

# SESSION WEEKLY

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## Update

The empty chambers, hallways, and hearing rooms of the Capitol and State Office Building are a sharp contrast to the frenzied activity that is the norm between January and May. Lawmakers have gone home to wait for the special session while legislative leaders are conferring with the governor to reach a compromise on equitable language for three bills they have yet to agree on.

The smell of cooking bratwursts from the Ulcer Gulch snack bar has subsided, and the hordes of lobbyists who mill about to engage legislators in talk on some last-minute issue are all back in their respective home offices. Yet, the dedicated experts — the historical society tour guides — continue to inform the general public about the glorious history of the state, the magnificent architecture and artwork of the Capitol, and the rooms where issues get debated, made into law, or defeated.

One aspect not noticed very often is the Capitol building's unique "personality." When the lawmakers are in session, the building may easily embrace a thousand people on a daily basis, but its statues and pillars and gilded ceilings seem to become mere observers of the process for which the building is intended. On a day when tours are sporadic and the halls are empty, except for an occasional staffer delivering paperwork, not only are the different types of marble columns more obvious to the casual observer, the portraits of past governors even seem to take on a more prominent stance.

Another "feeling" of the building is one experienced on a quiet Saturday or Sunday afternoon. This disposition is likened to a quiet walk through a classic art museum. The great impressions of Minnesota's political and historical past are depicted in soft colors, gold inlaid inscriptions, brass, wood, and stone. Very obvious and some often subtle works of art take the concept of a museum a step further. Not only are objects on walls, the walls and ceilings themselves are works of unique art.

The most impressive "feel" of the building has not been experienced by most visitors. Its a rare occasion for those few who have found themselves alone in the building after 10 p.m. and the lights have been subdued. No eeriness prevails. What is experienced is a sense of warmth, peace, and a very comfortable feeling — even if it is not true that "*All is right with the world.*"

The State Capitol building can be a great teacher if its transient "personalities" are observed and heeded.

-LeClair G. Lambert

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On the cover: The end of the 1997 Legislative Session brings about different reactions in different people. While lawmakers may exchange congratulatory handshakes and reporters may clamor for quotes, overworked House pages, such as Johanna Olson, take a breath and rest against anything handy — even a garbage basket overflowing with useless bills will do.

—photo by Tom Olmscheid

# Highlights

Regular session closes . . .

## Stalemate on tax credits forces special session

By F.J. Gallagher

When the members of the 80th Legislature convened Jan. 7, they knew that they would have to make decisions affecting Minnesota citizens on the most fundamental levels.

During the course of the session, legislators — working with a projected budget surplus of nearly \$2.3 billion — wrestled with policy decisions of historic magnitude, redefining welfare and changing the way Minnesota educates and evaluates its students.

Yet, as the House adjourned just before midnight on May 19, the specter of a special session emerged as more than just a possibility. Indeed, when legislators found themselves hamstrung over a disagreement with Gov. Arne Carlson on \$150 million worth of education tax credits, it became an absolute certainty.

The House proposed a number of changes to Minnesota education, lengthening the school year, putting new dollars into school computers, and increasing per-pupil funding by slightly more than 2 percent. Yet members refused to include a provision that would provide low- and moderate-income parents with a tax credit to help defray the cost of tutoring, summer school or tuition at a private school.

As a result, Carlson has threatened to veto

a number of the major spending bills sent to him by the Legislature, including a tax bill that would rebate more than \$500 million of the state's budget surplus back to the taxpayers.

What's more, the governor has vowed to call members back for a special session — perhaps as early as June — so they can include his education tax credit proposal. (House and Senate leaders will re-enter negotiations with the governor's office on May 27.)

The governor has signed many of the bills sent to him by the Legislature, though — welfare reform, for example.

Beginning July 1, most families receiving cash assistance from the state will face a 60-month, lifetime limit on benefits. As of Jan. 1, 1998, local governments will use a package of sanctions, wage incentives, and child-care aid to help poor parents move into the work force.

The governor also agreed to remove caps on K-12 education spending that would have forced the state's school districts to impose drastic cutbacks on their programs.

The Legislature also has sent the governor a number of other major bills, many of which still await his signature as of this writing.

At the start of the session, nearly every lawmaker cited the need to reform the state's complex property tax system, a convoluted

code responsible for some of the highest tax rates in the country.

Although many of the serious reform provisions relating to tax increment financing and local government aid fell by the wayside, a bill finally emerged that featured — in addition to the rebates — long-term rate cuts for businesses and market-rate apartments.

Legislators also pumped more dollars into the criminal justice system, which is one of the fastest-growing areas of state spending. In addition to the extra funding, the Legislature also sent the governor a bill that would allow many of the state's prisons to begin housing prisoners two to a cell.

The state's innovative MinnesotaCare program, which provides health coverage to low-income citizens, is also in for some changes that would make more residents eligible, while saving doctors and health providers money.

The program is funded by a 2 percent tax on the revenue generated by health care providers. Over the next two years, that tax will drop to 1.5 percent, saving medical service providers nearly \$40 million.

A separate plan passed by the Legislature would put the state into the prescription drug business. The state would purchase drugs in bulk and pass the savings — estimated at around 10 percent of current retail



House Speaker Phil Carruthers and Senate Majority Leader Roger Moe, behind, encouraged Gov. Arne Carlson at a May 22 press conference to sign the omnibus K-12 Finance bill and avert a Special Session.



Gov. Arne Carlson, left, and House Minority Leader Steve Sviggum urged conferees negotiating the omnibus K-12 finance bill May 16 to include Carlson's plan for education tax credits, which would help subsidize private school tuition.

prices — on to consumers.

Never far from the front pages or lawmakers' telephones was the issue of the Minnesota Twins and owner Carl Pohlad's effort to persuade legislators to help fund a new baseball stadium.

A broad range of options were considered, from an increased cigarette tax to an expansion of gambling to an outright purchase of the team. One by one, all ideas were shot down.



## AGRICULTURE

### Cheap milk

Grocers would be allowed to set milk prices as low as they please during one month of the year under a bill approved May 19 by the House. The vote was 121 to 13.

Current state law prohibits retailers from selling milk for less than what they paid for it. The law is supposed to protect farmers and small grocers from being negatively affected by pricing wars.

But Minnesota dairy farmers and consumers have not fared well in recent months. The state's farmers now get some of the lowest prices in the nation for their products, and Minnesota consumers continue to pay some of the highest milk prices in the country.

Rep. Steve Trimble (DFL-St. Paul) originally sought to lift the law prohibiting below-cost milk prices for a period of one year.

Trimble argued that the change would allow for more competition in the market and could drive up demand for dairy products.

However, the proposed one-year suspension of the pricing law did not survive in conference committee.

The final version of the bill (**HF1646/SF1834\***) would suspend the dairy pricing law during the months of June, July, and August this year and in June every year thereafter.

The annual, month-long period of unconstrained pricing would be declared "Dairy Month." The bill also calls for the Department of Agriculture to report to the Legislature in 1998 on the many factors that are involved in dairy pricing and the potential effects of deregulation.

Rep. Tony Kielkucki (R-Lester Prairie) argued that the bill would benefit only the large, chain-store retailers who could afford to knock milk prices down extremely low just to attract customers.

"It's going to have a very negative impact on the small grocers who have to try to compete with the big grocery stores," Kielkucki said.

But those small grocers are working at a disadvantage under the current law, Trimble said. Large grocers can afford to sell milk at cost because they have other revenue sources, such as slotting fees paid for prominent placement, that small grocers can't match, he added.

Trimble said small grocers and consumers may be better served by simply allowing the market to function freely.

The bill now goes to the governor.

## Helping dairy farmers



Gov. Arne Carlson signed a resolution April 21 asking the federal government to provide relief for Minnesota dairy farmers who are currently feeling a financial squeeze.

The resolution — to be sent to Congress, the president, and the Department of Agriculture — asks for changes in the federal milk pricing system.

Minnesota dairy farmers have seen a significant drop in the prices they get for their products, while the state's consumers continue to pay exceptionally high retail prices for milk.

Low prices paid to farmers are driving them out of the dairy business, according to supporters of the resolution. The state is losing an average of three dairy operations a day.

Currently, the Minnesota dairy industry generates \$3.5 billion in annual gross revenue and employs about 39,000 people.

The resolution calls for an end to a pricing system that is "profoundly unfair and discriminatory against Minnesota and Upper Midwest dairy producers."

It also requests that Minnesota and neighboring states be allowed to form a compact to guarantee dairy farmers a fair minimum price if a similar compact already formed by northeastern states is allowed to stand.

The resolution was sponsored by Rep. Steve Wenzel (DFL-Little Falls) and Sen. Dallas Sams (DFL-Staples).

**HF1067\*/SF1283/Res. 2**



Grocers would be allowed to set milk prices as low as they please during one month of the year under a bill on its way to the governor.



## BONDING

### New revenue building

A bill that would provide \$73 million in new bonding funds for construction of a building to house the Department of Revenue was approved May 19 by the House. The vote was 110-20.

The bill (**HF632**), sponsored by Rep. Loren Solberg (DFL-Bovey), would provide a total of \$111 million in bonding revenue and other expenditures for projects including the revenue building, flood damage reduction, cleanup of contaminated lands, and renovation of the Capitol cafeteria.

This year, the search for a home for the revenue department has been the focus of significant concern. The department currently occupies a building located at 10 River Park Plaza, opposite downtown St. Paul on

the Mississippi River, but the building is not owned by the state.

The department has been at its current location since 1988, when it relocated from the Centennial Office Building in the Capitol complex. At that time, the state negotiated a five-year lease — with five one-year renewal options — with St. Paul's JLT Group, which constructed the building to meet department specifications.

Last year, the department exercised its last renewal option and paid JLT \$6.3 million in rent. According to a report by consultants hired by the Legislature, the department has outgrown the current building, and the department will need even more space by 2010, when it will employ nearly 1,500 workers.

The consultant recommended that the agency be moved to a building that would be constructed on a site in Inver Grove Heights. However, the bonding bill does not prescribe precisely where a new facility would be constructed, nor does the bill mandate that a new building be constructed at all.

A total of \$74.9 million would be available for the revenue department project, under the bill. That amount includes \$1.9 million for design costs approved as part of 1996 bonding legislation, and \$73 million in new bond funds included in the current bill.

Under the bill, the Minnesota Department of Administration could opt to purchase the current building, but the amount available to purchase it would be capped at \$23 million. (Earlier this session, an official representing JLT said the state could purchase the building for \$38.9 million.)

The bill would allow construction of a new facility in Inver Grove Heights only if the Department of Administration is not able to purchase the current site for \$23 million or less and determines that it is not feasible to construct a new building within the Capitol complex. The amount available for an Inver Grove Heights facility would be capped at \$46 million.

(The consultant recommended construction of a building at the intersection of Interstate 494 and Highway 52 in Inver Grove Heights, and told lawmakers the project would carry a price tag of \$49.5 million.)

The bill would require only that the revenue department building be located within eight miles of the State Capitol, but the measure includes provisions designed to ease any effort to locate a new building within the immediate Capitol area.

Under the bill, the building would not have to conform with the comprehensive plan for the Capitol area, and the project would not have to be selected through a

design competition as is typically required within the Capitol complex.

The bill now goes to the governor. Here are some highlights of other provisions in the measure.

- A total of \$7 million would be made available for cleanup of contaminated industrial sites — so-called brownfields. Many such sites are found in urban areas. While they could be suitable locations for many uses, the sites sit unused or underused because the costs associated with cleaning industrial contamination are prohibitive. Funds for brownfield cleanup would be appropriated to the Department of Trade and Economic Development.
- Efforts to reduce the damage caused by floods in Minnesota would receive an infusion of \$4 million. The funds would go to the Department of Natural Resources for an existing grant program that provides funds to local government for planning and implementing flood mitigation measures.
- An additional \$1.04 million would be devoted to renovation of the State Capitol's cafeteria. The cafeteria — now a lackluster space most notable for what is revealed beneath the flaking paint on the walls — was once a unique place fashioned after a German rathskeller.

The cafeteria featured paintings of Americanized versions of German eagles on the ceiling, and slogans in German appeared over the archways. But anti-German sentiments of the World War I era prompted then-Gov. J.A.A. Burnquist to

consent to a request that the German slogans and symbols be painted over.

A 1996 law provided \$1.2 million for renovation of the cafeteria, but that amount proved to be well short of the estimated price tag for the project. The current proposal would increase the total bond revenue for the cafeteria project to a total of \$2.24 million.

- A total of \$3 million would be provided to local governments to rehabilitate deficient bridges. The funds could be used to repair or replace bridges, cover the local matching funds requirements for federal bridge rehabilitation grants, or to pay costs associated with abandonment of bridges.



## BUSINESS

### Youth and tobacco

Minnesota teenagers should smoke 'em if they've got 'em, because under legislation pending before the governor, it would be a lot harder for minors to buy cigarettes.

**HF117**, sponsored by Rep. Ann H. Rest (DFL-New Hope), would bring retailers into the regulatory fold. The bill would require communities to license tobacco sellers and conduct at least one compliance check, or "sting" operation, on each license holder every year. In a "sting," someone between the ages of 15 and 18 years old would attempt to purchase cigarettes illegally under the direct supervision of the authorities.

The bill also prohibits the sale of cigarettes



A bill targeting youth access to tobacco is on its way to the governor. The proposal would require communities to license tobacco sellers and conduct at least one compliance check, or "sting" operation, on each license holder every year. It also would — for the first time — punish store owners for tobacco sales to minors. Clerks and the buyers would face new fines as well.

from vending machines, except for those in locations — such as a bar — where people under 18 are not allowed. It also bans the open display of single packages of cigarettes or smokeless tobacco in stores, except for those that derive at least 90 percent of their revenue from tobacco sales.

Under **HF117**, cigarette manufacturers would be required to disclose whether their product contains ammonia, arsenic, cadmium, formaldehyde, or lead.

The bill also spells out a number of administrative penalties that would be imposed on licensees and store clerks convicted of selling tobacco products to a teenager, in addition to similar provisions that would apply to the minor who attempted the purchase.

Any license holder convicted of a first offense would draw a \$75 fine. A second offense within a two-year period would cost the retailer \$200 and the third offense within the same period would warrant a \$250 penalty, plus a seven-day suspension of the tobacco license.

The clerk who sold the tobacco would receive a \$50 civil fine. (Clerks already face up to a year in jail and a \$3,000 criminal penalty for selling tobacco to a minor.)

Any juvenile found to have illegally purchased tobacco — a petty misdemeanor under the law — could receive a fine of up to \$100, a community service sentence, probation, or be required to participate in substance abuse programs. If the minor used a driver's license to commit the act, the license would be suspended for 90 days.

The proposal explicitly states that local governments may pass ordinances that are more strict than **HF117**. The bill would require that tobacco retailers to be affected by such a proposal must be notified 30 days prior to any meeting on the possible changes.

Last session, a bill to limit youth access to tobacco was derailed by the same issue. After a provision that would have prohibited local units of government from enacting tobacco sales ordinances tougher than those contained in the bill, it was pulled by its author and never resurfaced. So-called "pre-emption" laws of varying strengths already are on the books in more than two dozen states.

## Liquor laws

New regulations affecting the distribution and sale of alcoholic beverages went into effect retroactive to Oct. 1, 1996, under legislation signed by Gov. Arne Carlson.

Under the law, no one may deliver alco-

holic beverages anywhere in Minnesota except to a licensed wholesaler's warehouse, if the drink was manufactured outside the state. Exceptions exist for liquor just passing through during the course of interstate commerce or for legally sanctioned personal consumption.

Minnesota law allows an individual to import up to one liter of hard liquor or 2.25 gallons of beer or wine from another state without paying an excise tax. People entering the state from a foreign country can import up to four liters of hard liquor or 2.5 gallons of beer or wine for home use.

Minnesota wineries, and those in states that have a reciprocal agreement with Minnesota, may ship up to two cases of product per year to individuals.

The law also prohibits merchants from soliciting sales, other than those to licensed wholesalers, through the mail and from accepting sales orders over the Internet.

The Department of Public Safety's Division of Liquor Control and Division of Alcohol and Gambling are consolidated by the law. Department representatives had testified before the House Commerce, Tourism and Consumer Affairs Committee that they had already merged the two divisions and that the law would merely make the change official.

The measure was sponsored by Rep. Jim Tunheim (DFL-Kennedy) and Sen. Sam Solon (DFL-Duluth).

**HF524/SF277\*/CH129**

## Unauthorized switches

The practice is known as slamming and loading. A long-distance telephone company sends a customer a check, a sweepstakes form, or a survey. What the customer often doesn't realize is that by participating or signing, they've authorized the company to remove ("slam") the customer's long-distance service and replace ("load") it with a new one.

A new law signed by the governor establishes the practice as consumer fraud and authorizes the attorney general's office to take action at a customer's request.

The law, effective April 30, 1997, says it is fraudulent to change a customer's service without the customer's verified consent, and that it is the responsibility of the telephone company to prove consent.

"If there's any question" on the customer's part about the switch being legally authorized, "the company has to have an authorization in writing," said Rep. Mike Delmont (DFL-Lexington), the House bill's sponsor.

A 1996 law required that a long-distance company reinstall a customer's original service at no charge and then re-bill the customer at a lower rate if the original charges would have been lower. The new bill adds that the company could be required to absorb the long-distance costs accrued while the unauthorized service was in effect.

Sen. Janet Johnson (DFL-North Branch) sponsored the Senate proposal.

**HF1123\*/SF1156/CH68**

## Stop luring businesses



Gov. Arne Carlson signed a resolution April 26 asking the federal government to put a stop to practices that allow states to lure businesses, including professional sports franchises, away from other states.

The resolution states that business incentive programs have resulted in counterproductive economic competition between states that saps the nation's readiness to compete in a global economy.

Ranking high among the list of concerns included in the resolution is the practice of using public resources to lure professional sports teams away from other states. Major League Baseball's exemption from federal anti-trust laws is another.

"States, in the aggregate, would be better off providing a less burdensome tax climate for all businesses and a quality education system" rather than frittering away money to attract individual companies, the resolution states.

The resolution calls for Congress to repeal the anti-trust exemption for professional baseball and to take other steps to mitigate economic competition between states.

The resolution will be sent to members of Minnesota's congressional delegation and other officials in Congress. Also, it will go to governors and legislative leaders in each state.

Rep. Jim Knoblach (R-St. Cloud) and Sen. Arlene Lesewski (R-Marshall) sponsored the resolution.

**HF538\*/SF1239/Res. 1**



## CHILDREN

### Studying autism



A bill to establish a task force to study the treatment of autism has been signed into law.

Autism is a disorder that affects children and consists of a preoccupation with inner thoughts.

The individual lacks a connection with reality and the self often predominates to the total exclusion of the rest of the world.

Under the new law, the departments of human services and children, families and learning are charged with establishing the task force which will study the spectrum of autistic disorders; treatment options, including behavioral therapy, and outcome data on these treatment options; the role of schools, state agencies, and counties in providing services to children with autism; funding options for children with autism; the use of behavioral therapy day treatment programs and the use of school and Medical Assistance funds for these programs.

A final report is due to the Legislature by Jan. 15, 1999, and must make recommendations on how to improve the treatment options available to children with autism using existing dollars. Also, it must recommend ways to inform and educate families with autistic children on available resources and expertise for the treatment of autism.

Rep. Fran Bradley (R-Rochester) and Sen. Sheila Kiscaden (R-Rochester) sponsored the new law, which becomes effective Aug. 1, 1997.

HF750/SF652\*/CH69



## CRIME

### Omnibus crime prevention bill

Crime and justice in Minnesota would cost the state almost \$1 billion over the next two years, under a conference committee report passed by the House May 19 in a 130-3 vote.

The \$997 million bill funds the state's court and correctional systems; law enforcement and public safety agencies; and departments such as the attorney general's office and the Board of Public Defense.

Late changes to **HF163/SF1880\***, sponsored in the House by Rep. Mary Murphy (DFL-Hermantown) and in the Senate by Sen. Randy Kelly (DFL-St. Paul), include a provision to end the juvenile offender program at Sauk Centre correctional facility and reroute the juveniles to the Red Wing facility or to county custody. The Department of Corrections (DOC) will issue a proposal for future use of the Sauk Centre facility. (Art. 9, Secs. 43, 46)

Another would create a work program at Camp Ripley, near Little Falls, Minn., for adult male non-violent felony and gross misdemeanor offenders. The offenders would perform physical labor for at least eight hours a day, and serve at least two-



Crime and justice in Minnesota would cost the state almost \$1 billion over the next two years, under the omnibus crime bill awaiting the governor's signature.

thirds of their sentence at the camp. (Art. 9, Sec. 10)

Many of the bill's original provisions, including the establishment of a statewide gang-fighting strike force and arson strike force, and revisions to the juvenile justice system, remain in the bill.

Under the bill, work loads for probation officers would be reduced; women leaving prostitution would find help; and money would travel to community advocacy groups to help battered women.

The Department of Corrections (DOC) would be expected to reduce the daily (per diem) cost of housing prisoners, making layoffs possible.

Low-income families would have easier access to legal representation in court, as would low-income farmers. Courts would be given money to launch a pilot program to improve the resolution of family matters. The program would assign one judge to hear domestic abuse, probate, juvenile and delinquency matters for a single family.

County attorneys, public defenders, victim advocates, and shelter personnel would be trained in how to help victims of crimes that involve possible exposure to HIV.

The DOC would construct a new building for the wilderness endeavors program for juvenile offenders at Thistledeew Camp in northern Minnesota. Below are some other highlights of **HF163/SF1880\*** in more detail.

#### Gang strike force

A major initiative in this year's crime-prevention bill is to establish a gang task force and oversight council. The strike force would look at gang problems throughout the state, and be overseen by the council, which would be made up of top law enforce-

ment officials from across the state. In addition to setting up the strike force, the council would develop a plan to investigate and prosecute crimes committed by gangs. The strike force would assist and train local governments and law enforcement agencies to identify gang members. (Art. 8, Sec. 8)

A second tool to fight gangs would be a gang intervention pilot grant program, in which the DOC, through local agencies, would provide services to gang members who want to leave their gang. To qualify for help, a gang member must be under 25 years old and not currently serving time. They must not have received similar services through other programs, and must comply with the program requirements and be employable. (Art. 2, Sec. 3)

The DOC would report back to the Legislature on the program's success by January 1999.

#### Arson strike force

The bill would set up an arson-fighting strike force that would provide expert investigative and prosecutorial assistance to local agencies in complex and serious cases of arson. The strike force would consist of representatives from the fire marshal's department, the BCA, the attorney general's office, police and fire department officials, the county attorney's association, private detectives, and other experts. The law responds to an epidemic of arson fires throughout the state, especially fires related to gang violence. (Art. 8, Sec. 20)

In addition to battling fires, the strike force would help train public safety personnel and set up educational programs for them and for prosecutors.

Related provisions in the bill would estab-

lish a statewide juvenile fire-starter intervention network, and make clear that refusing to testify or produce evidence in an arson case can be punished through district courts. Further, a person who commits arson in an effort to conceal another crime could not only be convicted of both crimes but sentenced for both. (Art. 8, Sec. 21)

#### Juvenile crime

Closely associated with efforts to combat gang problems are initiatives to address problems among juveniles, the focus of many committee hearings. The bill includes at least five measures to prevent juvenile crime.

#### *Community service grant pilot project.*

Children under age 16 in high-crime neighborhoods in Ramsey and Hennepin counties would be recruited to perform voluntary community service. The project would provide funding to community-based organizations to administer the project. The goal is to encourage good citizenship and discourage illegal activity among participants. The programs could offer children scholarships, gift certificates, tickets for entertainment or group outings, or other non-monetary rewards.

The bill stipulates that participating community agencies must be closely connected with the community and local governmental units, represent a diverse population, have a demonstrated ability to successfully coordinate the program and to interact with juveniles, and have a successful history working with schools and parents of juveniles. (Art. 2, Sec. 8)

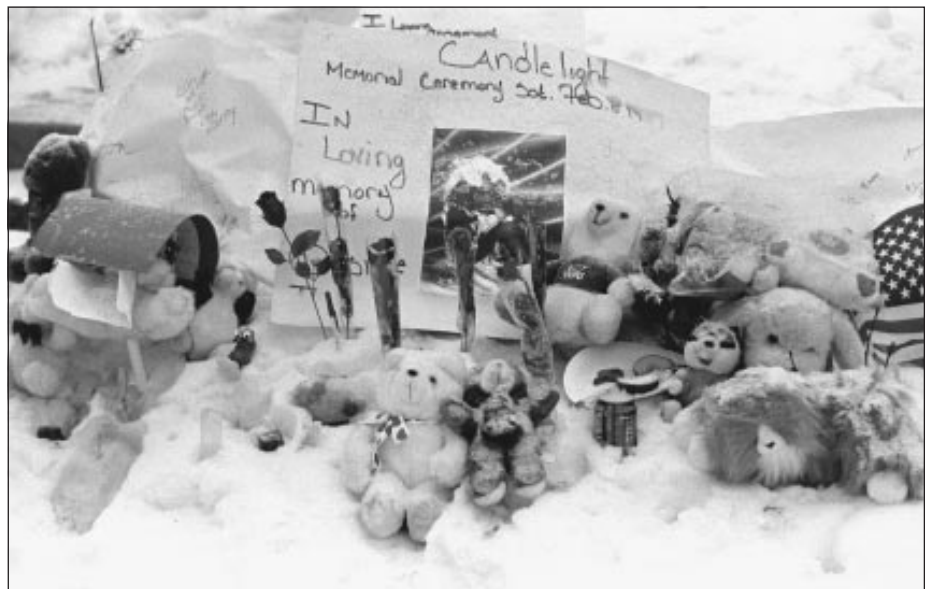
#### *Enhanced probation pilot project; Ramsey County*

This program would provide intensive monitoring and coordination between juvenile probation officers, local law enforcement personnel, and culturally specific community nonprofit agencies. The focus of the effort would be juveniles on probation who are considered at risk for committing violent crimes and are associated with gang and drug activities in Ramsey County.

The goal is to discourage young people from criminal activity by providing intensive intervention by the involved community and law enforcement groups. The county must provide a status report to the Legislature by March each year. (Art. 2, Sec. 4)

#### *Pilot for school-based probation in Anoka and Dakota counties*

Established by the DOC, the program would select one middle or junior high school and one senior high school in each county



A memorial was created in the snow outside the Richfield home of Desi Irving, 3, who was killed by her mother, Mildred, last February. The omnibus crime bill now before the governor contains a provision that would prevent children in state custody from being returned to extremely violent or dangerous homes.

for an experiment in placing probation officers within schools to help address behavioral incidents by students on probation. The officers would work with school personnel, families, and other agencies to coordinate responses to behavioral problems. A report on the project's effectiveness would be due to the Legislature by January 1999. (Art. 2, Sec. 5)

#### *Pilot for juvenile gun offenders in Hennepin County*

Juveniles in Hennepin County who are caught illegally possessing a pistol would be committed to a local county correctional facility for not less than 30 days. Twenty-three of those days could be stayed (postponed), however, if the juvenile successfully completes a 40-hour course on gun education after seven days. The county would report on the project's effectiveness by January 1999. (Art. 2, Sec. 7)

#### General crime provisions

The bill would make more than 30 changes to crime-fighting laws. Certain misdemeanor crimes, including prostitution, tampering with a motor vehicle, damage to property, and some weapons and controlled-substance crimes, would become gross misdemeanors and subject to increased penalties if the defendant has a history of committing those crimes. The measure is an effort to clean up neighborhoods plagued by petty crime and drug dealers. In that same interest, witnesses to the crimes would be kept apprised of the final outcomes of the cases.

Elderly and handicapped people would get more protection against con artists. The bill would make it a gross misdemeanor to commit certain types of fraud that would cause the victim to lose assets or income. (Art. 3, Sec. 12)

Criminals should stop when asked to by police. The bill would increase from a gross misdemeanor to a three-year felony the crime of fleeing a police officer while in a motor vehicle. (Art. 3, Sec. 13)

This year a loophole was discovered in the law regarding harboring a fugitive: It didn't cover the abettor if the fugitive happened to be on probation. The bill makes it clear that you can't harbor fugitives from the law — whether on probation or not. (Art. 3, Sec. 13)

#### Sex offenders

The bill would require the DOC and governmental agencies to develop a plan to require sex offenders leaving federal prisons to register under the Community Notification Act. The current law covers offenders leaving correctional facilities and half-way houses other than those in the federal system. Also, the bill would make it mandatory for local law enforcement agencies to disclose the information to the public. The current law only authorizes them to do so. (Art. 5, Sec. 1)

#### Crime victims

#### *The Alex and Brandon Frank Child Safety Act*

Alex and Brandon Frank were two Minnesota boys, aged four and five, murdered by

their father last July. The crime occurred at a time when their parents were divorcing. Many people feel the system failed to respond to warning signs that could have helped prevent the tragedy.

The bill would tighten the rules regarding visitation when a restraining order has been filed against a parent.

A petition for marriage dissolution would have to state whether a restraining order is in effect. If so, a judge would have to consider the restraining order before making a decision regarding visitation. In deciding custody issues, the judge would have to consider any finding of domestic abuse.

The act also would award grants to create or maintain a family visitation center to safely facilitate visitation decisions. (Art. 7, Secs. 8, 40)

#### *Victims of juveniles*

The bill would create an exception to the rule that all information regarding juvenile court matters are closed to the public. People who are victimized by youthful offenders would be allowed to learn the offender's name upon request. The names would not be released if doing so would interfere with the trial or if the victim's motives are suspect. (Art. 7, Sec. 4)

#### *Confidentiality*

Prosecutors, with court approval, could opt to withhold information pertaining to a victim's address or place of employment for the sake of the victim's safety. (Art. 7, Sec. 20)

#### *Keeping victims posted*

In addition to other measures that would inform victims of the status of certain cases, the bill would require prosecuting authori-

ties to keep victims apprised of investigative data collected by law enforcers, within certain guidelines. (Art. 7, Sec. 5) Victims also would be notified if an offender's sentence for a felony might be modified or appealed. (Art. 7, Sec. 22)

#### *Restorative justice*

Local units of government could provide forums where an offender could meet with the victim, the victim's family, and others related to the case to discuss the impact of the offense on the victim and community, assign an appropriate sanction, and provide methods for reintegrating the offender into the community if he or she is from the community. (Art. 2, Sec. 11)

#### *Inmate employment, access to computers*

Earlier this year, the public learned that an inmate with a history of sex offenses was keeping a list of names of Minnesota children. The list was compiled through access to the Internet. Prisoners use computers for work and educational purposes.

The bill would forbid inmates from participating in such work activities unless adequate security is provided by the facility. Access to the Internet would be prohibited except for work, educational, and vocational purposes. Regular monitoring of inmate computer use would be required.

A related provision would restrict access to the Internet by those on probation and parolees. (Art. 9, Sec. 18)

#### *Nuisances*

Finally, in a measure intended to help neighborhoods, the bill strengthens tenant and nuisance laws. Prostitution and firearms violations would be added to prohibited be-

haviors in landlord-tenant agreements. A person filing a complaint against a tenant for nuisance or other illegal behavior could request an expedited hearing. If granted, the hearing would be held five to seven days after a summons is issued. Further, a nuisance abatement action would not be brought if a property owner improves the problem or agrees to a plan to abate the problem within 30 days of receiving notice. (Art. 12, Sec. 4)

## Harassing, stalking, sentencing



A new law to strengthen the state's anti-stalking law and toughen penalties for those violating orders for protection and restraining orders was signed by the governor.

The law defines harassing or stalking behavior as intentional conduct that the offender knows or has reason to know would cause the victim to feel frightened, threatened, oppressed, persecuted, or intimidated. Importantly, the bill states that prosecutors will not be required to prove that the offender intended to cause those reactions in the victim, only that the offender knew or should have known that the conduct would cause the reactions and that the victim did, in fact, experience them. In the event a dangerous weapon is used during a harassment or stalking violation, the offense will be punished by a mandatory minimum sentence. If the weapon is a firearm, a three-year penalty applies for the first offense, and a five-year penalty applies to subsequent offenses; if the dangerous weapon is not a firearm, a one-year penalty applies to the first offense, and a three-year penalty applies to subsequent offenses.

The changes were necessary given a recent Minnesota Supreme Court ruling that weakened the current stalking law.

The law also creates felony penalties for violating an order for protection or a harassment restraining order under certain circumstances. Such cases will include violations occurring within five years after sentencing from two or more previous protection or restraining order violation, or if the offender possessed a dangerous weapon during the offense.

Other violations of restraining orders will draw the felony penalty if the act is motivated by race, religion, sex, sexual orientation, disability, age or national origin; if the offender intends to interfere with a judicial proceeding or retaliate against an official involved in a case; if the victim is a minor and



A new law to strengthen the state's anti-stalking law has been signed by the governor. Changes were necessary given a recent Minnesota Supreme Court ruling that weakened the original stalking law.

the offender is at least three years older; or if the offender falsely impersonates another.

Under the law, offenders could be sentenced to a maximum of five years in prison and a \$10,000 fine. A minimum of 30 days in jail (and counseling) will be mandated for a felony protection order violation in cases where the court stays the sentence as a condition of probation.

Finally, the law clarifies that an offender may not waive the right to be sentenced under the state's sentencing guidelines. The provision is a result of the Minnesota Supreme Court's ruling in *State v. Givens*, and is intended to promote consistency and predictability in judicial sentencing.

In the *Givens* case, the defendant agreed to accept probation instead of incarceration for a purse-snatching offense. However, under the conditions of the agreement, if he violated probation, he would serve double the jail time recommended under the guidelines. The offender later did violate probation, but appealed the sentence.

The law makes it clear that while the guidelines are advisory to the courts, they are not rights that a defendant can waive.

The law also states that if a defendant agrees to be sentenced outside the guidelines, he or she may not appeal the sentence after 90 days or after committing another crime, whichever is first.

The measure was sponsored by Rep. Mary Jo McGuire (DFL-Falcon Heights) and Sen. Ember Reighcote Junge (DFL-New Hope).

HF5\*/SF32/CH96

## Double-bunking inmates

Most inmates would share cells at an \$89 million prison to be constructed in Rush City, Minn., under a bill approved May 19 by the House. The vote was 130-0.

The bill (HF268), sponsored by Rep. Mary Murphy (DFL-Hermantown), would alter a state law requiring that inmates be placed in separate cells whenever possible in close-custody prisons — such as the one planned for Rush City — and maximum-security facilities.

A 1996 bonding measure provided \$89 million for construction of a prison that was originally expected to house at least 800 prisoners in six residential units.

The 1996 law also included a provision requiring the Department of Administration to investigate the feasibility of double-bunking prisoners in one of the residential units.

This session, lawmakers were told that the

funding approved last year would fall short of the amount needed to construct the prison according to the original plans.

The Department of Corrections offered revised plans calling for the construction of only four residential units with 136 cells in each. Three of the four units would be made up of double-occupancy cells, which would push the facility's capacity to 952 inmates.

Under the bill, double-bunking would be allowed only in corrections facilities at certain security levels identified within a new classification system.

The Department of Corrections would institute a six-level security system, with one being the minimum level of security and six being the maximum.

Double-bunking would be allowed only at facilities at level four or under, and Rush City would be a level four. Stillwater and St. Cloud would be level five, and Oak Park Heights (the state's only maximum-security prison) would be level six.

Contrary to current law, which calls for inmates to be in single cells whenever possible, the bill would require facilities at security levels of four or under to permit multiple occupancy "to the greatest extent possible."

The double-occupancy cells at Rush City are expected to measure 84.2 square feet. Cells at St. Cloud are only 48 square feet, and those at Stillwater are 60 square feet.

The bill now goes to the governor.



## DEVELOPMENT

### Economic development, housing

A \$412.9 million bill that sets aside money for job creation, tourism, trade, and a variety of housing assistance programs is on its way to the governor's desk.

A compromise version of the omnibus economic development and housing finance bill passed both the House and Senate May 16.

The measure (HF2158\*/SF1909), sponsored by Rep. Mike Jaros (DFL-Duluth) and Sen. Tracy Beckman (DFL-Bricelyn), merges omnibus bills from the Economic Development Finance Division and the Housing and Housing Finance Division.

For economic development, the bill sets aside money for a diverse group of state agencies, from the Department of Trade and Economic Development to the Department of Economic Security.

For housing, the bill appropriates money to aid the homeless, disabled, and first-time

home buyers through programs administered by the Minnesota Housing Finance Agency.

Among the economic development bill's provisions is a \$6.5 million appropriation to help Minnesota's welfare families train for jobs. Federal law now requires families to work to receive public assistance.

Minnesota's film industry also would get a \$1 million boost. The money would go to the Minnesota Film Board to establish a film production jobs program. It would pay producers of long-form and narrative films who directly create new film jobs in Minnesota. The Department of Trade and Economic Development would oversee and authorize the payments.

Below is a listing of some of the bill's other provisions:

- \$6 million would go to the Minnesota Youth Program which provides services year-round for young people between the ages of 14 and 21. That dollar figure is above the state base funding of about \$6 million. Participants receive education, skills training, and other support services on an individual basis. They receive academic enrichment designed to improve the young person's reading and math skills.
- \$2.5 million would go to Mankato State University to establish a rural policy and development center to research issues affecting rural Minnesota, encourage collaboration across higher education institutions to help with problem solving, and provide a resource center for rural communities.
- \$300,000 would go to the Minnesota Historical Society to distribute locally for Minnesota's territorial sesquicentennial and millennium celebrations.
- \$250,000 would go to Ramsey County to expand the Sister-to-Sister mentoring program which pairs up former welfare mothers with those currently on welfare to help them move off public assistance. The county would be required to match the money.
- \$25,000 would go to study the feasibility of a state museum housing fishing-related artifacts, equipment, and memorabilia. The Minnesota Historical Society must present study recommendations to the Legislature.
- \$500,000 would pay for a LeRoy Neiman Museum of Art in St. Paul. A dollar-for-dollar match from other sources, however, is required. Neiman, an artist, is a native of St. Paul.
- \$1 million would help low-income Minnesotans pay household energy bills and weatherize their homes.

## Housing initiatives

The omnibus bill also authorizes spending \$58.4 million in state funds on housing programs, \$5.4 million more than the governor recommended.

## Homeless assistance, prevention

The housing portion of the bill includes several programs to aid the homeless and prevent homelessness. According to Department of Economic Security figures, the number of people using emergency shelters and transitional housing in the state has tripled over the past 11 years. Of the 4,981 Minnesotans needing services in 1996, 44 percent were children. Any increase in homelessness triggered by federal and state welfare reforms going into effect this year could strain an already overburdened support system.

The largest appropriation would mark \$5.7 million for the Family Homeless Prevention and Assistance Program, which grants funds to organizations providing case management to help low-income people with poor rental histories rehabilitate their rental records and find housing. Part of the funding would also go to innovative approaches for housing people with poor rental histories.

The bill provides \$3.1 million for rental housing assistance to individuals suffering from a mental illness and to families with a mentally ill adult member.

A \$1.2 million program will help families experiencing financial hardships who are about to lose their homes to foreclosure.

## Affordable rental housing

The Affordable Rental Investment Fund would get \$14.6 million for the biennium to provide no-interest first mortgages or deferred loans for the construction of low-income rental housing. The aim of this program is to provide affordable housing for households earning up to 80 percent of the state median income.

## Indian housing programs

Home ownership and rental opportunities for low- and moderate-income American Indians would be provided by two programs. The Urban Indian Housing Program would receive \$187,000 per year to assist Indians living in urban areas. The Tribal Indian Housing Program would get \$1.7 million each year to help Indians living in Greater Minnesota.

## Homestead support

The Minnesota Urban and Rural Homesteading Program would get \$186,000 per year to acquire vacant, condemned, or abandoned

single-family homes for rehabilitation and sale. The properties are offered to first-time homeowners on a contract-for-deed basis.

## Accessibility Loan Program

A program that provides deferred payment loans to low-income homeowners for improvements directly related to the basic housing needs of physically disabled persons would receive \$4.3 million per year. The program is operated by local agencies and is limited to households in which one or more persons have a long-term disability that substantially affects functioning in the home.

## Acquisition and demolition

A \$750,000 appropriation requested by House Speaker Phil Carruthers (DFL-Brooklyn Center) would pay for the acquisition, demolition, and removal of substandard multi-unit rental property. The measure was added to the bill even though some members questioned whether it would run counter to existing state housing policy and lead to an actual decrease in available low-income housing.



## DWI

### Tougher DWI sanctions

An omnibus DWI bill cleared the House floor May 19 without the controversial provision to lower drivers' legal blood alcohol limit to 0.08 percent. The vote was 85-47. That provision, passed by the House but applied only to repeat offenders by a Senate proposal, was deleted by conferees.

The 0.08 provision had been criticized by some who said it would unnecessarily criminalize people and did not accurately reflect the facts about alcohol impairment.

But Rep. Matt Entenza (DFL-St. Paul), the bill's House sponsor, said the new standard would save lives. A House Research Department report states that based on studies of other states, the lower level could save about 14 lives every year in Minnesota and about \$6.3 million in associated social costs.

**HF1004/SF985\*** is an effort to tighten laws that discourage and prohibit driving while under the influence of alcohol. Last year in Minnesota, police made 38,900 DWI arrests, a significant jump from the year before, when 33,355 arrests were made, according to Alan Rodgers of the Minnesota Department of Public Safety.

Of 576 traffic deaths in Minnesota in 1996, about 202 were alcohol-related. Nationwide,

alcohol played a role in 17,000 of 40,000 traffic deaths.

Over the next biennium the bill would appropriate \$248,000 to the public safety department; \$171,000 to the attorney general's office; and \$22,000 to the Board of Public Defense for costs associated with the bill. (Sec. 73, Subd. 1-3)

Despite the disappearance of the 0.08 percent provision, a measure to lower to 0.04 the legal limit for drivers under age 19 remains. (Sec. 28, Subd. 1)

While state law prohibits any alcohol consumption by people under 21, the 0.04 provision would make it easier to apply DWI penalties to youthful offenders.

The bill also would stiffen penalties for DWI offenses, especially for repeat offenses and for driving with a blood-alcohol level of 0.20 (twice the legal limit) or more. A new level of DWI crime, called an enhanced gross misdemeanor, would be imposed for three or more DWI violations within 10 years, or for a second or greater violation if the offense involves a blood-alcohol level of 0.20 or more. Under the new classification, an offender could receive up to two years in jail and a \$3,000 fine.

A first DWI offense at a blood alcohol level of 0.20 or more would now be a gross misdemeanor, subject to a minimum sentence of 30 days incarceration (with work release); 48 hours consecutive incarceration; or 80 hours of community service. The period of driver's license revocation would double. (A first DWI offense is now a misdemeanor; the second, a gross misdemeanor.) After one motor vehicle DWI offense at 0.20, license plates would be impounded. After two DWI convictions, the vehicle could be forfeited, and a driver's license would be revoked for twice the current length of time. (Sec. 38)

Mandatory criminal penalties also would be increased. A third offense would result in a minimum 90-day jail sentence, with at least 30 days served. A fourth would mean a minimum 180-day sentence with at least 30 days served. A fifth or greater offense would mean a one-year sentence with at least 60 days served. (Sec. 32, Subd. 3)

In all three cases, the remainder of any sentence not served must be served on home detention using electronic monitoring or under an intensive probation program, during which no alcohol consumption is permitted. The bill provides for a greatly increased use of the high-tech monitoring, which enables law enforcers to obtain breath test results through the telephone. (Sec. 37, Subd. 3f)

Additionally, those awaiting trial could



A DWI bill is on its way to the governor's desk without a controversial provision to lower the legal blood alcohol limit to 0.08 percent.

agree to electronic alcohol monitoring as a means of being released from detention, and monitoring could be used as part of a sentence after a conviction. People with two or more convictions within five years (or three or more within 10 years) would participate in monitoring in addition to other probation or sentencing conditions. The bill also says that the offender may be required to pay the cost of the monitoring. (Sec. 28, Subd. 1c; Sec. 30, Subd. 1d)

Drivers of snowmobiles, motor boats, and other off-road recreational vehicles, such as all-terrain vehicles, would be subject to the same DWI laws that apply to automobile drivers. Most sanctions, including the loss of a driver's license, would apply only to repeat offenders. All offenders would continue to be subject to a misdemeanor penalty and lose operating privileges pertaining to that recreational vehicle after a first offense, in accordance with current law. (Sec. 2, Subd. 1.; Sec. 4, Subd. 1)

A "not-a-drop" standard would apply to school bus drivers. That means any alcohol detected could result in the loss of a driver's license. Currently, bus drivers are subject to a 0.04 blood-alcohol level. Drivers of commercial vehicles would be breaking the law with a level of 0.04 or more. (Sec. 42, Subd. 1)

Finally, the bill would direct the commissioner of public safety to undertake a public awareness campaign to educate the public on the license plate impoundment and vehicle forfeiture laws. (Sec. 71)

**HF1004/SF985\*** now awaits the governor's signature.



## EDUCATION

### K-12 omnibus bill

Gov. Arne Carlson is expected to veto a \$6.7 billion K-12 education finance package passed by the Legislature because the bill does not include tax credits and expanded tax deductions for private school tuition and other education expenses.

The omnibus K-12 finance bill (**HF1684\*/SF1925**), sponsored by Rep. Becky Kelso, was approved by the House May 19 in the waning hours of the legislative session. The vote was 115-18. The Senate passed the bill the same day by a margin of 56-10.

"The governor has stated on several occasions that he intends to veto the bill," said Brian Dietz, the governor's press secretary. "I have no indication otherwise that it will not be vetoed."

The bill would add three days to the school year for all public schools and provide healthy increases in the per-pupil funding schools receive in general education revenue. Currently, districts get \$3,505 per pupil. The bill would add \$76 per pupil in 1998 and another \$79 in 1999.

And the bill would provide \$89.5 million to improve technology in schools and a \$100-million increase in compensatory revenue to help students from low-income homes, especially those children who have failed or are likely to fail the state's basic skills test required for high school graduation.

"We managed to fund the basic operating costs of education at an inflationary level, and along with that there are some significant steps toward reform," Kelso said.

However, the bill does not include anything resembling the governor's proposal to provide funds to parents for education expenses such as tutoring, computer hardware and software purchases, and private school tuition.

The governor originally sought \$150 million in tax credits and expanded tax deductions for education expenses, but near the close of session he offered a more modest \$75 million plan as negotiations on the K-12 finance bill progressed.

Kelso said the governor's proposals would have required much-needed funding to be taken away from other portions of the education budget.

"It's not a trivial amount of money," Kelso said. "There's no way we could have subtracted that amount from other things we're funding in the K-12 bill without it having a negative impact."

The governor was not satisfied with a counter-offer from DFL leaders on education to expand the tax deduction for education expenses and to provide a lesser amount in tax credits for parents of public school students. The DFL proposal would have allowed state funds to be used for costs of tutoring, remedial efforts, computer purchases, and other expenses, but not for private school tuition.

Efforts to compromise stalled over the issue of allowing state funds to be used to pay private school tuition.

"That was a deal-breaker," Dietz said.

Kelso said any move to provide state money for private school tuition in the form of a tax credit would be "a major change ideologically" that most lawmakers do not favor.

"What the governor wanted was simply not there to give," Kelso said. "There was not support for his proposal. There was not 51 percent of the Minnesota House that would have voted for it."

The version of the K-12 funding bill that emerged from conference committee included many of the provisions earlier approved by the House. The bill would provide \$7.9 million to help students with limited proficiency in English and \$5 million to implement a system of uniform, statewide testing.

Dietz said the bill is missing some of the governor's education initiatives — such as a plan to provide funds to help get more charter schools up and running — aside from his proposed tax credits and deductions. But, Dietz said the bill is "decent" and would fare better with the governor if some agreement could have been reached on the issue of tax credits and deductions.

"If the tax credit portion would have been included, the bill probably would have been signed already," Dietz said.

The probability of a veto means the issue of school finance will likely be the focus of a special session of the Legislature. Only the governor can call a special session, and he is expected to do so.

"Right now, it's very hard to see where the common ground is," Kelso said. "I can't look down this road right now and see where the end is."

## Statewide testing



Gov. Arne Carlson signed legislation into law May 12 that will require uniform, statewide testing of virtually all Minnesota public school students.

The new law, effective May 13, will require uniform, statewide testing of third, fifth, and eighth graders beginning in the 1997-1998 school year and a new brand of assessment of students at the high school level beginning no later than the 1999-2000 school year.

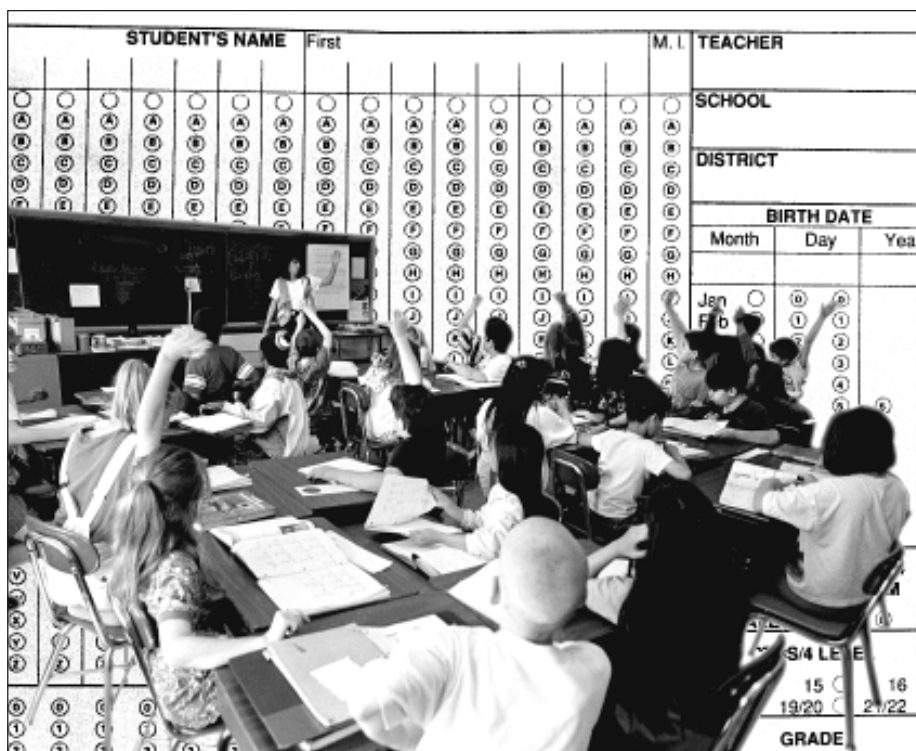
Rep. Joe Opatz (DFL-St. Cloud), who sponsored the measure in the House, said the tests will be an integral part of the state's move toward an education system that demands schools and students be more accountable for taxpayer funds invested in education.

Statewide testing had been a controversial issue at the Capitol in years past, but this year it drew bipartisan support. Proponents claim such testing would provide a reliable means for comparing the performance of schools and districts.

The first law passed during the 1997 session (HF1\*/SF3/CH1) mandated that statewide testing would begin during the 1997-1998 school year. The latest statewide testing law prescribes how that testing system will work.

Under the law, the basic skills tests in reading and math — already required under the state's graduation rule and first given to students in the eighth grade — will count as the statewide tests for that age group.

Third and fifth graders will be given tests selected by the Department of Children, Families and Learning. The department can use a test it has developed or a nationally recognized test such as the California Achievement Test or the Iowa Test of Basic Skills. Any test used in the statewide testing system will have to be aligned with the state's graduation standards.



A new law will require uniform, statewide testing of third, fifth, and eighth graders beginning in the 1997-1998 school year and a new brand of assessment of students at the high school level beginning no later than the 1999-2000 school year.

The new law also asks districts to assess the performance of students at the secondary level according to the standards within the Profile of Learning, a state-developed system of measurements of overall student performance, and a part of the newly developed graduation standards.

The law calls for the assessment of secondary students to begin during the 1999-2000 school year, but it leaves the choice of testing instruments and processes to the commissioner of the Department of Children, Families and Learning.

The commissioner is required to report to the Legislature in 1998 on plans for assessment at the high school level.

The law allows only narrow exceptions to the statewide testing requirements. For example, students who are new to this country and are not proficient in English will be exempt.

Another provision in the law requires that the 1997-1998 test results from each school and each district be used to establish a baseline against which their future performance could be measured.

Test results will be reported to the public in three forms: a raw number representing the mean score for each school and district, a mean score of all students except those who are new to a school or district, and a mean score of all students except those receiving limited English proficiency instruction.

The results released to the public also will include the number of students on free and reduced-price lunch programs, the number of special education students, and the number of students with limited English proficiency at each site.

Sen. Larry Pogemiller (DFL-Mpls) sponsored the measure in the Senate.

HF2179\*/SF1934/CH138

## Spending caps removed



The first new law produced during the 1997 session removed statutory caps on education spending and requires uniform statewide testing of public school students.

The law lifted a provision approved by lawmakers in 1995 that called for a \$337 million cut in state aid to school districts during the next two years.

Considered a top priority at the start of the legislative session, the proposal to remove the spending caps won broad, bipartisan support.

Statewide testing was initially linked to the spending caps proposal through an amendment approved on the Senate floor. The legislation that the House originally passed did not include any such language.

The eventual result was legislation to do

three things: repeal the caps on education funding, repeal current law prohibiting statewide testing, and establish that Minnesota will require standardized testing of all students.

Supporters of statewide testing tout it as a way to increase accountability in public schools by providing a reliable measurement of student and school performance that can be compared to results from other schools and districts.

The specifics on how statewide testing will work are not included in the new law. A special House-Senate committee was created to devise separate legislation (HF2179) prescribing how statewide testing is to be implemented.

The repeal of the funding caps was effective Feb. 15. Statewide testing will be required beginning in the 1997-1998 school year.

The legislation was sponsored by Rep. Alice Johnson (DFL-Spring Lake Park) and Sen. Keith Langseth (DFL-Glyndon).

HF1\*/SF3/CH1



## ELECTIONS

### Pillows talk at the polls



People in some areas of Minnesota might want to carefully plan which room of the house should be the master bedroom. The decision could determine the location of their polling place.

According to a new law, if an individual's home lies in more than one precinct, the "official" one would be "the precinct in which a majority of the room in which the individual usually sleeps is located."

The provision has become necessary as more housing developments are being built on agricultural land which also serves to mark school district boundaries, according to Joe Mansky, director of the Elections Division of the Office of the Secretary of State. No figures are available to determine the number of people the provision will affect.

In addition to many technical changes, the law requires courts to provide the secretary of state's office with the names of convicted felons (who are ineligible to vote), and of those whose voting rights have been restored after having served sentences for felony crimes. The state currently has no record-keeping capacity to keep track of such convicts.

The law also says that candidates for county sheriff must be licensed peace officers. Un-

der current law, candidates are obligated only to complete basic police training courses before serving or campaigning.

Effective Aug. 1, 1997, the law was sponsored by Rep. Betty Folliard (DFL-Hopkins) and Sen. John Marty (DFL-Roseville).

HF127/SF72\*/CH147

### City council terms



A new state law will ensure that members of the St. Paul City Council will continue to serve a two-year term.

The Legislature passed election laws in 1994 and 1995 designed to get all municipalities on a fall balloting schedule. But one of the unintended consequences of those changes was to make all city council terms four years long, starting Jan. 1, 1998.

This was news to many declared candidates for the capital city council, who thought they were vying for a two-year stint.

Officials in St. Paul were outraged, and saw the law as a direct attack on the city charter, which calls for two-year council terms. (Voters in St. Paul rejected a change from two- to four-year terms with referendums held in 1984 and 1986.)

State officials admitted they had no evil intentions when they drafted changes to state election law. They were just trying to get rid of some spring elections in the name of uniformity.

The new law becomes effective upon approval of the St. Paul City Council.

The measure was sponsored by Rep. Sharon Marko (DFL-Newport) and Sen. Chuck Wiger (DFL-White Bear Lake).

HF658/SF612\*/CH153

### Vote by mail



Under a new law effective Aug. 1, 1997, more Minnesotans will be able to vote by mail.

Under current law, rural cities and towns with 400 or fewer registered voters are able to conduct mail-in elections. The new law will allow voters in precincts with 50 or fewer voters to vote by mail.

Adding the precinct designation, even with the smaller number of voters, allows more areas to participate in mail-in voting. That's because some towns with populations of more than 400 lie in more than one county, creating very small precincts within metropolitan areas.

The law will allow those precincts to avoid the expense of operating a polling place and other election-related efforts for their limited number of voters.

House sponsor Rep. Jim Tunheim (DFL-Kennedy) has said the law will affect about 284 registered voters statewide.

Sen. Linda Scheid (DFL-Brooklyn Park) sponsored the proposal in the Senate.

HF168/SF703\*/CH145



## ENERGY

### Biomass and wind power



Effective Aug. 1, 1997, a new law will remove a hurdle that energy-producing facilities normally face before they can start doing business.

The facilities in this case are wind and biomass energy-producing plants. The law will remove the requirement that the plant owners obtain costly and time-consuming certificates of need — proof that the state needs the facility — before they can



The Legislature passed several new election laws this session: one increases the number of Minnesotans able to vote by mail; another ensures that St. Paul City Council members continue to serve two-year terms; and, still another links your polling place to the bedroom.

be built. The certificate process usually takes 18 months to three years.

Not only does the state want to encourage the wind and biomass energy industry, it has mandated that a major energy buyer in the state, Northern States Power Co. (NSP), purchase a specified amount of energy from those sources. That means that without the new provision, the state would be requiring a certificate of need from the same business the state already has mandated that NSP buy from.

The law also gives the Public Utilities Commission regulatory authority over the biomass and wind energy purchases made by a utility company.

Lastly, the law requires the Department of Agriculture to study funding mechanisms to make biomass energy projects more viable. The study should look at tax-exempt bonds, public and private financing, the development of an authority to facilitate investment, and credit payments.

The measure was sponsored by Rep. Gary Kubly (DFL-Granite Falls) and Sen. Dean Johnson (R-Willmar).

HF1508/SF1328\*/176



## ENVIRONMENT

### Environmental spending bill

The omnibus environment, natural resources, and agriculture finance bill (HF2150) is now pending before the governor.

Under the revised bill, state spending for environment and agriculture programs will total almost \$647 million over the next two-year budget cycle. Included are funds for the Department of Natural Resources (DNR), the Minnesota Pollution Control Agency (MPCA), the Minnesota Zoo, the Department of Agriculture, and several other state agencies.

Just over 62 percent of the state spending in the bill — almost \$368.6 million — goes to the DNR. The MPCA, the next largest recipient will receive about \$86.7 million. The Department of Agriculture receives \$54.9 million.

The spending bill also includes \$37.2 million for environmental and recreational programs selected by the Legislative Commission on Minnesota Resources (LCMR), which is funded by a 2-cent-per-pack cigarette tax and some state lottery proceeds. (Sec. 15)

The MPCA will continue existing programs to clean up Minnesota lakes and rivers with \$25.7 million in state funds. It will



A \$600,000 appropriation in the omnibus environment bill would go to the DNR for a new electronic game and fish licensing system.

receive another \$16 million for air pollution programs, and almost \$31.5 million for protection of groundwater and management of solid waste. (Sec. 2)

Highlights of the bill, sponsored by Rep. Tom Osthoff (DFL-St. Paul) and Sen. Steve Morse (DFL-Dakota) are below.

#### Fishing license fees

Both residents and nonresidents would have to pay more to wet a line in Minnesota lakes and rivers.

Annual licenses for residents would be \$15, up from the current \$13. Minnesota seniors would see a \$1 hike and would pay \$5.50 instead of \$4.50 per year.

Nonresidents would pay \$31, up from \$27.50 per year.

Fees would also be raised for temporary fishing licenses, fish houses, and trout stamps for residents and nonresidents alike. (Sec. 83)

#### Ethanol

The bill would appropriate \$49.6 million in subsidies over the two-year period for ethanol producers.

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

There are currently six major ethanol plants in Minnesota that produce a total of 92 million gallons of ethanol per year. That is still short of the 120 million-gallon state goal which would allow Minnesota to become ethanol self-sufficient. The state still imports ethanol from plants in Illinois, Iowa, and Nebraska.

Since October 1995, automobiles in the 10-county metropolitan area have been re-

quired to burn "oxygenated fuel" year round. (The law was enacted in 1991 because the Twin Cities was in violation of federal Environmental Protection Agency clean air requirements. Adding one part ethanol for every 10 parts of gas is one way to oxygenate gas.)

Beginning Oct. 1, 1997, all gasoline sold in the state will have to be oxygenated, which will further increase demand for ethanol. (Sec. 7, Subd. 3)

#### Snowmobile safety, trails

The bill increases the snowmobile registration fee by \$15, pushing the total charge to \$45 for three years. The bill also requires out-of-state snowmobilers to pay \$15 for a permit to operate their machines on state trails or grants-in-aid trails maintained by local clubs. New revenue generated by the fee increases will help pay for improvements to an overburdened and out-of-date trail system.

The bill also would expand snowmobile safety training requirements to include all snowmobile operators 25 and under by 2002. Safety training also would be required of any operator convicted of careless or reckless operation of a snowmobile and those who violate snowmobile speed limits twice within one season.

The bill also prohibits the use of snowmobiles with metal traction devices on paved state trails. (Sec. 64)

A total of \$5.2 million will be spent each year for snowmobile trail improvements. Most of the money will go to local snowmobile clubs to pay for trail grooming under the state grants-in-aid program. (Sec. 5, Subd. 6) Local law enforcement agencies will be able to apply for grants from a \$800,000 fund



Land would be added to four state parks, another would be allowed to sell beer in its lodge, and O.L. Kipp State Park in Winona County would become Great River Bluffs State Park, under a bill on its way to the governor.

to expand their snowmobile enforcement activities. The DNR also will get \$200,000 for special equipment to increase the effectiveness and safety of snowmobile law enforcement. (Sec. 5, Subd. 8)

#### State parks, trails, recreation

Funding for state parks and recreation areas would total more than \$53.8 million.

A total of \$6 million — \$3 million each year — would go to maintain and operate the metropolitan regional park system. Another \$500,000 more would go to expand and improve state park and recreational areas. (An additional \$7 million from the LCMR would supplement the funds for metropolitan and state parks.)

A \$75,000 appropriation is for predesign and design for a Minnesota rock, gem, and mineral interpretative center to be located within Moose Lake state park near prime rock collecting areas. The DNR would initiate the architectural and engineering design for the center, the focal point of which would be the display of Lake Superior agates as well as rocks, gems, minerals, and geologic artifacts indigenous to Minnesota. (Sec. 5, Subd. 5)

Trail improvements include \$900,000 for the gateway segment of the Willard Munger Trail in North St. Paul and Roseville. Other trails to be improved include the Heartland Trail, Root River Trail, and Harmony Trail. (Sec. 5, Subd. 6)

Another \$142,000 would fund a survey of state trails accessible to people with disabilities. (Sec. 5, Subd. 9)

#### Fish and wildlife

The DNR will spend more than \$82.3 million in fiscal years 1998 and 1999 on programs for fish and wildlife management.

Non-game wildlife management programs will get \$1.9 million. Another \$2.7 million will fund game and fish critical habitat programs and wetlands protection under the Reinvest in Minnesota (RIM) program. (Sec. 5, Subd. 7)

The LCMR recommendations add another \$3.2 million for RIM programs.

#### Stagecoach Trail

The bill authorizes the creation of a 40-mile historic trail through Dodge, Olmsted, and Steele counties. The Stagecoach Trail will originate at the Douglas Trail near Rochester and extend west along the Zumbro River Valley to Owatonna. Paralleling U.S. Route 14, the trail will pass through Mantorville, Wasioja, and Rice Lake State Park.

Rep. Steve Sviggum (R-Kenyon), sponsor of the original trail legislation, had explained that the multi-purpose paved trail will be used primarily for biking and hiking. Unpaved portions of the trail would be developed for horseback riding, mountain biking, and snowmobiling. No funding is allocated for trail development this year. (Sec. 65)

#### Livestock odor research

The bill requires the MPCA to monitor livestock feedlots for violations of the state's ambient air quality standards for hydrogen sulfide emissions. The agency must respond to citizen complaints about feedlot odor and use portable monitoring equipment. (Sec. 115)

The University of Minnesota would re-

ceive \$400,000 for livestock odor research. Another \$125,000 would go to the Minnesota Institute for Sustainable Agriculture for research, development, and promotion of low odor alternative hog production systems.

#### Deer winter survival

HF2150 includes a provision authorizing the DNR, along with members of the Minnesota Deer Hunters Association, to form a working group and develop recommendations on feeding and other options to ensure the winter survival of deer.

Winter deer feeding has been a matter of controversy for several years. Opponents argue that the state spends too much in money and staff time on deer feeding and doesn't save enough deer to make it worthwhile. Deer feeding supporters, such as Rep. Tom Bakk (DFL-Cook), argue that such criticism fails to take public support for the program into account. Millions of state dollars have been spent and thousands of volunteers have distributed food for deer over the past several years. (Sec. 144)

#### Electronic licensing

A \$600,000 appropriation would go to the DNR for a new electronic game and fish licensing system.

License agents would be able to run the magnetic strip on Minnesota driver's licenses through their equipment to pull up personal information to print on the buyer's fish or game license. License fees also could be electronically transferred. The DNR would contract with a private vendor to operate the system.

A pilot project is planned for the summer and fall of 1998 with full implementation planned for March 1999. (Sec. 5, Subd. 9)

#### Food stamp supplement

\$1 million is allocated to create and administer a "Minnesota Grown" coupon program to provide food supplements to Minnesota residents who are non-citizens who have lost their eligibility for federal food stamps. The coupons will be redeemable for Minnesota-grown produce and meat products. (Sec. 7, Subd. 3)

#### White pines

The oldest, tallest, and most majestic trees in Minnesota's forests are the white pine. But with only 2 percent of the state's original white pine population still standing, conservationists, the timber industry, and state officials are all concerned about the tree's future.

The bill includes \$1.5 million to regener-

ate and protect Minnesota's endangered white pine population as a part of the overall \$68.5 million budget for forest management. (Sec. 5, Subd. 4)

#### Other projects

Among the other programs funded by the bill:

- The Minnesota Zoo will get \$10.9 million, including \$240,000 for a new computer system (Sec. 4);
- The DNR will receive a total of \$39 million for its various enforcement activities (Sec. 5, Subd. 8);
- \$20.6 million for water resources management including \$400,000 to the Greening the Great River Park Project to restore native vegetation along the Mississippi River in St. Paul (Sec. 5, Subd. 3);
- \$10.3 million for mineral resources management, including several iron ore research matching grants (Sec. 5, Subd. 2);
- The safe harbor program on Lake Superior will receive \$906,000, including \$400,000 for the Taconite Harbor Project (Sec. 5, Subd. 6);
- \$2.7 million would be marked for the city of St. Paul for the redevelopment of Harriet Island (Sec. 5, Subd. 9); and
- \$2.3 million would go to the Science Museum of Minnesota (Sec. 10).

### Changes to state parks

Land would be added to four state parks, an additional park would get a new name, and another would be allowed to sell beer in its lodge under a bill passed by the House May 19. The vote was 133-0.

**HF299**, sponsored by Rep. Tom Bakk (DFL-Cook), authorizes the Department of Natural Resources to add land to the following state parks.

- Bear Head Lake State Park in St. Louis County would add 160 acres of adjacent undeveloped land, wooded with mature red and white pine trees. The addition would prevent a proposed housing development near the Taconite State Trail.
- Forestville State Park in Fillmore County would get an adjacent 40-acre parcel on the south branch of the Root River. The river is a designated trout stream and the surrounding bluffs contain excellent habitat for the endangered timber rattlesnake.
- John Latsch State Park in Winona County would gain access to the Mississippi River with a 120-acre parcel that includes privately owned water access, a resort, and campground. The resort would continue to be privately operated under contract

with the state and would be allowed to sell liquor by the drink.

- Split Rock Lighthouse State Park in Lake County would acquire 80 acres of land along the Lake Superior shore northeast of the park. The land is currently owned by the Congdon family and includes Gold Rock Point, the largest of the few exposed granite cliffs on the North Shore. It also contains 3,700 feet of lake shore and access to the Madeira shipwreck, one of the most popular diving sites in the Great Lakes.

The bill also changes the name of O.L. Kipp State Park in Winona County to Great River Bluffs State Park. O.L. Kipp is the first state park encountered by travelers entering the state from the east on Interstate 90. Great River Bluffs is a more descriptive name that park officials believe will attract more tourists to the park.

Another provision of the bill would allow Itasca State Park in Clearwater County to add beer to the wine menu in its restaurant. And visitors to Tettegouche State Park would be allowed to use the Palisade Head parking lot for up to one hour without buying a state park permit.

The Senate added a provision to the bill authorizing St. Louis County to sell tax-forfeited land along Amity Creek in Duluth.

The bill now goes to the governor.

### Mercury emissions regulated



New rules regulating incinerator mercury emissions will become law on Aug. 1, 1997.

Under the new law, mercury testing procedures will be relaxed for incinerators with a proven track record of low emissions. New incinerators will be required to run a smokestack mercury test every three months. The bill allows incinerator operators with emissions below 50 percent of their permitted mercury limit for three consecutive years to cut back testing to once every three years.

If any subsequent test reveals mercury emissions greater than 50 percent of the incinerator's permitted mercury limit, the facility will have to conduct yearly stack sampling until emissions once again drop below 50 percent.

The purpose of the new law is to reward superior performance, Peter Torkelson, a staff engineer for the Minnesota Pollution Control Agency has said.

Most mercury in the environment originates from incinerator smokestacks. Burning of municipal wastes and fossil fuels, often to generate electricity, are the primary sources

of smokestack mercury. Once airborne, mercury eventually returns to earth and contaminates the watershed. Studies of the sludge accumulated on Minnesota lake bottoms indicate that the state's mercury problems started with industrialization in the 1850s and peaked in the 1970s. Since then the rate of mercury contamination has dropped slightly.

The measure was sponsored by Rep. Phyllis Kahn (DFL-Mpls) and Sen. Janet Johnson (DFL-North Branch).

**HF742/SF780\*/CH189**

### Relays added to mercury law



A bill regulating mercury-containing products was signed by Gov. Arne Carlson April 28.

Mercury is a potent neurotoxin that can cause permanent nervous system damage. Since mercury is a volatile element it does not degrade in the environment, but becomes airborne and eventually returns to earth to contaminate watersheds. It also accumulates in animal tissue as it moves up the food chain. Consumption of fish from 90 percent of Minnesota's lakes is currently restricted because of mercury contamination.

The law, sponsored in the House by Rep. Jean Wagenius (DFL-Mpls), adds commercial electrical relays to a list of products from which mercury must be removed for reuse or recycling prior to disposal. The new restriction takes effect July 1, 1998.

"When we originally passed the bill to regulate mercury recycling in products, we left out electrical relays," Wagenius said on the House floor March 20. "These relays are showing up in the waste stream and need to be included [in the law]."

Regulations currently in effect include such devices as thermostats, thermometers, and switches. Manufacturers are required to label all mercury-containing products and accept them back for recycling or proper disposal.

Sen. Janet Johnson (DFL-North Branch) sponsored the Senate proposal.

**HF949\*/SF885/CH62**

### Earth Day



Gov. Arne Carlson signed a resolution April 29 asking the U.S. Congress to recognize Earth Day as a national day of service and education.

The resolution, which also establishes Earth Day as a state day of service



Gov. Arne Carlson signed a resolution April 29 asking the U.S. Congress to recognize Earth Day as a national day of service and education.

and education, requires the secretary of state to transmit the state's wishes to the president and leaders in Congress.

Earth Day, which falls on April 22, has been celebrated informally by environmentally concerned citizens since the spring of 1970, when environmental leaders staged a nationwide "teach-in."

The day is often marked with volunteer environmental cleanup efforts and public education programs. Earth Day has now gone international with programs planned in several countries.

Rep. Willard Munger (DFL-Duluth) sponsored the resolution in the House and Sen. Jane Krentz (DFL-May Township) was the Senate sponsor.

**HF1692/SF1342\*/Res. 4**



## FAMILY

### Early childhood funding



Federal changes requiring welfare parents to work are expected to move another 12,500 Minnesota children into day care over the next few years. To prepare for that onslaught, a new state law sets aside a record \$200.4 million.

The measure also will pay some parents to stay at home with their newborns for the first year of life.

Gov. Arne Carlson signed the omnibus early childhood and family education bill into law May 16. It spends \$393.6 million over the state's 1998-1999 two-year budgeting period.

In addition to child care, the new law, much of which is effective July 1, 1997, appropriates money for programs such as early childhood education, community education, after school programs, adult basic education, Head Start, food shelves, and homeless shelters.

Providing the dollars for child care is in the state's best interest, lawmakers say. Under a new federal welfare law, states are punished for not moving their welfare parents to work. Specifically, Minnesota could lose millions in federal aid. Logically, if Minnesota expects its welfare parents to work, child care assistance is essential.

Part of the \$200.4 million for child care — \$99 million — will pay for the child care needs of welfare parents now required to work under federal law. (Art. 4, Sec. 63, Subd. 3)

About \$92.5 million will be placed into an existing program that helps low- and moderate-income working families pay for child care using an income-based, sliding-fee scale. There are currently about 5,600 Minnesota families on a waiting list for the Basic Sliding Fee program. The money in the new law is expected to eliminate most, if not all, of the waiting list. (Art. 4, Sec. 63, Subd. 2)

The Basic Sliding Fee program has become a vital part of the state's effort to trim its welfare rolls. Without the program, the cost of child care can often push a working-poor family onto welfare.

A portion of the Basic Sliding Fee dollars will pay parents on the program to stay at home with their child for the first year of life.

Eligible families (those already qualified for the Basic Sliding Fee program) will receive 75 percent of the average cost of li-

censed family home day care for an infant in their county. The measure instructs the Department of Children, Families and Learning to begin the program by July 1, 1998. (Art. 4, Sec. 22)

Another \$7.7 million will go toward child care development grants to encourage more people to enter the child care profession by offering loans for course work and training. A portion of the money also would be used to expand child care facilities.

And finally, the remaining \$1 million will be used to administer the programs.

Below is a listing of some of the new law's highlights.

- A mandatory \$5 monthly co-payment for families using state-subsidized child care will be instituted. Families with incomes between 75 and 100 percent of the federal poverty level will be required to make a \$5 co-payment each month, regardless of how many children they have. For a family of two, 75 percent of the poverty level equals



Besides a record \$200.4 million for child care subsidies, the omnibus early childhood and family education law spends \$29.7 million to pay for a program that brings babies and toddlers together with their parents to learn about a child's emotional, physical, mental, and educational development.

\$7,957 and 100 percent equals \$10,610. The co-payments will increase for families earning more than 100 percent of the poverty level. (Art. 4, Sec. 37, Subd. 2)

- \$29.7 million over the two-year budgeting period will pay for a program that brings babies and toddlers together with their parents to learn about a child's emotional, physical, mental, and educational development. The Early Childhood Family Education (ECFE) program is a 23-year-old program designed for children from birth to kindergarten and their parents. (Art. 1, Sec. 18, Subd. 3)
- \$2 million will fund a newly created early childhood infant grant development program. It will provide money to local ECFE programs that come up with creative ways to focus on infant development and a parent's role in stimulating and nurturing their infant's intellectual and emotional development. (Art. 1, Sec. 18, Subd. 7)
- \$9.8 million will pay for after-school enrichment programs. Grants are provided to select neighborhoods so they may offer after-school programs for 9- to 13-year-olds. The program's purpose is to reduce juvenile crime, school suspensions, and increase student achievement. (Art. 2, Sec. 31, Subd. 11)
- \$37.5 million will pay for Head Start, a federal/state program that provides low-income preschool children with emotional, social, health, nutritional, and psychological services. (Art. 1, Sec. 18, Subd. 8)
- \$25 million will pay for adult basic education over the biennium. The program provides educational opportunities for adults with low educational levels. Services include literacy training, work force education, and General Educational Development (GED) preparation. (Art. 2, Sec. 31, Subd. 18)
- \$2.5 million will pay for Minnesota food shelves. The increase is in anticipation of an even greater demand on food shelves this spring when many of Minnesota's poor will see a cut in their federal food stamps. (Art. 3, Sec. 8, Subd. 4)

Rep. Tony Kinkel (DFL-Park Rapids) and Sen. Pat Piper (DFL-Austin) sponsored the legislation.

**HF2147\*/SF1858/CH162**

Find out who represents you at the Capitol. Call the House Public Information Office at (612) 296-2146

## Signing up for fatherhood

A bill to register the names of fathers — or potential fathers — with the state is on its way to the governor.

**HF296/SF203\*** would require the Department of Health to establish a registry for men who want to be notified if their child is put up for adoption.

The registry would be for any male who is or may be a child's father but is not married to the mother and has not otherwise established paternity. The bill is aimed mainly at couples who have little or no relationship beyond the time of conception.

The registry would protect a birth father's rights in the event his child is put up for adoption, and protect children and adoptive parents from having their families "ripped apart," House sponsor Rep. Linda Wejman (DFL-Mpls) has said.

A father or potential father could register from the time of conception until 30 days after a child's birth. (A man would be able to register even without certainty that a pregnancy resulted from a sexual encounter.)

A father who does not register within 30 days of a child's birth would not — under most circumstances — be allowed to contest an adoption. By failing to register, a father "is considered to have abandoned the child."

Registering also would serve as the first step in a paternity claim. Within 30 days after being notified of a pending adoption, the father could file with the court an intent to claim parental rights. That way, a father would preserve the right to maintain an interest in the child.

The bill would apply only to parental rights related to adoptions — not to custody or other parental issues. It would affect babies born on and after Jan. 1, 1998.

The omnibus health and human services finance bill (**SF1908**) carries a \$286,000 appropriation to get the registry up and running.



## GAMBLING

### All in good fun



A new law, effective May 16, 1997, allows social organizations to host card games and distribute prizes without being subject to gambling restrictions.

The law allows tournaments or contests involving social skill games — including cribbage, skat, sheephead, bridge, euchre, pinochle, gin, 500, smear, and whist

— as long as the events do not provide a direct financial benefit to the host organization, and the sum of all prizes does not exceed \$200. The games in question are generally held at VFW posts, American Legion halls, Moose and Elk lodges, Knights of Columbus halls, and senior citizen centers. Often, a fee is charged for participation in the games, and the winner or winners in the games may win part of the door fee.

Another provision increases by 5 percent the amount that organizations that host legal gambling, such as bingo, can claim as expenses. Previous law said that 60 percent of the gross profits from bingo and 50 percent from other legal gambling can be claimed for expenses. The law raises the amounts to 65 percent and 55 percent, respectively.

Lastly, the law eases up on the owners of premises where illegal gambling has taken place. Before the owner's permit can be revoked, the Gambling Control Board has to prove that the owner knew the unlawful activity was occurring.

The measure was sponsored by Rep. Mike Delmont (DFL-Lexington) and Sen. Jim Vickerman (DFL-Tracy).

**HF700/SF566\*/CH155**



## GAME & FISH

### Game, fish, and snowmobiles

This year's omnibus game and fish bill would regulate snowmobiles, provide youth deer licenses, and declare opossums to be an official state nuisance.

**HF313/SF254\***, sponsored by Rep. Bob Milbert (DFL-South St. Paul) and Sen. Dennis Frederickson (R-New Ulm), is on its way to the governor.

Under the bill, snowmobiles would have to be registered in the legal name of the owner and registration numbers must be clearly visible on the vehicle for law enforcement purposes. In the past, owners have been allowed to register under nicknames and use fancy (and often difficult to read) lettering to display registration numbers on their snowmobiles. These practices sometimes made it difficult for enforcement personnel to identify a snowmobile's owner. Snowmobilers under 18 also would be required to wear helmets.

In addition, the bill would prohibit the operation of airboats at any time on lakes designated for wildlife management purposes.

## Young deer hunters

Young people would be encouraged to take up hunting by two provisions of the bill. A \$5 youth deer license would be authorized allowing residents under age 16 to hunt deer. With the license, youth must be accompanied by a licensed hunter 18 years of age or older who possesses a valid deer tag. Any deer taken by the youth would have to be tagged by the older hunter. The commissioner of the Department of Natural Resources (DNR) also would be authorized to establish special hunts for youth to take big or small game in designated areas.

## Playing with opossums

Opossums would join the list of nuisance animals that could be taken without permit by the occupant of a property where the animal is causing damage. Already on the list are mink, squirrel, rabbit, hare, raccoon, lynx, bobcat, fox, muskrat and beaver. This provision also says that a DNR conservation officer must be notified when such an animal is killed. Current law requires that the animal be brought to an officer.

## Gun safety

The DNR would be authorized under the bill to set up a two-year pilot program to promote the safe use and storage of firearms. The program is to be "value-neutral" concerning gun ownership. The demonstration program would be conducted in two school districts: one in the Twin Cities metropolitan area and one in Greater Minnesota. A report on the pilot program would be submitted to the Legislature by Jan. 15, 1999.

## Assistant anglers allowed



Anglers who need help wetting their fishing lines due to age, blindness, or disability will get a break under a new law effective Aug. 1, 1997.

The disabled currently receive free fishing licenses but those assisting them often must pay for a separate license. The law, sponsored in the House by Rep. Darlene Luther (DFL-Brooklyn Park), will allow aged and disabled people to be assisted by an unlicensed person as long as only one line is in the water.

"One of my constituents, Mark Jacobson, of Brooklyn Park, brought the problem to my attention," Luther has said. Jacobson's mother is disabled and needs assistance to pursue her favorite sport. Since she has several different assistants, Jacobson found he

would have to pay for a separate fishing license for each assistant.

Sen. Linda Scheid (DFL-Brooklyn Park) sponsored the Senate proposal.  
**HF311/SF574\*/CH95**



## GOVERNMENT

### Financing state government

The House approved a \$654 million omnibus state government finance bill May 16. The vote was 92-39.

In addition to funding the legislative and administrative functions of state government, **SF1905** also funds a number of other projects, most notably: \$15,000 for a portrait of Gov. Arne Carlson and \$15,000 for an oil painting replica of former Gov. Rudy Perpich and his wife, Lola; \$200,000 for the Hockey Hall of Fame in Eveleth, Minn., (which has operated at a loss for years); and \$450,000 for an American Bald Eagle Center in Wabasha, Minn. **SF1905** also would allow the Legislature to increase the number of paid leadership positions. Under the bill, each legislative house could expand its leadership from three positions to five, each of whom would be paid at 140 percent of the rank-and-file members, or \$41,519, up from \$29,657. (Art. 2, Sec. 3)

The version of **SF1905** adopted by the House contains substantially fewer provisions than previous editions. As the bill proceeded through the legislative process, members deleted language pertaining to rais-

ing the minimum wage, providing pay increases for the state's top executives and judges, and purchasing the Minnesota Twins.

**SF1905**, sponsored in the House by Rep. Tom Rukavina (DFL-Virginia) and in the Senate by Sen. Len Price (DFL-Woodbury) now goes to the governor for his signature.

### Appropriations

For the 1998-99 biennium, the bill would appropriate more than \$100 million in operating funds for the Legislature, \$53 million for the attorney general's office, and \$7 million for the offices of the governor and the lieutenant governor. **SF1905** also would fund a number of diverse state initiatives, in addition to the gubernatorial portraits and the eagle center, through the Department of Administration. The department's biennial appropriation, which totals nearly \$95 million, includes projects such as the Children's Museum and the Intergovernmental Information Systems Advisory Council. (Art. 1, Sec. 12)

The bill also would strengthen the state's debt collection agency. Under **SF1905**, debts owed to any state government entity that become more than 121 days past due would have to be collected through the Minnesota Collection Enterprise. The Legislature established the collection enterprise several years ago to collect debts in a more cost effective manner.

### Monuments to posterity

**SF1905** would appropriate slightly more than \$1 million to the Capitol Area Architec-



Among its many spending projects, the omnibus state government finance bill would spend \$15,000 for an oil painting replica of former Gov. Rudy Perpich and his wife, Lola, to be displayed in the Capitol. Before he died, Perpich tried to include his wife in his official Capitol portrait but was denied. The above photograph of Perpich and his wife would be replaced with the painting.

tural and Planning Board for new monuments.

The bill would allocate \$455,000 in 1998 for the two gubernatorial portraits, the predesign of a monument dedicated to Coya Knutson (the state's first female congressional representative), and the completion of the Women's Suffrage Memorial Garden.

The planning board also would be directed to develop standards regarding gubernatorial portraits, paying "particular attention to whether the governor's spouse should be included in the official portrait." (Art. 1, Sec. 14)

Another \$110,000 would fund a matching grant for a memorial to be constructed in Park Rapids, Minn., honoring veterans from "all wars involving armed forces of the United States." (Art. 1, Sec. 19)

### Prescription drugs

**SF1905** also allocates \$250,000 over the biennium to the Department of Administration to establish a prescription drug-buying program. (Art. 1, Sec. 12)

The program would allow the department to establish a consortium to purchase pharmaceuticals in bulk. The drugs would, in turn, be sold to pharmacists who would then pass the savings — estimated at 10 percent of current prices — on to consumers. (Art. 2, Secs. 28-31)

### Technology

The bill would elevate the state's Office of Technology to the status of a state agency, with an executive director appointed by the governor. The office would be responsible for ensuring that all of the state's technological development proceeds in a logical manner. The technology office would review and coordinate intergovernmental operating systems, and direct the architecture of the state's technology infrastructure. (Art. 3, Secs. 7-10)

The technology office's director also would appoint a manager for Minnesota's North Star system, which would become the officially sanctioned on-line service for conducting government business. Government units planning or providing on-line services (such as World Wide Web pages) would be required to do so through North Star, and the office would develop outreach programs to other statewide systems, such as schools and libraries. (Art. 3, Sec. 13)

**SF1905** also would enhance Minnesota's 911 service, requiring cellular and wireless access providers to cooperate and implement an enhanced emergency capability that meets the standards dictated by the Federal

Communications Commission. (Currently, a number of rural Minnesota counties are without enhanced 911 service, which allows a dispatcher's computer terminal to pinpoint the exact location of a caller.)

The Minnesota Highway Patrol and other civic entities would operate 10 answering points, and the local governments would be required to ensure that any 911 call made by a cellular phone would be automatically connected to one of those points. (Art. 3, Secs. 18-31)

### Community-based planning

**SF1905** also contains provisions aimed at reining in urban sprawl. Under the bill, communities would be encouraged to work together and prepare comprehensive growth plans, in concert with the state's Office of Strategic and Long-Range Planning and other agencies.

The legislation builds on 11 goals for growth outlined by the Metropolitan Council. Accordingly, municipalities could establish joint powers boards to oversee the development process by assembling a long-range blueprint for growth which incorporates the Met Council's ideas. Communities that chose to do so would be required to submit the outline to the state's planning office for review and comment. (Art. 4, Secs. 1-12)

Grant funds of \$375,000 for the second year of the biennium would encourage counties or joint planning districts to adopt such a plan. A grant of \$350,000 the first year of the biennium would be available to a joint powers board in the St. Cloud area to ad-

dress community planning. Three grants of \$50,000 would await additional counties or boards willing to participate in a planning pilot project. (Art. 1, Sec. 11)

The bill would establish an advisory council on community-based planning, which would be required to report back to the 1998 Legislature with ideas on how to better implement community-based ideas. The 18-member council would hold state-wide meetings, encourage citizen involvement, and develop strategies for coordinating growth plans. (Art. 4, Sec. 13)

The bill also creates an alternative dispute resolution process that would allow communities to address any conflicts that might arise out of the planning process. (Art. 6)

### Year 2000 glitch

None of the accounting software programs used throughout the vast network of state offices know what to make of the digits "00" when used to signify a year — such as the year 2000. Nor can they accommodate a four-digit year code.

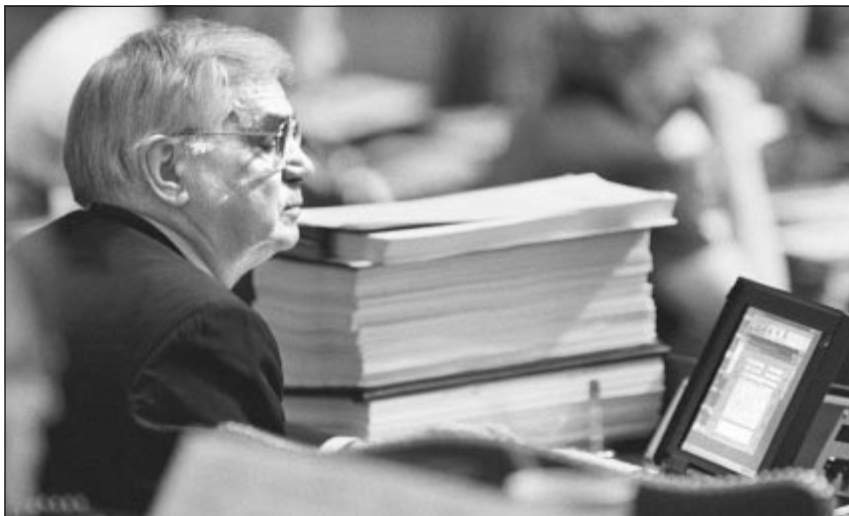
So at the turn of the millenium, millions of transactions will become impossible, such as writing paychecks, paying Medicare and Medicaid bills, or paying vendors.

The bill provides up to \$23 million over the biennium to solve the problem.

Of that amount, \$8 million will be held and spent only if the governor gives his approval, after consulting with the Legislative Advisory Commission.

The Department of Administration will report to the Legislature by Dec. 15 of this year on the progress of the project. (Art. 1,

## House computers



The 1997 Legislative Session marks the first year all House members had access to laptop computers to cut down on the whirlwind of paper moving across their desks. Using the computers, members could access the text of bills as well as receive e-mail messages.

### Public broadcasting HDTV

Just over \$9 million in the bill would fund public broadcasting efforts.

Minnesota's largest public television station plans to construct a digital broadcast station in anticipation of shifting industry standards and the state is going to help foot the bill.

**SF1905** includes a one-time \$750,000 appropriation for Twin Cities Public Television, which runs KTCA (Channel 2) and KTCI (Channel 17), to help pay for the digital transmission facility "and develop high-definition digital television capability."

Digital television stations will be able to provide a High-Definition TV signal comparable in quality to a 35 mm Hollywood film. In place of the HDTV signal, the station could choose to broadcast four signals of lesser quality through the same digital cable, allowing for a much broader range of programming.

Twin Cities Public Television plans to build the digital station, at a total cost of \$2.25 million, and have it on line by August 1998. It would be one of the first such stations in the world. (Art. 1, Sec. 12, Subd. 8)

### Ice arenas

The bill spends \$5 million to build more indoor ice arenas and renovate existing facilities across Minnesota.

One million dollars would be for grants of up to \$100,000 for rinks in need of repair. The remaining \$4 million can be doled in amounts up to \$250,000 for new facilities. The Minnesota Amateur Sports Commission administers the program, which was started by the 1995 Legislature and \$2.9 million in funds. (Art. 1, Sec. 26)

### Meetings via interactive TV



A new law signed by the governor will allow official bodies, including the Legislature, to conduct meetings via interactive television.

The technology is like telephone conference calling with the addition of live video. Meeting participants at different places can talk to and hear each other through television.

Legislators have said the measure would enable them to spend more time among their constituency while continuing to conduct legislative business. The measure also applies to other units of government, such as

counties, cities, and school boards, where it can have an even bigger impact.

Under the law, each member of a body participating in the meeting via interactive TV is considered present and can participate in all proceedings, if an organization's rules allow it.

The bill states that interactive meetings are permissible provided that:

- all members of the body can hear and see each other;
- members of the public present at the regular meeting location can see and hear all discussion and testimony and all votes of members of the body;
- at least one member of the body is physically present at the regular meeting place; and
- all required public notice is provided, and includes information that the meeting will be conducted via interactive television.

The law also allows members of the Rural Finance Agency or the Minnesota Housing Finance Agency to officially meet — and vote — by phone. The move will save time and money given the diverse geographic representation of those governmental bodies.

The measure, effective May 16, 1997, was sponsored by Rep. Loren Solberg (DFL-Bovey) and Sen. Carol Flynn (DFL-Mpls).

**HF829/SF755\*/CH154**



### HEALTH

#### More MinnesotaCare enrollees

Minnesota hospitals and health care providers would see a tax break and more of the state's poor would become eligible for state-subsidized health insurance under a bill awaiting the governor's signature.

The measure (**HF1441/SF1208\***) would expand the state's MinnesotaCare program and at the same time cut the 2 percent tax on hospitals and health care providers (used to fund MinnesotaCare) to 1.5 percent for two years. Whether to continue the tax break would be discussed after the two years run out.

The Legislature passed a compromise version of the bill May 19. Rep. Lee Greenfield (DFL-Mpls) and Sen. Linda Berglin (DFL-Mpls) sponsored the bill.

Overall, it is expected to cost about \$32 million over the next two years to add more people to the insurance plan. The tax cut would save hospitals and health care providers about \$54 million over the same time period. Supporters of the measure main-

tain the MinnesotaCare account is strong now and can withstand a tax cut. Others, however, wanted a deeper tax cut, down to 1 percent. Currently, the 2 percent tax generates about \$323.6 million over two years and that doesn't include separate revenue sources such as premiums and other taxes collected.

MinnesotaCare is a state-subsidized insurance plan created in 1992 to extend health insurance coverage to the uninsured. The program serves about 97,000 people who pay premiums based on income and co-payments for some services. Currently, (depending on their income), single people, couples without children, and families with children younger than 21 are covered.

Specifically, the bill would affect single people and couples without children. It would increase the annual income limits of those two groups to 175 percent of the federal poverty level, or \$13,807 for singles and \$18,567 for couples without children. The current income limit is 135 percent of the federal poverty level, or \$10,651 and \$14,323, respectively.

At the same time MinnesotaCare would welcome more poor people, it also would set an asset limit on new applicants. The program would be limited to families with less than \$30,000 in net assets and individuals with less than \$15,000 in net assets. The asset test would exclude a home and personal items and is expected to eliminate some 4,000 to 5,000 people from the program.

**HF1441/SF1208\*** also includes a prescription drug program for seniors over age 65 who earn less than \$9,468 per year (120 percent of the federal poverty level).

The program would provide coverage, effective Jan. 1, 1999, for prescription drugs currently covered by Medical Assistance. Participants would be expected to pay an annual \$120 premium and satisfy a \$300 annual deductible.

To qualify, a senior citizen also must be enrolled in Medicare and have no insurance coverage for prescription drugs.

Taking into account premiums paid by Minnesota seniors, the new program is expected to cost about \$3.7 million over the next two years.

Among other highlights, the bill:

- Increases the reimbursement rate for dentists who care for MinnesotaCare patients by 15 percent.
- Eliminates the \$400 annual surcharge doctors pay on their license to practice in Minnesota.
- Sets aside \$7.5 million over the next two years to provide grants and loans to rural hospitals to make building improvements.



Legislation pending before the governor would make more Minnesotans eligible for MinnesotaCare, the state's subsidized health insurance program, and would save health providers money by cutting their tax from 2 percent to 1.5 percent. The tax revenue funds the MinnesotaCare program.

The Department of Health would have the authority to award interest-free grants or loans of up to \$1.5 million per hospital.

- Sets up a maximum \$150 million emergency reserve fund just in case the federal government decides to cut back on health care dollars to the states. The reserve would help MinnesotaCare cushion the blow.
- Eliminates certain people currently on General Assistance Medical Care, a free state-run health care program, and makes them eligible for MinnesotaCare, where premiums are paid based on income.
- Expands MinnesotaCare coverage to include nonpreventative dental care — excluding orthodontic services — for certain adults whose family income is less than 175 percent of the poverty level. Currently, these services are covered for children under 21 and pregnant women, but adults are only covered for preventative dental care. A 50 percent co-pay would be required for adults, under the bill.

## Health care directives



A Minnesota driver's license can tell you a lot about a person besides age, height, and weight. A new state law, effective Jan. 1, 1998, will allow for a bit more information to be included on that small plastic card.

Existing law requires a driver's license application to include space to indicate whether a driver has a living will, a document that declares a person's preferences for medical treatment to prolong life under dire circumstances.

A short message to emergency and medical personnel is included on the licenses of people who indicate that they have living wills.

Under the new law, the license application will allow people to indicate if they have a "living will/health care directive," and the change will be reflected in the message that appears on licenses.

The expanded license designation will serve people who have granted another person durable power of attorney for health care and people who have other written advance health care directives allowed under state law.

(Durable power of attorney for health care is an arrangement by which someone is designated to make decisions regarding medical treatment for you if you are unable to make those decisions yourself.)

The legislation was sponsored by Rep. Dave Bishop (R-Rochester) and Sen. Jane Ranum (DFL-Mpls).

HF179\*/SF178/CH60



## HIGHER EDUCATION

### Omnibus higher education bill



Gov. Arne Carlson signed the \$2.3 billion omnibus higher education finance bill May 20, after the House approved the measure May 15 by a vote 118-14.

The governor used his line-item veto to remove a \$100,000 appropriation from the bill that would have funded a loan repayment assistance program for

lawyers who provide legal service to underprivileged clients. (See related story, page 39)

The law, sponsored in the House by Rep. Gene Pelowski (DFL-Winona) and in the Senate by Sen. LeRoy Stumpf (DFL-Thief River Falls), funds the University of Minnesota, Minnesota State Colleges and Universities (MnSCU), and the Higher Education Services Office (HESO) through the 1998-99 biennium.

The bill also addresses the rising cost of higher education, primarily through tax incentives. For example, the "EdVest" provisions in the law allow individuals to set aside money, which is tax-exempt, to pay for higher education.

The legislation also imposes a number of technical changes to the state's higher educational systems.

### HESO and MnSCU

The state will spend more than \$2.3 billion on higher education through the 1998-99 biennium. (Art. 1, Sec. 1)

The Higher Education Services Office, which distributes financial aid to Minnesota students, will receive \$277.6 million for the two-year period to fund a variety of initiatives, including:

- \$19 million for a state work-study program;
- \$12 million for an on-line library catalog;
- more than \$10 million for the Learning Network of Minnesota, a distance-learning program; and
- \$250,000 to provide grants to students of color enrolled in nursing programs. (Art. 1, Sec. 2)

MnSCU will receive a state appropriation for the biennium of more than \$1 billion, with each campus' share of the fund determined by a formula that maintains the 1997 allocations, adjusted for enrollment, and adds a share of the new dollars.

According to the law, the funding must be used for improvement of programs, library acquisitions and student services, while holding down tuition increases. (Art. 1, Sec. 3)

### University of Minnesota

The University of Minnesota will receive a \$1.1 billion appropriation, with the vast majority of the money allocated to instructional expenditures.

The non-instructional expenditures include, along with a number of other projects, an unspecified amount for a career and education planning system, \$3 million for a multi-sheet ice and tennis facility, and more than \$100 million for agricultural and extension services. (Art. 1, Sec. 4)



The \$2.3 billion omnibus higher education finance bill holds \$1.1 billion for the University of Minnesota, including \$3 million for a multi-sheet ice and tennis facility, and more than \$100 million for agricultural and extension services.

In addition, the Legislature requires the university to report back on a variety of efforts. Specifically, the university must prepare an annual statement on its programs for female athletes and its Title IX compliance status (Art. 1, Sec. 4). Moreover, the school will have to address the problems associated with transferring credits from the state college system, and provide a detailed report on current and planned information technology expenditures. (Art. 1, Sec. 6)

#### College affordability

The law also contains several initiatives aimed at helping families and individuals pay for higher education.

Under the law, Minnesota will offer "Gopher State Bonds." A portion of the state bonds sold to pay for the construction of new state facilities will be marketed in small denominations, similar to U.S. Savings Bonds, and the first \$25,000 in bonds held by an individual are exempt from consideration in determining a student's financial aid eligibility. The first \$25,000 of a family's savings or other assets is also exempt from the financial aid calculations.

The "EdVest" initiative contained in the law is meant to encourage families or individuals to set aside money for higher education by providing new tax incentives.

Individuals can contribute to a state-managed account, and the interest earned is tax-exempt, until withdrawal. When the money finally is withdrawn it will then be taxed to the student, not the parent, effectively lowering the tax obligation.

The state will also make matching grants,

up to a \$300 annual maximum. Families earning under \$50,000 per year can receive a 15 percent in-kind contribution from the state, while those with annual incomes between \$50,000 and \$80,000 can get a 5 percent bonus. The law also specifies penalties for early withdrawal and for spending the money on something other than education expenses. (Art. 2, Secs. 12-16)

#### Keeping technologically fit

The law enacts a number of technology initiatives, including \$12 million for the Minnesota Library Information Network, or MNLink, which Pelowski has called "the mother of all on-line services for library access." It provides Internet linkage among public libraries, school and private libraries, and U of M and MnSCU libraries. The higher education institutions will provide staff and technical support. (Art. 1, Sec. 2, Subd. 8)

The law also appropriates money to develop courses that could be delivered through the Virtual University. The program is a collaboration between the U of M, MnSCU, and private colleges that enables students to register for classes via the Internet at almost every college and university in the state.

"This would serve as a gateway leading to all higher education existing in Minnesota," Pelowski explained at an earlier meeting. "It's the first time the three entities have worked together to enhance higher education in the state."

The plan is based on the World Wide Web page currently used by the University of Minnesota. According to information from John Gunyou of the Minnesota Office of

Technology, the plan is meant to improve access to course offerings, expand choices in degree programs, allow for the transfer of credits between schools, and increase off-campus learning opportunities.

The law funds research for finding ways to add course work to the program.

Also funded is the Minnesota Career and Education Planning System, a program to allow K-12 and college students to access career information that would help them devise educational plans. (Art. 1, Sec. 3, Subd. 3)

Another \$1.5 million, matched by the U of M or private sources, will fund a U of M Internet initiative for research and development of telecommunications networks. (Art. 1, Sec. 2, Subd. 6)

**HF2136/SF1888\*/CH183**



## HOUSING

### Protecting tenants



Signed  
by the  
governor

A new law prohibits landlords from penalizing tenants for calling 911 for emergency assistance.

The law responds to a problem that developed after some cities passed anti-crime ordinances that penalize landlords whose properties are subject to frequent police visits. As a result, some landlords began warning tenants against calling police, often with the threat of eviction. Many targets of the warnings have been women who suffer domestic abuse.

Effective July 1, 1997, a landlord may not impose a penalty on a tenant for calling 911 in response to domestic abuse or any other situation, and any lease provisions that would do so could not be enforced.

The law supersedes any local regulations and authorizes the attorney general's office to investigate and prosecute violations. It would slap landlords with civil penalties for actual damages or \$250, whichever is greater, and would award them to tenants, in addition to any attorneys' fees incurred to obtain them.

The law clarifies that tenants are not exempt from any penalties resulting from lease breaches or disruptive behavior.

The measure was sponsored by Rep. Michael Paymar (DFL-St. Paul) and Sen. Dave Johnson (DFL-Bloomington).

**HF686\*/SF756/CH133**

If you have internet access, visit the Legislature's web page at:  
<http://www.leg.state.mn.us>



## HUMAN SERVICES

### Welfare reform



It's official. Beginning January 1998, Minnesotans on welfare must work or lose a chunk of their monthly public assistance check.

After months of debate, Gov. Arne Carlson April 30 signed Minnesota's new welfare law, a response to a 1996 federal act that scrapped the long-standing welfare system and required states to move welfare recipients to work or face millions of dollars in federal penalties.

Minnesota's passage of the law meets the deadline (July 1, 1997) imposed by the federal government requiring all states to report just how they plan to move families on welfare to work.

Both bodies of the Minnesota Legislature passed a compromise version of the bill April 28. The House voted 120-14 and the Senate voted 67-0.

While much of Minnesota's new law focuses on moving welfare families to work, there is a second theme — softening some of the cuts found in the federal law aimed at immigrants. Under the federal law, legal immigrants will lose all public assistance benefits, including food stamps, effective this summer.

Minnesota's welfare law (**HF159/SF1\*/CH85**) will use state dollars to replace some of the cuts, but will leave most immigrants hundreds of dollars short each month compared to previous federal benefits.

Rep. Lee Greenfield (DFL-Mpls) and Sen. Don Samuelson (DFL-Brainerd) sponsored the bill.

Below is a summary of some of the new law's highlights.

#### Immigrants

Although the federal law has left legal immigrants with little, some in Minnesota will be eligible for about \$290 a month in cash assistance — \$203 per month as part of General Assistance (GA) and \$87 per month to replace lost food stamps.

GA is a state program that offers help to those in poverty who do not qualify for other

state or federal welfare programs. However, only those legal immigrants living in Minnesota by March 1, 1997, will qualify for GA. Those who become elderly or disabled while living here also could receive GA. (Art. 3, Sec. 34)

It is important to note that the \$87 a month to replace lost food stamps is temporary. It is only offered from July 1, 1997, to June 30, 1998. (Art. 3, Sec. 42) In Minnesota, an estimated 16,000 legal immigrants will lose their federal food stamps in 1997.

Another 5,400 elderly and disabled immigrants are expected to lose their federal Supplemental Security Income (SSI) later this summer. SSI began in 1974 and provides about \$400 per month to the needy who are

(a joint state-federal program for those who can't afford health care) to the state's new welfare-to-work program known as the Minnesota Family Investment Program (MFIP). (Art. 1, Sec. 7 and Art. 3, Sec. 19)

The measure, however, requires that the income of a legal immigrant's American sponsor be considered when determining eligibility for public assistance. This is in keeping with the federal law.

#### Work for welfare

For several years, Minnesota has experimented with a welfare pilot program in eight counties that requires poor families with children to work for public assistance.

Under the new law, that experiment will become permanent beginning Jan. 1, 1998, and cover all 87 Minnesota counties. (Art. 1, Sec. 1)

The Minnesota Family Investment Program, or MFIP as it is called, allows families to accept lower-paying jobs while receiving some public assistance such as extra monthly cash and subsidized child and health care. In theory, allowing someone to work while still receiving benefits helps a low-skilled parent gain work experience and eventually obtain a better job.

MFIP replaces the traditional Aid to Families with Dependent Children (AFDC) program done away with by the 1996 federal welfare law. And, in keeping with federal law, Minnesota's law sets a five-year, lifetime limit on receiving MFIP welfare checks. (Art. 1, Sec. 32)

There are some exceptions to the five-year limit, including victims of domestic abuse who need time to find safety before they can settle into a job. (Art. 1, Sec. 32, Subd. 4)

Under MFIP, a parent or guardian is required to develop a job search and employment plan and accept any suitable job once they've completed all the steps in their plan. As is the case now, the state will continue to pay for employment and job training services.

In a two-parent family, at least one parent must find work right away. Single parent families have up to six months to find work. (Art. 1, Sec. 40)



Minnesota's new welfare law will require poor families with children to work for their welfare check. It will replace the traditional Aid to Families with Dependent Children (AFDC) program. And, in keeping with federal law, Minnesota sets a five-year, lifetime limit on receiving welfare checks.

aged, blind, or disabled. The state's offer of GA will help to replace that income.

In addition to GA, the new law keeps certain legal immigrants eligible for Minnesota's welfare programs, from Medical Assistance

### Income limits

The new law does set income limits on how much a family can earn on the job and still continue to receive a monthly MFIP check.

For a family of three, a limit of \$1,311 per month is set. A family of three in the current pilot MFIP program, can earn up to \$1,554 per month before being cut off. Officials maintain the state couldn't afford the higher amount and still take the program statewide. (Art. 1, Sec. 13)

### Penalties for no work

Families who refuse to work or otherwise break the rules will see their grant cut by 10 percent for a least a month and until the violation is corrected.

For subsequent occurrences, a county will directly pay a family's rent, and possibly utilities, out of a grant and cut the remainder by 30 percent before forwarding it to the family. (Art. 1, Sec. 36, Subd. 1)

### Education limits

The law also limits the amount of postsecondary education a person may receive while on MFIP. Under the current AFDC program, some parents are allowed to attend college for four years while still receiving their monthly welfare check, child care, and health care services.

Generally, the measure limits approved postsecondary or training programs to a year or less but does allow for up to two years if the diploma or degree can be shown to help the welfare parent earn a better income. He or she must agree to pay back the cost of the second year when they earn 150 percent of the federal poverty level, which is now \$11,835 per year. (Art. 1, Sec. 44, Subd. 1 and 4)

### New mom exemption

Although most welfare recipients would be required to work, the law does allow for certain exemptions, such as a parent who stays home to care for a child under the age of one. In two-parent households, only one parent could claim the exemption, and then only once in a lifetime. (Art. 1, Sec. 47)

### Residency requirement

The law mandates a 30-day residency requirement to receive welfare and requires that, for the first year, families who move to Minnesota receive either the benefit amount they would have received in their previous state, or Minnesota's rate, whichever is less. (Art. 1, Sec. 8, Subd. 1a and 3; and Art. 3, Sec. 27)



Minnesota's new welfare law softens some of the cuts found in the federal law aimed at immigrants. Under the federal law, legal immigrants will lose all public assistance benefits, including food stamps, effective this summer.

### Penalties split

The federal welfare law puts a great deal of pressure on states to move people off the welfare rolls or lose money. It is unclear, however, if the state plans to share that pressure with counties, which operate most welfare programs.

Beginning with fiscal year 1997, each state must show that 25 percent of its families on welfare are working at least 20 hours per week. By fiscal year 2002, that jumps to 50 percent working at least 30 hours per week. There are cash penalties for states that do not meet the percentages.

At one point a legislative proposal would have forced counties to share in the federal penalty. But the new law takes a softer approach. Instead, it requires the Department of Human Services and counties to work together to develop a plan on how to pay a federal penalty. They must report their conclusions to the Legislature by Oct. 1, 1998. (Art. 1, Sec. 63)

### Drug offenses

Anyone convicted of a felony drug offense after July 1, 1997, will be barred from participating in MFIP until they complete their sentence. When and if they qualify for a monthly check, the law requires counties to pay rent and utilities first before mailing out the balance. Random drug testing also is required. (Art. 1, Sec. 16, Subd. 1)

Those convicted of a drug felony after July 1, 1997, would be barred from receiving \$203 per month under GA for five years after they completed their sentence. That is, un-

less the person is in treatment or on a waiting list for treatment. (Art. 3, Sec. 28)

Parole violators and felons on the run would face a lifetime ban for both MFIP and GA. (Art. 1, Sec. 16, Subd. 2 and 3; and Art. 3, Sec. 28, Subd. 2) Those convicted of fraudulently attempting to receive benefits in two or more states at one time will be barred from both MFIP and GA for 10 years. (Art. 1, Sec. 16, Subd. 4 and Art. 3, Sec. 28, Subd. 4)

**HF159/SF1\*/CH85**

## Governor receives omnibus bill

Same sex marriages would be prohibited, drug addicts could buy clean needles at their local pharmacy, and state hospital patients buried years ago in unmarked graves would be recognized, under the omnibus health and human services finance bill now awaiting the governor's signature.

The \$5.4 billion bill pays for state health and social service programs over the next two years and includes a hodgepodge of projects and policy changes in its 435 pages.

A large chunk of the bill's price tag — \$1.8 billion — would cover the health care needs of poor Minnesotans under two separate programs: Medical Assistance and General Assistance Medical Care.

Another \$2.7 billion would pay for certain nursing home, disability, mental health, group housing, chemical dependency, and other long-term care services.

About \$507 million would fund the state's welfare programs, which were overhauled this session after the federal government scrapped the old system, cut benefits to legal immigrants, and required welfare recipients to work.

Rep. Lee Greenfield (DFL-Mpls) and Sen. Don Samuelson (DFL-Brainerd) sponsored **SF1908\***.

The Legislature passed the bill May 16. The House voted 112-19 and the Senate voted 54-12.

Below are some of the highlights in the bill.

### Same-sex marriages

The bill prohibits marriages between people of the same gender and prohibits the recognition of such marriages in Minnesota even if the union occurred in a state that sanctions such marriages.

The proposal began as an attempt to respond to the possibility that Hawaii may recognize same-sex marriages and prepare for people who might move to Minnesota from that state. Hawaii passed a law prohib-

iting same sex marriages, but a lower court ruled the law unconstitutional. The state has appealed to its state Supreme Court. (Art. 10)

#### Clean needles

To help prevent the spread of HIV and AIDS among drug addicts, the bill would allow pharmacies to sell, without prescription, new hypodermic needles and syringes. They could be sold only from behind the counter and could not be readily available on store shelves. (Art. 2, Sec. 17, Subd. 2)

#### Naming the dead

The bill would spend \$200,000 to replace the unmarked or numbered graves of thousands of mentally retarded people who died decades ago while patients in Minnesota's state hospitals. The state dollars, however, would be withheld until private money raised to replace the grave sites has been exhausted. (Art. 1, Sec. 2, Subd. 7)

#### Child care licensing

With the federal welfare changes requiring parents on public assistance to work if they want a monthly helping hand, officials anticipate a huge increase in the demand for child care. The bill sets aside \$200,000 to add two more fire marshal positions to the Department of Human Services' licensing division to speed up the licensing of child care programs. A separate House bill deals with many other licensing requirements for child care programs. (Art. 1, Sec. 2, Subd. 2)

#### Assistance dogs

Minnesota nonprofit groups that train dogs to help people with disabilities would receive \$50,000 over the 1998-1999 two-year state budgeting period. The dogs are often rescued from animal shelters and help their owners lead independent lives at home and at work. (Art. 1, Sec. 2, Subd. 8)

#### Living at home nursing

The bill spends an additional \$650,000 to expand from 15 to 27 the number of living-at-home/block nurse programs. These community-based programs, which are located throughout the state, enable seniors to live independently in their homes. To avoid nursing homes, the programs provide nurse home visits and coordinate health and personal care services on a sliding fee basis. They also provide homemaking services, counseling, and health training for both the elderly person and his or her family. (Art. 1, Sec. 2, Subd. 8)

#### Teen gambling

Lottery money in the amount of \$250,000 over the biennium would fund a compulsive gambling prevention and education project for adolescents in St. Louis County. (Art. 1, Sec. 2, Subd. 8)

#### Public housing seniors

To help keep folks out of nursing homes, the bill sets aside \$75,000 to help frail senior and disabled citizens living in public housing — especially those with language and cultural barriers — hook up with community support services and remain in their homes. (Art. 1, Sec. 2, Subd. 9)

#### Women's mental health crisis center

Hennepin County would become home to a one-year experimental community-based crisis center for women who are experiencing a mental health crisis resulting from childhood physical or sexual abuse. The bill spends \$200,000 in fiscal year 1998 and instructs the county to contract with a four-bed adult foster care facility. (Art. 1, Sec. 2, Subd. 9)

#### Women, Infants and Children

To make up for recent federal cuts to the Women, Infants and Children nutritional program, the bill spends \$650,000 in 1998 to maintain the current caseload level of about 95,500 monthly cases. Otherwise, some 1,900 women and children would have been cut off. In addition to the \$650,000, the bill appropriates another \$1.5 million to the program which provides supplemental food, nutritional counseling, and health screenings for low-income, high-risk pregnant, breast feeding, and postpartum women, infants, and children under the age of 5. (Art. 1, Sec. 3, Subd. 2)

#### Father adoption registry

The bill appropriates \$286,000 over the 1998-1999 budgeting period to pay for the Department of Health to register the names of fathers — or potential fathers — with the state.

A separate bill (**HF296/SF203\***) carries the specifics of the registry, where men who want to be a part of their children's lives can be assured of notification if their child is put up for adoption. The registry is a way to protect a birth father's rights in the event his child is put up for adoption, and to protect children from having adoptions unduly disrupted.

#### Alternative medicine study

The Department of Health would receive \$20,000 to study the scope of complementary or alternative medicine in Minnesota and whether it is covered by health insurance. Also, the study is expected to recommend whether Minnesota should license or regulate alternative medicine providers. (Art. 1, Sec. 3, Subd. 2)



## INDUSTRY

### Underground communication



Beneath public streets run countless miles of lines and cables, all carrying services for water, electricity, sewer, natural gas, telephones, and cable television.

The underground has become even busier in recent years with the advent of new technologies and new uses for the technology, such as those for telephones. The result? Increased demand for limited space.

A new law will regulate the rights-of-way to the underground for telecommunications and related companies. Proponents have said it successfully balances public and commercial interests.

Under the law, most of which became effective May 10, 1997, towns and cities will manage underground access by requiring: registration and permits; plans for construction; construction performance bonds and insurance coverage; and project data reports. They also can establish: installation and construction standards; location requirements for equipment and facilities; coordination and timing requirements; and removal requirements for abandoned equipment.

Cities may recover "actual costs" from the companies for providing administrative services, such as processing applications, conducting inspections, and issuing permits, but may not charge more. Currently, cities can charge only \$25 in fees. The telecommunications companies remain fully responsible for returning road or other surfaces to their previous condition.

Cities must treat companies equally and may not deny underground access except when necessary for health or safety reasons, or in the event of a substantial breach of the terms and conditions of access (or several other related conditions).

In the event of a dispute, the law requires a review by the authorized unit of government, which would have to submit a report in support of its decision. A company then

could ask to have the matter settled through arbitration, paid for equally by both parties.

Finally, the law directs the Public Utilities Commission to develop a set of statewide standards to govern use of the right-of-way. The rules will apply to construction standards, maintenance, and repair. A report to the Legislature is due by November 1997.

The measure was sponsored by Rep. Loren Jennings (DFL-Harris) and Sen. Steve Novak (DFL-New Brighton).

**HF322/SF442\*/CH123**

## INSURANCE

### Preventing rate hikes



A new state law effective April 29 will prevent insurance rate hikes for people who are passengers on city buses involved in traffic accidents.

Rep. Jim Farrell (DFL-St. Paul) and Sen. Randy Kelly (DFL-St. Paul) sponsored the measure in the Legislature.

The impetus for the legislation came from an 86-year-old resident of Farrell's legislative district in St. Paul.

The woman was injured in January 1997 after she boarded a city bus. As the woman walked toward an open seat, the bus slammed to a stop to avoid a collision.

The sudden stop sent the woman toppling backwards, bouncing off the windshield, and landing at the bottom of the steps inside the bus door. She spent five days in the hospital with a variety of injuries and has since endured weeks of physical therapy.

The woman had to absorb another blow when informed that the bus company would not pay for any of her medical expenses. That, she was told, was the responsibility of her own insurance company.

The state's no-fault insurance law requires that the woman's coverage come under her own automobile insurance policy.

The new state law provides a remedy for people in such a situation without taking on the highly controversial area of no-fault law.

The law prohibits insurance companies from increasing a policyholder's premium if the person is involved in an accident while a passenger in a bus, taxi, or commuter van.

According to Farrell, his constituent did not see an increase in auto insurance rates after the incident on the city bus, but the law will prevent anyone else in similar circumstances from seeing a rate hike.

**HF1045\*/SF759/CH64**

## Direct OB/GYN access

A new state law will forbid health insurers from requiring women to receive a referral in order to see an obstetrician or a gynecologist.



The law, effective Jan. 1, 1998, will require that insurance companies and health maintenance organizations allow female enrollees direct access to obstetricians and gynecologists.

Under the law, women will be allowed to schedule an appointment with either health professional without prior approval from the insurer or a referral from a "gatekeeper" primary care physician.

The law will require direct access for annual examinations, any subsequent treatment deemed necessary by the specialist, maternity care, and treatment of acute or emergency conditions.

Health plans also will be barred from charging women extra for direct access.

The legislation was sponsored by Rep. Mary Murphy (DFL-Hermantown) and Sen. Deanna Wiener (DFL-Eagan).

**HF447\*/SF398/CH26**

## Managing diabetes



Health plans will be required to provide coverage for training and education to assist diabetics in managing their disease, under a new state law effective Aug. 1.

The law will expand a 1994 law requiring medical insurance companies and health maintenance organizations to provide coverage for syringes, blood-testing devices, and other equipment diabetics need.

The law is to ensure that diabetics are properly trained to use the medical equipment and to monitor their own condition. The law also will require medical nutrition therapy to be included in health coverage.

The measure was sponsored by Rep. Tom Pugh (DFL-South St. Paul) and Sen. Steve Novak (DFL-New Brighton).

**HF653/SF495\*/CH57**

If you will be visiting the Capitol in the near future, call the Capitol Historic Site Program at (612) 296-2881 to schedule a tour.



## LABOR

### Strawberry fields



A resolution calling for better treatment of California strawberry workers has been signed by the governor.

Strawberry workers, represented by the United Farm Workers Union, are conducting a national campaign to call attention to their plight. The typical strawberry worker earns about \$8,500 per season for working as many as 12 hours a day.

Despite record production levels and sales revenue of \$650 million per year in the strawberry industry, most workers have not had a significant raise in 10 years.

According to the resolution, workers also claim a variety of workplace abuses including: demand for sexual favors in exchange for employment; hiring and firing on whim; lack of fresh water and clean toilet facilities; and lack of health care in an occupation that exposes them to hazardous pesticides and chronic back injuries.

Strawberry workers who have struggled to change these practices and organize a union have faced firing and blacklisting. Workers who have voted for union representation have seen the fields they work plowed under.

The resolution, which will be transmitted to President Bill Clinton and to the governor of California, puts the state on record along with a number of other states, consumer groups, environmental organizations, churches, labor organizations, and others in support of the strawberry workers cause.

Rep. Richard Jefferson (DFL-Mpls) and Sen. Steve Novak (DFL-New Brighton) sponsored the resolution.

**HF1877/SF1675\*/Res. 3**

### Human rights loopholes



Effective Aug. 1, 1997, a new law will add "individuals" to the list of those prohibited from engaging in acts of reprisal against someone who files a discrimination complaint.

Under current law, individuals are prohibited from engaging in reprisals only if they are employees. If they quit or are fired, they are free to perpetrate reprisals against those who complained against them.

In testimony before the House Labor-Management Relations Committee earlier

this year, Ken Nicolai of the Department of Human Services explained the problem. "A student attending one of Minnesota's colleges . . . filed a sexual harassment complaint against a professor who was subsequently fired by the college. He then took several actions against her, including filing a lawsuit. We found it constituted reprisal, but that we had no jurisdiction over such individuals."

The bill was sponsored by Rep. Luanne Koskinen (DFL-Coon Rapids) in the House and by Sen. David L. Knutson (R-Burnsville) in the Senate.

**HF814/SF323\*/CH171**



## LAW

### Omnibus data practices bill

On May 19, the House passed the omnibus data practices conference committee report. The vote was 84-49.

New language added by conferees would enable juvenile justice officers to obtain information about students from schools. That information would include the student's name, address, telephone number, birth date, school schedule, attendance record, photographs, and parents' names, addresses, and telephone numbers. (Sec. 3, Subd. 8)

Under another provision added in conference committee, homeowners in Washington and Ramsey counties would have to be asked before a governmental agency could sell their names to commercial interests. Property owners could request that their names and addresses be excluded. (Sec. 29)

This year's omnibus bill (**HF1460\*/SF1277**) primarily affects three areas of law: access to and dissemination of records by law enforcement agencies, the treatment of student records, and the treatment of juvenile offender records.

**HF1460\*/SF1277** was sponsored in the House by Rep. Mary Jo McGuire (DFL-Falcon Heights), chair of the Judiciary Committee's Data Practices Subcommittee, and in the Senate by Sen. Don Betzold (DFL-Fridley). It now awaits the governor's approval.

#### Access by law enforcement

The bill would make it easier for law enforcement agencies to collect data on fugitives from the law if a fugitive happens to be collecting welfare benefits.

The bill says that certain welfare and housing data may be disclosed to law enforce-

ment officers regarding felons who are fleeing to avoid prosecution, custody or confinement, or are violating a condition of probation or parole. (Sec. 5, Subd. 2)

The bill also requires that the Bureau of Criminal Apprehension (BCA), in conjunction with a criminal and juvenile justice information policy group, report to the Legislature with a plan to make conviction records data available at locations beyond the BCA's central office. The report is due in January 1998. (The original House bill would have required the BCA to put certain criminal history data on the Internet, including a convicted criminal's identity and offense record, which already are considered public.) The BCA is currently required to provide that information at no charge through a computer monitor at its central office. (Sec. 52)

#### Student health records

Current law requires elementary and secondary schools to maintain student health records — mostly immunizations — forever. The bill would make schools keep those records until a student turns 23. (Sec. 5, Subd. 2)

The bill also would loosen provisions regarding required tetanus and diphtheria (DPT) immunizations. A student who has received three doses, with the last received between the ages of 6 and 11, is not required to have additional immunizations for another 10 years. The law currently requires that students in older grades must have had an immunization at 11 years of age or older. (Sec. 23, Subd. 10)

A third provision regarding student records would make it clear that school districts or school boards have the authority to enforce immunization requirements. Current law specifies that students must submit those records within 30 days after enrolling in a new school, but does not say who has enforcement authority. The bill also would exempt crisis nurseries from the immunization requirements for up to five consecutive days of attendance. (Sec. 21, Subd. 5)

#### Juvenile records

The bill would help the BCA collect some information on juveniles and authorize the agency to disclose other information.

The computerized information the bureau currently keeps on juvenile criminal histories is considered private. Some of it can, however, be disclosed to other law enforcement agencies and the court system. Under the bill, that information also could be disclosed to agencies in other states. It also would clarify that the information

released for background checks must pertain to the juvenile's adjudication — or court — history. (Sec. 47, Subd. 1)

The bill also would require the BCA to keep juvenile records "for the longest time period applicable to any item in the individual juvenile history record." That could mean permanently if the juvenile goes on to commit crimes as an adult.

Conversely, the bill would require that the records be disposed of quickly should the charges fail to stick. The bill provides that in the case of a dismissal of charges, the records would be immediately destroyed. If the juvenile is not referred to a diversion program or no petition has been filed within six months after the arrest, the files must be destroyed.

If the juvenile is referred to a diversion program — an alternative to jail, after which the record is cleared — the files are destroyed after he or she reaches age 21. If the juvenile is found guilty of a gross misdemeanor or felony, the files are maintained until the juvenile reaches age 28. The bill says that an agency that receives juvenile data from the BCA must destroy it according to the same schedule. (Sec. 47, Subd. 2)

Other juvenile data provisions would require other law enforcement agencies to provide the BCA with records on juveniles who commit gross misdemeanors or felonies. Targeted misdemeanors include DWI and order for protection violations; fifth-degree assaults; interference with privacy; harassment or restraining order violations; and indecent exposure. (Sec. 48, Subd. 1)

The bill also would require the BCA to give any other relevant information — not necessarily included in the official juvenile records — to police departments to help in investigations. (Sec. 49)

Finally, the bill would provide the public defender's office with electronic access to public criminal and juvenile justice data. (Sec. 51)

#### Other provisions

The bill also would allow some health care professionals to use addresses other than their home address for public purposes. Advocates for the provision say it is necessary for security reasons. (Sec. 4, Subd. 2)

Other bill provisions deal with tax law. For instance, the Internal Revenue Service (IRS) could disclose to the state lottery the amount of a winner's delinquent state taxes if the individual won \$600 or more. Currently, the IRS is not notified unless someone wins at least \$1,000. (Sec. 41, Subd. 7)

## Chilling public participation

The House passed a bill May 16 that would protect citizens from lawsuits intended to keep them from exercising their free speech rights. The vote was 124-7.

They're called SLAPP suits, for strategic litigation against public participation. A few years ago, it came to the attention of courts and lawmakers that some parties — usually commercial interests — were using the courts to effectively deny others — usually private citizens or citizen groups — their right to free speech.

In such a scenario, a developer proposing to build a garbage dump encounters protests from local citizens. He sues them, possibly for defamation.

The suit will very likely fail in court, but bill supporters say the threat of the lawsuit can have a chilling effect on public participation.

In 1994, the Legislature passed a law to protect against SLAPP suits, requiring developers or others filing the legal action to prove that they had been harmed by the person or people whose words or actions were at issue. If developers could not, such a lawsuit was to be dismissed.

But some have avoided the law by suing in federal rather than state court.

**HF642/SF848\*** addresses that problem by allowing an action for damages and attorney fees in state court against someone who sues an individual in federal court in a SLAPP suit. The bill says: "If the person demonstrates that the respondent's action in federal court was brought for the purpose of harassment, to inhibit the person's public participation, to interfere with the person's exercise of protected constitutional rights . . . the court shall award damages," in addition to attorney's fees.

**HF642/SF848\***, sponsored in the House by Rep. Wes Skoglund (DFL-Mpls), has passed the Senate and now heads to the governor's desk.

## Inmate lawsuits



A new law will clarify when a prisoner may appeal a ruling that a lawsuit was frivolous or malicious.

Some prisoners, after having a lawsuit thrown out in court, have attempted to have the case "retried" through corrections department processes, according to Rep. Tom Pugh (DFL-South St. Paul), the bill's House sponsor. Effective Aug. 1, the new law states that inmates do not have

a right to an additional hearing within the correctional facility's disciplinary system regarding such a finding, and that the corrections department must uphold the court's ruling.

Existing law provides penalties for filing the suits. Once the court has judged that an inmate's suit lacks merit, corrections officials may determine and impose a penalty, which may mean the loss of privileges, segregation, loss of credit for good behavior, or additional confinement. The bill states that the officials must limit punishment to that specified in the law and are "limited to the nature and extent of the infraction penalty to be imposed."

The law's Senate sponsor is Sen. Jane Krentz (DFL-May Township).

**HF909/SF305\*/CH33**



## LOCAL GOVERNMENT

### Saving Roseville tax dollars



A new law will save the city of Roseville some of its citizens' hard-earned tax dollars. It was signed by Gov. Arne Carlson April 23.

For a variety of reasons, cities, townships, and counties must publish legal notices in local newspapers. The advertisements serve as public notice for land sales,

class action lawsuits, and other government actions.

Under current law, local governments can publish such notices only in newspapers whose primary offices are within their jurisdiction.

But that limitation can cost local governments more than necessary when nearby newspapers charge substantially less for ad space.

Sponsored in the House by Rep. Mindy Greiling (DFL-Roseville), the law will allow the city of Roseville and Independent School District No. 623 to officially designate any newspaper with at least 25 percent of its circulation within the Roseville city limits or within the boundaries of the school district.

A letter from the Roseville City Council to the House Local Government and Metropolitan Affairs Committee detailed the problem that city has faced.

"The council designated the *Roseville Review* as the official newspaper for 1996, based on substantially lower cost." But the letter of the law required the city to select the *Roseville Focus*, based on the paper's office location. The restriction caused Roseville to pay approximately 75 percent more, an additional \$4,500, for legal notices in 1996.

Originally, the proposal was drafted to save all local governments in Minnesota money in publishing legal notices. It was restricted to the city of Roseville by an amendment in the Senate.

According to Greiling, the Minnesota Newspaper Association feared that the law might be used by some local officials to retaliate against newspapers that disagreed with their governmental actions.

Another Senate amendment protects local officials if errors occur in the publication of public notices.

The law takes effect upon approval of the Roseville City Council.

Sen. John Marty (DFL-Roseville) sponsored the bill in the Senate.

**HF356\*/SF284/CH56**



## MILITARY

### Enlist and enroll

A new law effective Aug. 1, 1997, will increase the maximum amount of a Minnesota National Guard member's educational grant.

Under the law, sponsored in the House by Rep. Loren Jennings (DFL-Harris), up to 50 percent of tuition and textbook costs at any Minnesota public institution of higher

## Officer memorial



Minnesota law-enforcement officers who have died in the line of duty were honored at a candlelight service on the State Capitol grounds May 15. Dakota County Deputy Sheriff Barak Bjorge and his son, William, 3, remember Bjorge's co-worker, Luther Klug, who was killed last July.

education will be covered. For programs outside of Minnesota, the grants would pay for the equivalent of half the cost of a comparable program at the University of Minnesota.

Currently, the tuition grant program covers the equivalent of up to 75 percent of the cost of undergraduate programs at the University of Minnesota or the same amount at another school. But because graduate programs often cost considerably more, the guard was having trouble enrolling members in programs such as medical school. Proponents have said that the change is necessary to keep the guard attractive to potential recruits.

The national guard can target specific programs and students for grant aid. The change will not cost the guard any additional funds.

Sen. Dean Johnson (R-Willmar) sponsored the Senate proposal.

**HF397/SF4\*/CH160**



## OUTSTATE

### Flood aid



A new state law, effective May 7, 1997, provides \$21 million in relief for victims of the flooding throughout Minnesota, but most lawmakers agree the state eventually will have to do more.

The law will draw funds from the state's \$522 million budget reserve for flood relief and will temporarily lift some bureaucratic regulations to ease relief efforts. Gov. Arne Carlson signed the measure May 6.

Under the law, \$20 million goes to the Department of Public Safety for distribution to counties, cities, and towns affected by the flood. The money can be used for costs associated with flooding, including their use as matching funds to receive federal emergency relief aid.

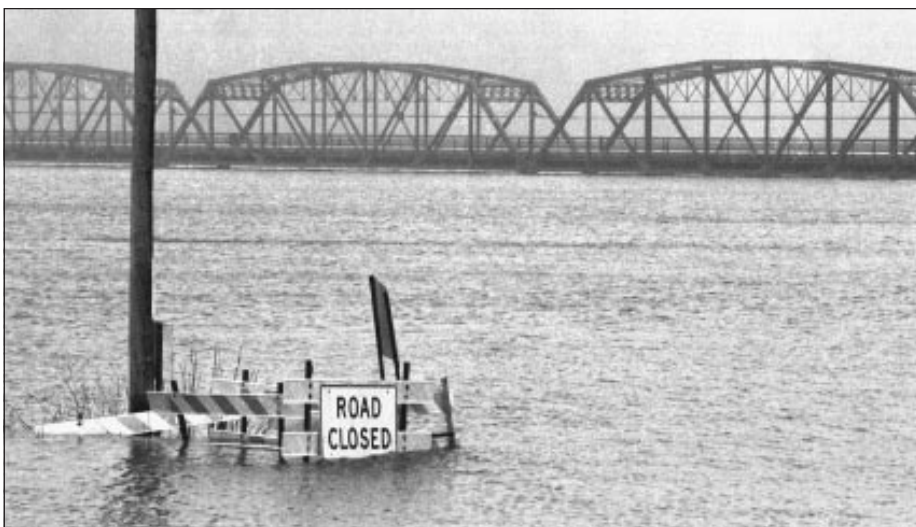
Another \$1 million is earmarked to help state agencies deal with expenses related to flood relief efforts.

A variety of state agency rules and fees will be waived to speed flood relief efforts. The bill also will provide an adjustment in state aid to help school districts affected by the flood.

It's still unclear what the total price tag will be to clean up and repair the many homes, businesses, and schools damaged by the disastrous flooding this spring along the Minnesota and Red rivers.

Rep. Doug Peterson (DFL-Madison) and Senate Majority Leader Roger Moe (DFL-Erskine) sponsored the \$21 million flood relief measure in the Legislature.

**HF2129/SF1894\*/CH105**



A new state law provides \$21 million in relief for victims of Minnesota's spring floods, but the loss column is still being calculated and lawmakers agree the state eventually will have to do more.



## SPORTS

### Snowmobile safety

Lawmakers approved several new snowmobile safety measures after a winter season that brought a startling death toll from snowmobile accidents.

Bills awaiting Gov. Arne Carlson's signature aim to expand safety training requirements, improve enforcement of snowmobile laws, and crack down on drunken snowmobilers. Thirty-two people were killed in snowmobile accidents, the most since 1972.

Earlier this month, the House approved a bill (**HF551/SF94\***) that provided a neatly packaged formula for snowmobile safety changes, but the bill was not taken up in the Senate.

However, many of the bill's provisions were included in other larger bills and were passed.

Omnibus measures related to game and fish (**HF313/SF254\***), environment finance (**HF2150\*/SF1907**), and DWI (**HF1004/SF985\***) all include snowmobile safety provisions. All three have been sent to the governor and await his signature or veto.

Two controversial snowmobile safety proposals debated this session did not make the cut.

The snowmobile safety bill earlier approved by the House included provisions that would have required snowmobile owners to buy liability insurance and reduced the nighttime speed limit for snowmobiles. But neither of the provisions was attached to another legislative vehicle.

Under the environment finance bill, the snowmobile registration fee would be in-

creased by \$15, pushing the total charge to \$45 for three years. Increased revenue generated by the fee increases will help pay for improvements to an overburdened and out-of-date trail system.

The bill also would require out-of-state snowmobilers to pay \$15 for a permit to operate their machines on state trails or grant-in-aid trails maintained by local clubs.

A total of \$800,000 would be provided during the 1998-99 biennium for grants to assist local law enforcement agencies implement new snowmobile enforcement efforts, under the bill.

The bill also would expand snowmobile safety training requirements to include all snowmobile operators 25 and under by 2002.

Safety training also would be required of any operator convicted of careless or reckless operation of a snowmobile and those who violate snowmobile speed limits twice within one season.

The game and fish bill would require that snowmobiles be registered in the legal name of the owner and registration numbers must be clearly visible on the vehicle.

In the past, owners have been allowed to register under nicknames and use fancy lettering for their registration numbers. Such practices sometimes made it difficult for enforcement personnel to identify a snowmobile's owner.

The bill also would require snowmobilers under 18 to wear helmets. And the measure would allow for an indicator to be placed on the driver's license or state identification card of any individual who completes a snowmobile safety training program.

Under the omnibus DWI measure, snowmobilers would be subject to the same DWI laws for repeat offenders that apply to automobile drivers.



Bills awaiting Gov. Arne Carlson's signature aim to expand safety training requirements, improve enforcement of snowmobile laws, and crack down on drunken snowmobilers. Thirty-two people were killed in snowmobile accidents, the most since 1972.

Individuals convicted of a first offense for operating a snowmobile while intoxicated would be prohibited from operating a snowmobile for one year.

The penalties for repeat offenders would include driver's license suspension, mandatory alcohol assessment, extended probation and monitoring, vehicle forfeiture for certain repeat offenses, and the civil and criminal penalties for refusing to take a blood-alcohol test.



## TAXES

### Omnibus tax bill

For many members of the 80th Legislature, reforming the state's property tax system topped the year's political agenda. On May 19, the House passed a bill that, in the words of some members, may not contain all the elements of reform, but certainly provides a measure of relief.

"This bill doesn't achieve final reform — and given the resources allotted toward that this year, it wasn't possible," said Rep. Dee Long (DFL-Mpls), who chaired the House Taxes Committee. "It doesn't accomplish all the goals, but it puts us on the road."

**HF2163**, which passed May 19 on a 127-6 vote, also contains revisions to the state's sales and income tax codes and changes to the Tax Increment Financing (TIF) mechanism, along with dozens of other tax provisions.

The bill awaits Gov. Arne Carlson's signature.

#### Property tax reform, relief

Under **HF2163**, most Minnesota taxpayers would receive a rebate of some sort, based on the amount of property taxes they

paid in 1997. The rebate, which would itself be taxable, could be taken as a credit against taxes owed for 1998 or refunded directly to the taxpayer.

Homeowners would get back 20 percent of their 1997 property tax paid, while renters would receive 18 percent of that portion of their rent that constituted property tax payments. There is no cap on the rebate amount. (Art. 1, Sec. 16)

**HF2163** would cut the rates for many of the property tax categories, with commercial/industrial properties enjoying some of the largest reductions. Beginning with taxes payable in 1998, the rate at which the first tier of the commercial property classification is taxed would fall from 3 percent to 2.7 percent. The upper tier would be set at 4 percent, down from 4.6 percent. (Art. 1, Secs. 6-9)

The bill also would compress the rate structure — that is, spread the levies more evenly

across the existing classes. For example, the value of properties that qualify for the first tier of the residential homestead classification would increase to \$75,000 from \$72,000, while the first-tier value of commercial/industrial properties would expand to \$150,000 from \$100,000. (Art. 1, Secs. 6-9)

The levy charged on market-rate apartments also would fall, from 3.4 percent to 2.9 percent. (Art. 1, Sec. 8)

Low-income housing would be treated as a single classification and become subject to new guidelines. In exchange, the properties would be taxed at a rate of 1 percent. (Art. 1, Sec. 8)

To qualify for the reduced rate, the unit would have to be certified by the Minnesota Housing Finance Agency as meeting minimum housing standards and occupied by individuals who meet income guidelines. Moreover, the unit would be subject to a five-year rent restriction and, in the metropolitan area, at least 20 percent of the apartments would have to be made available to families that qualify for Section 8 certificates, the federal government's rent subsidy program. (Art. 1, Sec. 4)

The bill, which would reduce the General Education Levy and increase the state's share of education funding from 60 to 65 percent of the total, also would allow taxpayers an education homestead credit. This credit, equal to roughly 32 percent of the property's general education tax, could not exceed \$225. (Art. 1, Sec. 12)

Wind energy conversion systems used to generate electrical power also would become subject to increased property tax levies. While small-scale systems (those that generate less than two megawatts of electricity) built after Jan. 1, 1991, would be exempt, all other wind



An omnibus tax bill, awaiting the governor's signature, does little to reform the property tax system in Minnesota, but it does promise property owners a one-time, 20 percent tax rebate.

power stations would be taxed at higher levels. (Art. 2, Sec. 7)

#### Senior citizen deferrals

Taxpayers over the age of 65 could defer a portion of their property tax burden if they've lived in their homes for more than 15 years and their total annual household income does not exceed \$30,000.

A senior citizen could defer up to 5 percent of the total household income, not to exceed an aggregate value of 75 percent of the property's worth. In exchange, the county treasurer would issue a lien against the property, payable when the house is sold, the owner dies or discontinues the deferment, or the property no longer qualifies as a home-  
stead.

The provision is aimed at preventing senior citizens who live on fixed incomes from being priced out of their homes by rising property values and taxes. (Art. 14)

#### The budget reserve

The state's budget surplus is estimated at \$2.3 billion and **HF2163** would use some of that money to accomplish the changes to the property tax code. The bill establishes a Property Tax Reform Account of \$46 million specifically for that purpose and appropriates another \$46 million for the account in 2000. (Art. 9, Sec. 2)

The bill also mandates a budget reserve of \$522 million, effective July 1, 1997. (Art. 9, Sec. 5)

#### Levy limits and tax truth

**HF2163** also would impose levy limits on communities. The commissioner of the Department of Revenue would determine a levy limit base for each municipality, using 1997 figures weighted for inflation and population increases. Property taxes within a given community would then be limited to that base figure, minus the amount of general purpose aids provided by the state.

Some exceptions do exist, though. Communities could administer new levies that had been approved by referendum or to cope with floods or other natural disasters. Levies to meet fund-matching requirements associated with federal or state programs also are excepted. (Art. 3, Secs. 1-9)

The bill also defines changes to the state's Truth-in-Taxation laws. School districts would be required to certify to county auditors their proposed levies and break them down into three components: the state-determined amount, the voter-approved levies and any remaining sum. This breakdown would, in turn, be clearly itemized on the

property tax notices sent to taxpayers. (Art. 4, Sec. 1)

Communities would also have to provide more specific budget information in newspaper advertisements pertaining to public hearings of property tax matters. Currently, the ads merely state the time and place of the hearing. (Art. 4, Sec. 5)

#### Income tax provisions

**HF2163** contains a number of changes to the state's income tax code, providing several new income tax credits to Minnesota taxpayers.

The bill would provide a tax credit for insurance premiums related to long-term care coverage, if the policy provided a minimum of \$100,000 worth of benefits and included the inflation protection specified by federal law. Taxpayers could take 25 percent of their premiums not deducted for federal tax purposes as a credit, up to \$100 per individual.

The credit would become effective for taxes payable in 1999. (Art. 5, Sec. 7)

**HF2163** also would create a job-training tax credit that could be taken against the corporate franchise tax. Employers of people who have graduated from an approved training program could receive a credit — up to \$20,000 per employee — for each trainee hired. The credit would essentially reimburse the company for fees paid to the training program.

The credit is aimed at moving people into the workforce by allowing charitable organizations to train low-income, underskilled, individuals who might otherwise fall through society's safety net. (Art. 5, Sec. 8)

Programs would have to be certified by the commissioner of the Department of Children, Families and Learning, and provide education in basic skills, thinking skills, and personal qualities. The program would have to spend at least \$5,000 per student and last for at least six months. Upon graduation, the jobs in which trainees are placed would have to pay at least \$9 per hour during the first year, and \$10 per hour thereafter.

The state would provide up to \$1.2 million in job-training credits over the next five years. (Art. 5, Sec. 8)

The bill also imposes new regulations on third-party bulk income-tax filers, such as payroll services, and calls for a handful of new taxation studies; most notably on business and telecommunications taxes. (Art. 5, Secs. 10,18)

#### Sales tax changes

The bill includes an array of sales-tax exemptions.

Currently, the state draws a distinction between capital equipment, which is already exempt from sales tax, and replacement capital equipment, which is subject to a declining rate that is administered through a refund mechanism.

**HF2163** would eliminate this distinction and the refund process, exempting all capital equipment at the time of purchase, effective June 30, 1998. The revenue department estimates this move would cost the state more than \$76 million in the coming biennium. (Art. 7, Sec. 8)

"Inputs" used for taxable services, such as laundry, dry cleaning, building maintenance, telephone and cable television, and country



The omnibus tax bill would permanently exempt the purchases of used farm machinery from the state sales tax.

club dues also would be exempted from the sales tax. Thus, the chemicals used in dry cleaning or building maintenance, for example, would become tax-free. (Art. 7, Sec. 19)

The bill would extend the sales tax to certain items that are now tax-free. For instance, unheated, ready-to-eat food, such as sandwiches and salads sold at supermarkets, would become taxable, as would pre-paid telephone cards. (Art. 7, Sec. 4)

#### Tax Increment Financing

Many communities have come to rely on Tax Increment Financing (TIF) districts to create economic development.

Using TIF, a local government would create a specific district in which property tax values are frozen. As a developer proceeds with a project, the increase in property value over the frozen amount, known as the increment, would be diverted from the normal revenue stream (education finance, local services, etc.) to finance the economic development.

A recent report by the Office of the Legislative Auditor determined that, in many cases, communities have incorrectly applied the state's existing TIF dollars. As a result, **HF2163** contains new provisions designed to crack down on the abuses of TIF throughout the state.

Although the TIF provisions in the final version of **HF2163** aren't as strong as they were in previous incarnations, the bill would require development authorities to conduct physical, on-site inspections of properties being considered for TIF action. In addition, the bill imposes a number of restrictions on the uses to which TIF money can be put, and adopts explicit definitions aimed at tightening the use of TIF district creation. (Art. 10, Secs. 1-10)

#### Mandates on local governments

**HF2163** also regulates the imposition of state mandates on local governments. The bill would require the Department of Finance to report to the Legislative Coordinating Commission on the financial impact of new rules on local governments.

Moreover, legislative staff would have to prepare fiscal notes detailing the impact on local governments of bills introduced in the Legislature. The notes must accompany any bill that would impose a new mandate. This provision would require detailed explanations of how and why a mandate was being imposed. (Art. 11, Secs. 1-6)

#### Regional development commissions

Reining in urban sprawl has become a priority for many legislators. If **HF2163** becomes law, the bill would allow local governments to establish regional development commissions aimed at fostering cooperative growth policies.

The commissions, with members chosen by the governor or his designee, would review and comment on local development plans. Each year, the commission would be required to produce a report on its activities. (Art. 12, Sec. 7, 21)

#### Taxing minerals

The body of tax law surrounding Minnesota's bountiful mineral resources also would change under **HF2163**.

For example, high-yield ore would be subject to an additional tax of 3 cents per ton, beginning in 1997, for each percentage point by which the ore exceeds 72 percent iron. (Art. 8, Sec. 7)

The bill also reduces the taconite development fund from 20.4 cents per ton to 15.4 cents per ton for 1998 and 1999. (Art. 8, Sec. 8)

#### Taxing trash

**HF2163** would impose the solid waste management tax on residential generators and political subdivisions that provide solid waste management services to residential generators. Vendors would collect the 9.75 percent tax when they sell the bags or stickers used in waste collection. (Art. 13, Sec. 7)

Commercial generators would be taxed at 17 percent of the price of their waste management services. (Art. 13, Sec. 8)

Solid-waste fees imposed by local governments, though, would be exempt from the tax, as would a variety of materials, including waste generated outside Minnesota and some recycled waste. (Art. 13, Sec. 11)

Part of the tax revenue — \$22 million or 50 percent, whichever is greater — would be deposited into the state's solid waste fund. The remainder would be directed into the general fund. (Art. 13, Sec. 18)

#### Other provisions

The bill also contains a number of miscellaneous measures, many of which would allow specific local governments to enact particular taxes within their jurisdictions. Hennepin County, for example, would impose a deed and mortgage tax, as would Ramsey County, and cigarette retailers could pass on manufacturers' discounts as lower prices under the Unfair Cigarette Sales Tax. (Art. 16)

Local government associations also would

have to disclose the amount of money they spend hiring state government lobbyists. (Art. 16, Sec. 1)

**HF2163** also updates the state's tax code with respect to changes in the federal system. (Art. 6)



## TECHNOLOGY

### Electronic signatures



A new law brings Minnesota businesses one step closer to the digital age, and gives electronic signatures the full force of legal protection.

The Minnesota Electronic Authentication Act allows for the full authentication of documents transmitted between computers. The process relies on a set of two cryptographic key codes built around one-of-a-kind mathematical formulas known as algorithms. One key, held privately by the user, encodes documents with a digital signature; the other is held in trust by a public certification authority and used by recipients to verify an encoded document's integrity.

The law defines the rules of the digital authentication system and mandates that the secretary of state set up a transitional public certification authority until private sector firms, which would be licensed and regulated by the secretary's office, can step in and take over the verification process. It also spells out the range of liability assumed by the system's subscribers and provides penalties for acts of fraud.

Perhaps most importantly, House sponsor Rep. Phyllis Kahn (DFL-Mpls) has said, the entire electronic signature system would remain voluntary. Businesses would not be required to participate. Moreover, the state would not assume any financial burden because the cost of doing business would be assumed by the private sector firms — who could set whatever price the market could bear — when they take over as certification authorities.

Kahn estimated that July 1998 would be the earliest the system could go on-line. The law calls for the Office of the Secretary of State to adopt rules, effective July 12, 1998, to implement the law.

Sen. Steve Kelley (DFL-Hopkins) sponsored the Senate proposal.

**HF56/SF173\*/CH178**



## TRANSPORTATION

### Transportation bill signed



Signed  
by the  
governor

Gov. Arne Carlson signed the omnibus transportation finance bill into law May 16. The new law appropriates \$3 billion in state dollars for roads, bridges, transit, aviation, and public safety.

Sen. Jane Ranum (DFL-North Branch) and Rep. Bernie Lieder (DFL-Crookston) sponsored the bill.

#### Transit

The Metropolitan Council, which runs the metropolitan area's public transportation system, will receive \$100.7 million. Of that money, \$2 million will go to help people leaving welfare obtain work-related transportation, and \$34.6 million will go to Metro Mobility, which provides rides to approximately 25,000 metropolitan-area people with disabilities.

The council is also prohibited from raising fares for regular bus service during the 1998-1999 biennium. (Art. 1, Sec. 3)

A total of \$27 million will go to assist transit programs in Greater Minnesota. An additional \$925,000 is appropriated to help economically disadvantaged people outside the Twin Cities metropolitan area with work-related transportation. (Art. 1, Sec. 1)

#### Road and bridge construction

State road construction projects will receive \$1.6 billion for the next two years. Local roads will get \$841.6 million in state aid. (Art. 1, Sec. 2)

#### Public safety

The new law calls for \$102.9 million in spending for the Minnesota State Patrol. (The governor refused to enact a speed limit increase called for by lawmakers in 1996 because funding for new troopers was missing.)

Also included is \$2.1 million for computer-aided dispatching and records management, and \$1.7 million to install video cameras in state patrol vehicles.

Another \$69.5 million goes to the department's Driver and Vehicle Services Division over the next biennium. Also, \$2.6 million goes to the Department of Public Safety and the Minnesota Safety Council for various public safety programs. (Art. 1, Sec. 4)

#### Aviation

The law appropriates \$36.3 million for air

transportation programs, including \$26 million for airport development and assistance. Other funds support the Civil Air Patrol and provide general support for aviation in the state. (Art. 1, Sec. 2)

#### Railroads and waterways

A total of \$3.9 million will go to fund rail and water transportation. This includes a \$1 million study to look at using existing freight railroad corridors for a commuter rail service in the metropolitan area. (Art. 1, Sec. 2)

#### Communications system

A total of \$9.9 million over the biennium will be used to pay for equipment and personnel to build a digital radio communications system that eventually will link all metro area public safety personnel.

In 1996, the state made a \$15 million bonding commitment to such a system using radio channels in the 800 megahertz range. (The Metropolitan Council also was given \$13 million in bonding authority for the project.) The channels can be "trunked," or connected, so that several police, ambulance, or fire personnel could talk simultaneously across a number of channels.

Currently, individual police departments, for example, communicate on separate radio bands, which sometimes creates problems when different departments need to talk to one another. (Art. 1, Sec. 2)

#### Traveling to work

A total of \$2.9 million in grant funds recognizes the increasing number of those moving from welfare to work as a result of new state and federal legislation.

Exactly \$2 million will go to organizations in the metro area and \$925,000 to those in Greater Minnesota who will also seek federal or private dollars to transport economically disadvantaged people to jobs and employment-related activities, including child care.

The state funds could be used to subsidize worker bus fares, enhance public transportation service, or provide transportation for workers. (Art. 1, Secs. 2-3)

#### City bus to school

The Metropolitan Council, in conjunction with the Minneapolis and St. Paul school boards, will develop a plan to use public buses to carry school kids to and from school (at no cost to the student). An advisory council composed of government, school and union officials, parents and students will also assist in formulating the plan, which will be submitted to the Legislature by Jan. 30, 1998. The plan should accommodate at

least 75 percent of students in the two districts who are in grades 9-12 and be ready for the 1998-1999 school year, and in subsequent years for those in grades seven and eight as well. (Art. 1, Sec. 3)

**HF1881\*/SF none/CH159**

### Title transfers



Signed  
by the  
governor

Car buyers who fail to promptly transfer the title on the vehicle will face new penalties under a new state law.

Some car buyers do not transfer the title on a vehicle for a variety of reasons, according to House sponsor Rep. Ron Erhardt (R-Edina). For example, the buyer may not want to pay for insurance or may not have a driver's license. (State law requires proof of insurance and a valid driver's license in order to obtain a title.)

To get around the law, some illegal drivers buy cheap used cars with plenty of time left on the tabs and do not follow title transfer requirements.

When a title is not transferred, problems can arise for car sellers, who may be held liable for parking tickets or other infractions occurring after the vehicle has been sold.

Under existing law, it is a misdemeanor for a buyer to fail to apply for a title transfer within 14 days of acquiring a vehicle. The new law, effective Aug. 1, will give buyers just 10 days to apply for a title transfer and pay the necessary fees.

The Department of Public Safety will be able to suspend the registration on the vehicle if the buyer does not transfer the title within 10 days of the sale, under the law.

If the vehicle registration is suspended, the buyer will have to pay an additional \$5 reinstatement fee in addition to the normal title transfer charges. If after 14 days the buyer still has not transferred the title, an additional \$2 late fee will be applied.

Also, law enforcement officers will be able to impound a vehicle if the registration has been suspended because the buyer failed to transfer the title.

Sen. Claire Robling (R-Prior Lake) sponsored the Senate proposal.

**HF609/SF1404\*/CH135**

Send e-mail comments  
regarding Session Weekly to:  
[session@house.leg.state.mn.us](mailto:session@house.leg.state.mn.us)

We thank you for your input.

The editors

## Regulating brokers



Minnesota will regulate automobile brokers under legislation signed by Gov. Arne Carlson.

Under the law, carried in the House by Rep. Matt Entenza (DFL-St. Paul), brokers will be considered motor vehicle dealers who must be licensed by the state. Wholesalers, auctioneers, scrap metal processors and salvage lots, along with new- or used-car sales companies, already are considered motor vehicle dealers.

A broker, as defined by the law, is anyone who arranges the sale or lease of a motor vehicle and collects a fee for the service.

To obtain a license, brokers must maintain a commercial space, either owned outright or leased for at least one year, dedicated to operating the brokerage. The broker also must observe "conspicuously posted" business hours and have either personnel or an answering service on hand to field consumer questions.

The law also imposes a handful of new requirements on brokers, in addition to the license procedure. For example, brokers can negotiate sale or lease prices, but may not represent themselves as the seller of the vehicle, and the broker may not accept a down payment of more than \$500. Brokers also are prohibited from the actual business of motor vehicle sales, including executing contracts, describing warranties or safety features, and performing any pre-sale preparations to the vehicle that would normally be the domain of a dealer.

The law, which becomes effective Aug. 1, 1997, also outlines penalties brokers may be subject to if they violate any of its licensing or sales provisions.

Sen. Linda Scheid (DFL-Brooklyn Park) sponsored the Senate proposal.

**HF890/SF890\*/CH92**

## Selling abandoned vehicles



Minneapolis and St. Paul police will be required to hold impounded vehicles for only 15 days before putting them on the auction block under a new state law.

Signed May 6 by Gov. Arne Carlson, the law will address a problem that leaves Minneapolis and St. Paul impound lots overflowing with cars abandoned by their owners.

Current state law requires a 45-day wait before an impounded vehicle can be sold. The new law will exempt Minneapolis and

St. Paul from that law and set a 15-day limit for those cities.

The law requires local approval by the city councils in Minneapolis and St. Paul before it takes effect.

Supporters of the new measure said current law causes real problems in the cities, especially during winter months. A winter that brings heavy snowfall leads to a lot of parking violations and a lot of cars being towed from city streets to the impound lot.

In St. Paul, where the city impound lot holds 750 vehicles, space in the lot can run out quickly, according to St. Paul Police Deputy Chief Ted Brown.

Most people pay the fine and pick up their cars from the impound lot within a few days, but others would rather lose their vehicles than pay up, according to Brown. As a result, vehicles that — in effect — are abandoned must be allowed to take up valuable lot space for 45 days before they can be sold off.

Rep. Jim Farrell (DFL-St. Paul) and Sen. Randy Kelly (DFL-St. Paul) sponsored the measure.

**HF342/SF166\*/CH108**

## Young drivers



A new law will ensure that 15-year-olds are allowed restricted driver's licenses to help out on the family farm.

The measure, effective April 24, 1997, provides an exception to a previous law requiring anyone under age 18 to hold a learner's permit for at least six months before becoming eligible for a driver's license.

The 1996 Legislature passed the new learner's permit requirements, which took effect Feb. 1, 1997, with hopes that the law would give teenagers more driving experience before they can hit the road on their own.

But the law had an unintended side effect, according to House sponsor Rep. Torrey Westrom (R-Elbow Lake). It cut in half the time farm families could benefit from a state law allowing 15-year-olds to get restricted driver's licenses allowing them to help with farm business.

Restrictions placed on such licenses allow 15-year-olds whose parents are farmers to drive only during daylight hours and only within 20 miles of the family farm.

The new law exempts 15-year-olds who are otherwise eligible for a restricted farm driver's license from the new six-month learner's permit requirement.

Sen. Jim Vickerman (DFL-Tracy) sponsored the Senate proposal.

**HF768/SF475\*/CH48**

## Travel time slashed

Speed limits would increase on Minnesota interstates and divided highways under a bill awaiting action from Gov. Arne Carlson.

The proposal calls for speed limits to jump from 65 mph to 70 mph on rural interstates, from 55 mph to 65 mph on metropolitan area interstates, and from 55 mph to 65 mph on four-lane, divided highways throughout the state.

The proposed speed limit hikes are included in a bill (**HF458/SF724\***) sponsored by Rep. Al Juhnke (DFL-Willmar).

Last year, lawmakers moved to boost the speed limit to 65 mph on rural, divided highways, but Gov. Arne Carlson blocked the increase by ordering the commissioner of transportation to maintain the current 55 mph limit on such roads.

The current proposal would void that order, reinstating the speed limit increase approved by the Legislature last year. And the bill would add new increases.

Carlson has said that he will not allow an increase in speed limits unless it is accompanied by additional funding to hire more state troopers to tighten up enforcement. Juhnke's bill does not include any such funding.

## Frequently called numbers

Secretary of the Senate	
231 Capitol .....	296-2344
Voice mail/order bills .....	296-2343
Chief Clerk of the House	
211 Capitol .....	296-2314
Index, Senate	
110 Capitol .....	296-2887
Index, House	
211 Capitol .....	296-6646
Information, Senate	
231 Capitol .....	296-0504
Toll free .....	1-888-234-1112
Information, House	
175 State Office Building .....	296-2146
Toll free .....	1-800-657-3550
Committee Hotline, Senate .....	296-8088
Committee Hotline, House .....	296-9283
Sergeant at Arms, Senate	
G-1 Capitol/Chamber .....	296-1119/296-7159
Legislative Reference Library	
645 State Office Building .....	296-3398
Revisor of Statutes	
700 State Office Building .....	296-2868
Governor's Office	
130 Capitol .....	296-3391
Attorney General's Office	
102 Capitol .....	296-6196
Secretary of State's Office	
180 State Office Building .....	296-9208
Emergency .....	296-2100
TTY*, Senate .....	296-0250
Toll free .....	1-888-234-1216
TTY*, House .....	296-9896
Toll free .....	1-800-657-3550

# Vetoed Bills 1997

(as of May 22, 1997)



## ELECTIONS

### Absentee voting

A bill to make it easier to vote by absentee ballot has been vetoed.

Under current law, voters must provide one of several reasons to vote outside an official polling place: an expected absence from the precinct, illness, disability, religious discipline, observance of a religious holiday, or service as an election judge in another precinct. The bill would have eliminated those provisions.

It also would have permitted military personnel stationed overseas to vote by fax, as could hospital patients admitted within seven days of an election.

Gov. Arne Carlson supported the military vote by fax, but had "serious reservations" in allowing hospital patients to do so. He specifically cited the "potential impact of any of the proposed changes to the integrity of our election laws," and noted that only three Republicans supported the bill.

"Significant changes to election laws . . . are too important to be entirely one-sided and lacking in bipartisanship," he said.

Bill sponsors said they were only looking to increase voter turnout.

The measure was sponsored by Rep. Tom Osthoff (DFL-St. Paul) and Sen. John Marty (DFL-Roseville).

**HF74/SF78\*/CH166**

### Caucuses: lowering the age

A bill to open up part of the elections process to 17-year-olds was vetoed by the governor.

Under the proposal, anyone 17 years old at the time of precinct caucuses could have participated as a delegate or voter.

"This is a responsibility best left to mature eligible voters and goes well beyond simply increasing a young person's interest and participation in the political process," Carlson said. He expressed concern that an ineligible voter would be able to influence or deny the selection of a candidate.

The measure was sponsored by Rep. Andy Dawkins, (DFL-St. Paul) and Sen. Linda Scheid (DFL-Brooklyn Park).

**HF703/SF1170\*/CH168**

As of May 22, Gov. Arne Carlson has vetoed 11 bills and line-item vetoed appropriations from another bill.

### Keeping track of voters

A bill calling for the U.S. Postal Service to provide the Office of the Secretary of State with the names of people who file permanent change of address orders has been vetoed.

The intent of the bill was to improve record-keeping as well as to encourage voting.

But Gov. Arne Carlson thought "the unintended outcome of this process may actually be more confusion on the part of the electorate, in which case the status quo is certainly preferable."

Under the bill, the postal service would have provided the secretary of state's office with the lists each month. The office would have provided the list to county auditors, who were to send registered voters information about their new polling places.

About 25,000 Minnesotans change residences each year. At present, the secretary of state's office has no way of tracking them.

Carlson said "efficiency and accuracy within the electoral system is best accomplished the way it always has been — letting those who exercise their right to vote to register in their new precinct."

The measure was sponsored by Rep. Betty Folliard (DFL-Hopkins) and Sen. John Marty (DFL-Roseville).

**HF294/SF73\*/CH167**

### St. Louis Park cleanup vetoed

Gov. Arne Carlson vetoed a bill which would have authorized the cleanup of a contaminated site in St. Louis Park. The site known as NL Industries/Tara Corp./Golden Auto would have been made a high-priority site for receipt of contamination cleanup funds.

In his veto message, Carlson said that current law contains a detailed process for application and review of contamination cleanup grants and that the project had not gone through that process.

"Funding of projects outside the existing competitive process undermines the objective and comprehensive process that is currently in place," Carlson wrote.

The bill was sponsored by Rep. Richard Jefferson (DFL-Mpls) and Sen. Steve Kelley (DFL-Hopkins).

**HF1755\*/SF1584/CH165**



## LABOR

### Minimum wage hike

Saying he would not accept changes to Minnesota's minimum wage law that do not conform to the federal law, Gov. Arne Carlson vetoed a bill May 16 to raise the state minimum wage. A House motion May 19 to

override the governor's veto failed on a vote of 82-52. A two-thirds majority (90 votes) is needed for a veto override.

The House first passed the bill on a 90-43 vote May 14, but several Republicans who then voted for the bill voted against the override attempt.

Carlson's veto was prompted by what the bill lacked rather than what it would do. Carlson wanted provisions for a tip credit and an opportunity wage. A tip credit would allow employers of workers receiving tips to make a deduction from hourly wages paid. The opportunity wage is often called a training wage because it allows employers to pay a worker under 20 years of age \$4.25 an hour for the first 90 days on the job.

House Minority Leader Steve Sviggum (R-Kenyon) distributed a letter from Carlson May 19 proposing a compromise on the tip credit issue. Sviggum urged lawmakers to take the offer seriously.

But bill sponsor Rep. Tom Rukavina (DFL-Virginia) ignored Sviggum's suggestion and urged his Republican colleagues to override the veto.

Under **HF892**, the minimum wage for employees of large businesses (those with annual gross sales in excess of \$500,000) would have risen to \$5.15 per hour. Workers at smaller companies would have been paid at least \$4.90 per hour.

Carlson vetoed similar proposed minimum wage increases in 1994 and 1996.

Currently in Minnesota, there are three separate minimum wage levels. Businesses with more than \$362,500 in annual sales must pay their workers at least \$4.25 an hour, while companies with lesser sales must pay a minimum of \$4 per hour. A federally mandated \$5-per-hour minimum wage affects only those businesses with annual gross sales in excess of \$500,000. The federal level will increase to \$5.15 on Sept. 1.

## Union sign-up recognition

A bill that would have allowed public sector employees to unionize without holding elections was vetoed by Gov. Arne Carlson May 9.

The bill would have required public sector employers to recognize and the commissioner of the state Department of Labor and Industry to certify an employees' union once the union had signed up 60 percent of the work force.

Current state law requires that workers select a union through a secret ballot election process.

In his veto message Carlson wrote that the

bill would "irreparably harm the relationship between public employees and management."

He added that "the certification election process now in place ensures that public employees are guaranteed a fair procedure free of intimidation and coercion when deciding upon their right to organize. This bill would upset these existing safeguards."

The measure was sponsored by Rep. Rob Leighton (DFL-Austin) and Sen. John Hottinger (DFL-Mankato).

**HF1106/SF1693\*/CH115**

## Binding arbitration

A bill to mandate a binding arbitration process during initial contract negotiations between an employer and a union was vetoed by Gov. Arne Carlson.

"Mandating third party intervention during the initial contracting stage would upset the delicate balance of interests inherent to the employer/employee relationship," he said.

Carlson also thought the legislation would be pre-empted by the National Labor Relations Act, which stipulates that both parties to an arbitration must voluntarily submit to the process.

"I will not support legislation which will lead the state to needless litigation," he said.

The bill was sponsored by Rep. Mary Murphy (DFL-Hermantown) and Sen. Ellen Anderson (DFL-St. Paul).

**HF1936\*/SF1823/CH152**

## Government worker protection

A bill detailing the rights of employees when local governments consolidate and must issue layoffs was vetoed by Gov. Arne Carlson May 9.

The bill would have allowed displaced local government employees to remain with their original employer if the employees had seniority rights under a union contract. It also would have required that new service providers hire — in order of seniority — from those being laid off by the local government unit.

"This bill is nothing more than a state mandate dictating how local governments should handle labor relations," Carlson wrote in his veto message. "It mandates a series of personnel policies which should be left to the local management process or collective bargaining."

Carlson said the bill might have prevented the hiring of employees based on qualifica-

tions and forced local governments to hire more employees than needed. State micromanagement of public employee relations could threaten innovation and consolidation of services, Carlson said.

The proposal was sponsored by Rep. Luanne Koskinen (DFL-Coon Rapids) and Sen. Linda Higgins (DFL-Mpls).

**HF1078/SF854\*/CH116**



## LOCAL GOVERNMENT

### Met Council elections

A bill to transform the Metropolitan Council into an elective body was vetoed by Gov. Arne Carlson.

"An elected Metropolitan Council is about as necessary as another house of the Legislature," he said.

The Metropolitan Council, created in 1967, is responsible for comprehensive regional planning for the seven-county metropolitan area. One of the largest regional governments in the nation, it also oversees the regional bus system, several wastewater treatment facilities, and Metro Mobility, a transit operation serving the disabled. It has an annual budget of about \$360 million, which is partially paid by property taxes, and manages about 3,500 employees. The council is governed by a board of 17 members appointed by the governor, each representing a different portion of the metro region.

"An elected council would, by design, force council members to be parochial to their own constituents and individual districts," Carlson said. He also opposed financing council elections with council funds and said criticism leveled at the council is unfair. Instead, fault lies with the Legislature, Carlson said, because of its "unabashed willingness . . . to place increased demands and mandates on the council."

House sponsor Rep. Myron Orfield (DFL-Mpls) has pushed for an elected council in each of the last four sessions.

"The Metropolitan Council is the second largest unit of local government in the state" behind Hennepin County, Orfield has said, arguing that when an official body has as much authority as the council, it should be and usually is elected. "Taxation without representation is fundamentally contrary to our constitution."

Sen. Carol Flynn (DFL-Mpls) sponsored the proposal in the Senate.

**HF423\*/SF175/CH151**

## Minneapolis construction

Gov. Arne Carlson struck down legislation May 13 that would have allowed Minneapolis to maintain its own licensing program for building contractors and remodelers through 2005.

The Legislature enacted a statewide licensing procedure for contractors in 1991 that supersedes the local requirements. The Minneapolis program is set to expire in 2000.

"Any advantages of a distinct licensure program by Minneapolis are greatly outweighed by the needless duplication inherent within such a parallel arrangement," Carlson wrote in a letter announcing his veto decision. "Moreover, a unique licensure program could give unfair advantage to a certain group of building contractor and remodelers."

Minneapolis officials, including Mayor Sharon Sayles Belton, had testified before the House Commerce, Tourism and Consumer Affairs Committee that the state's licensing procedure did not provide adequate protection for residents, given the advanced age of much of the city's housing stock.

The proposal was sponsored by Rep. Linda Wejcmann (DFL-Mpls) and Sen. Linda Higgins (DFL-Mpls).

**HF970/SF868\*/CH146**



## RETIREMENT

### Pension veto

A largely technical bill addressing the pensions of public employees from firefighters to pipefitters was vetoed May 13 by Gov. Arne Carlson.

Carlson agreed that most of the bill, which exceeds 100 pages, addressed "genuine needs and resolve[d] serious problems in the pension and retirement policy area." But he cited four specific trouble spots with the measure:

- First, the bill creates a problem by extending state pension coverage to seasonal employees of the Department of Revenue. Carlson said the move would cost the state \$91,000 annually, and the bill provides no funding;
- Second, it allows employees of the Minnesota Zoological Garden, the Lola and Rudy Perpich Center for Arts Education, and the state academies for the blind and deaf to develop Individual Retirement Account plans, rather than have their pensions controlled by the Minnesota State Retirement System. Carlson said the move would "destabilize the funding of defined benefit plans";
- Third, the bill moves certain control of appropriations relating to state police and fire aid from the Department of Revenue to the Department of Finance. Since the revenue department administers both programs, the appropriation authority should remain there, Carlson said.
- And finally, it allows a part-time teacher in Minneapolis to make a lump sum back payment to cover a period of time when no retirement contributions were made. While admitting the provision held no cost for the state, Carlson objected, saying it "could apply to many members and should be thoroughly examined before this policy is created."

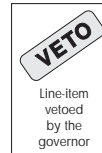
The proposal was sponsored by Rep. Phyllis Kahn (DFL-Mpls) and Sen. Steve Morse (DFL-Dakota).

**HF1129/SF995\*/CH139**



## HIGHER EDUCATION

### No loan forgiveness



Gov. Arne Carlson used his line-item veto authority to strike \$100,000 from the omnibus higher education finance bill May 20.

The money would have funded the "Loan Repayment Assistance" program for graduates of Minnesota law schools working as lawyers in the state.

The vetoed language would have repaid the law school loans of barristers who met income guidelines and provide legal services for the economically disadvantaged or non-profit organizations, Native American tribal governments, or public defense offices.

Carlson, in his veto message announcing the action, pointed out that he vetoed a similar provision last year.

"My position on the use of state funding for this purpose has not changed," Carlson wrote.

The measure was sponsored by Rep. Gene Pelowski (DFL-Winona) and Sen. LeRoy Stumpf (DFL-Thief River Falls).

**HF2136/SF1888\*/CH183**

Minnesota's Clean Indoor Air Act of 1975, which eventually restricted smoking in many public places, including hospitals and child care centers, was a revolutionary crackdown seen as a victory for non-smokers everywhere.

Smokers should be advised that the 1901 Legislature had plans to go much further.

At the time, cigarettes were not in fashion. In fact, North Dakota had barred their sale for many years. Minnesota state Sen. Charlie Halvorson was

## *It's a fact!*

not a fan of smokes or smokers and introduced a bill to ban the sale of cigarettes in Minnesota. On Feb. 18, 1901, the bill passed the Senate with only five negative votes.

The House held onto the bill for more than a month. Expected opposition never manifested, and the House, with an amendment, passed the bill March

22, by a 72-36 margin. Four days later, the Senate took up the matter again. The body accepted the House amendment, but then rejected the measure 25-27. The issue died that session.

Although the sale of cigarettes is still permitted in the state, periodic changes do continue to be made to the Clean Indoor Air Act. The latest, in 1994, prohibited smoking in common areas of apartment buildings, such as laundry rooms, mail rooms, and hallways.

# Governor's Desk \*

CH1 - CH251

## Now it's up to the governor

Exactly 4,258 bills were introduced by the Legislature during the regular session — 2,255 by the House and 2,003 by the Senate. Of those, 251 bills (and four resolutions) were passed by both bodies during the 1997 session and sent to the governor.

So what happened to the other 4,003? Some were duplicates, some were folded into other bills, but most are in limbo, awaiting legislative action when the next regular session begins on Jan. 20, 1998.

And what happened to the 251 bills (and four resolutions) that have been sent to the governor? Most were signed into law, some were vetoed, and some are awaiting the governor's attention. Here's a quick review of the governor's veto authority during the first year of the biennium.

Once a bill has passed both the House and the Senate in identical form, it's ready to be sent to the governor for consideration. The governor has several options when considering a bill. The governor can:

- sign the bill and it will become law;
- veto the bill;
- line-item veto individual items within an appropriations bill; or
- do nothing, which, in the first year of the biennium, results in the bill becoming law.

The timing of these actions is as important as the actions themselves.

But the important thing to remember in the first year of the biennium is this: the governor has three days from the time of "presentment" to veto a bill.

If the governor doesn't sign the bill within this time frame, it will become law without his signature. (Sundays are not counted in the three-day time limit, but holidays are.)

(For bills passed in the Special Session, however, the governor has 14 days from "presentment" to veto them — the same rules that apply in the second year of a biennium. If the governor takes no action on a bill during this time, the bill is vetoed in what is commonly referred to as a "pocket veto.")

Only on appropriations bills can the governor exercise the line-item veto authority. This option allows the governor to eliminate the appropriation items to which he/she objects. As with all vetoes, the governor must include a statement listing the reasons for the veto with the returned bill. Here, too, the timetable is within three days after the governor receives the bill.

A two-thirds vote of the members in each house is needed to override a veto. So the Legislature, either next year or when it is called into special session before then, could vote to override the governor's veto.

The governor's veto authority is outlined in the Minnesota Constitution (Art. IV, Sec. 23). So what happens to the bills that weren't approved by the Legislature this year?

Bills that were awaiting floor action on the General Orders Calendar now return to the last committee they were acted upon, where they will stay unless acted upon by the 1998 Legislature. This rule also applies to any bill up for consideration on the Consent Calendar, Calendar, or Special Orders.

For appointed conference committees that have not submitted a report upon adjournment, the bill returns to the body it originally came from and is laid on the table. The conference committee is then disbanded.

Bills that are passed by one body and not the other remain alive for the second year of the biennium. The house that approved the bill in the first year need not repass the bill in the second.

Bills pending before the Rules and Legislative Administration Committee from either body return to the standing committee to which the bill was previously referred.

Bills vetoed by the governor are returned to the body where the bill originated and laid on the table.

Bills remaining in standing committees can be taken up in the second year of the biennium in the committee to which they were last referred.

After each session, a comprehensive summary of all bills that were signed into law or vetoed is published. You can get a copy of *New Laws 1997* by calling or writing the House Public Information Office, 175 State Office Building, St. Paul, MN 55155-1298; (612) 296-2146, or 1-800-657-3550.

*Editors' note: The following chart includes the 251 bills (and four resolutions) that passed both the House and the Senate and have been or will be sent on to the governor for consideration. Final action as of May 22 is yet incomplete on just over 40 of the bills.*

*Here are details concerning some of the terms used in the process.*

## Governor's options

### • enactment

The date the governor signed the bill into law.

### • line-item veto (liv)

The power or action of the governor to reject individual items within an appropriations bill while approving the rest of the bill.

### • veto

The governor's decision to reject a bill.

### • \*

An asterisk marks the version of the bill the House and Senate approved and sent on to the governor.

## Effective dates

Each act takes effect at 12:01 a.m. on the day it becomes effective, unless the act specifies a different time. Examples:

### • Aug. 1, 1997

Each act the governor signs into law, except those that make appropriations, take effect on Aug. 1 following its final enactment, unless the act specifies a different date.

### • upon local approval (ula)

A special law requiring approval from the local government unit it affects becomes effective the day after the local government unit's governing body files a certificate with the secretary of state, unless the act specifies a later date.

### • July 1, 1997

An appropriations act, or an act spending money, takes effect at the beginning of the first day of July following its final enactment, unless the act specifies a different date.

### • day after enactment (dae)

The act becomes effective on the day after the governor signs it.

### • Various

Different parts of the act have different effective dates.

### • with exceptions (we)

Act includes other effective dates.

### • with qualifications (wq)

Act adds conditions to the effective date.

1997 MINNESOTA LEGISLATURE FINAL ACTION (as of May 22, 1997)					CH	Governor's signature	Governor's veto	Awaiting governor's action	Effective date
HF—House File SF—Senate File R—Resolution CH—Chapter									
we—with exceptions wq—with qualifications *—bill the governor signed or vetoed †—approved without governor's signature									
HF	Author	SF	Author	Bill Title	CH				
				AGRICULTURE					
1067*	Wenzel	1283	Sams	Resolution for federal milk marketing order system equitable adjustments.	Res. 2	4/21			
265*	Molnau	1371	Fischbach	Farm crisis assistance personnel employment status clarified.	27	4/11			8/1
1861*	Juhnke	1663	Johnson, D.E.	Farm animal facilities entry restriction.	55	4/23			8/1
1381	Juhnke	329*	Dille	Veterinary services lien provisions modified.	110	5/8			8/1
2097	Harder	338*	Sams	Corporate farming provisions modifications.	126	5/9			5/10
569	Juhnke	543*	Dille	Grain bank license requirements modification.	131	5/9			5/10 (Sec. 4); 8/1 (Secs. 1-3, 5-8)
1863*	Vickerman	1630	Frederickson	Agricultural marketing and bargaining task force.	142	5/13			5/14
1409*	Kubly	1134	Sams	Animal feedlot rules provided legislative review.	158	† 5/16			5/17
1924	Juhnke	526*	Pariseau	Food handlers certification.	161	5/16			8/1
535	Juhnke	164*	Wiger	Food rules federal regulations conformity.	220			x	
1646	Trimble	1834*	Lourey	Milk marketing competition, fairness provided; retail price flexibility allowed.	244			x	
				CAPITAL INVESTMENT					
1380	Huntley	1136*	Solon	Duluth family practice residency program responsibility transfer.	136	5/12			5/13
				COMMERCE, TOURISM & CONSUMER AFFAIRS					
431	Mullery	315*	Knutson	Business corporations and limited liability companies technical modifications.	10	3/18			8/1
441*	Orfield	299	Kelley	Uniform Commercial Code changes.	11	3/18			8/1
794	Rest	624*	Junge	Minnesota professional firms act.	22	4/8			4/9 (Art. 2, Secs. 1-7); 1/1/99 (Art. 2, Sec. 9)
1183	Pugh	1094*	Scheid	Real estate tenant referral compensation regulated.	73	4/29			8/1
1075*	Pugh	891	Johnson, D.H.	Professional health services regulation.	76	5/1			8/1
890	Entenza	890*	Scheid	Motor vehicle broker regulation provided.	92	5/6			8/1
340	Harder	472*	Belanger	Cigarette and tobacco products sales tax provisions recodification.	106	5/6			Various
335	Jennings	256*	Metzen	Building and construction contract payments regulated.	127	5/9			8/1
524	Tunheim	277*	Solon	Liquor provisions modifications.	129	5/9			Various
156*	Slawik	269	Ten Eyck	Secretary of State filing fees.	137	5/12			8/1
970	Wejzman	868*	Higgins	Minneapolis building contractor licensing requirement exemption extended.	146		5/13		
329	Leighton	298*	Ten Eyck	Uniform Partnership Act of 1994.	174	5/19			Various
341	Daggett	378*	Murphy	Liquor tax provisions modification.	179	5/19			8/1
379*	Abrams	860	Oliver	Small corporate offering securities registration.	197	5/20			5/21
1032	Entenza	501*	Solon	Commerce department provisions modifications.	222			x	
117*	Rest	6	Junge	Tobacco retail license est., penalties for sales to minors.	227			x	
441*	Orfield	299	Kelley	Uniform Commercial Code, letters of credit.	236			x	
				ECONOMIC DEVELOPMENT & INTERNATIONAL TRADE*					
538*	Knoblach	1239	Lesewski	Resolution to mitigate economic competition among states.	Res. 1	4/16			
343	Kubly	264*	Frederickson	HFA: providing temporary approval for home improvement loans.	4	2/25			2/26
631*	Folliard	508	Kelley	Hopkins Performing Arts Center modified.	5	3/5			3/6
582	Hausman	463*	Anderson	St. Paul teacher training institute building rental authority.	14				Recalled by Senate 3/26
763*	Tunheim	696	Moe	Zion Lutheran Church historic place designation.	54	4/23			8/1
889*	Evans	786	Krentz	Mobile home park owners rights modified.	61	4/28			8/1
1880*	Jennings	1519	Kiscaden	Employer re-employment compensation payment schedule.	80			5/2	7/1 (Sec. 1); 1/1/99 (Sec. 2)
745	Wejzman	399*	Lesewski	Workforce service areas designation.	118	5/8			7/1
1879	Trimble	1646*	Murphy	Nuclear waste storage escrow account.	201	5/22			7/1
				EDUCATION*					
1*	Johnson, A.	3	Langseth	Education caps removal.	1	2/14			2/15; 1997-98 sch. yr. (Sec. 2)
121*	Jefferson	109	Higgins	Youth initiative grant; neighborhood addition provided.	3	2/25			8/1
1213	Goodno	1052*	Langseth	Moorhead land transfer authorized.	32	4/16			4/16
108*	Tomassoni	56	Janezich	Range technical employees retirement benefits protection.	50	4/23			8/1
211*	Svigum	201	Day	School district extended area telecommunications service.	59	4/28			4/29; 6/30/00 expires
1029	Mares	950*	Kelly	Teacher background check working group recommendations adopted.	99	5/6			5/7
75	Koskinen	38*	Sams	Medical practice board records maintenance requirements.	103	5/6			8/1
2179*	Opatz	1934	Pogemiller	Statewide testing.	138	5/12			5/13
1684*	Kelso	1925	Pogemiller	Omnibus K-12 education appropriations.	242			x	
				ENVIRONMENT & NATURAL RESOURCES					
1692	Munger	1342*	Krentz	Earth Day recognition and establishment.	Res. 4	4/29			
266*	Munger	796	Laidig	BWSR voting membership increase.	28	4/11			8/1
436	Wagenius	127*	Stevens	Environmental advisory councils and committees provisions modifications.	45	4/21			7/1 (Sec. 1)

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HF—House File SF—Senate File R—Resolution CH—Chapter					we—with exceptions wq—with qualifications *—bill the governor signed or vetoed †—approved without governor's signature				
718	Folliard	137*	Morse	Conservation corps youth advisory committee modifications.	46	4/21			7/1
255*	Johnson, R.	354	Belanger	Environmental Quality Board membership increase.	53	4/23			8/1
949*	Wagenius	885	Johnson, J.B.	Mercury devices disposal prohibition expansion.	62	4/28			7/1/98 (Sec. 3)
317*	Huntley	16	Johnson, D.J.	Municipal wastewater infrastructure action authorized.	82	5/2			5/3
311	Luther	574*	Scheid	Disabled residents fishing license requirements exemption.	95	5/6			8/1
1118	Sekhon	413*	Frederickson	Municipal water use permit established.	104	5/6			5/7
664*	McCollum	301	Frederickson	BWSR contributions acceptance authority expansion.	109	5/8			8/1
1908	Finseth	1165*	Price	Tree planting stock production restricted.	119	5/8			5/9 (Sec. 6)
232	Finseth	296*	Frederickson	Soil and water conservation district supervisor provided four year term.	173	5/19			Various
947	Wagenius	900*	Johnson, J.B.	Toxics in packaging regulations modified.	186	5/20			8/1
742	Kahn	780*	Johnson, J.B.	Incinerator emissions mercury testing requirements modification.	189	5/20			8/1
424	Koppendrayer	309*	Stevens	State and tax forfeited land conveyences.	207	5/22			5/23
707	Wagenius	184*	Stevens	Toxics in products requirements, enforcements modified.	221			x	
313	Milbert	254*	Frederickson	Game and fish provisions modifications.	226			x	
244*	Bishop	389	Price	Individual sewage treatment systems provisions modified.	235			x	
632*	Solberg	436	Morse	Omnibus bonding bill	246			x	
276*	Pelowski	385	Morse	Public waters boathouses restriction.	247			x	
				ENVIRONMENT, NATURAL RESOURCES & AGRICULTURE FINANCE*					
				FINANCIAL INSTITUTIONS & INSURANCE					
447*	Murphy	398	Wiener	Direct patient access to obstetric and gynecologic services.	26	4/8			1/1/98
645*	Tomassoni	622	Scheid	Health insurance plans care definition.	49	4/23			1/1/98
1005	Tomassoni	1527*	Hottinger	Minnesota Insurance Guaranty Act modifications.	52	4/23			4/24
653	Pugh	495*	Novak	Diabetes outpatient self-mngmnt. training, ed. health ins. coverage required.	57	4/28			8/1
1045*	Farrell	759	Kelly	Automobile insurance surcharge prohibitions.	64	4/28			4/29
571	Kalis	465*	Wiener	Long-term care insurance policy sales regulated.	71	4/29			4/30 (Art. 1, Art. 2, Secs. 1-5, 7); 8/1 (Art. 2, Sec. 6)
1637*	Anderson, I.	1424	Novak	Fire insurance provisions modification.	77	5/2			8/1
630	Rukavina	683*	Janezich	Self insured employee benefit plan dissolution notification required.	117	5/8			7/1
753*	Kubly	339	Metzen	Financial institutions provisions modifications.	157	5/16			Various
1605	Davids	1715*	Oliver	Health insurance portability and accountability requirements.	175	5/19			5/20 (Secs. 1, 2): 7/1 (Sec. 3)
56	Kahn	173*	Kelley	Minnesota electronic authentication act.	178	5/19			Various
				GENERAL LEGISLATION, VETERANS AFFAIRS & ELECTIONS					
1088*	Hasskamp	1030	Scheid	Candidate name rotation allowed on ballots.	18	4/4			8/1
1093*	Macklin	1104	Robling	Metropolitan town election date change authorized.	19	4/4			4/5 retro. to Res. adopted on or after 3/1
453*	McCollum	99	Betzold	Military provisions modifications.	24	4/8			8/1
1884	Westfall	1356*	Langseth	State House District 9A description modification.	44	4/21			4/22
212	McCollum	35*	Wiger	Soil and water conservation district election modification.	130	5/9			7/1
1914	Biernat	1684*	Spear	Minneapolis school board election modification.	144	5/15			5/16
168	Tunheim	703*	Scheid	Mail balloting authority expansion.	145	5/13			5/14
127	Folliard	72*	Marty	Election and voter registration provisions.	147	5/13			8/1
74	Osthoff	78*	Marty	Absentee ballot voting procedures modified.	166		5/19		
294	Folliard	73*	Marty	Voters address change system.	167		5/19		
703	Dawkins	1170*	Scheid	Minors as political party convention delegates.	168		5/19		
1463	Mahon	1255*	Belanger	Local office candidate campaign contribution limit provisions clarified.	224			x	
445	Pugh	117*	Betzold	Military property losses tort liability exclusion.	249			x	
				GOVERNMENTAL OPERATIONS					
566*	Solberg	434	Lessard	Itasca County government innovation and cooperation board law.	42	4/21			4/22
1162*	Koppendrayer	363	Johnson, D.H.	State employment provisions modifications.	79	5/1			8/1
756*	Hilty	691	Knutson	State demographer population estimate procedures modified.	87	5/6			8/1
694	Koppendrayer	512*	Runbeck	State employment provision modifications.	97	5/6			8/1
182	Greiling	351*	Hottinger	LCC assigned responsibility for review of legislative reviews.	98	5/6			8/1
22	Rukavina	91*	Cohen	Police state aid amount ratified and money appropriated.	125	5/9			5/10
1129	Kahn	995*	Morse	Retirement provisions modifications.	139		5/13		
829	Solberg	755*	Flynn	Government bodies meeting on interactive television.	154	5/15			5/16; 6/30/98 (Secs. 3, 4 expire)
1542	Solberg	1351*	Flynn	Public employment labor agreements ratification.	156	5/16			5/17 (Sec. 6)

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450	Rest	1383*	Belanger	Legislative audit commission membership provisions modified.	184	5/20			5/21
197	Leppik	157*	Betzold	Administrative rule procedure modification.	187	5/20			5/21; 6/30 (Sec. 36, Par. A, C)
1618	Greiling	1316*	Wiener	State agency publication dates and requirements modified.	192	5/20			6/30
none	Rukavina	1905*	Price	Omnibus state departments appropriations.	202			x	
1134	Knight	420*	Wiger	Administration department provisions modifications.	206	5/22			8/1; 4/1/98 (Sec.11)
647	Jefferson	637*	Morse	Retirement provisions modifications.	233			x	
1727	Kahn	1486*	Morse	Miscellaneous retirement provisions.	241			x	
<b>HEALTH &amp; HUMAN SERVICES</b>									
374	Knoblach	274*	Robertson	Adoption assistance.	8	3/11			3/12
835*	Delmont	754	Betzold	County operated day training and habilitation program audit exception.	36	4/16			8/1
750	Bradley	652*	Kiscaden	Autism treatment options advisory task force.	69	4/29			8/1
159	Jennings	1*	Samuelson	Welfare reform bill.	85	4/30			1/1
209*	Vickerman	210	Knutson	Child placement provisions modifications.	86	5/6			5/7
1356	Slawik	1155*	Wiger	Mental health case management services.	93	5/6			8/1
469	Otremba	36*	Sams	Hospital dists. authorized to give services to those not in need of nursing home care.	94	5/6			8/1
861	Delmont	662*	Sams	Volunteer psychology practitioner licensure requirements established.	102	5/6			5/7 (Secs. 1-3); 8/1 (Secs. 4-6)
289	Johnson, R.	101*	Berglin	Long-term care provisions modification.	107	5/6			8/1
291	Greenfield	333*	Berglin	Home care providers establishment.	113	5/8			8/1
1702	McCollum	741*	Kelley	Respiratory care practitioners registration and regulation.	120	5/8			8/1 we
136	Leppik	244*	Kiscaden	Prescriptions for intractable pain.	124	5/9			5/10
2042	Delmont	1722*	Sams	Pharmacy technician definition and regulation.	132	5/9			8/1
1071	Mulder	1000*	Kelley	Psychology practice licensure requirements modifications.	134	5/12			8/1
1246	Huntley	641*	Berglin	Mental health provider peer review.	140	5/12			8/1
858*	Huntley	920	Morse	Health care cost containment provisions.	150	5/15			8/1
397	Jennings	4*	Johnson, D.E.	National Guard reimbursement grant formula modification.	160	5/16			8/1
555	Goodno	97*	Betzold	Tuberculosis health threat act.	164	5/19			8/1
58	McElroy	122*	Robertson	Adoption provision modifications.	177	5/19			8/1
864	McGuire	457*	Betzold	Social work practice and board provisions modifications.	193	5/20			8/1 we
931	Clark	302*	Berglin	Community health clinics prepaid health services option.	194	5/20			8/1
1057	Greenfield	473*	Berglin	Medicare maximization program certification requirement repealed.	195	5/20			8/1; 5/21 (Secs. 2, 3, 6)
257*	Dorn	510	Lourey	Ambulance service licensing requirements established.	199	5/22			8/1; 5/23 (Sec. 2)
none	Greenfield	1908*	Samuelson	Omnibus health and human services appropriations.	203			x	
485	Tingelstad	95*	Lourey	Health and HMO provisions modifications.	205	5/22			8/1; 5/23 (Sec. 19)
367	Davids	199*	Foley	Omnibus mortuary science regulation bill.	215	5/22			8/1
735*	Entenza	53	Betzold	Civil commitment procedure modifications.	217	5/22			8/1
1441	Greenfield	1208*	Berglin	MinnesotaCare program provisions modified.	225			x	
556*	Greenfield	98	Betzold	Tuberculosis health threat act.	228			x	
1365	Wejcman	960*	Berglin	Patient Protection Act.	237			x	
272	Wejcman	234*	Morse	Human services licensing act provisions modifications.	248			x	
<b>JUDICIARY</b>									
13*	Skoglund	17	Kelly	Revisor's bill.	2	2/19			7/1/96 retro. (Sec. 6)
35*	Chaudhary	12	Betzold	Revisor's bill.	7	3/11			Various
220	Mullery	202*	Ten Eyck	Property disposition modification.	9	3/13			8/1 we
439	Leighton	368*	Junge	Alternative dispute resolution presiders liability immunity.	29	4/11			8/1
1885	Solberg	1645*	Moe	Mille Lacs treaty implementation costs.	30	4/11			4/12
908	Pugh	305*	Krentz	Prison inmate lawsuit provisions clarified.	33	4/16			4/16
5*	McGuire	32	Junge	Stalking bill.	96	5/6			5/7 (Secs. 1, 6-9, 11); 8/1 (Secs. 2-5, 10)
246	Dawkins	513*	Anderson	Nuisance acts definition expansion.	100	5/6			8/1
342	Farrell	166*	Kelly	Impounded motor vehicles sale waiting period reduction.	108	5/6			Upon local approval
1373	Wagenius	813*	Ranum	Child custody transfer provided via consent decree.	112	5/8			7/1
932	Wejcman	536*	Berglin	Public nuisance definition expanded.	122	5/8			7/1 we
227	Goodno	324*	Knutson	Human rights investigative data classification modification.	172	5/19			8/1
786	Hilty	242*	Kiscaden	Human rights alternative dispute resolution deadline suspended.	182	5/19			8/1
464	Vickerman	542*	Frederickson	Lower Sioux Indian community law enforcement authority.	185	5/20			5/21
642	Skoglund	848*	Flynn	Public participation federal court action damages relief.	209	5/22			8/1
1489	Pugh	1114*	Kelly	Municipal tort liability modified.	210	5/22 †			1/1/98 (Secs. 1, 3, 4) wq

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1076	McGuire	877*	Foley	Seat belt bill.	211			x	
832	Pugh	627*	Ranum	Professional malpractice expert certification required.	212			x	
1404	Pugh	1513*	Hottinger	Civil action sanction provisions expanded.	213	5/22			8/1 (Sec. 1) wq
606	Stanek	294*	Junge	Peace officer applicants background investigation requirement.	214	5/22			8/1; 7/1/98 (Sec. 4)
296	Wejcman	203*	Berglin	Adoption registry establishment.	218			x	
1460*	McGuire	1277	Betzold	Omnibus data classification, access, privacy bill.	229			x	
268*	Murphy	279	Kelly, R.C.	Close custody correctional facility construction conditions.	238			x	
none	Murphy	1880*	Kelly, R.C.	Omnibus criminal justice, corrections, public defense appropriations.	239			x	
1004	Entenza	985*	Foley	DWI provisions modifications.	243			x	
925	Entenza	830*	Cohen	Omnibus child support, custody, and visitation bill.	245			x	
<b>LABOR-MANAGEMENT RELATIONS</b>									
1877	Jefferson	1675*	Novak	Strawberry workers.	Res. 3	4/23 †			
219*	Haskamp	118	Samuelson	Civil Air Patrol members provided unpaid leaves of absence from employers	20	4/4			8/1
1382*	Dehler	1051	Langseth	Show boiler and engine inspection provisions modified.	38	4/16/96			8/1
312	Jefferson	145*	Runbeck	Re-employment insurance technical and administrative changes.	66	4/23			7/1 we
271*	Rukavina	608	Lesewski	Re-employment insurance wage reporting requirements modification.	74	5/1			1/1/98
1383*	Kinkel	1081	Ten Eyck	Occupational safety and health notice service provision modified.	81	5/2			8/1
966*	Garcia	911	Johnson, D.H.	Wages payment requirements modification.	83	5/2			8/1
810	Wolf	839*	Belanger	Employment search firm bond requirements modified.	88	5/6			8/1
1106	Leighton	1693*	Hottinger	Employees exclusive representatives recognition.	115		5/9		
1870	Leighton	1807*	Runbeck	Workers compensation insurance reporting deadline delay.	128	5/9			5/10 (Secs. 3, 4); 8/1 (Secs. 1, 2)
1936*	Murphy	1823	Anderson	Labor disputes mandatory arbitration.	152		5/15		
892*	Rukavina	882	Kelly	Minimum wage increase.	163		5/16		
814	Koskinen	323*	Knutson	Discriminatory reprisals prohibition expansion.	171	5/19			8/1
1711	Leighton	575*	Runbeck	Labor and employment provisions modifications.	180	5/19			8/1
<b>LOCAL GOVERNMENT &amp; METROPOLITAN AFFAIRS</b>									
125*	Sviggum	160	Day	Kenyon tax levy recertification authorized.	6	3/11			3/12
100*	Wenzel	114	Vickerman	Emergency snow removal.	12	3/19			8/1/96 retro. (Sec. 1); 2/1 retro. (Secs. 2-10)
564	Olson, E.	417*	Moe	Becker County economic development authority.	15	3/26			Upon local approval
483	Olson, E.	124*	Vickerman	Towns emergency service charges.	16	3/26			8/1
941	Nornes	700*	Larson	City mayor and fire chief positions compatibility.	23	4/8			8/1
958*	Rukavina	748	Janezich	St. Louis County unorganized territory attachment authorized.	37	4/16			4/17
2009	Bakk	227*	Vickerman	Federal payments in lieu of taxes on entitlement land distributed.	39	4/21			8/1
972	Hausman	424*	Wiger	Ramsey County eligibles certification under county rules.	40	4/21			Upon local approval
1187*	Kubly	1306	Johnson, D.E.	Buffalo Lake Wastewater Treatment Facility contract bid requirements.	41	4/21			Upon local approval
1257	Winter	1071*	Vickerman	Luverne Maplewood Cemetery bodies removal and reinterment.	43	4/21			Upon local approval
429	Jefferson	458*	Higgins	Fire insurance escrow account requirements.	47	4/21			8/1
356*	Greiling	284	Marty	Local government units official newspapers designation cost consideration.	56	4/23			Upon local approval
971	Mullery	1116*	Higgins	Hennepin County radio system facility lease authorized.	58	4/28			Upon local approval
1301*	Slawik	884	Wiger	St. Paul Ramsey County Public Health Department classified service definition.	63	4/28			8/1
473*	Chaudhary	197	Wiger	Metropolitan Council employee recognition services program.	72	4/29			8/1
2169	Skare	1928*	Vickerman	Counties and cities flood assistance authority.	75	5/1			8/1
601*	Wenzel	869	Vickerman	Boundary commissions provisions modifications.	78	5/1			8/1
1144	Tunheim	951*	Junge	County boards authorized to assign duties of auditor and treasurer.	89	5/6			5/7
1148	Wolf	1037*	Belanger	Scott County auditor appointment.	90	5/6			7/1
1840	Schumacher	1669*	Stevens	Benton County offices modification.	91	5/6			Upon local approval
1379	Huntley	1146*	Solon	Duluth Miller-Dwan Medical Center non-profit corporation creation.	101	5/6			Upon local approval
713	Koskinen	525*	Pappas	Wastewater treatment facility privatization ownership restrictions modified.	111	5/8			5/9
1078	Koskinen	854*	Higgins	Displaced public employees rights.	116		5/9		
512*	Rest	388	Hottinger	Municipal bankruptcy filing authorized.	148	5/13			5/14
282*	Stanek	470	Wiger	Metro transit police officers.	149	5/15			5/16 (Secs. 1, 2, 4, 5); 1/1/98 (Sec. 3)
423*	Orfield	175	Flynn	Elected Met Council.	151		5/15		
658	Marko	612*	Wiger	Washington County appointed auditor permitted.	153	5/15			Upon local approval
1755*	Jefferson	1584	Kelley	Hennepin County Housing and Redevelopment Authority procedures modified.	165		5/19		
1313	Dehler	1266*	Vickerman	Municipal road snow and ice removal vote.	170	5/19			8/1
857	Rhodes	735*	Robling	Metropolitan Council wastewater services cost allocation modification.	181	5/19			5/20 (Sec. 1); 1/1/98 (Sec. 2, 3)



# Bill Introductions

HF2222 - HF2255

## Friday, May 16

**HF2222—Juhnke (DFL)**  
Local Government & Metropolitan Affairs  
Real property warranty deed public road access provided.

**HF2223—Wolf (R)**  
Environment & Natural Resources  
Savage Fen Wetland Complex land purchase provided, bonds issued, and money appropriated.

**HF2224—Westrom (R)**  
Taxes  
Tax Increment Financing zones established.

**HF2225—Leppik (R)**  
Judiciary  
Child-support obligation insurance proceed lien provided.

**HF2226—Olson, M. (R)**  
Health & Human Services  
Health care provider discriminatory charges prohibited.

**HF2227—Luther (DFL)**  
Education  
Adults-with-disabilities educational program fund surplus priority established.

**HF2228—Jennings (DFL)**  
Regulated Industries & Energy  
Minnesota responsible electric competition act adopted.

**HF2229—Jennings (DFL)**  
Regulated Industries & Energy  
Electric utility industry restructuring provided, and legislative oversight committee established.

## Saturday, May 17

**HF2230—Carlson (DFL)**  
Education  
Metropolitan magnet school grant provisions modified, public capital improvements provided, bonds issued, and money appropriated.

**HF2231—Tuma (R)**  
Environment & Natural Resources  
BWCA; motorboat use prohibited in Boundary Waters Canoe Area, and civil penalty provided.

**HF2232—Wejcman (DFL)**  
Health & Human Services  
Minnesota universal health board established, regional coordinating boards membership modified, health care trust fund established, health care budgets provided, and money appropriated.

**HF2233—Pugh (DFL)**  
Health & Human Services  
Kidney transplants; post-kidney transplant maintenance drug payment provided, and money appropriated.

**HF2234—Tomassoni (DFL)**  
Transportation & Transit  
Interstate Highway 94 designated as the Rudy Perpich Memorial Highway, and money appropriated.

**HF2235—Jennings (DFL)**  
Regulated Industries & Energy  
Electric utility personal property tax exemption provided, and social responsibility surcharge established.

**HF2236—Wolf (R)**  
Environment & Natural Resources  
Savage water supply system improvements provided, and money appropriated.

**HF2237—Tingelstad (R)**  
Health & Human Services  
Infertility diagnosis and treatment health insurance coverage required.

**HF2238—Jennings (DFL)**  
Regulated Industries & Energy  
Minnesota electric system public benefits protection Act of 1997 adopted.

**HF2239—Jennings (DFL)**  
Financial Institutions & Insurance  
No-fault automobile insurance recovery by uninsured motorists limited.

**HF2240—Huntley (DFL)**  
Transportation & Transit  
Sault Ste. Marie Narrows Poe Lock funding provided, and money appropriated.

**HF2241—Huntley (DFL)**  
Environment & Natural Resources  
Snowmobile registration fees modified, liability insurance and safety education required, youth restrictions modified, night speed limit established, and money appropriated.

## Monday, May 19

**HF2242—Wagenius (DFL)**  
Rules & Legislative Administration  
Environmental protection; Congress memorialized to ensure environmental protection, and constitutional amendment proposed.

**HF2243—Jefferson (DFL)**  
Economic Development & International Trade  
Minneapolis Convention Center completion provided, expenditure limit repealed, bonds issued, and money appropriated.

**HF2244—Kahn (DFL)**  
Economic Development & International Trade  
Minneapolis Convention Center completion provided, expenditure limits repealed, bonds issued, and money appropriated.

**HF2245—Wejcman (DFL)**  
Economic Development & International Trade  
Minneapolis Convention Center completion provided, expenditure limits repealed, bonds issued, and money appropriated.

**HF2246—Boudreau (R)**  
Regulated Industries & Energy  
Electricity Board rule variance requirement provided.

**HF2247—Olson, M. (R)**  
General Legislation, Veterans Affairs & Elections  
Election day registration and post-election reporting provisions modified.

**HF2248—Rhodes (R)**  
Economic Development & International Trade  
St. Louis Park Arts Center construction provided, bonds issued, and money appropriated.

**HF2249—Rhodes (R)**  
Transportation & Transit  
St. Louis Park Excelsior Boulevard bridge project provided, bonds issued, and money appropriated.

**HF2250—Boudreau (R)**  
Judiciary  
Defendant release on bail denial allowed, and constitutional amendment proposed.

**HF2251—Van Dellen (R)**  
Health & Human Services  
Allergenic latex use limited in health care facilities.

**HF2252—Olson, M. (R)**  
Education  
Statewide educational testing grant program established, and money appropriated.

**HF2253—Anderson, I. (DFL)**  
Financial Institutions & Insurance  
Automobile insurance discrimination prohibited based upon two or fewer minor traffic violations.

**HF2254—Clark (DFL)**  
Governmental Operations  
Legislator social security benefit provisions modified.

**HF2255—Skoglund (DFL)**  
Judiciary  
Crime and traffic offense statutory recodification and clarification provided.

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## Order Form: *New Laws 1997*

A publication outlining the new laws of 1997 will provide brief, easy-to-read summaries of the bills that were passed by both the House and Senate and signed or vetoed by the governor. *New Laws 1997* will be available a few months after the session ends. Copies will be mailed without charge to those who order them.

Do you want to receive a copy of *New Laws 1997*? ☐ Yes ☐ No

Please place this form (**with the mailing label on the back**) in an envelope. Mail it by June 1, 1997, to: *Session Weekly*, House Public Information Office, 175 State Office Building, 100 Constitution Ave., St. Paul, MN 55155-1298.

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### Readership Survey: 1997 *Session Weekly*

Please take a moment to tell us what you think about the *Session Weekly*. Your opinions will help us plan for next year.

1. Where do you live? (Please check one.)

☐ Minneapolis/St. Paul ☐ Outstate Minnesota ☐ Twin Cities Suburban Metro Area ☐ Other \_\_\_\_\_

2. What is your occupation? \_\_\_\_\_

3. How often do you read the *Session Weekly*? (Please check one.)

☐ Once a month ☐ Twice a month ☐ Three times a month ☐ Every week

4. Which sections of the *Session Weekly* do you most often read? (Please check all that apply.)

<input type="checkbox"/> Update (page 2)	<input type="checkbox"/> A Closer Look	<input type="checkbox"/> Governor's Desk
<input type="checkbox"/> Opening Story (page 3)	<input type="checkbox"/> Features	<input type="checkbox"/> Bill Introductions
<input type="checkbox"/> Highlights	<input type="checkbox"/> Information (i.e., lists)	<input type="checkbox"/> Committee Schedule
<input type="checkbox"/> Member Profiles	<input type="checkbox"/> It's a Fact!/Do You Know?	<input type="checkbox"/> Minnesota Index

5. Do you have any comments (positive or negative) on any of the sections in Question 4? \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

6. Please rate the following aspects of the *Session Weekly* by checking one answer in each set.

<b>Writing</b>	<input type="checkbox"/> Hard to understand	<input type="checkbox"/> Somewhat understandable	<input type="checkbox"/> Easy to understand
<b>Story Length</b>	<input type="checkbox"/> Too short	<input type="checkbox"/> Too long	<input type="checkbox"/> Just right
<b>Readability</b> (type size)	<input type="checkbox"/> Too small	<input type="checkbox"/> Too large	<input type="checkbox"/> Just right
<b>Photographs</b>	<input type="checkbox"/> Poor	<input type="checkbox"/> Average	<input type="checkbox"/> Excellent
<b>Layout</b>	<input type="checkbox"/> Poor	<input type="checkbox"/> Average	<input type="checkbox"/> Excellent

7. What do you like about the *Session Weekly*? \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

8. Do you have any suggestions for improving the *Session Weekly*? \_\_\_\_\_

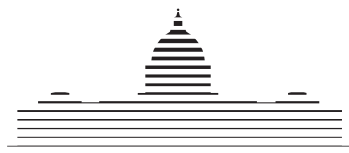
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9. Do you have any questions about the Minnesota House of Representatives or the legislative process that could be answered in a Q & A column? \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_



MINNESOTA HOUSE OF REPRESENTATIVES  
PUBLIC INFORMATION OFFICE  
175 STATE OFFICE BUILDING  
ST. PAUL, MN 55155-1298

Speaker of the House: Phil Carruthers  
Majority Leader: Ted Winter  
Minority Leader: Steve Sviggum

## MINNESOTA INDEX

### 1997 Legislative Session

Number of legislative days used .....	63
Maximum number of days the Minnesota Legislature can meet in regular session every two years .....	120
Number of House Files introduced .....	2,295
in 1995 .....	1,999
Number of Senate Files introduced .....	2,003
in 1995 .....	1,788
Bills that reached the governor's desk .....	251
Resolutions adopted .....	4
Full bills passed by the 1997 Legislature and vetoed by the governor, as of May 21 .....	11
Additional bills with line-items vetoes, as of May 21 .....	1
Veto override attempts since 1939 .....	24
Successful veto override attempts since 1939 .....	4
Number of House attempts, 1997 .....	1
Successful House attempts, 1997 .....	0
Number of pages in the omnibus tax bill .....	396
in 1996 .....	272
House bills incorporated into the 1997 tax bill, as passed by the House .....	81
Date the Legislature will reconvene in 1998 .....	Jan. 20
Special sessions called by governors since statehood .....	38
Number called by Gov. Arne Carlson .....	3
Number called by former Gov. Al Quie, most of any governor .....	7
Longest special session, in number of calendar days, 1971 .....	159
Special sessions that have lasted only one day .....	13
Greatest time span between special sessions, in years (1881-1902) .....	21
Special sessions called to address taxes .....	10
Number called due to an Indian "outbreak" .....	1

Sources: House of Representatives Public Information Office; Legislative Reference Library; House Index Department.

### For more information

For general information, call:  
**House Information Office**  
(612) 296-2146 or  
1-800-657-3550

To obtain a copy of a bill, call:  
**Chief Clerk's Office**  
(612) 296-2314

To find out about bill introductions or the status of a specific bill, call:  
**House Index Office**  
(612) 296-6646

For up-to-date recorded message giving committee meeting times and agendas, call:  
**Committee Hotline**  
(612) 296-9283

The House of Representatives can be reached on the World Wide Web at:  
<http://www.house.state.mn.us>

Teletypewriter for the hearing impaired.  
To ask questions or leave messages, call:  
**TTY Line (612) 296-9896 or**  
1-800-657-3550

Check your local listings to watch House committee and floor sessions on TV.

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