act	396	4/1			Various
3013*	Long	2306	Mondale	Environmental improvement pilot program	359	3/21			3/22/96
				ENVIRONMENT & NATURAL RESOURCES FINANCE					
2512	Johnson, V.	2167*	Morse	Wild animal crop destruction	407	4/2	liv		Various
2846*	Kalis	2535	Sams	Tax-forfeited sales authorized for various counties	319	3/15			3/16/96
2902	Bakk	2596*	Johnson, D.J.	Emergency deer feeding program appropriation	294	3/1			Various
3125	Hasskamp	2802*	Johnson, D.J.	Snowmobile grants-in-aid provided	293	3/1			3/2/96
				FINANCIAL INSTITUTIONS & INSURANCE					
168*	Luther	191	Solon	Homeowner insurance requirements	337	3/19			1/1/97
219*	Murphy	221	Samuelson	Welfare reform	465			x	
697*	Kalis	1647	Solon	Long-term care insurance	389	3/28†			1/1/97
1567*	Long	1441	Pogemiller	Public fund agreements regulated	399	4/2			8/1/96
1749	Macklin	1622*	Knutson	Homeowner's proof of loss insurance	285	2/27			2/28/96
2044*	Skoglund	2516	Anderson	Group health and life insurance retroactive termination restricted	304	3/13			3/14/96
2344	Long	1815*	Wiener	Insurance coverage for domestic abuse victims	278	2/21			8/1/96
2369*	Ostrom	2037	Metzen	Consumer credit regulation	414	4/2			Various
2378	Osthoff	1980*	Hottinger	Omnibus insurance regulation bill	446	4/11			Various
2588*	Wagenius	2120	Morse	Landfill cleanup costs process with insurers	370	3/26			3/27/96
3052*	Ostrom	2780	Hottinger	Insurance agent termination	433	4/3			Retroactive to 5/18/89
3078	Lourey	2624*	Wiener	Day care homeowner's insurance	326	3/18			3/19/96
				GENERAL LEGISLATION, VETERANS AFFAIRS & ELECTIONS					
289	Jefferson	315*	Sams	Election law modification	441			x	
343*	McCullum	153	Reichgott Junge	Recall of elected state officials	469			x	
532*	McCullum	530	Metzen	Gulf War veterans bonus payments	429	4/2			1996 general election
667	Long	840*	Cohen	Campaign finance spending limit, public subsidies	459	4/11			4/12/96
1106	Cooper	1086*	Johnson, D.J.	Lobbying by campaign, party committees prohibited	375		3/26		
2032	Koppendrayner	1800*	Stevens	Closed armory disposition procedures	299	3/4			8/1/96
2059*	Kelley	1982	Dille	Veterinary Practice Act provisions modified	415	4/2			8/1/96
2101*	Tunheim	2283	Stumpf	Mail balloting authority expanded	432		4/3		
2280	McCullum	2584*	Metzen	Elimination of Veterans Homes Board duties	292	3/1			8/1/96
2425	Carruthers	2255*	Betzold	City elected office vacancy procedures established	422	4/2			8/1/96
2549	Ostrom	2267*	Hottinger	Public employee leave of absence for candidacy	368		3/26		
3123	Pelowski	2720*	Marty	Simultaneous multi-party candidacy	419	4/2			1996 state primary election
				GOVERNMENTAL OPERATIONS					
1303*	Mariani	1299	Pappas	Non-english speaking state agency clients	325		3/15		
1540*	Jefferson	2461	Pogemiller	Minneapolis Teachers Retirement Fund Association prior service credit	327		3/18		

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2193	Entenza	1902*	Pappas	Spanish Speaking Affairs Council name change	420	4/2			4/3/96
2218*	Kahn	2219	Metzen	State government performance report requirements modified	457	4/11			8/1/96
2229	Cooper	2319*	Knutson	Minnesota emergency management act	344	3/19			8/1/96
2308*	Perlt	1962	Kramer	State employee charitable campaign participation	268	2/15			7/1/96
2316	Dorn	1936*	Janezich	Lottery tickets sold at multiple locations	288	2/28			2/29/96
2318*	Dorn	2218	Berg	Horse racing tax imposition regulated	467	4/11			4/12/96; 7/1/96 (Sec. 1)
2417*	Jefferson	2048	Riveness	Public pension plan provisions modified	438	4/3			Various
2484	Pugh	2175*	Metzen	Minnesota state retirement system benefits modified for some	460	4/11			Various
2493*	Kahn	2126	Morse	Local pension plan technical changes	448	4/11			Various
2720	Dorn	2260*	Price	Higher education system employee classifications modified	373	3/26			3/27/96
2758	Orenstein	2698*	Cohen	State agency action deadline provisions modified	283	2/27			8/1/96
2783*	Osthoff	2532	Anderson	State employee vacation donation	353	3/21			3/22/96 wq
2845	Rest	2418*	Riveness	Legislative auditor appointment provisions modified	350		3/21		
2858*	Wenzel	2564	Samuelson	Camp Ripley National Guard education center	332	3/18			8/1/96
2953*	Wejcman	1871	Berglin	Public employee workers' compensation, insurance benefits	342		3/19		
3214	Rukavina	2857*	Merriam	Omnibus state departments appropriations bill	390	3/27	liv		3/28/96 we
				HEALTH & HUMAN SERVICES					
66*	Cooper	891	Solon	Licensed professional counseling board established	423		4/3		
1584*	Lourey	1703	Berglin	Omnibus health and human services supplemental appropriations bill	451			x	
2008*	Opatz	1791	Betzold	Childbirth and postpartum health insurance benefits regulated	335	3/19			3/20/96
2110	Haas	1862*	Betzold	Department of Health unmarked vehicle use	269	2/15			2/16/96
2127*	Lynch	1882	Samuelson	Deaf and blind services act provisions modified	392	3/28			8/1/96
2158	Sykora	1885*	Knutson	Foster care payment and placement provisions modified	416	4/2			4/3/96
2190*	Cooper	2106	Berglin	Health insurance technical changes	434		4/4		
2222*	Delmont	2097	Lesewski	Department of Economic Security changes	339	3/19			3/20/96
2310*	Cooper	1955	Sams	Emergency medical services regulatory board authority modified	324	3/15			Various
2340*	Lourey	2158	Sams	Speech pathologist and audiologist registration	363	3/21			8/1/96
2368	Jefferson	2123*	Terwilliger	Child welfare hold procedures modified	421	4/2			8/1/96
2558*	Cooper	2335	Samuelson	Nursing registration violation penalty	318	3/15			8/1/96
2630*	Cooper	2312	Kiscaden	Nursing home administrators shared	352	3/21			8/1/96
2633	Greenfield	2332*	Merriam	Health profession sexual misconduct	334	3/18			8/1/96
2639	Long	2317*	Berglin	Group home rate exception clarified	312	3/15			8/1/96
2818*	Greenfield	2308	Samuelson	Omnibus health & human services supplemental appropriations bill	393		3/26		
2951	Wejcman	1879*	Berglin	Elderly care programs combined	316	3/15			8/1/96
2952	Wejcman	2020*	Berglin	Medicare reimbursement waiver request	296	3/4			8/1/96
1157	Kelley	842*	Betzold	Psychology board duties	424	4/2			8/1/96
1926*	Huntley	1719	Solon	Dental hygienist practice regulation	273	2/21			2/22/96
				HOUSING					
2039	Clark	1812*	Berglin	Requirements of cities to secure vacant buildings	286	2/27			8/1/96
2040*	Clark	1811	Berglin	Landlord tenant nuisance behavior	328	3/18			Various
2129	Clark	1925*	Johnson, J.B.	Housing Finance Agency single family housing requirements	298	3/4			8/1/96
2154*	Delmont	1845	Novak	Manufactured home park owners land recovery	311	3/15			8/1/96
2242	Wejcman	2196*	Anderson	Resident caretaker provided on premises	367	3/22			8/1/96
2415*	Rest	2594	Pagemiller	Low-income housing tax credit program policy changes	362	3/22			8/1/96; 3/22/96 (Secs. 1-6)
2672*	Jennings	2135	Metzen	Rental security deposit interest rate reduced	357	3/21			3/22/96
				INTERNATIONAL TRADE & ECONOMIC DEVELOPMENT					
2256*	Warkentin	2056	Novak	Tourism director classification changed	369	3/26			8/1/96
2513*	Huntley	2576	Anderson	Port authorities to use uniform municipal contracting law	349	3/21			8/1/96
2562	Clark	1997*	Hottinger	Businesses receiving state aid to pay a poverty level wage	447		4/11		

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				JUDICIARY					
1648*	Pugh	1500	Hottinger	Bias offense civil damage awards	468	4/11			8/1/96
2041	Wejzman	1872*	Berglin	Community policing training required	411	4/2			4/3/96
2042*	Kahn	2015	Anderson	Human Rights Act modified related to athletics	431	4/2			4/3/96
2122	Dawkins	1798*	Betzold	Revisor instruction scope limited	277	2/21			8/1/96
2155*	Macklin	1838	Betzold	Registered property applications, records	338	3/19			Various
2204*	Macklin	2014	Anderson	Nuisance action by individuals; organizations	453			x	
2284*	Johnson, A.	1948	Betzold	Child support, maintenance overpayment reductions	406	4/2			8/1/96
2357	Dawkins	1996*	Kelly	Child visitation procedures, requirements modified	391	3/28			8/1/96
2385*	Carruthers	2084	Reichgott Junge	Alternative dispute resolution	388	3/27			8/1/96
2453	Pugh	2198*	Limmer	Blood product infusion civil action	458			x	
2483*	Carruthers	2476	Cohen	Writ of certiorari application process clarified	307	3/13			8/1/96
2509*	Wagenius	2098	Ranum	Public nuisance definitions clarified	322	3/15			6/1/96
2618	Macklin	2410*	Ranum	Data practices provisions	440	4/11			Various
2778*	Orenstein	2672	Cohen	Streamlined dissolution procedure pilot project extended	365	3/22			3/23/96
2779	Entenza	2340*	Marty	Omnibus DWI bill	442	4/11			Various
2836	Ostrom	2514*	Hottinger	Neuroleptic medication hearings	281	2/23			8/1/96
2842	Kelley	2275*	Reichgott Junge	Domestic assault, harassment victims' accounts considered in release terms	380	3/27			8/1/96
2930	Farrell	2054*	Kelly	Drivers to yield to pedestrians	333	3/18			8/1/96; 9/1/96 (Sec. 1)
2938*	Skoglund	2598	Betzold	Revisor's bill	305	3/13			8/1/96
3242	Murphy	2856*	Beckman	Omnibus crime bill	408	4/2			Various
				LOCAL GOVERNMENT & METROPOLITAN AFFAIRS					
379	Haas	317*	Betzold	Cities permitted to close unlawful businesses	430	4/2			8/1/96
1800*	Lang	1655	Johnson, J.B.	Strategic planning office development plan	454	4/11			4/12/96
2079*	Macklin	1912	Pariseau	New Market bond issuance authorized	267	2/15			Upon local approval
2239*	Boudreau	1843	Neuville	Morristown maintenance of electrical power	271	2/15			7/1/96
2285*	Garcia	2204	Riveness	Airport noise mitigation spending	320	3/15			8/1/96
2321*	Orenstein	2339	Marty	Metropolitan Airports Commission; free parking prohibited	378	3/25†			3/26/96
2330*	Opatz	2107	Kleis	St. Cloud requested to report on land use planning	379		3/27		
2355*	Lang	1964	Vickerman	Property tax payment on land prior to permit issuance	282	2/27			8/1/96
2375*	Rest	2073	Reichgott Junge	Municipal improvement report fee restrictions	402	4/2			8/1/96
2401*	Solberg	2001	Lessard	Itasca County bidding requirement exemptions	306	3/13			3/14/96
2413*	Jennings	1986	Johnson, J.B.	Cemetery account provisions	413	4/2			8/1/96
2420*	Huntley	2258	Solon	Sanitary sewer system inflow and infiltration prevention program	317	3/15			8/1/96
2532*	Long	2108	Kroening	Minneapolis Park and Recreation Board employee appointment	358	3/21			Upon local approval
2556	Mahan	2194*	Flynn	Metropolitan Council wastewater services	383		3/28		
2625*	Wenzel	none	Samuelson	Baxter PUC expansion to five members	376	3/26			8/1/96
2634*	Long	2324	Mondale	Hennepin County additional chief deputy sheriff appointment	274	2/21			Upon local approval
2652*	Jefferson	2223	Pogemiller	Minneapolis to negotiate stagehand contracts	276	2/21			2/22/96
2670*	Schumacher	2189	Vickerman	Minnesota Municipal Board authority, procedures clarified	303	3/13			8/1/96
2782*	Orenstein	2597	Metzen	Intergovernmental relations advisory council established	400		4/2		
2889*	Onnen	2581	Dille	Norwood and Young America to become Norwood-Young America	302	3/13			Upon local approval wq
3012*	Long	2365	Mondale	Airport construction restriction and noise mitigation	464			x	
3070*	Wejzman	2793	Kroening	Neighborhood Revitalization Program	355	3/21			8/1/96
3162*	Solberg	2821	Lessard	Cohasset gas utility ownership, operation permitted	313	3/15			Upon local approval
				LABOR-MANAGEMENT RELATIONS					
401	Rukavina	302*	Kelly	Minimum wage increase	436		4/3		
2319	Perlt	1919*	Runbeck	Reemployment insurance	417	4/2			Various
2682*	Greiling	2438	Anderson	Parental leave for school activities	341	3/19			7/1/96
2735	Rukavina	2471*	Janezich	Charitable hospital employer/employee arbitration	382	3/27			8/1/96
2841*	Leighton	2397	Novak	Minimum wage employer liability	386	3/27			8/1/96

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2867	Leighton	2552*	Hottinger	Workers' compensation premium calculation provisions modified	374	3/26			Various
3271	Solberg	2874*	Merriam	Age discrimination lawsuit settlement	371	3/26			3/27/96
				REGULATED INDUSTRIES & ENERGY					
374*	Trimble	1642	Novak	Large electric power generating plants	466			x	
2055*	Delmont	2262	Johnson, J.B.	Customer notified of phone carrier change	340	3/19			Various
2281	Munger	1846*	Novak	Electric Energy Task Force report due date modified	266	2/7			8/1/96
2336	Cooper	2009*	Johnson, D.E.	Willmar electrical power provision	300	3/4			8/1/96
2419*	Brown	2238	Novak	Biomass fuel energy generation mandate regulated	450	4/11			8/12/96
2526*	Brown	2170	Betzold	Counterfeiting cellular phone service	331	3/18			8/1/96
2615	Jennings	2381*	Johnson, D.J.	Intrastate telecommunications services regulated	445	4/11			8/1/96
	Rest	2886*	Merriam	Budget reserve determination	461	4/11			4/12/96
				TAXES					
637*	Jennings	1147	Novak	Electric power generation facility taxation	444	4/11			4/12/96 (Secs. 1,3); Sec. 2 wq
2102*	Rest	2304	Hottinger	Technical tax bill	471			x	
				TRANSPORTATION & TRANSIT					
1922*	Pelowski	1708	Morse	Trunk highway construction project	381		3/28		
2012	Leppik	1797*	Betzold	Drivers' license suspension	346	3/19			8/1/96
2068*	Hackbarth	1802	Hanson	Co.Rd. 7 designated POW/MIA memorial highway	309	3/15			8/1/96
2092	Dauids	1909*	Scheevel	Amish Buggy Byway	279	2/23			8/1/96
2098	Pellow	1793*	Hanson	Certain collector vehicles license plates	345	3/19			8/1/96
2114*	McElroy	2320	Knutson	Drivers' license coding provisions modified	275	2/21			8/1/96
2152*	Lieder	1947	Ourada	Highway service sign provisions	456	4/11			Various
2163*	Cooper	2053	Vickerman	Motor carrier driver medical waiver	387	3/27			8/1/96; 3/28/96 (Sec. 3)
2188*	Workman	2147	Murphy	Motor carrier truck length	289	2/28			8/1/96
2313	Kalis	2012*	Beckman	Trunk Highway 22 designated victory drive	426	4/2			4/3/96
2322*	Mariani	2063	Pappas	St. Paul charter carrier permits	321	3/15			3/16/96
2380*	Tunheim	2270	Langseth	Motorcycle safety fund	329	3/18			7/1/96
2402*	Osthoff	2209	Hanson	Motor vehicle registration provisions modified	435	4/3			8/1/96
2410	Hasskamp	1946*	Samuelson	Designation of state roads and highways	272	2/16			8/1/96
2439	Tuma	2121*	Neuville	Czech Heritage Highway	287	2/27			8/1/96
2587	Schumacher	2342*	Vickerman	Motor carriers of property deregulated	377	3/27			3/28/96 (Secs. 1-7, 9); 8/1/96
2780	Carlson, L.	2571*	Reichgott Junge	Drivers' license residence address use restrictions	356	3/20			3/21/96
				WAYS & MEANS					
2298*	Marko	2529	Beckman	Multi-member school board election districts authorized	394	3/28			3/29/96
2377*	Delmont	2092	Wiener	Obsolete laws repealed	310	3/15			8/1/96
3217*	Olson, E.	2835	Kelly	State departments claims payment	360	3/21			3/22/96

# Minnesota House of Representatives 1995-96

Unofficial list as of February 12, 1996

District/Member/Party	Room*	Phone (612) 296-	District/Member/Party	Room*	Phone (612) 296-
45A Abrams, Ron (R)	209	9934	47A Luther, Darlene (DFL)	525	3751
10A Anderson, Bob (DFL)	437	4946	50B Lynch, Teresa (R)	295	5369
19B Anderson, Bruce (R)	281	5063	37B Macklin, Bill (R)	349	6926
3A Anderson, Irv (DFL)	463	4936	40A Mahon, Mark P. (DFL)	401	7158
6A Bakk, Thomas (DFL)	429	2190	55A Mares, Harry (R)	239	5363
14B Bertram, Jeff (DFL)	571	4373	65B Mariani, Carlos (DFL)	403	9714
10B Bettermann, Hilda (R)	243	4317	57B Marko, Sharon (DFL)	507	3135
30B Bishop, Dave (R)	343	0573	55B McCollum, Betty (DFL)	501	1188
25B Boudreau, Lynda (R)	327	8237	36B McElroy, Dan (R)	259	4212
30A Bradley, Fran (R)	241	9249	54A McGuire, Mary Jo (DFL)	567	4342
53B Broecker, Sherry (R)	321	7153	39B Milbert, Bob (DFL)	579	4192
13A Brown, Chuck (DFL)	597	4929	35A Molnau, Carol (R)	287	8872
46B Carlson, Lyndon R. (DFL)	365	4255	21B Mulder, Richard (R)	387	4336
52A Carlson, Skip (R)	289	4331	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" (R)	379	4344
38A Commers, Tim (R)	217	3533	2B Olson, Edgar (DFL)	565	4265
15B Cooper, Roger (DFL)	549	4346	19A Olson, Mark (R)	223	4237
11A Daggett, Roxann (R)	225	4293	20B Onnen, Tony (R)	273	1534
9B Dauner, Marvin (DFL)	581	6829	16A Opatz, Joe (DFL)	423	6612
31B Davids, Gregory M. (R)	371	9278	64B Orenstein, Howard (DFL)	529	4199
65A Dawkins, Andy (DFL)	409	5158	60B Orfield, Myron (DFL)	521	9281
14A Dehler, Steve (R)	203	7808	29B Osskopp, Mike (R)	329	9236
51A Delmont, Mike (DFL)	575	4226	66A Osthoff, Tom (DFL)	585	4224
29A Dempsey, Jerry (R)	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 (R)	283	4306
42A Erhardt, Ron (R)	237	4363	42B Paulsen, Erik (R)	221	7449
67A Farrell, Jim (DFL)	491	4277	38B Pawlenty, Tim (R)	231	4128
1B Finseth, Tim (R)	377	9918	52B Pellow, Richard (R)	233	0141
31A Frerichs, Don L. (R)	247	4378	32A Pelowski Jr., Gene (DFL)	517	8637
63B Garcia, Edwina (DFL)	411	5375	57A Perit, Walter E. (DFL)	473	7807
21A Girard, Jim (R)	213	5374	13B Peterson, Doug (DFL)	523	4228
9A Goodno, Kevin (R)	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 (R)	309	9889
26A Gunther, Bob (R)	337	3240	58A Rice, James I. (DFL)	381	4262
48A Haas, Bill (R)	201	5513	18A Rostberg, Jim (R)	323	5364
50A Hackbarth, Tom (R)	313	2439	5A Rukavina, Tom (DFL)	471	0170
22B Harder, Elaine (R)	277	5373	59A Sarna, John J. (DFL)	563	4219
12A Hasskamp, Kris (DFL)	451	4333	17B Schumacher, Leslie (DFL)	413	5377
66B Hausman, Alice (DFL)	449	3824	41A Seagren, Alice (R)	315	7803
56A Holsten, Mark (R)	345	3018	62B Skoglund, Wes (DFL)	477	4330
6B Huntley, Thomas (DFL)	569	2228	34A Smith, Steve (R)	353	9188
7B Jaros, Mike (DFL)	559	4246	3B Solberg, Loren (DFL)	445	2365
58B Jefferson, Richard H. (DFL)	577	8659	33B Stanek, Rich (R)	351	5502
18B Jennings, Loren (DFL)	537	0518	28B Sviggum, Steven A. (R)	267	2273
48B Johnson, Alice M. (DFL)	539	5510	51B Swenson, Doug (R)	255	4124
4A Johnson, Bob (DFL)	551	5516	23B Swenson, Howard (R)	331	8634
32B Johnson, Virgil J. (R)	207	1069	43B Sykora, Barbara (R)	357	4315
59B Kahn, Phyllis (DFL)	367	4257	5B Tomassoni, David (DFL)	593	0172
26B Kalis, Henry J. (DFL)	543	4240	36A Tompkins, Eileen (R)	245	5506
44A Kelley, Steve (DFL)	417	3964	67B Trimble, Steve (DFL)	485	4201
35B Kelso, Becky (DFL)	415	1072	25A Tuma, John (R)	301	4229
4B Kinkel, Anthony G. "Tony" (DFL)	453	2451	1A Tunheim, Jim (DFL)	509	9635
40B Knight, Kevin (R)	307	4218	34B Van Dellen, H. Todd (R)	291	5511
16B Knoblach, Jim (R)	215	6316	15A Van Engen, Tom (R)	359	6206
17A Koppendrayner, LeRoy (R)	389	6746	23A Vickerman, Barb (R)	211	9303
27A Kraus, Ron (R)	279	8216	63A Wagenius, Jean (DFL)	439	4200
53A Krinkie, Phil (R)	303	2907	49B Warkentin, Eldon H. (R)	253	4231
56B Larsen, Peg (R)	311	4244	49A Weaver, Charlie (R)	261	1729
27B Leighton, Robert (DFL)	527	4193	61B Wejcman, Linda (DFL)	431	7152
45B Leppik, Peggy (R)	393	7026	12B Wenzel, Stephen G. (DFL)	487	4247
2A Lieder, Bernie (DFL)	515	5091	22A Winter, Ted (DFL)	407	5505
33A Lindner, Arlon (R)	227	7806	41B Wolf, Ken (R)	317	5185
60A Long, Dee (DFL)	591	0171	28A Worke, Gary D. (R)	229	5368
8B Lourey, Becky (DFL)	421	4308	43A Workman, Tom (R)	335	5066

Note: Room numbers are 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)	120 Cap.	5537	33 Limmer, Warren (R)	132D SOB	2159
26 Beckman, Tracy L. (DFL)	306 Cap.	5713	54 Marty, John (DFL)	G-9 Cap.	5645
41 Belanger, William V., Jr. (R)	113 SOB	5975	49 Merriam, Gene (DFL)	122 Cap.	4154
13 Berg, Charles A. (DFL)	328 Cap.	5094	39 Metzen, James P. (DFL)	303 Cap.	4370
61 Berglin, Linda (DFL)	G-9 Cap.	4261	2 Moe, Roger D. (DFL)	208 Cap.	2577
48 Betzold, Don (DFL)	G-24 Cap.	2556	44 Mondale, Ted A. (DFL)	226 Cap.	7-8065
55 Chandler, Kevin M. (DFL)	111 Cap.	9307	32 Morse, Steven (DFL)	G-24 Cap.	5649
8 Chmielewski, Florian W. (DFL)	325 Cap.	4182	29 Murphy, Steve L. (DFL)	301 Cap.	4264
64 Cohen, Richard J. (DFL)	317 Cap.	5931	25 Neuville, Thomas M. (R)	123 SOB	1279
28 Day, Dick (R)	105 SOB	9457	52 Novak, Steven G. (DFL)	322 Cap.	4334
20 Dille, Steve (R)	103 SOB	4131	43 Oliver, Edward C. (R)	121 SOB	4837
4 Finn, Harold R. "Skip" (DFL)	306 Cap.	6128	34 Olson, Gen (R)	119 SOB	1282
14 Fischbach, Michelle (R)	132C SOB	2084	19 Ourada, Mark (R)	145 SOB	5981
62 Flynn, Carol (DFL)	120 Cap.	4274	65 Pappas, Sandra L. (DFL)	120 Cap.	1802
23 Frederickson, Dennis R. (R)	139 SOB	8138	37 Pariseau, Pat (R)	109 SOB	5252
50 Hanson, Paula E. (DFL)	328 Cap.	3219	27 Piper, Pat (DFL)	G-9 Cap.	9248
24 Hottinger, John C. (DFL)	120 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. (R)	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. (R)	117 SOB	4123	45 Robertson, Martha R. (R)	125 SOB	4314
67 Kelly, Randy C. (DFL)	323 Cap.	5285	53 Runbeck, Linda (R)	107 SOB	1253
30 Kiscaden, Sheila M. (R)	143 SOB	4848	11 Sams, Dallas C. (DFL)	G-9 Cap.	7-8063
16 Kleis, David (R)	151 SOB	6455	12 Samuelson, Don (DFL)	124 Cap.	4875
36 Knutson, David L. (R)	133 SOB	4120	31 Scheevel, Kenric J. (R)	129 SOB	3903
47 Kramer, Don (R)	131 SOB	8869	7 Solon, Sam G. (DFL)	303 Cap.	4188
51 Krentz, Jane (DFL)	235 Cap.	7061	60 Spear, Allan H. (DFL)	120 Cap.	4191
58 Kroening, Carl W. (DFL)	124 Cap.	4302	17 Stevens, Dan (R)	127 SOB	8075
56 Laidig, Gary W. (R)	141 SOB	4351	1 Stumpf, LeRoy A. (DFL)	G-24 Cap.	8660
9 Langseth, Keith (DFL)	G-24 Cap.	3205	42 Terwilliger, Roy W. (R)	115 SOB	6238
10 Larson, Cal (R)	153 SOB	5655	22 Vickerman, Jim (DFL)	226 Cap.	5650
21 Lesewski, Arlene J. (R)	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

<b>1</b> A • Jim Tunheim-DFL B • Tim Finseth-R Sen. LeRoy A. Stumpf-DFL	<b>15</b> A • Tom Van Engen B • Roger Cooper-DFL Sen. Dean E. Johnson-R	<b>29</b> A • Jerry Dempsey-R B • Mike Osskopp-R Sen. Steve L. Murphy-DFL	<b>43</b> A • Tom Workman-R B • Barbara Sykora-R Sen. Edward C. Oliver-R	<b>57</b> A • Walter E. Perlt-DFL B • Sharon Marko-DFL Sen. Leonard R. Price-DFL
<b>2</b> A • Bernie Lieder-DFL B • Edgar Olson-DFL Sen. Roger D. Moe-DFL	<b>16</b> A • Joe Opatz-DFL B • Jim Knoblach-R Sen. David Kleis-R	<b>30</b> A • Fran Bradley-R B • Dave Bishop-R Sen. Sheila M. Kiscaden-R	<b>44</b> A • Steve Kelley-DFL B • Jim Rhodes-R Sen. Ted A. Mondale-DFL	<b>58</b> A • James I. Rice-DFL B • Richard H. Jefferson-DFL Sen. Carl W. Kroening-DFL
<b>3</b> A • Irv Anderson-DFL B • Loren Solberg-DFL Sen. Bob Lessard-DFL	<b>17</b> A • LeRoy Koppendrayner-R B • Leslie Schumacher-DFL Sen. Dan Stevens-R	<b>31</b> A • Don L. Frerichs-R B • Gregory M. Davids-R Sen. Kenric J. Scheevel-R	<b>45</b> A • Ron Abrams-R B • Peggy Leppik-R Sen. Martha R. Robertson-R	<b>59</b> A • John J. Sarna-DFL B • Phyllis Kahn-DFL Sen. Lawrence J. Pogemiller-DFL
<b>4</b> A • Bob Johnson-DFL B • Anthony G. "Tony" Kinkel-DFL Sen. Harold R. "Skip" Finn-DFL	<b>18</b> A • Jim Rostberg-R B • Loren Jennings-DFL Sen. Janet B. Johnson-DFL	<b>32</b> A • Gene Pelowski Jr.-DFL B • Virgil J. Johnson-R Sen. Steven Morse-DFL	<b>46</b> A • Ann H. Rest-DFL B • Lyndon R. Carlson-DFL Sen. Ember D. Reichgott Junge-DFL	<b>60</b> A • Dee Long-DFL B • Myron Orfield-DFL Sen. Allan H. Spear-DFL
<b>5</b> A • Tom Rukavina-DFL B • David Tomassoni-DFL Sen. Jerry R. Janezich-DFL	<b>19</b> A • Mark Olson-R B • Bruce Anderson-R Sen. Mark Ourada-R	<b>33</b> A • Arlon Lindner-R B • Rich Stanek-R Sen. Warren Limmer-R	<b>47</b> A • Darlene Luther-DFL B • Phil Carruthers-DFL Sen. Don Kramer-R	<b>61</b> A • Karen Clark-DFL B • Myron Wejcman-DFL Sen. Linda Berglin-DFL
<b>6</b> A • Thomas Bakke-DFL B • Thomas Huntley-DFL Sen. Douglas J. Johnson-DFL	<b>20</b> A • Robert Ness-R B • Tony Ornen-R Sen. Steve Dille-R	<b>34</b> A • Steven Smith-R B • H. Todd Van Dellen-R Sen. Gen Olson-R	<b>48</b> A • Bill Haas-R B • Alice M. Johnson-DFL Sen. Don Betzold-DFL	<b>62</b> A • Lee Greenfield-DFL B • Wesley J. "Wes" Skoglund-DFL Sen. Carol Flynn-DFL
<b>7</b> A • Willard Munger-DFL B • Mike Jaros-DFL Sen. Sam G. Solon-DFL	<b>21</b> A • Jim Girard-R B • Richard Mulder-R Sen. Arlene J. Lesewski-R	<b>35</b> A • Carol Molnau-R B • Becky Kelso-DFL Sen. Terry D. Johnston-R	<b>49</b> A • Charlie Weaver-R B • Eldon H. Warkentin-R Sen. Gene Merriam-DFL	<b>63</b> A • Jean Wagenius-DFL B • Edwina Garcia-DFL Sen. Jane B. Ranum-DFL
<b>8</b> A • Mary Murphy-DFL B • Becky Lourey-DFL Sen. Florian W. Chmielewski-DFL	<b>22</b> A • Ted Winter-DFL B • Elaine Harder-R Sen. Jim Vickerman-DFL	<b>36</b> A • Eileen Tompkins-R B • Dan McElroy-R Sen. David L. Knutson-R	<b>50</b> A • Tom Hackbarth-R B • Teresa Lynch-R Sen. Paula E. Hanson-DFL	<b>64</b> A • Matt Entenza-DFL B • Howard Orenstein-DFL Sen. Richard J. Cohen-DFL
<b>9</b> A • Kevin Goodno-R B • Marvin Dauner-DFL Sen. Keith Langseth-DFL	<b>23</b> A • Barb Vickerman-R B • Howard Swenson-R Sen. Dennis R. Frederickson-R	<b>37</b> A • Dennis Ozment-R B • Bill Macklin-R Sen. Pat Pariseau-R	<b>51</b> A • Mike Delmont-DFL B • Doug Swenson-R Sen. Jane Krentz-DFL	<b>65</b> A • Andy Dawkins-DFL B • Carlos Mariani-DFL Sen. Sandra L. Pappas-DFL
<b>10</b> A • Bob Anderson-DFL B • Hilda Betermann-R Sen. Cal Larson-R	<b>24</b> A • John Dorn-DFL B • Don Ostrom-DFL Sen. John C. Hottinger-DFL	<b>38</b> A • Tim Commers-R B • Tim Pawlenty-R Sen. Deanna Wiener-DFL	<b>52</b> A • Skip Carlson-R B • Richard Pellow-R Sen. Steven G. Novak-DFL	<b>66</b> A • Tom Osthoif-DFL B • Alice Hausman-DFL Sen. Ellen R. Anderson-DFL
<b>11</b> A • Roxann Daggett-R B • Ken Oltremba-DFL Sen. Dallas C. Sams-DFL	<b>25</b> A • John Tuma-R B • Lynda Boudreau-R Sen. Thomas M. Neuville-R	<b>39</b> A • Thomas Pugh-DFL B • Bob Milbert-DFL Sen. James P. Metzen-DFL	<b>53</b> A • Phil Krinkle-R B • Sherry Broecker-R Sen. Linda Runbeck-R	<b>67</b> A • Jim Farrell-DFL B • Steve Trimble-DFL Sen. Randy C. Kelly-DFL
<b>12</b> A • Kris Hasskamp-DFL B • Stephen G. Wenzel-DFL Sen. Don Samuelson-DFL	<b>26</b> A • Bob Gunther-R B • Henry J. Kalls-DFL Sen. Tracy L. Beckman-DFL	<b>40</b> A • Mark P. Mahon-DFL B • Kevin Knight-R Sen. Phil J. Riveness-DFL	<b>54</b> A • Mary Jo McGuire-DFL B • Mindy Grailing-DFL Sen. John Marty-DFL	
<b>13</b> A • Chuck Brown-DFL B • Doug Peterson-DFL Sen. Charles A. Berg-DFL	<b>27</b> A • Ron Kraus-R B • Robert Leighton Jr.-DFL Sen. Pat Piper-DFL	<b>41</b> A • Alice Seagren-R B • Ken Wolf-R Sen. William V. Belanger Jr.-R	<b>55</b> A • Harry Mares-R B • Betty McCollum-DFL Sen. Kevin M. Chandler-DFL	
<b>14</b> A • Steve Dehler-R B • Jeff Bertram-DFL Sen. Michelle Fischbach-R	<b>28</b> A • Gary D. Worke-R B • Steven A. Sviggum-R Sen. Dick Day-R	<b>42</b> A • Ron Erhardt-R B • Erik Paulsen-R Sen. Roy W. Terwilliger-R	<b>56</b> A • Mark Holsten-R B • Peg Larsen-R Sen. Gary W. Laidig-R	

Unofficial list as of February 12, 1996

## New Laws 1996 Order Form

A publication outlining the new laws of 1996 will provide brief, easy-to-read summaries of the bills that were passed by both the House and Senate and signed or vetoed by the governor. *New Laws 1996* will be ready a few months after the session ends. Copies will be mailed without charge to those who order them.

Do you want to receive a copy of *New Laws 1996*?       Yes       No

Please place this form (with the mailing label on the back) in an envelope. Mail it by May 1, 1996, to: *Session Weekly*, House Public Information Office, 175 State Office Building, 100 Constitution Ave., St. Paul, MN 55155-1298.

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## 1996 *Session Weekly* Readership Survey

Please take a moment to tell us what you think about the *Session Weekly*. Your opinions will help in planning 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       Information (lists, etc.)       Features       Minnesota Index  
 Bill Introductions       Committee Schedule       Do You Know? It's a Fact!       Member profiles

4. In the last few issues of *Session Weekly*, we have published unofficial listings of 1996 House files that have been incorporated into other bills. Do you find this information useful?       Yes       No

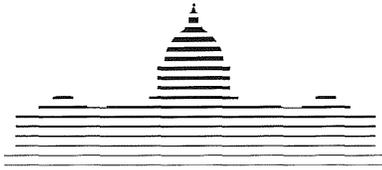
5. Please rate the following aspects of the *Session Weekly* by checking one answer in each set.

Writing	<input type="checkbox"/> Hard to understand	<input type="checkbox"/> Somewhat understandable	<input type="checkbox"/> Easy to understand
Story Length	<input type="checkbox"/> Too short	<input type="checkbox"/> Too long	<input type="checkbox"/> Just right
Readability (type size)	<input type="checkbox"/> Too small	<input type="checkbox"/> Too large	<input type="checkbox"/> Just right
Photographs	<input type="checkbox"/> Poor	<input type="checkbox"/> Average	<input type="checkbox"/> Excellent
Layout	<input type="checkbox"/> Poor	<input type="checkbox"/> Average	<input type="checkbox"/> Excellent

6. What do you like about the *Session Weekly*? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

7. Do you have any suggestions for improving the *Session Weekly*? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

9. We plan to continue the 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

### 1996 Legislative Session

Number of legislative days used .....	48
Maximum number of days the Minnesota Legislature can meet in regular session every two years .....	120
Additional days the Legislature could have met in session .....	7
Number of House Files introduced .....	1,294
in 1994 .....	1,443
Number of Senate Files introduced .....	1,104
in 1994 .....	1,259
Bills that reached the governor's desk .....	206
Number of those that were House Files .....	113
Number of those that were Senate Files .....	93
Resolutions adopted .....	1
Bills not yet signed by the governor, as of April 11, 1996 .....	12
Full bills passed by the 1996 Legislature and vetoed by the governor, as of April 11 .....	16
Additional bills with line-item vetoes, as of April 11 .....	4
Total dollar amount of those line-item vetoed appropriations, in millions .....	\$2.4
Total Gov. Arne Carlson vetoes, 1991-April 11, 1996 .....	139
Number of vetoes, all governors, 1939-1990 .....	206
Veto override attempts since 1939 .....	23
Successful veto overrides since 1939 .....	4
Number of House attempts, 1996 .....	1
Successful House attempts, 1996 .....	0
Number of pages in the omnibus tax bill .....	272
House bills incorporated into the 1996 tax bill, as passed by the House .....	65
Date the Legislature will reconvene in 1997 .....	Jan. 7
House members who have formally announced they are leaving the Legislature ..	11
DFLers .....	7
Republicans .....	4
Cumulative loss of legislative experience, in years .....	126
DFLers .....	80
Republicans .....	46

Sources: House of Representatives Public Information Office; Legislative Reference Library; House Index Department.

### 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**



The House of Representatives can be  
reached on the World Wide Web at:  
**<http://www.house.leg.state.mn.us>**  
or on the Gopher at  
**<gopher.revisor.leg.state.mn.us>**



Telecommunications device for the  
deaf.  
To ask questions or leave messages,  
call:  
**TDD Line (612) 296-9896 or**  
**1-800-657-3550**