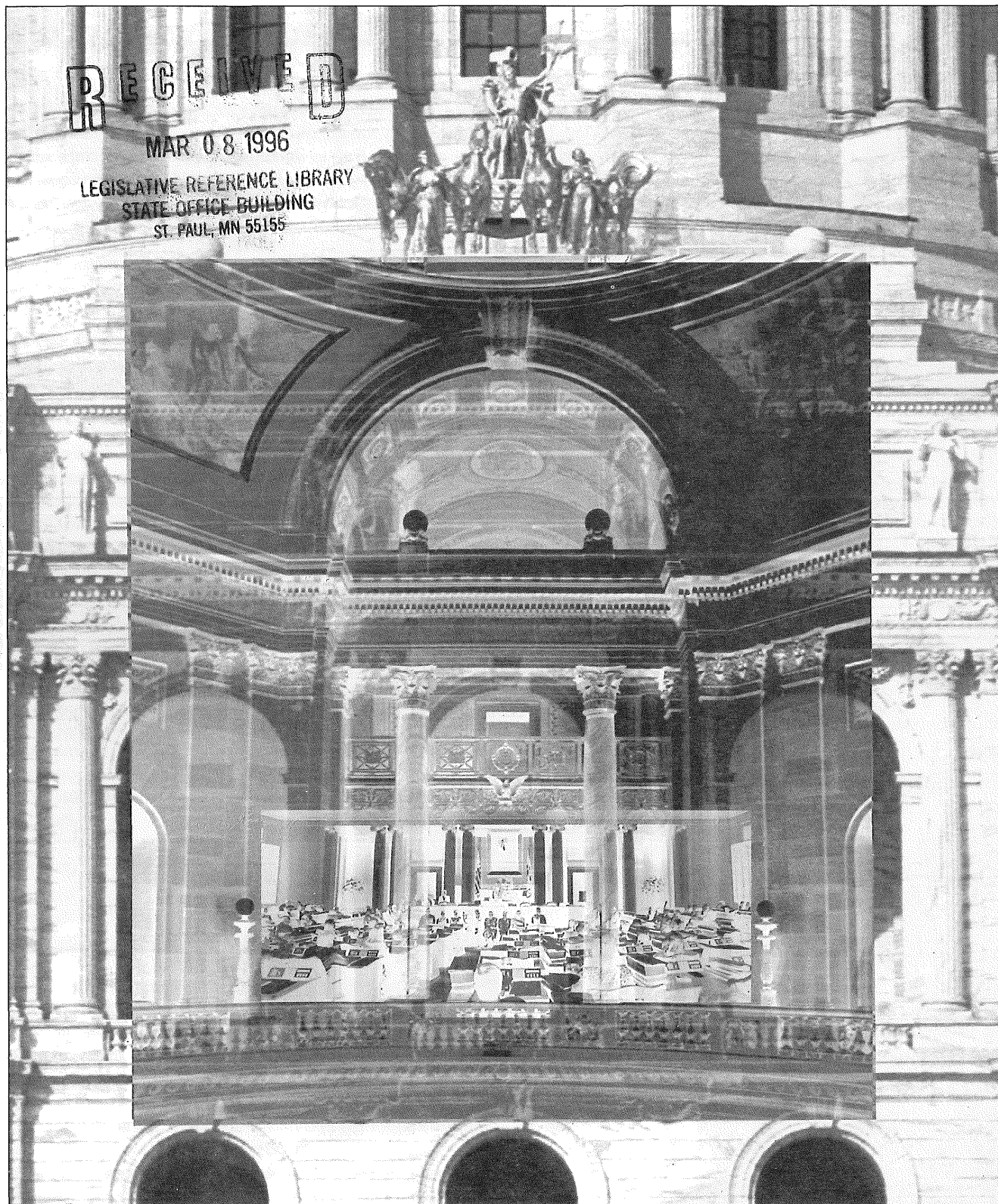


96i March 8

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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Unnecessary laws repealed — Laws regulating the state's non-existent ferry boat industry would be scratched from the books under a bill passed by the House March 1. The bill would repeal a diverse mix of obsolete, and in some cases arcane, laws ranging from outdated directives to state agencies to provisions regarding long-unfunded programs.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.

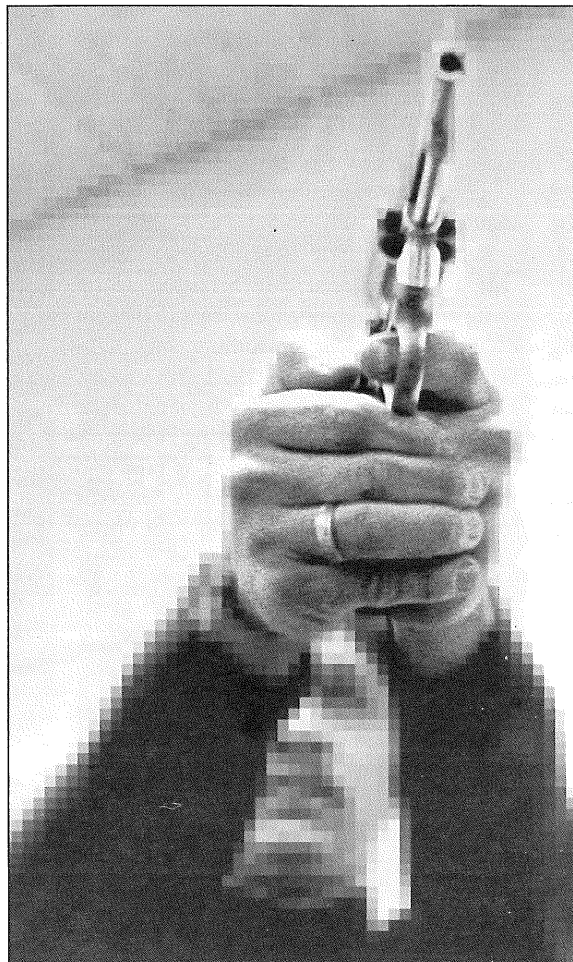
Other successful amendments include:

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 terroristic 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.

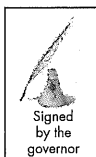
Peterson said his amendment would protect the state's growing ethanol industry while providing classic-car owners and some other consumers the choice they seek.

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?"

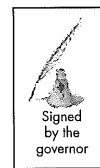
Brown said allowing bars, restaurants, and gas stations to operate card clubs or other forms of gambling would effectively lead to a big increase in gambling.

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

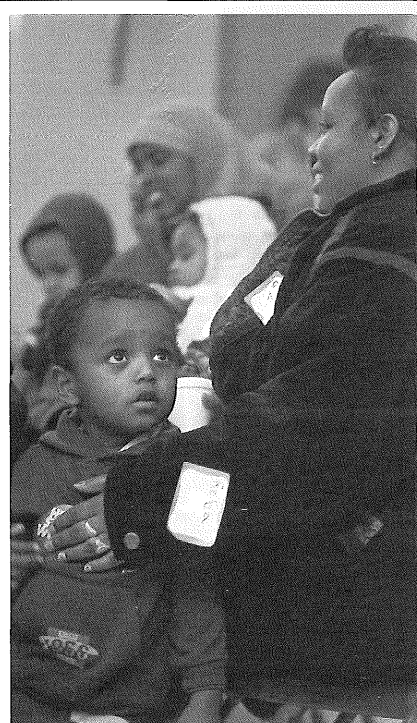


A new state law, effective Feb. 29, 1996, reduces red tape for retailers who sell state lottery tickets.

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.

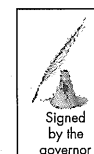
Should a mother leave the hospital before 48 or 96 hours have elapsed, the bill says her insurance company must provide coverage for the option of one home visit by a registered nurse. Services provided by the nurse would include parent education, training in breast and bottle feeding, and conducting 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

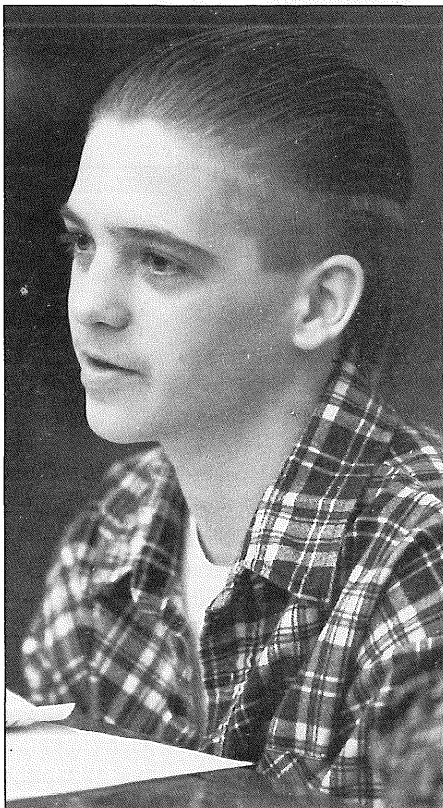
Students could turn their state income tax liability into college tuition under the Brian McConnell education savings fund bill, which was laid over by the House Taxes Committee March 6.

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.

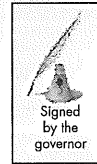
The bill now goes to the Senate.

(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 nixed 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.

HF2377 now goes to the Senate. (See Jan. 26, 1996, *Session Weekly*, page 12)



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.



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 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-

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.

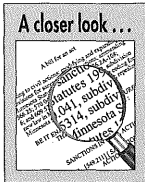
Area officials have said the signs will encourage interest in local culture and add more tourist dollars to southeastern Minnesota.

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 de minimus 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:

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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)

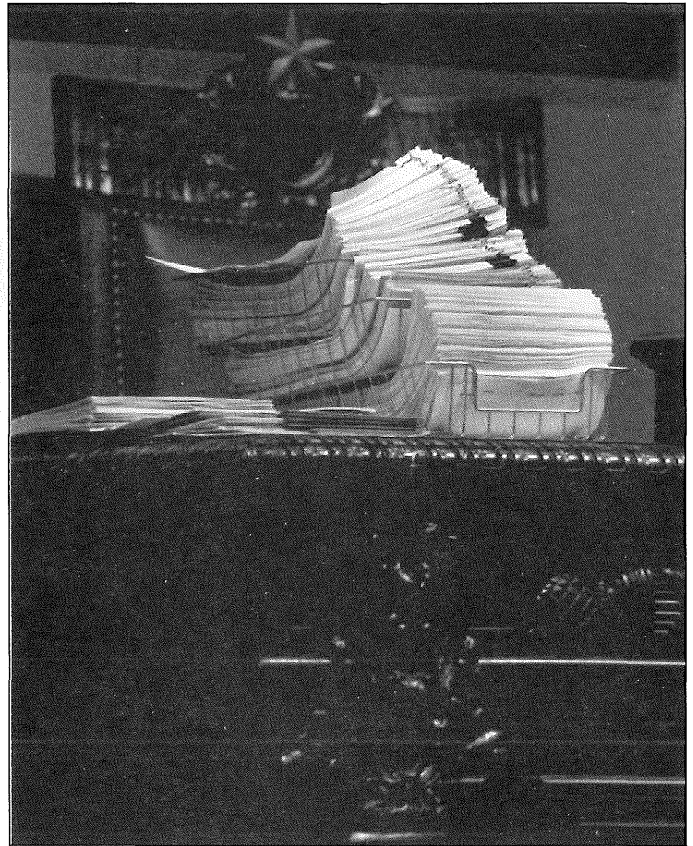
- HF174 (McGuire) Alcohol retail and municipal liquor stores required to post signs to warn of dangers of alcohol consumption by pregnant women.
- HF2392 (Finseth) Thief River Falls on-sale intoxicating liquor license provisions repealed.
- HF2463 (Pugh) West St. Paul authorized an on-sale intoxicating 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 (Koppendrayner) 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 (Perl) 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 (Perl) 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

In the Hopper . . . March 1 - 7, 1996

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

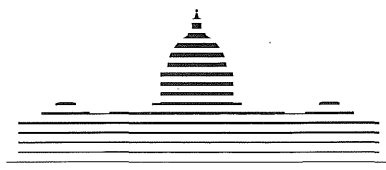
After Session

CAPITAL INVESTMENT

5 State Office Building

Chr. Rep. Henry Kalis

Agenda: Bonding Bill.



MINNESOTA HOUSE OF REPRESENTATIVES
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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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