

# SESSION WEEKLY

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*Final Issue . . . Latest New Laws*



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# SESSION WEEKLY

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## Reflections

During the legislative session, some lawmakers made weekly trips to the Capitol from far away, as much as 389 miles, one way. That's understandable, for Minnesota is 385 miles wide, 405 miles long, and covers 86,943 miles in area. Those who made a long weekly round trip did it as part of their elective commitment to the voters.

Distances like the 22,000 miles Rep. Bernie Lieder (DFL-Crookston) traversed annually, were minor in comparison to the trek made to St. Paul by some Territorial Council members before statehood, and then others after statehood. Two members — Norman Kittson, a fur trader, and Joe Rolette, a voyageur — lived in far away Pembina (now in North Dakota). At different sessions, they came by dog sled, traveling 30 to 40 days to arrive in St. Paul.

Likewise, Rep. Jim Tunheim (DFL-Kennedy) traveled the farthest from the northwest to get to the capital city. And Rep. Tim Finseth (R-Angus) who shares the same district, said his trip was exactly 325 miles one-way, "from garage to garage."

During this session, Rep. Tom Rukavina (DFL-Virginia) would leave his northeastern home to make a 205-mile, four-hour drive south. Around the same time, at 4 a.m. on Monday mornings Rep. Michelle Rifenberg (R-La Crescent) and Rep. Greg Davids (R-Preston) would leave their homes in the far southeast to drive north. Like Lieder, Tunheim, Finseth, Rukavina, and Rep. Edgar Olson (DFL-Fosston) they all returned home every Friday.

But after 14 years in office, Olson stepped down and will no longer make the long weekly journey.

Rep. Irv Anderson (DFL-Int'l Falls) has come from the farthest point north for 24 years, and Rep. Loren Solberg (DFL-Bovey) has religiously made the trip in for 16 years. But in recent years, Rep. Richard "Doc" Mulder (R-Ivanhoe) has flown his own plane from the far southwest when the weather was fair.

Tunheim once flew in commercially from Grand Forks, N.D., 70 miles from his home. For the past two sessions, he and his wife, Diana, have driven to St. Paul. "It took only three hours longer," he said.

Until next session, Lieder no longer will arrive home on Saturday at 1 a.m. to his wife, Shirley, patiently awaiting him. Lieder said he had only three delays in travel during his 14 years in office. "The first was when I had to stay overnight in Sauk Centre, due to a blizzard. Another was having to wait for a herd of deer to cross the highway, like caribou migrating. The third time was during this 1998 session."

One Friday, as chair of the Transportation and Transit Finance Division, Lieder and others approved staff increases and funding for the highway patrol. Just 15 miles from home, he was given his only warning ever from a state trooper.

Those who live so far away may wish to adopt the inscription on the New York City main post office: "Neither snow, nor rain . . . nor gloom of night stays these couriers from . . . completion of their appointed rounds."

—LeClair Grier Lambert

## INSIDE

Highlights .....	5
Feature: Legislative Reference Library .....	36
Governor's Desk (CH252 - CH408) .....	40

On the cover: The halls of the state Capitol are quiet. The 1998 Legislative Session has ended, and lawmakers and lobbyists have left the building.

—Photo by Andrew Von Bank

# First Reading



Gov. Arne Carlson dropped in on the House April 9, the last day of a session that saw passage of a record capital projects bill and a separate measure that will provide taxpayers with another round of rebates.

1998 session wrap-up . . .

## Legislators focus on capital projects, tax reductions

By Sandy Donovan

It was a short session that produced some tall numbers.

In less than 12 weeks, lawmakers cooked up and passed the state's largest-ever bonding bill, including almost \$1 billion in funding for universities, convention centers, light-rail transit, and a St. Paul hockey arena.

And they also found time to put together a package of tax rebates and reductions that topped \$1 billion. The bill would bring the biennial tax reductions to almost \$2 billion, another state record.

Tax cuts and capital projects were on the agendas of both the Legislature and the governor since the session opened in January with a projected \$1.3 billion surplus in state coffers.

But even as the projected surplus grew closer to \$2 billion, House and Senate members were at odds as to how to best spend that money.

House members advanced plans that would rebate most of the surplus to taxpayers, while selling bonds to pay for building projects around the state.

Meanwhile, senators called for using the surplus to pay cash for building projects, which they said would save money in the long run.

In the end both sides compromised to reach

a final agreement, hammered out during the last week of session.

Tax cuts would include \$500 million in one-time rebates for homeowners and renters as well as substantial reforms in the state's property tax system.

And funding for the \$1 billion in new capital projects would be split almost evenly between cash and bonds, with \$552 million coming from the general fund and \$416 million slated to come from bond sales.

House Speaker Phil Carruthers (DFL-Brooklyn Center) called the agreement a balanced plan, although a House-approved proposal for a so-called "no-wait rebate" this year had to be scrapped.

"This plan meets . . . important goals," he said. "First, it meets the goal of providing significant property tax relief to Minnesota's working families. Second, it enabled us to save money on building projects that not only create jobs, but which will put our colleges, parks, transportation systems, and communities on track for prosperity in the 21st Century."

Much of the money earmarked for capital projects will go to initiatives backed by Gov. Arne Carlson, including University of Minnesota improvements, environmental

preservation projects, and a St. Paul hockey arena, slated to benefit from a \$65 million loan to the city.

Still, some high-profile items were left out of the record bonding bill, including Carlson's desired veterans park in Duluth to feature the USS Des Moines.

And in other areas, lawmakers produced plans that far exceeded Carlson's January budget proposals.

An omnibus K-12 education spending bill, which Carlson has not yet signed but has verbally agreed to, calls for \$124 million in new spending. The governor has repeatedly said he considers that an excessive amount of money.

Most of it — \$70 million — would go to help districts implement the Profile of Learning, a portion of the state's Graduation Standards initiative, but the bill also includes

Lawmakers will return for a special session April 20 to resolve a civil-law issue that affects one Minnesota firm, as well as to attempt to pass revised family and early childhood and economic development measures. Earlier versions of those two omnibus bills were vetoed by Gov. Arne Carlson.



\$12 million for Carlson-supported boarding schools for at-risk teens.

The K-12 bill also would abolish the State Board of Education and begin a major reform of the state's special education system.

An omnibus crime measure already signed into law imposes tougher sentences for a variety of felons and includes funding for more probation officers and for a project to have inmates build low-income housing.

But the so-called "three strikes" plan, which would have mandated life sentences for criminals convicted of violent crimes three times, did not make it into law.

And after much debate over whether to increase abortion restrictions, lawmakers passed a \$58 million health and human services bill that calls for more abortion reporting but does not prohibit so-called "partial birth" abortions.

Other initiatives this session include two proposed constitutional amendments to be placed on the November ballot: One will ask voters whether hunting and fishing should be preserved as a valued part of the state's heritage, and the other will ask whether the state treasurer's office should be abolished.

Also beginning this year, some employers will be required to provide space and time for nursing mothers to privately pump breast milk, and telephone companies will have to provide more detailed information when trying to entice customers to switch long-distance plans.

And awaiting Carlson's signature is a plan that would introduce a three-stage license system for teen-age drivers.

Still, of the more than 1,600 bills introduced in the House since January, several notable ones were defeated or watered down somewhere along the way.

A much talked-about proposal for a three-year moratorium on feedlots eventually passed the Legislature as a two-year ban on only new open-air lagoons for swine waste. But another measure signed by Carlson included funding for the first year of a three-year feedlot study.

Also arriving on the governor's desk in a more modest form than originally conceived was a plan to increase restrictions on personal watercraft operations. Under that bill, which awaits action by the governor, operations would be prohibited for about a 12-hour overnight period and the shoreline no-wake zone would be expanded.

Some other high-profile bills never did make it to Carlson's desk, including a proposal to prohibit banks from levying fees on ATM users.

Likewise, a House-approved plan to lower the legal blood-alcohol content for drivers did not make it out of the Senate, and a proposed constitutional amendment to create a permanent children's endowment fund will not be on the November ballot. 🐾



## Simoneau says being in Legislature was like 'going to college constantly'

By Matt Wetzel

When former Rep. Wayne Simoneau started out as a mechanic in the late 1950s, he had no idea that roughly four decades later he would be capping off a career in public service as the commissioner of the Department of Finance. And working for a Republican governor, yet.

"Didn't even think about it. Just had to go to work and buy a house," said Simoneau, a former lawmaker, auto mechanic, and Teamster.

And it will soon be former finance commissioner. With Gov. Arne Carlson leaving office in less than a year, Simoneau's service as commissioner will be over.

"I'm going to retire," said Simoneau, a father of six and grandfather of seven who has put in 23 years of work in state government.

Simoneau, 63, lives in Fridley with his wife of 39 years, Jane. He served in the Legislature from 1974 to 1995, representing District 46B, which includes Columbia Heights and part of Fridley.

Born in Washburn, Wis., he attended Dunwoody Institute in Minneapolis to learn auto mechanics, and in 1957, went to work. He was active in his union, the International Brotherhood of the Teamsters, and his Fridley DFL precinct, where he became the chair. In 1974, he became the chair of his Senate district, and soon after, he ran for the Legislature.

On the first day of his first term in January 1974, he knew he had a lot to learn.

"You've got to know how things work in order to make them work for you," he said. "I understand government and large systems and how they work. We're bigger than 3M. You've got to understand how big government systems work."

The best way to do that is to wait, watch, and think, he said. And, he said, flexibility is a must, whether guiding a bill through the Legislature or negotiating with special interests.

"Each situation is different. It's like going to college constantly," he said.

During his legislative career, Simoneau served as chair of the House Governmental Operations Committee and the House Appropriations Committee. He last held the

position of chair of the House Financial Institutions and Insurance Committee.

Regarding his legislative work, he is most proud of an initiative to bring state employees under one collective-bargaining agreement in 1980.

"We gave complete bargaining rights to state employees," he said.

The goal was to keep the Legislature out of setting employee salaries, except those of the commissioners, department managers, and essential employees.

He also was the House author of legisla-

tion that provided critical assistance for Northwest Airlines in 1993. And he was House author of a bill in a 1987 special session that helped protect Minnesota employers from hostile takeovers. That came when Dayton-Hudson Inc. was threatened, he said.

Carlson appointed Simoneau in 1995 to go to

work at the Department of Employee Relations, first as deputy commissioner and later as commissioner.

Simoneau said he doesn't consider it surprising that a lifelong DFLer, as he is, was appointed to an administration job by a Republican governor. Simoneau said he considers himself closer to the center than to the far left, and that Carlson has long had a reputation as a moderate Republican, closer to the center than to the far right.

"We're in the middle. That's pretty much where almost everyone in the state is," Simoneau said.

In October 1996, a vacancy occurred for the commissioner of the Department of Finance. Simoneau and Carlson went over the possible choices for a replacement.

"One day Arne just called me up and said, 'You're it. Won't you go upstairs?'" And Simoneau did. 🐾



Wayne Simoneau, an auto mechanic turned politician, is currently the state's commissioner of finance, but his long career of public service will end when Gov. Arne Carlson leaves office.

# Highlights



## BANKING

### Checks in the mail



Restrictions will be placed on the unsolicited checks that some financial institutions mail to consumers, under a new law signed by Gov. Arne Carlson.

Consumers who find such checks in their mailboxes are actually receiving loan solicitations, carrying interest rates as high as 30 percent.

Effective Jan. 1, 1999, the new law stipulates that no financial institution or lender can send such a check unless it complies with several new requirements.

The checks will be required to become void after 30 days, and information will have to be sent with the check advising consumers to destroy it if they do not use it.

Consumers will have to be told in plain terms that the check is a loan, and the loan agreement will have to be on the back of the check.

If such a check is fraudulently cashed by someone other than the addressee, the consumer is to be absolved from liability by signing a statement saying he or she did not cash the check.

The check will have to be mailed in an envelope that does not indicate its contents. Also, it must not be forwarded if the consumer no longer lives at the address.

Bill sponsor Rep. Bill Haas (R-Champlin) said during House floor discussion of the measure that he recently received one such check — for thousands of dollars — in the mail.

He said if the check would have been lost or stolen, and cashed, it would have been a hardship. He said his legislation puts procedures in place to protect the consumer.

The measure allows an exception for prospective borrowers who already have an open-end credit arrangement, such as a credit card account, with a lender.

Sen. Michelle Fischbach (R-Paynesville) sponsored the measure in the Senate.

**HF2016/SF2550\*/CH335**

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

### Lost or stolen debit cards



A new law effective Aug. 1, 1998, will limit customer liability to \$50 on lost or stolen debit cards.

The law will cover the debit cards that financial institutions issue to holders of checking accounts. Besides getting cash out of automatic teller machines, consumers can use debit cards to make purchases that are directly deducted from their checking account, as long as the merchant has a terminal that can handle debit card transactions.

The law will limit customer liability to \$50 if the card is lost or stolen. The limit will apply to unauthorized transactions made before the bank receives notice that the card has been lost or stolen. (There is no liability for transactions made after the financial institution has been notified.)

A similar liability limit for credit card holders exists in current law.

Rep. Ann H. Rest (DFL-New Hope) and Sen. Edward Oliver (R-Deephaven) sponsored the measure.

**HF2500\*/SF2540/CH295**

### Women and credit history



A new law seeks to give divorced and widowed women a fairer shake when applying for loans and credit cards.

Effective Jan. 1, 1999, the law will require that creditors consider the credit history of an applicant's spouse and that credit histories be reported in the name of both spouses.

House sponsor Rep. Peggy Leppik (R-Golden Valley) said the law will help women who were conscientious borrowers while married, but find themselves unable to secure credit after a death or divorce because the credit history exists solely in their former spouse's name.

"There are times when an applicant finds she has no credit history," Leppik said. "This [will] give that person recourse to state court and small claims court. The applicant still has to establish her own credit-worthiness."

Sen. Deanna Wiener (DFL-Eagan) sponsored the measure in the Senate.

**HF2309\*/SF2136/CH327**

### Reporting fraudulent checks



A new law effective Aug. 1, 1998, aims to encourage banks and credit unions to report information concerning fraudulent check use to the crime alert network or law enforcement agencies.

The law will limit the liability of financial institutions who provide stolen, forged, or fraudulent check information.

As long as an institution is acting in good faith when they disclose information, they will be free of risk of being held liable by the subjects of the disclosure, under the new law.

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

**HF3389/SF2493\*/CH337**



## BONDING

### House approves bonding bill

The 1998 bonding bill — complete with a \$65 million loan for the St. Paul RiverCentre hockey arena — awaits action from the governor after being approved by the House April 9. The vote was 86-47.

The bill (**HF3843**), sponsored by Rep. Henry Kalis (DFL-Walters), appeared to be headed for disaster a few weeks ago.

The House-Senate conference committee could not agree on the RiverCentre appropriation, and Gov. Arne Carlson was threatening to veto all or parts of the bonding bill if the appropriation was absent.

The \$130 million arena plan itself also appeared to be in jeopardy. With the early stages of construction about to begin, it looked like the city would have to shoulder the financial burden of the facility, possibly damaging the city's bond credit rating.

Members of the St. Paul City Council were considering measures to delay the demolition of the current arena until the financing issue was settled.

It seemed that attempts to bring NHL hockey back to Minnesota might be in trouble.

A renegotiated lease between the city of St. Paul and the Minnesota Wild hockey team finally provided the necessary boost to resolve the stalemate.

The new lease allows the state to receive payments on its loan and gives the city of

St. Paul the ability to assume more of the debt without risking its bond credit rating.

Under the bonding bill, the state would provide a \$65 million interest-free loan to the city to assist in the construction of the hockey facility.

The bill would require that \$48 million of the loan be repaid by the Minnesota Wild through a set payment schedule over the next 20 years as outlined in the bill. The payments range from \$1.25 million to \$4.75 million annually. The payments would go to a youth activities account.

The remainder of the loan would be forgiven, provided the team can reach an agreement with the Minnesota Amateur Sports Commission to open the arena to the public for free events each year.

Under the initial proposal presented by the governor and included in the House version of the bill, the state was to provide a \$65 million grant to fund the arena.

Under the new plan, the Minnesota Wild will not pay the \$35 million in construction costs required by the previous lease. Instead, the team is required to pay the city \$3.5 million in rent annually.

The team remains responsible for the daily maintenance of the facility over the period of the lease and retains all revenue generated from the facility, including the ticket surcharge and outdoor marquee revenue originally slated to go to the city.

The new plan also removes the team's exemption from property tax, requiring that the team make a payment in lieu of tax that is based on revenue recouped by the team from the ticket surcharge and the outdoor marquee.

Initially, the city would have been required

to issue bonds in the amount of \$30 million, which would have put the city at its maximum debt capacity. The debt would have been serviced by revenues from the \$1 ticket surcharge and the outdoor marquee, and by an existing half-cent sales tax.

The new proposal would require the city to cover the remaining \$65 million in construction costs for the facility. The additional debt would be serviced by the rent payments and payments made in lieu of property taxes by the team.

Proponents of the plan say that the arena is just a part of a larger plan to revitalize the entire RiverCentre facility and downtown St. Paul. They say that the expansion of the entire facility will mean new jobs and economic development in the area.

Aside from professional hockey, this year's bonding bill focuses on transportation, higher education, environment, and economic development projects statewide.

If approved by the governor in its current form, the \$999 million proposal would be the largest bonding appropriation in state history. The bonding bill passed in 1994 holds the current record at \$711 million.

This year's bonding bill is also unusual in that it would pay for over 50 percent of the amount with cash from the general fund as opposed to bonding for the entire amount.

Proponents of this approach argued that it would be better to finance these improvements without placing the debt burden on future generations.

Here are some other highlights of the capital improvement bill.

#### Light rail transit and transportation

The prospect of a light rail transit (LRT)

system in the Twin Cities moves closer to reality with the bonding bill, which would provide \$46.5 million toward transit-way development.

The bill would provide \$40 million of this amount to build a transportation line from downtown Minneapolis to the Minneapolis-St. Paul International Airport and the Mall of America. The line is being called the Hiawatha Avenue Corridor.

The state's contribution would be matched with federal transit capital funds that should be made available by Congress.

The remaining \$6.5 million for LRT in the bonding proposal would be used to study expansion of the LRT into St. Paul and other corridors and to study commuter rail development.

LRT typically serves urban-suburban markets with short distances between stations. Commuter rail primarily serves the suburban market, typically providing links from outlying areas to the LRT. Commuter rail uses existing rail lines and is characterized by longer station-to-station distances of approximately 2.5 miles.

The bill would appropriate \$5 million to assist in developing rural transit. Transit systems in Duluth, Mankato, and St. Cloud would also receive funds, under this provision.

The bill also would appropriate \$34 million for the construction and repair of Minnesota bridges. Transportation officials told lawmakers that bridges are deteriorating faster than expected because of unprecedented use by heavier vehicles and because of a change in construction methods 40 years ago.

Of Minnesota's 19,790 bridges, 3,460 are deficient by federal standards, according to the transportation department. A total of 573



A record \$999 million bonding bill approved by the Legislature would provide money to construct a light rail transit line — resembling the San Diego system shown here — to link downtown Minneapolis and the Minneapolis-St. Paul International Airport.



of those are on the trunk highway system, and 2,887 are on local road systems.

### Higher education spending

The largest portion of the bonding bill — \$281.4 million — would go to improvements to the state's higher education facilities. Of that amount, the University of Minnesota would receive \$138.3 million for projects across the state.

The Twin Cities campus would receive funding for several improvements, including \$53.6 million for the Walter Library, \$1.3 million for renovations to Amundson Hall, \$4 million for biology laboratories in Gortner and Snyder halls, and \$6.9 million for improvements to Peters Hall.

Other projects in the university system include \$28.2 million for improvements to the science and mathematics facility at the Morris campus, \$22.3 million for the construction of a new library at the Duluth campus, and \$4.4 million for university-operated agriculture stations statewide.

The Minnesota State Colleges and Universities system would receive \$143.1 million for statewide improvements, including \$10.4 million at the North Hennepin Community College, \$10 million at the St. Paul Technical College, \$16 million at Hibbing Community and Technical College, and \$43 million to fund asset preservation at several system facilities.

### K-12 education projects

The Department of Children, Families and Learning would receive \$62.4 million for projects, under the bill.

Of that amount, \$5 million would go to Youth Enrichment Grants. Communities could apply for the funds to develop after-school community facilities.

Also from this amount, \$14 million would go to a grant to the St. Paul School District to assist in the development of community schools.

The bill would also provide \$9.2 million for the renovation of facilities at the state academies for the deaf and blind in Faribault, and would allocate \$1.4 million to the Lola and Rudy Perpich Center for Arts Education for improvements.

### Recreation and conservation

The Department of Natural Resources (DNR) would receive nearly \$130.3 million for a myriad of projects, including \$10.3 million to acquire and maintain state trails and \$17 million for improvements to the state park system.

Other projects overseen by the DNR would

include \$30 million for grants to local governments to prevent or control flood damage, \$4 million to establish and maintain metropolitan-area green space and natural areas, \$5 million for safe harbors on Lake Superior, \$5 million to improve trails in the metropolitan area park system, and \$10.3 million for the acquisition and development of statewide trails.

The Board of Soil and Water Resources would receive \$19.8 million. Of that figure, \$15 million would target wetlands for protection under the Reinvest in Minnesota program. Under the program, landowners are paid to retire certain lands from agricultural production or place wetlands into conservation.

### State buildings

The bonding bill contains several appropriations which seek to maintain the state's stock of buildings.

The Department of Administration would be appropriated \$15 million to fund the Capital Asset Preservation and Replacement Account (CAPRA). The CAPRA account is used to finance urgent and necessary improvements, such as elimination of hazardous materials or emergency repairs.

The department also would receive money for other state facilities, including \$3.8 million to construct a new Bureau of Criminal Apprehension building, \$5.4 for relocation of the Department of Revenue to its new facility in the Capitol complex, and \$3.1 million to relocate workers from the troubled Capitol Square Building.

The bonding bill also would appropriate \$9.5 million to the Capitol Area Architectural and Planning Board for improvements at the state Capitol.

### Convention centers

Consistent with the governor's proposal, convention centers also receive a good deal of attention in the bonding bill. Along with the St. Paul RiverCentre, the city of Minneapolis would receive \$87 million to help finance the expansion of the Minneapolis Convention Center.

Duluth would receive \$10 million for the expansion of the Duluth Entertainment and Convention Center. Other convention center funding would be provided to the cities of Fergus Falls, Hutchinson, Rochester, and St. Cloud.

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.



## BUSINESS

### Alcohol sales on campus



The sale of alcohol on state university grounds will be allowed on a limited basis, under a new state law.

Effective Aug. 1, 1998, a provision in the law will allow issuance of temporary on-sale liquor licenses for events sponsored or approved by the university requesting the permit. The law will not apply to campus sporting events, fraternity or sorority parties, or other functions geared toward students.

Legislators were told the permits will be for social functions at universities, such as plays held on campus, where wine sales have been requested. The temporary licenses also could be used for on-campus alumni functions.

Legislators also were told that community functions are sometimes held on campuses and that some civic organizations have requested to serve liquor on campus.

Effective April 7, 1998, another new provision allows on-sale liquor licenses to be issued for Giants Ridge Golf and Ski Resort and for Ironworld Discovery Center. A state agency, the Iron Range Resources and Rehabilitation Board, owns and operates Ironworld in Chisholm, Minn., and Giants Ridge near Biwabik, Minn.

The fee charged for a license issued for Ironworld or Giants Ridge must be comparable to the fee charged in the surrounding area.

Also effective April 7, 1998, the law exempts towns of 5,000 or less from a restriction that allows the sale of only one temporary license to a municipality within a 30-day period. The exemption also applies to licenses issued in connection with community festivals.

Rep. Jim Tunheim (DFL-Kennedy) and Sen. Sam Solon (DFL-Duluth) sponsored the new measure.

HF2695/SF2274\*/CH364

### Business on Sundays



A new law makes it easier for Minnesota's boat, snowmobile, and all-terrain vehicle dealers to do business on Sundays.

Previously, boat, snowmobile, and all-terrain vehicle trailers were considered "motor vehicles" under state law, which prohibits the sale of motor vehicles on Sundays. That meant customers without their own trailer had no way to transport their purchases on Sundays.

Effective March 6, 1998, the new law fixed the impractical glitch in state law by exempting certain trailers from the Sunday sales ban.

A second provision in the new law also aims to make life easier for trailer dealers.

Prior to the passage of the law, it was necessary for an individual to hold a franchise license in order to sell a motor vehicle. The new law exempts trailers from the franchise requirement.

Rep. Irv Anderson (DFL-Int'l Falls), sponsor of the measure, was alerted to the problems with trailer sales by a small marine dealer in his district. Originally, Anderson said, he considered doing away with the Sunday motor vehicle sales ban entirely.

But that idea opened a "hornet's nest," he said. Some dealers support Sunday sales; many do not.

During a House committee hearing, Scott Lambert of the Minnesota Auto Dealers Association, said that his organization has no problem with exempting trailers from the Sunday sales ban, but the automobile dealers Lambert represents are not interested in doing regular business on Sundays.

Sen. Bob Lessard (DFL-Int'l Falls) sponsored the measure in the Senate.

**HF2425/SF2170\*/CH267**

## Limited partner regulations



Regulations by which a limited partner in an investment can withdraw from a partnership will be changed under a new law.

The law will allow limited partners to withdraw from an investment partnership only if permitted by the written partnership agreement. If the agreement contains no withdrawal authority, the limited partner will not be able to withdraw.

Current law allows limited partners to withdraw unless it is specifically forbidden in the written partnership agreement.

Limited partners invest in a partnership but are usually not subject to the same legal liabilities to which the general partners are subject.

The new law will apply to partnerships formed after July 31, 1998, and to partnerships formed earlier that contain a written provision allowing withdrawal.

Rep. Bill Macklin (R-Lakeville) and Sen. Don Betzold (DFL-Fridley) sponsored the measure.

**HF2507/SF3036\*/CH320**

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Office at (612) 296-2146

## Franchise law exemption



Northwest Airlines will be unable to use a 1997 law to its advantage in a court battle, under a new law signed by the governor.

The 1997 Legislature passed special legislation for Northwest Airlines that retroactively exempted the airline from Minnesota's franchise law.

The state franchise law provides franchisees with some degree of protection against unwarranted termination of agreements with their parent companies.

Legislators discovered this year that the retroactive exemption had an effect on pending litigation against Northwest Airlines.

A \$30 million lawsuit filed in Maine in 1994 by Northeast Express Airlines and Precision Valley Aviation claims that Northwest Airlines violated Minnesota's franchise law when it dropped the two commuter airlines, forcing them into bankruptcy.

The new law clarifies that the 1997 franchise exemption does not apply to any agreements that were subject to litigation prior to passage of the law. The new law is effective retroactively to May 31, 1997.

Rep. Matt Entenza (DFL-St. Paul) and Sen. Allan Spear (DFL-Mpls) sponsored the measure.

**HF3841/SF3397\*/CH353**



## CHILDREN

### Child protection changes

A bill that would make significant changes to the state's child protection system is on its way to the governor. The House passed the bill April 9 on a 131-1 vote.

Sponsored by Rep. Matt Entenza (DFL-St. Paul), the bill (**HF2985\*/SF2682**) seeks to address issues that have recently come to light regarding the state's ability to protect children who are in danger.

In January 1998, the legislative auditor released an evaluation of the state's child protection system. The auditor found that services varied greatly from county to county and that no external oversight exists to monitor the actions in these cases. The auditor suggested numerous approaches to reforming the current state of the system.

Entenza's bill incorporates many of the suggestions, along with changes recently mandated by federal law. The bill would create a more uniform statewide system and attempt to provide a sufficient level of oversight to

make sure that the cases are handled effectively.

The bill also seeks to place children more quickly into permanent living situations, either with a parent or another alternative home. In addition, the bill would require that the Department of Human Services design a statewide child protective services plan with input from the county-administered programs.

The bill also would direct spending of a \$10 million family preservation appropriation contained in the omnibus health and human services bill (**HF2868/SF3346\***), which is sponsored by Rep. Lee Greenfield (DFL-Mpls). A total of \$9.3 million would go to the counties to assist in permanent placement, and the remaining \$700,000 would go to the Department of Human Services to assist in planning and coordination of the statewide system.



## CONSUMERS

### Getting extended area service



A new state law makes it easier to petition the Public Utilities Commission for extended telephone service within school district boundaries.

A 1997 law required a majority of all telephone customers in each exchange to vote in favor of extended area service within a school district.

The new measure, effective March 24, 1998, requires only that a majority of customers who cast a vote is required to extend the service.

Extended area service is often sought in rural areas, where calls from residents to their children's school can result in long distance charges. While extended area service may result in higher monthly service charges, it does make each call within a school district a local call.

House Minority Leader Steve Sviggum (R-Kenyon) and Senate Majority Leader Roger Moe (DFL-Erskine) sponsored the measure.

**HF3644\*/SF3170/CH326**

### TAP expansion vetoed



Gov. Arne Carlson vetoed a bill calling for a new surcharge on cellular phone accounts to help pay for expansion of a program that assists some needy people to afford basic telephone service.

The bill would have added about 150,000 Minnesota households to the Telephone Assistance Plan (TAP). The program currently



provides assistance for basic telephone service to about 50,000 Minnesotans who meet criteria related to age or disability. The bill would have changed eligibility requirements to income-based criteria.

The bill "amounts to a tax increase," Carlson wrote in his veto message.

"This legislation will eventually increase TAP fees placed upon telephone customers by 66 percent and impose a fee on cellular phones to increase the fee base by 30 percent, thus giving rise to a tax increase of approximately \$1 million," the governor stated. "Moreover, this language nearly triples the size of the existing program."

The bill would have allowed a surcharge on cellular phones, but the surcharge would have been capped at 10 cents a month on cellular, business, and residential lines. The surcharge would not have applied to telephone pagers.

Currently, there is a 6-cent monthly surcharge on regular telephone accounts to finance the program.

The proposed new version of the TAP would have included no reference to age or disability in eligibility requirements. The bill would have broadened the program to include single-person households at or below 100 percent of the federal poverty level and multiple-person households at or below 150 percent of the level.

"I have long opposed legislation which results in new or increased taxes," Carlson wrote. "My position has not changed."

Rep. Karen Clark (DFL-Mpls) and Sen. Steve Kelley (DFL-Hopkins) sponsored the measure.

**HF3064/SF2718\*/CH378**

Another provision in the new law will make murder committed during a drive-by shooting a first-degree murder crime, increasing the prison sentence for the offense. (Art. 2, Sec. 7)

The new law also will raise the maximum penalty from a five-year prison term to a 10-year term for firing into an occupied vehicle. Both drive-by shooting provisions are effective Aug. 1, 1998. (Art. 2, Sec. 22)

The measure also will increase penalties for felons convicted of violent offenses who are found illegally in possession of a firearm. Currently, the mandatory minimum prison sentence is 18 months. Effective Jan. 1, 1999, the mandatory minimum will be increased to five years. (Art. 2, Sec. 4)

Another provision in the law will increase penalties generally for soliciting a prostitute or receiving profit from prostitution. This provision, effective Aug. 1, 1998, also will increase the penalties for engaging in prostitution in a school zone or in a residential area. (Art. 2, Secs. 1, 12)

Rep. Mary Murphy (DFL-Hermantown) and Sen. Randy Kelly (DFL-St. Paul) sponsored the legislation.

Here are some other highlights of the new law.

**HFnone/SF3345\*/CH367**

#### Prosecuting gangs

Prosecutors told legislators this year that they are having difficulties bringing gang members to trial and making the penalties stick. Several provisions in the new law seek to address such concerns.

One provision will expand a current law that provides increased penalties for crimes

done for the benefit of a gang to include crimes "motivated by involvement with" a gang. The provision also will increase these enhanced penalties. (Art. 2, Sec. 9)

The new law will increase penalties for witness tampering and will add witness tampering to the list of crimes that can receive enhanced penalties if done for the benefit of a gang. (Art. 2, Sec. 5)

The measure also seeks to get people to show up for court, both offenders and witnesses. One provision will increase the penalty for failure to appear in court if charged with a felony level crime. (Art. 2, Sec. 16)

Another provision will increase penalties for individuals who knowingly and willingly defy a court subpoena to appear in relation to a violent crime. (Art. 2, Sec. 3)

These provisions are effective Aug. 1, 1998.

#### Charging burglars

A provision of the new law will make it easier to prosecute people who illegally enter a property by expanding the definition of burglary to include accomplices. The new definition is effective Aug. 1, 1998. (Art. 2, Sec. 21)

Prosecutors said the new language would make the law more explicit and allow them to bring charges against anyone who illegally enters a dwelling, even if they don't actually break in or steal something.

#### Fighting drugs

The new law will increase the penalties for manufacturing, possessing, or selling methamphetamine. Law enforcement officials said that Minnesota is seeing a dramatic increase in use of the drug.

## CRIME

### Omnibus crime prevention bill



Gov. Arne Carlson signed omnibus judiciary finance and crime prevention legislation that includes several provisions aimed at lengthening penalties for certain crimes.

One such provision in the new law will classify murder committed in the course of a kidnapping a heinous crime, effective Aug. 1, 1998. A person convicted of such a crime could be sentenced to life without parole, Minnesota's toughest sentence. (Art. 2, Sec. 6)

Rep. Steve Wenzel (DFL-Little Falls), who backed the provision, said that measure comes in response to the 1996 murder-kidnapping of Paul Antonich, a Two Harbors teen-ager taken from his father's car in Duluth after a minor traffic accident.



A new law will increase penalties for a number of crimes, including prostitution and drive-by shootings.

Effective Jan. 1, 1999, the drug will be raised to the same status as cocaine and heroin and the manufacture of any amount of methamphetamine will be a first-degree controlled substance offense. (Art. 4, Secs. 1-3)

Effective Aug. 1, 1998, the new law will make the drug ephedrine a controlled substance, to be dispensed only by prescription in most instances. The targeted over-the-counter products containing ephedrine are reportedly taken by teen-agers and others looking to achieve a legal high. (Art. 4, Secs. 5, 6)

#### Protecting police officers

Several provisions in the new law seek to make it easier and safer for police officers to do their jobs.

One such provision comes as a result of an incident where two Richfield police officers were accused of sexual assault. Although the allegations were proven false, the incident greatly disrupted the criminal justice process, not to mention the lives of the two officers.

The provision will make it a criminal violation to harass police officers because of the performance of official duties by expanding the state's stalking law. (Art. 2, Sec. 23)

In addition, the new law will make it easier to prosecute people who interfere with officers making an arrest by expanding the legal definition of obstruction of justice. (Art. 2, Sec. 17)

The two provisions are effective Aug. 1, 1998.

Another provision, effective April 7, 1998, authorizes officers to conduct pat-down searches on juveniles taken into custody.

Under previous law, pat-down searches could be performed only on adult offenders. Proponents of the change argued that police officers need to be protected from juveniles, as well as adults, carrying concealed weapons. (Art. 10, Sec. 10)

#### Conditional release

Effective Aug. 1, 1998, the new law will make several changes to the state's probation and conditional release law.

The measure also will allow peace officers to detain for eight hours a person on conditional release if the officer has reasonable cause to believe that the individual has violated the terms of his or her release. (Art. 7, Sec. 12)

The law also allows probation officers to impose community service on people who violate the conditions of their parole. (Art. 7, Secs. 1, 2)

The new law also authorizes the use of remote electric alcohol monitoring for offenders who agree to abstain from alcohol as a condition for pretrial release or probation.

Offenders who can afford the program are required to pay the costs. (Art. 11, Sec. 6)

#### Juvenile criminals

A version of the legislation earlier approved by the House would have opened some juvenile court records and proceedings to the public. For juveniles under 14 years old, the bill would have made court records available to the public if the juvenile was found guilty of a third felony or gross misdemeanor level offense. For juveniles who are 14 years old or older, the bill would have opened all court hearings to the public, regardless of the offense.

These provisions were removed by the conference committee. However, juvenile court proceedings and documents will be open to the victim of the crime, under the new law. (Art. 10, Secs. 7, 8)

The measure also will increase penalties for contributing to the delinquency of a juvenile. Another provision will create a civil penalty for this crime, requiring a person found liable for the delinquency of a juvenile to provide restitution to victims. (Art. 10, Secs. 11, 12)

The new law also will make it easier to get juveniles who are participating in prostitution into the state's child protection system. (Art. 10, Secs. 4-6)

These provisions are effective Aug. 1, 1998.

#### Right to ride

A provision of the new law will prohibit owners of public accommodations, such as restaurants and hotels, from discriminating against motorcyclists.

Effective Aug. 1, 1998, the new law provides exceptions if the owner feels that the person's conduct poses a risk to property or the safety of other patrons, or if the clothing worn by the motorcyclist is obscene or includes the symbol of a criminal gang. (Art. 11, Sec. 18)

#### Reporting crime

Several provisions within the new law authorize reports to the Legislature regarding crime in Minnesota.

One provision requests that the legislative auditor study the cost of crime in the state, including direct costs to state and local governments for criminal justice and indirect costs placed on individuals, businesses, and neighborhoods. (Art. 1, Sec. 14)

Another measure authorizes the city of Minneapolis, Hennepin County, and the Hennepin County District Court to provide data on criminal justice in the city of Minneapolis. This study must be approved by both the Minneapolis City Council and the Hennepin County Board. (Art. 2, Sec. 29)

Another provision seeks more accurate information on prostitution in Minneapolis and St. Paul. The new law mandates that city attorneys in the two cities and county attorneys in Hennepin and Ramsey counties report on investigation and prosecution of prostitution within the jurisdictions. (Art. 2, Secs. 30-31)

#### Financing justice

The measure contains \$7.9 million in supplemental appropriations, a majority of which will go to the Department of Corrections, the Department of Public Safety, and the state courts.

Of the total amount, \$3 million will be recouped in revenue from increased criminal justice fees and criminal fines.

The Department of Corrections will receive \$2.1 million, much of which will go to reducing the caseload for probation officers. Grant programs that fund community corrections also will be funded through these dollars.

The Department of Public Safety will be appropriated \$1.6 million. Of these funds, the office of the Crime Victim Ombudsman will receive \$300,000 to fund its services; the Bureau of Criminal Apprehension will receive \$133,000 to add forensic scientists to its crime lab; and the department will get \$750,000 for law enforcement and community crime prevention grants.

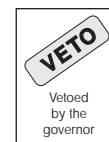
The state fire marshal will receive \$170,000 of public safety money for the creation of an arson data system. The data base will contain only basic information at the state level but will provide links to local criminal justice agencies for more detailed information on specific cases of arson.

The measure will appropriate \$1.1 million to the state courts for law clerk salaries. The state public defender will receive \$1 million for defense attorney salaries. Another \$375,000 will be given to Legal Aid to provide legal service to low-income individuals. (Art. 1)



## DEVELOPMENT

### Jobs, housing, development



Citing what he referred to as "clearly excessive" spending, Gov. Arne Carlson vetoed the omnibus jobs, housing, and economic development appropriations bill.

The governor has indicated that he will call a special session, opening the possibility that all or parts of the bill may be reconsidered.

The \$38 million bill included about \$20 million in appropriations for housing issues and \$18 million in appropriations for

statewide economic development and job training.

In his veto message, the governor restated his belief that the even-year legislative session should focus on bonding and emergency issues.

"As I stated in my prior veto message, even-year legislative sessions were not created to enact large appropriation bills such as this," Carlson wrote. "Outside of bonding and emergency financing, the Legislature should significantly limit all spending proposals during these sessions."

The governor said that the bill contained several worthwhile appropriations which should be revisited by the Legislature, including funds to the Department of Economic Development for a vocational rehabilitation program and appropriations for various housing programs.

A last-minute attempt to get a scaled-back jobs, housing and economic development bill to the governor's desk failed April 9.

Rep. Steve Trimble (DFL-St. Paul) and Rep. Karen Clark (DFL-Mpls) sponsored an amendment to add many of the appropriations contained in the vetoed bill to a separate bill (HF2034/SF90\*), sponsored by Rep. Tom Rukavina (DFL-Virginia).

The amendment contained \$2.7 million in appropriations for housing programs and \$10.4 million in appropriations for economic development and job training.

The amendment was added to the bill. However, the bill did not come up for a vote before the final adjournment.

Trimble and Sen. Tracy Beckman (DFL-Bricelyn) sponsored the vetoed omnibus jobs, housing, and economic development bill.

The vetoed bill included a provision that would have provided \$10 million to the Minnesota Housing Finance Agency (MHFA) to assist in maintaining existing low-income housing. That provision was the centerpiece of the \$20 million housing portion of the bill.

The provision was in response to a situation occurring statewide. In the 1970s, the federal government set up a program where developers received reduced-rate mortgages and financing incentives to build low- and moderate-income housing. Rent rates were subsidized by the federal government and rent increases were regulated.

Owners of many such complexes are now taking advantage of a provision that allows them to prepay the remaining portion of their mortgage and to begin charging market-rate rent.

The \$10 million in the bill would have funded the equity takeout loan program administered by the MHFA. The fund is used to

provide financial incentives to maintain existing subsidized housing. The incentives can be made available to local units of government and nonprofit organizations.

And the bill included \$9 million in appropriations to the Department of Economic Security for job training and assistance, including \$3.2 million for summer youth employment and \$1.4 million for the State Services for the Blind to develop a digital communication center for its Radio Talking Book program.

The bill would have appropriated \$6.2 million to the Department of Trade and Economic Development for statewide projects. Of that amount, \$3.3 million would have gone to the Minnesota Film Board to provide support for the state's \$250 million film and video industry.

The appropriation would have been used to create a revolving loan fund to be administered by the film board and the Department of Trade and Economic Development.

HF3806/SF3367\*/CH374



## DWI

### Repeat DWI offenders



Signed  
by the  
governor

Effective March 26, 1998, a new law authorizes state courts to sentence repeat DWI offenders to an intensive probation program in place of mandatory jail sentences.

Intensive probation programs seek to provide alternative sentencing for those DWI offenders considered to be of high risk to the community.

These programs require a period of incarceration in a treatment facility followed by supervised home detention. Offenders are prohibited from using alcohol or drugs and are frequently tested for use throughout the probation. Offenders are also required to pay a substantial portion of program costs.

The Department of Corrections has a grant program in place to assist counties interested in establishing intensive probation programs. Correction officials said that they received requests from 13 counties this year.

Officials from Dakota County said that an evaluation of their intensive probation program showed a recidivism rate of 11 percent. They said the rate for those incarcerated without the program was 43 percent.

The officials said it is difficult to get a repeat offender into the program voluntarily after he or she has already done jail time.

Rep. Thomas Pugh (DFL-South St. Paul) and Sen. Deanna Wiener (DFL-Eagan) sponsored the legislation.

HF2615/SF2252\*/CH332



## EDUCATION

### K-12 education finance bill

The state's Graduation Standards would stay, the State Board of Education would go, superintendents' paychecks could grow, and Minnesota's special-education system would see a major overhaul, under the K-12 education finance bill the House passed April 9.

The bulk of the funding — \$70 million of the bill's total \$124 million — would go to help districts implement the Profile of Learning, a portion of the state's Graduation Standards initiative that would measure student achievement on a broad range of skills.

Although the Profile of Learning is currently set to kick in with the 1998-1999 school year, the bill would allow districts to phase in the requirements over the next three years. All students graduating in 2002 would be required to have completed the new standards.

"Our goal was to make sure the Graduation Standards are able to work, and to move down a path that will result in kids being better prepared for the world," said Rep. Becky Kelso (DFL-Shakopee), who sponsored the bill (HF2874\*/SF3378) in the House.

She also noted that, being the second year of the legislative biennium, 1998 is "not a year for dramatic changes or reform."

Nevertheless, the bill carries a major policy change, calling for abolishing the 79-year-old State Board of Education by 2000.

The nine-member board helps set rules and policies for K-12 and community education. Under the bill, most of the board's authority would be transferred to the commissioner of the Department of Children, Families and Learning, but a new board would be created to take over regulating the state academies for the deaf and blind in Faribault.

Sen. Lawrence Pogemiller (DFL-Mpls) sponsored the legislation in the Senate. The governor has said he plans to sign the bill.

### Special education

The state's special education system also would receive a major overhaul under the omnibus bill.

A 1997 report of the legislative auditor showed that special education costs in Minnesota were spiraling, and Kelso has said that getting those costs under control was a high priority for this session.

The bill would require the state to reimburse districts for 50 percent of certain legal costs incurred when schools attempt to deny parents' requests for what the schools perceive as unnecessary special education services. The theory is that districts often provide





A \$124 million K-12 education bill that passed the Legislature would provide funds to support all-day kindergarten and would allow secondary schools to phase in the Profile of Learning, which is a part of the state's Graduation Standards initiative.

unnecessary, costly services because they are afraid of the potential cost of lawsuits — even unsuccessful ones — brought by parents asking for services.

But before they would be eligible for reimbursement, districts would first have to make a “good faith effort” to resolve the dispute through mediation.

In another attempt to cut costs, the bill would mandate that as of July 1, 1999, state special education requirements could not exceed federal requirements.

The bill also contains provisions that would maximize Medical Assistance reimbursements for special education purposes.

The bulk of the bill's special education provisions were the result of a year-long joint House and Senate subcommittee, headed by Rep. Mindy Greiling (DFL-Roseville).

#### Superintendents' salaries

The current cap — at 95 percent of the governor's annual paycheck — on Minnesota school superintendents' salaries also would be repealed under the bill.

Several metropolitan-area districts have said they've had trouble recruiting and retaining top-notch superintendents because of the salary cap.

“It simply makes no sense for the state of Minnesota to be involved in something of that local nature,” Kelso said.

#### Boarding schools

Gov. Arne Carlson's plan to establish residential boarding academies for at-risk youth is also supported in the bill.

The measure calls for \$12 million to help build three year-round schools.

The proposed year-round academies would be geared to high school students who are unsuccessfully bounced between foster families or those whose parents feel a residential environment would help get their child on the right track. Enrollment would be conditional upon the students' voluntary desire to attend.

#### All-day kindergarten

The bill also would provide an additional \$1.5 million for certain schools to begin or continue all-day kindergarten programs.

The new funds would bring next year's allowance for the first-grade preparedness program, initiated in 1996, up to \$6.5 million. Kindergarten is still optional in Minnesota, but several recent reports have shown that attending all-day programs dramatically increases children's academic and social skills.

The House version of the omnibus bill that went to conference committee would have added only \$500,000 in new funds for this program, but the Senate version would have added \$5 million.

#### Loophole closed

Another provision would clarify a murky area of state statute under which some districts have been able to substitute locally approved achievement tests for state-mandated tests.

Under the bill, all districts would be required to use the same tests for assessing students' basic skills aptitudes.

#### Summer school

Attending summer school could become mandatory for some students under the new bill.

Districts would have the authority to set their own criteria for determining who would be required to attend summer programs. The provision is intended to help districts improve performances on the state-mandated basic skills tests.

#### Earlier start dates

Under the bill, districts would also be allowed to begin the school year as early as September 1.

Current law prohibits schools from starting before Labor Day, and an earlier provision to repeal the mandated start date altogether was heavily opposed by members of the tourism industry, who were concerned about potential lost revenue in a shortened summer season.

Last year, lawmakers passed a measure allowing an exception to the Labor Day school start law to allow schools to begin classes before the holiday in 1998 and 1999.

#### Charter school sponsors

A current ban on corporate sponsorship of charter schools would be repealed under the bill. Currently, only public school districts and public or private colleges and universities can sponsor a state charter school.

Kelso said the provision was added at the request of the governor, who “felt strongly” that businesses should be allowed to sponsor the schools.

## ELECTIONS

### Elections provisions modified



A new law changes the standard for conviction of people who distribute false material during an election campaign.

Under previous law, people who distributed false material or made a false statement about a candidate or a ballot question could have been convicted of a gross misdemeanor.

Now, to be convicted, the person making the statement has to know the material is false or has to have failed to check on it adequately. The law was drafted to conform with a U.S. Supreme Court decision.

To conform with a separate state district court decision, the new law also restores the voting rights of those judged legally incompetent because they are considered sexually dangerous or psychopathic. Under previous law, they could not vote.

The new law, which took effect April 10, 1998, was sponsored by Rep. Mindy

Greiling (DFL-Roseville) and Sen. John Marty (DFL-Roseville).

HF2486/SF2256\*/CH376

## Updating voter lists



Gov. Arne Carlson vetoed a bill that aimed to make it easier for people who move to new homes to update their voter registration information.

The bill would have authorized the Office of the Secretary of State to get names and addresses of people who have given the U.S. Postal Service a change-of-address card.

The bill called for the secretary of state to then send the information to the appropriate county auditor and for the auditor to confirm the voter's new address by mail.

In his veto message, the governor said he vetoed similar legislation in 1997 and that he still has the same concerns. He then listed those concerns as follows: "1) Where a person receives their mail is not necessarily always where they reside and vote; 2) Establishing the residence of thousands of potential voters is a culmination of many factors that may not always be reflected by an automatic process for registration; and 3) The unintended outcome of this process may actually be more confusion on the part of the electorate," he wrote.

Carlson said any change in election law is important and should have bipartisan support. The bill passed 71-61 in the House and 46-14 in the Senate.

"Even if my concerns were entirely satisfied, I could not support any changes to our election laws when only three Republican members in the House of Representatives, and relatively few in the Senate, supported the bill. Changes such as those proposed in this bill should have at least modest bipartisan support before becoming law," he wrote.

Rep. Betty Folliard (DFL-Hopkins) and Sen. Linda Scheid (DFL-Brooklyn Park) sponsored the bill.

HF2387/SF2149\*/CH346

## Open absentee balloting



Gov. Arne Carlson vetoed a bill that would have extended Ramsey County's open absentee ballot program.

In his veto message, Carlson questioned the need for its continuation.

"The project has been in existence since 1991," he wrote. "At what point do we bring a *pilot* project to an end? What information, other than what has already been gathered,

does the county hope to obtain? And what does the county intend to do when the project expires in two years? We know what the benefits and drawbacks of this program are — it's time to end it and take up the larger debate of applying it to all citizens of the state."

In 1991, Anoka, Hennepin, Polk, and Ramsey counties entered into a pilot project for open absentee balloting. The 1994 Legislature extended the pilot project in Ramsey County until this year.

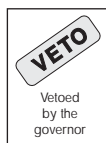
Under the pilot project, people don't need a reason to vote absentee, they just need to apply in writing at their county auditor's office. (State law dictates that people who want to vote by absentee ballot must have an acceptable reason, such as absence from the precinct, illness, disability, observance of a religious holiday, or service as an election judge.)

An absentee ballot is mailed or given to the voter, who fills it out like a regular ballot and mails it to the county auditor's office. The ballots are held until election day, then counted with the rest of the ballots.

Rep. Betty McCollum (DFL-North St. Paul) and Sen. Charles Wiger (DFL-North St. Paul) sponsored the bill.

HF2567/HF2221\*/CH347

## Absentee ballots with 'reason'



Gov. Arne Carlson vetoed a bill that would have allowed voters to use an absentee ballot for any reason.

Current law lists a number of acceptable reasons for voting by an absentee ballot. The reasons include absence from the precinct, illness, disability, observance of a religious holiday, or election judge service in another precinct.

The bill would have stricken that language in current law and required only that voters list their reason for needing an absentee ballot on their application.

In his veto message, Carlson said he was concerned about the party-line vote on the bill.

"Significant changes to election laws such as those proposed in this bill are too important to be entirely one-sided and lacking in bipartisanship," Carlson wrote.

The bill was widely opposed by Republican legislators.

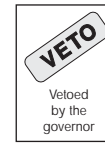
"Changes should have at least modest support from both sides of the aisle before being signed into law, and certainly not the vociferous opposition that accompanied this and other election law bills," Carlson wrote.

Rep. Tom Osthoff (DFL-St. Paul) and

Sen. Linda Scheid (DFL-Brooklyn Park) sponsored the bill.

HF2526/SF2148\*/CH352

## Absentee voting pilot project



A bill that would have established an absentee ballot pilot project for Hennepin County was vetoed by Gov. Arne Carlson.

The bill, sponsored by Rep. Richard Jefferson (DFL-Mpls), called for a pilot project that would have allowed voters to vote by absentee ballot without having to give a reason, as long as they supply their name, address, signature, and other basic information.

It's the fourth bill relating to election law that Carlson has vetoed this year, including a bill that would have extended a similar absentee ballot pilot project in Ramsey County, and he noted that in his veto message.

"What do we hope to learn from the Minneapolis project that was not demonstrated in Ramsey County? We know what the benefits and drawbacks of an open ballot system are — if it is a good idea, then take it statewide," he wrote.

Under present law, people wanting to vote absentee must have a reason, such as an illness, disability, observance of a religious holiday, or service as an election judge.

Carlson noted that changes to election law are too important to be "laced with partisanship. I cannot support changes to our election laws when not a single Republican in the House, and relatively few in the Senate, supported the bill," he wrote.

"Increasing voter turnout, especially in our large cities, is an admirable goal; but simplifying the process is only a very small part of the solution. Issues and candidates move people to vote. I suggest we focus on those critical parts to move the citizens of Minneapolis to the polls," Carlson concluded.

Jefferson and Sen. Linda Higgins (DFL-Mpls) sponsored the bill.

HF2293/SF2118\*/CH370



## EMPLOYMENT

### Hibbing workers' benefits



About 125 workers, temporarily laid off from the Hibbing Taconite Co. in St. Louis County, may receive extended re-employment benefits, under a new measure Gov. Arne Carlson allowed to become law without his signature.

Effective April 7, 1998, the workers became

eligible for up to an additional 13 weeks of benefits.

They were laid off between July and September 1997 because of lack of work. The company says it expects to have them back to work by the end of May, but the workers' regular unemployment benefits ran out over the winter.

Under previous law, extended benefits were granted only to workers affected by large, permanent layoffs in counties with high unemployment.

The new law exempts the Hibbing workers from three requirements: that the layoff be of a certain size, that it be permanent, and that it occur in a county where the unemployment rate is more than 10 percent. The workers still need to meet requirements specifying that they be otherwise eligible for unemployment and that they have exhausted all other rights to benefits.

Rep. David Tomassoni (DFL-Chisholm) said the average benefit of the affected workers is \$331 per month and the total extra benefits will be about \$128,000. He also said that the company, since it is still in business, will end up paying for most of that amount in taxes.

Tomassoni and Sen. Jerry Janezich (DFL-Chisholm) sponsored the legislation.

**HF3465/SF3084\*/CH358**

## Workplace breast-feeding



Employers will be required to make a "reasonable effort" to provide adequate private space and unpaid breaks for new mothers to pump breast milk, under a new law signed by the governor April 9.

Effective Aug. 1, 1998, employers must provide "a room or other location, in close proximity to the work area, other than a toilet stall," where a woman can privately pump breast milk.

But employers will not be held liable if they have made a "reasonable effort" to comply, and the law does not contain penalties.

The law will stipulate the break times can run concurrently with any other provided breaks. Employers will not have to provide the breaks if doing so would "unduly disrupt the operations of the employer."

The law also will exempt breast-feeding from indecent exposure laws.

Rep. Mindy Greiling (DFL-Roseville) and Sen. Ellen Anderson (DFL-St. Paul) sponsored the legislation.

**HF3459/SF2751\*/CH369**



Joanne Wesley, a lactation specialist at the Minnesota Department of Health, informed lawmakers about the benefits of breast milk for infants. She backed a new law that will require employers to provide reasonable unpaid break time and a private space for nursing mothers to pump breast milk.

## Emergency dispatcher status



Emergency dispatchers will be classified as essential employees, under a new law.

Effective Aug. 1, 1998, police, fire, and 911 dispatchers will join law enforcement personnel, health care

workers, prison guards, and others as essential employees.

Under that status, workers give up the right to strike, but they can still request arbitration in a labor dispute.

Supporters of the new measure said it was needed because a dispatchers' strike would threaten public safety.

Rep. Thomas Pugh (DFL-South St. Paul) and Sen. Randy Kelly (DFL-St. Paul) sponsored the legislation.

**HF1693/SF1074\*/CH355**



## ENVIRONMENT

### Environmental spending

A \$17.2 million environment, natural resources, and agriculture spending bill won final passage in the House April 9. The bill awaits action by the governor.

Originally, the House had rejected compromise language adopted by a House-Senate

conference committee. Bill sponsor Rep. Tom Osthoff (DFL-St. Paul) said he was unable to renegotiate the deal because the Senate refused to return to conference committee.

"This bill hasn't changed at all, except it just sat there for six days," said Rep. Phil Krinkie (R-Shoreview).

But, with the threat of the 1998 Legislative Session ending without an environmental spending package, the bill finally passed on a 72-60 vote.

Here's a look at some of the key provisions of the bill (HF3799/SF3353\*).

### Living with livestock

Most notably, the House-approved moratorium on new construction or expansion of feedlots at the level of 750 animal units was not adopted by the House-Senate conference committee.

The bill would, however, prohibit the issuance of permits to construct or expand clay, earthen, or flexible membrane (plastic-lined) swine waste lagoons until June 30, 2000.

"This bill is very important to rural Minnesota and the environmental community and it's a start down to the path to improvements," said Rep. Doug Peterson (DFL-Madison).

After March 1, 2000, those who commercially manage and apply animal wastes would have to hold valid animal waste technician licenses issued by the Department of Agriculture. Most family farmers would be exempt from the provision.

The bill would clarify the power of counties to adopt feedlot ordinances that are more stringent than those of the Minnesota Pollution Control Agency (MPCA).

The agency would be authorized to deny permits to feedlot operators who are lacking adequate experience or who have bad environmental records in other states.

### Personal watercraft

Under the bill, personal watercraft owners would pay a \$50 surcharge every three years for a watercraft license. The proceeds would be divided between the state and counties for law enforcement and education efforts.

The conference committee did not adopt House language that would have prohibited the use of a personal watercraft in one place for more than 30 minutes, nor did the conference committee choose to instruct the Department of Natural Resources (DNR) to conduct a study on the impact of personal watercraft on loons.

### Snowmobile studs

Under another provision of the omnibus bill, no snowmobile with a track equipped with metal studs could be operated on any



public lands, roads, or trails after July 1, 1999. Current law prohibits the use of studs on paved public trails.

Although many claim that studs make for safer riding, proponents of the measure say paved trails are being destroyed by studs despite the current law.

Until the total stud ban takes effect, the bill would place a \$50 annual surcharge on snowmobiles with studs. Fees from the surcharge would be earmarked for the repair of paved state trails.

Under the bill, an individual who violates the stud ban on paved public trails would have his or her snowmobile confiscated after the second or subsequent violation.

Many House members opposed the forfeiture provision.

"We don't want to forfeit our snowmobiles just because we ride over a couple of patches of tar," said Rep. Charlie Weaver (R-Anoka).

Osthoff, who chairs the House Environment, Natural Resources and Agriculture Finance Committee, promised to revisit the forfeiture provision next year.

#### Minnesota Zoo shortfall

The Minnesota Zoological Gardens would receive \$1.5 million for operating costs to make up for a serious shortfall in gate receipts last summer.

The Apple Valley zoo was forced to ask the Legislature for help after experiencing a string of bad luck, bad weather, and bad press, Kathryn Roberts, the zoo's director, said during an earlier House committee hearing.

The bill would require the zoo to address its attendance forecasting methods to avoid a similar problem in the future.

#### Deformed frogs

The MPCA would receive \$375,000 for research into the cause of deformities found in frogs across the state. The money would have to be shared with the University of Minnesota, Hamline University, and the state departments of health, agriculture, and natural resources.

Currently, researchers are speculating that groundwater contamination or possible ultraviolet radiation may be the cause of the deformities. The U.S. Environmental Protection Agency also has begun to examine the issue.

#### Gypsy moths

Under the bill, the Department of Agriculture's gypsy moth trapping and eradication program would be allocated \$360,000.

The money would supplement the biological control program and allow for more field personnel to trap the leaf-eating insects.

#### Minnesota grown

The bill would appropriate \$267,000 for a pilot project to expand Minnesota Grown, a coupon program designed to provide nutritious food to low-income families and promote locally grown products. Critics have claimed that redeeming the coupons is confusing because many grocers are unfamiliar with the foods that qualify.

#### Timber wolf depredation

The bill would increase from \$400 to \$750 per animal the amount of compensation available to farmers whose livestock are killed by wolves. Farmers would have to establish timber wolf best management systems to qualify for compensation.

#### Helping hog farmers

Market Champ Inc. a nonprofit corporation that transfers high quality genetic material from the University of Minnesota to family farmers across the state would receive \$125,000.

#### Helping dairy farmers

Minnesota dairy farmers are currently engaged in a lawsuit against the federal government (*Minnesota Milk Producers Association v. Glickman*) to bring about reform of the federal milk market pricing system.

The bill would give the farmers another \$100,000 in state money for the legal battle.

#### Living snow fences

The Board of Water and Soil Resources would receive \$100,000 to fund a voluntary program for landowners to plant and maintain trees, shrubs, and grass strips alongside roads in an effort to control drifting and blowing snow.

#### Whitewater rafting on the Mississippi

One provision included in the bill would explore the possibility of harnessing the water power of St. Anthony Falls in Minneapolis for recreational pursuits.

The DNR would receive \$100,000 to conduct engineering and hydraulic research into the possible development of a whitewater park for kayaking, rafting, and canoeing at the falls.

#### Tornado damage

Five funnel clouds tore through 5,300 acres of sparsely populated forests in Morrison, Mille Lacs, Kanabec, and Crow Wing counties on Sept. 18, 1997, leaving a path of destruction 25 miles long and three-quarters of a mile wide.

The DNR would receive \$75,000 for grants to assist landowners with reforestation efforts, under the bill.

#### Personal watercraft regulation

A bill that aims to regulate personal watercraft operation on Minnesota lakes won final approval in the House April 9. The vote was 102-28.

The bill, which was among the most controversial of the 1998 session, once included language that would have banned the operation of personal watercraft on lakes of 100 acres or less. The proposed ban was removed from the bill before it was sent to a House-Senate conference committee.

The bill returned from conference committee without a highly criticized citizen reporting measure that would have allowed individuals to lodge formal complaints against



An environment and natural resources bill passed by the Legislature would take some steps to address problems related to animal feedlots. The measure would prohibit the issuance of permits to construct or expand clay, earthen, or plastic-lined swine waste lagoons until June 30, 2000. And the bill would set new requirements for those who commercially manage and apply animal wastes.

operators who violate personal watercraft laws. Peace officers could have then issued civil citations to the owner of any personal watercraft that was the subject of a citizen complaint.

Rep. Charlie Weaver (R-Anoka), who had been a vocal opponent of the 100-acre lake ban and civil complaint provisions, said bill sponsor Rep. Kris Hasskamp (DFL-Crosby) deserves the "tenacity award" for the session.

"I am delighted to finally stand up on this bill and support it," Weaver said. "It makes good sense now."

Under the bill, personal watercraft operation would be permitted only between 9:30 a.m. and one hour before sunset. Current law allows personal watercraft use between 8 a.m. and sunset.

The bill would add another 50 feet to the no-wake zone, making it illegal to operate a personal watercraft at full speed within 150 feet of shoreline, docks, swimmers, or other boats. However, it still would be permissible to pull water-skiers behind personal watercraft.

Another provision would prohibit the operation of personal watercraft while facing backwards.

Several provisions in the bill seek to make personal watercraft operation safer for teen-agers.

One such provision would expand the state's youth watercraft safety course to include personal watercraft. Completion of a personal watercraft training program would be mandatory for 13- to 17-year-olds, and 13-year-old operators would have to remain under direct visual supervision of an adult 21 years of age or older.

The bill also would require that personal watercraft purchasers and renters sign state-issued forms indicating they have read the laws governing personal watercraft operation. Dealers and rental agents would have to keep the forms on file for six months and allow for easy access by law enforcement officers.

The bill (HF1351/SF1169\*) now goes to the governor.

## Red tags on petroleum tanks



A new law aims to help the Minnesota Pollution Control Agency (MPCA) bring all underground petroleum storage tanks into compliance.

Petroleum from leaking tanks can seep into the groundwater supply and, years later, cause extensive soil and groundwater cleanup work and costly litigation.

The new law authorizes the MPCA to "red tag" underground petroleum tanks that are in violation of current regulations. Violations could include failure to have the tank protected from corrosion, failure to have spill or overfill protection around the tank, or failure to have a leak detection method in place.

A red tag on the cap of a tank will prohibit delivery of petroleum until the violations are corrected.

Gas station owners and other petroleum-dispensing facility operators have until Dec. 31, 1998, before the red tag provisions take effect.

Rep. Betty McCollum (DFL-North St. Paul) and Sen. Steven Novak (DFL-New Brighton) sponsored the new measure.

**HF2722\*/SF2756/CH379**

## Transport packaging waste



A new law aims to reduce the amount of transport packaging waste that Minnesota's soft drink industry creates.

In 1995, 22 percent of municipal solid waste consisted of transport packaging such as wood pallets and corrugated cardboard, Rep. Willard Munger (DFL-Duluth), the House sponsor of the measure, said during floor debate.

The soft drink industry is considering a \$15 million investment in reusable, recyclable plastic merchandise pallets to replace the wood pallets they currently use to transport their goods to retailers.

The plastic pallets are expected to cost about \$32 each, compared to \$5 to \$7 each for wood pallets.

There is now a system in place where third parties collect used pallets from retail sites and then resell them to soft drink companies.

Dave Locey, of the Minnesota Soft Drink Association, told legislators the third party collection system stands in the way of the transition from wood to plastic.

"We're in the position of trying to make a pro-environmental system work," Locey said. "What we want to do before we make this \$15 million investment in plastic pallets is make sure we can control them."

Effective Aug. 1, 1998, third party collectors will be prohibited from taking plastic pallets that are labeled as private property.

The plastic pallets will have to clearly show the owner's name and address or telephone number, as well as a notice that the unauthorized possession of the pallet is a violation of state law.

The rightful owner of a stolen plastic pallet will be able to sue for damages equal to three times the cost of the pallet, in addition to legal expenses.

Sen. Dan Stevens (R-Mora) sponsored the measure in the Senate.

**HF2696/SF2402\*/CH282**

## Lottery revenue dedication



A new law will allow voters to extend the duration of the dedication of state lottery revenue to the Minnesota Environmental and Natural Resources Trust Fund.

Under the law, voters in the November 1998 general election will decide the following question: "Shall the Minnesota Constitution be amended to extend to the year 2025 the dedication of lottery proceeds to the Environmental and Natural Resources Trust



A bill approved by the Legislature would limit hours of operation and expand the no-wake zone for personal watercraft on Minnesota lakes.

Fund and to maximize the long-term total to the fund?"

The fund was established by a constitutional amendment in 1988. At the time, the state was allowed to earmark 50 percent of the lottery proceeds for the environmental fund.

A second constitutional amendment in 1990 reduced to 40 percent the portion dedicated to the environmental fund. That dedication expires in 2001.

The amount appropriated each year of a biennium under the constitutional amendment could be up to 5.5 percent of the market value of the fund on June 30 one year preceding the start of the biennium.

The fund's current value is about \$210 million. About \$22 million was dedicated for projects in the current biennium.

Rep. Willard Munger (DFL-Duluth) and Sen. Steven Morse (DFL-Dakota) sponsored the new measure.

**HF113\*/SF76/CH342**



## FAMILY

### Family, early childhood bill



Citing excessive spending, Gov. Arne Carlson vetoed a \$14.9 million family and early childhood education spending bill.

The bill would have appropriated money for programs such as Head Start and Early Childhood Family Education, child care assistance, emergency services grants to homeless shelters, gang prevention, and lead abatement projects.

In his veto message, Carlson reminded the legislators of last year's "historic budget increase for child care, Head Start, and other children and family programs."

The bill would have appropriated \$5 million for a program that helps low- and moderate-income working families pay for child care using an income-based, sliding-fee scale. The basic sliding fee child care program already received an increase of over 130 percent over the last biennium, Carlson said.

Under the bill, an additional 17,000 families would have qualified for the Minnesota dependent care tax credit program. The bill would have raised the maximum income threshold from \$31,000 to \$38,000 at a cost of \$4.9 million to the state.

The governor closed his veto message with a general suggestion for lawmakers.

"Even-year legislative sessions should not be allowed to become full-blown tax and spend sessions," he wrote. "How about considering limiting even-year sessions to three weeks and giving the public a constitutional amendment

that will allow them to create a unicameral legislature?"

A last-minute attempt by House sponsor Rep. Tony Kinkel (DFL-Park Rapids) to revive a limited portion of the bill failed as the 1998 session was coming to a close April 9.

However, a family and early childhood spending package may be discussed during a special session set to begin April 20.

Sen. Pat Piper (DFL-Austin) sponsored the vetoed bill in the Senate.

**HF2803/SF2532\*/CH365**



## GAMBLING

### Gambling proceeds and the ADA



A new law allows organizations to use legal gambling profits to bring their facilities into compliance with the Americans with Disabilities Act (ADA).

Under previous law, gambling proceeds could be used for construction or repairs on only certain types of property. Legal uses included maintaining nonprofit facilities or replacing buildings lost to natural disaster or eminent-domain ruling.

But the new law allows any group that earns money from legal gambling — including pull tabs and lottery tickets — to use those funds to either improve handicapped access in a facility or to replace an out-of-compliance facility with one that meets ADA requirements.

Proponents said this will be useful for organizations such as Veterans of Foreign Wars, which often can't afford to make handicapped-access improvements.

The new law also allows licensed gambling organizations to pay salaries and winnings via electronic transfer. Under prior law, gambling profits had to follow a paper check trail. Proponents said the new measure will increase efficiency in large gambling operations.

The law, effective March 24, 1998, was sponsored by Rep. Mike Delmont (DFL-Lexington) and Sen. Jim Vickerman (DFL-Tracy).

**HF2920/SF2911\*/CH322**



## GAME & FISH

### Ice fishing season extended



Resort owners and anglers who were disappointed by an unusually mild winter were uplifted by the first bill signed into law this year.

The law, which took effect Feb. 13, 1998, extended the 1998 ice fishing season by two weeks.

Normally, the season closes on the third Sunday in February. The additional two-week window gave resort owners an opportunity to capture some lost revenue and gave anglers a chance to make up for lost time.

Another provision in the law extends the deadline for ice fishing houses to be removed from Minnesota lakes in some cases.

State law mandates that ice fishing houses be removed from the lakes by the end of February.

The new law stipulates that if the last day of February falls on a Saturday, as it did this year, the deadline is extended by one day.

Rep. Irv Anderson (DFL-Int'l Falls) and Sen. Don Samuelson (DFL-Brainerd) sponsored the legislation.

**HF2492/SF2111\*/CH252**



## GOVERNMENT

### State government finance



Gov. Arne Carlson signed into law a \$33 million state government finance package that includes funding for a study of animal feedlots, a compulsive-gambling treatment center in Granite Falls, Minn., and updates of the state's computer systems.

The new law also provides funding for the attorney general's office, although Carlson used his line-item veto authority to pare about \$1 million from the office's proposed 1999 budget. (See related story on page 21.)

Some items that were initially approved by the House were dropped from the legislation's final version in conference committee, including a provision that would have prohibited the Metropolitan Sports Facility from contracting with a professional sports team to play in the Metrodome for less than a seven-year period.

Supporters of that measure, including Rep. Phyllis Kahn (DFL-Mpls) and Rep. Ron Abrams (R-Minnetonka), said it would be the only way to ensure that a repeat of the 1997 stadium debate wouldn't dominate future legislative sessions.

Also stripped in conference committee was a provision that would have allowed lawmakers to receive gifts worth less than \$5 from lobbyists, and one that would have delayed implementation of a controversial fiber-optics program.

Here's a look at key provisions that did make it into law, under the legislation sponsored by Rep. Tom Rukavina (DFL-Virginia) and Sen. Len Price (DFL-Woodbury). All provisions took effect April 7, 1998, unless otherwise noted.

**HF3137/SF3354\*/CH366**



## Attorney general's budget

The Office of the Attorney General will receive \$23 million for general operating expenses for the fiscal year that begins July 1.

The \$1.1 million that Carlson line-item vetoed would have funded a program to educate senior citizens about telemarketing fraud, legal assistance to state agencies and counties, and gaming enforcement.

The office is still directed to set up an outreach program to help educate people about telemarketing fraud by January 1999, even though the proposed \$100,000 in funding for the project was vetoed. In fact, that's how the provision — with no money — was originally approved by the House.

The attorney general's budget was in question because last year Carlson line-item vetoed the office's entire proposed 1999 funding — about \$24 million — citing what he called unnecessary and excessive growth in the legal and law enforcement agency.

This year's law also calls for a task force to study the availability, effectiveness, and cost of legal services provided by the office. (Secs. 3, 69)

## Studying feedlots

The law also provides \$1.2 million for the first year of a three-year study of the effects of the livestock industry on the state's economy and environment.

The study will be conducted by the Office of Strategic and Long Range Planning and will look at issues like government regulation of feedlots, potential ownership arrangements, and the impact of current feedlots.

A committee will be formed to advise the state's Environmental Quality Board on an environmental impact statement that will be submitted to the Legislature. (Secs. 5, 86)

## Community-based planning

The new law also amends a much-debated 1997 program aimed at spurring planning partnerships between Minnesota Planning and local communities.

The 1997 program provides guidance, review, and funding on a voluntary basis for communities to develop planning goals.

At the request of several Greater Minnesota lawmakers — who said they were concerned the program would not remain voluntary for long — the law now limits the state's review of the plans to look only at the extent to which the plan promotes local citizen participation, spurs cooperation among communities, and demonstrates sound community-based planning goals.

The law also gives more time for a community to revise a plan after receiving comments

from Minnesota Planning, and prohibits the state from considering participation in the program when determining eligibility for other grants, loans, or funding packages.

A proposal to expand membership on the program's existing advisory council and to extend the life of the council for six months was voted out in conference committee. The council will sunset June 30, 1998. (Sec. 78)

## Lottery changes

The law also gives \$750,000 from the Minnesota lottery prize fund to support Project Turnabout, a compulsive-gambling treatment center in Granite Falls.

But it specifies that, apart from this appropriation and ones approved in 1997, no more than \$340,000 may be used from that fund to support similar treatment or education programs in fiscal year 1999.

Effective July 1, 1998, the Minnesota State Lottery will be required to increase retailer commissions by 0.5 percent and ensure that each retailer receives at least 1 percent of the amount of each winning ticket sold at that location.

They are also allowed to pay a bonus to lottery retailers of up to 10 percent of a potential increase in lottery sales from one year to the next, and to increase the percent of revenue with which they can fund lottery expenses. (Secs. 13, 70, 71, 73)

## Perpich's portrait

Also under the new law, the state must accept a portrait of former Gov. Rudy Perpich and wife, Lola, if a private donor provides funds for one. The state would have to substitute it for the portrait of Perpich currently hanging in the Capitol.

Near the end of his time in office, the former governor pushed to have his wife included in his official portrait, and the matter became the subject of significant controversy.

Portraits of each former Minnesota governor hang throughout the corridors of the Capitol, and each is pictured alone. The Perpich portrait now found on the ground floor of the Capitol shows the former governor standing in front of an iron ore mine. (Sec. 85)

## Settling border disputes

The law also provides \$25,000 for the Council of State Governments to set up meetings between Minnesota and Canadian lawmakers to discuss boundary disputes, including fishing laws.

Many Minnesota residents living or owning businesses close to the Canadian border have complained for years about Canadian policies including fishing limits, user fees, and border

crossing permits that they say discriminate against U.S. anglers. (Sec. 2)

## Future Olympians

Under the omnibus law, the Minnesota Amateur Sports Commission will receive \$100,000 to fund development of a statewide winter sports program for females and at-risk youth.

The money will become a grant to the United States Olympic Committee's Minnesota Olympic development program. (Sec. 9)

## Administration

The new law grants the Department of Administration money for the following programs:

- \$4.4 million to help update government computer systems to address problems associated with the year 2000;
- \$315,000 to Pioneer Public Television to build a tower in Otter Tail County, currently the only part of the state that does not receive a public television signal;
- \$150,000 to coordinate the Minnesota Alliance with Youth initiative;
- \$44,000 to make the *State Register* and the *Minnesota Guidebook to State Agency Services* available on the Internet free of charge; and
- \$20,000 for a portrait of Gov. Arne Carlson to hang in the Capitol. (Sec. 6)

## Disaster relief on its way



Just 11 days after tornadoes wreaked havoc in south-central Minnesota, Gov. Arne Carlson signed into law a package that will bring the area \$27.6 million for disaster relief.

"The power that comes from hope is very well represented in this package," Rep. Ruth Johnson (DFL-St. Peter) said on the House floor when that body passed the legislation she sponsored.

Effective April 10, 1998, the relief law provides \$8 million to match federal disaster assistance. Johnson said the state will assume the 10 percent contribution normally funded by local governments under federal disaster relief. The federal government typically pays 75 percent while states pay 15 percent and local governments pay 10 percent.

Another \$3.5 million appropriation will go to people rebuilding their homes. Loans up to \$10,000 at no interest will go to those who stay in their homes for 10 years. Another \$500,000 will be provided in the form of forgivable loans for the reconstruction or rehabilitation of rental housing.

Businesses affected by the tornadoes will be eligible for \$4.8 million in grants to help re-



A storm relief law passed this year provides \$27.6 million to help tornado-stricken towns in Minnesota. St. Peter was one of the towns most affected by the March 29 tornadoes, which damaged many homes like the one shown here on North Fourth Street in St. Peter.

build. Legislators were told that Le Center, a town of 2,000, has 400 jobless residents because of the storm.

Another \$1 million will be set aside for local government to repair and replace publicly owned buildings, water systems, streets, bridges, and other infrastructure.

The law also includes \$250,000 for after-school child care and expanded day care services.

Farmers will be provided with \$4 million to

repair farm buildings and to obtain working capital operating loans.

Tim Nelson, the disaster coordinator for Brown County, said more than 32,000 acres of farmland and drainage ditches are strewn with debris, some of which is so heavy it will require removal by heavy machinery.

But he said most of the debris will have to be removed by hand, and groups of volunteers have begun the slow process of removing

chunks of wood, nails, and other debris from some fields.

"There are no machines that can do most of this work," Nelson said.

Legislators also were told farmers need loans for machinery and seed, but that there was relatively little livestock loss in the area.

Under the new law, another \$3.2 million will be set aside as a contingency fund that can be appropriated to the commissioner of finance for allocations made at the governor's request or for unanticipated needs.

Another \$1 million will go toward loans or grants needed for historic preservation.

Rep. Phyllis Kahn (DFL-Mpls) said the state needs to look into federal aid for the historic buildings.

"It would be a shame if we passed up the chance to rebuild this city the way it was," Kahn said.

St. Peter has 270 buildings that have been inventoried as possibly historic and 14 buildings that are on the National Register of Historic Places.

Johnson's home was among the 1,000 in St. Peter to receive minor damage in the March 29 storm. St. Peter Mayor Jerry Hawbaker told the House Ways and Means Committee via an interactive television connection that the city had another 200 homes destroyed, plus 600 others with major damage.

The town of Comfrey, with a population of about 450, was almost completely destroyed in the string of tornadoes that prompted Presi-

## Tornadoes deface Comfrey, Le Center, St. Peter

**It's a fact!**

Was Comfrey, the town of about 450 people that was essentially demolished by a string of tornadoes March 29, really

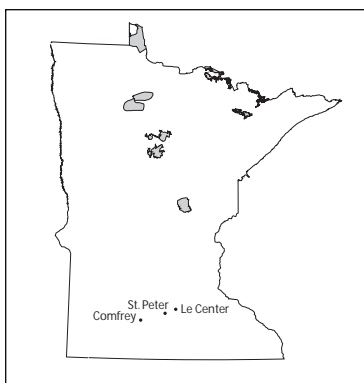
named after a plant?

Indeed, it was. The town is christened after the bristly, multi-colored vegetation. Here's a little history on the three communities hit hardest by the tornadoes — Comfrey, Le Center, and St. Peter.

Comfrey was named by the first postmaster of the settlement, A.W. Pederson, in 1878. At the time, the United States government was curious about having farmers raise comfrey as a forage crop.

Pederson, a farmer, decided to give the plant's popularity a lift by naming the local post office after the plant. When the town site was laid out in 1899, the post office was moved, and town officials went along with the name of Comfrey.

Le Center got its name from its location.



The Le Sueur County seat had moved more than once when businessmen decided to place the seat near the center of the county in the 1870s.

The businessmen acquired a tract of 160 acres at what is now Le Center. They then offered the use of a newly constructed two-story brick building to the county board for use as a courthouse, pending a referendum that would allow the moving of the

county seat to the new location which they called Le Sueur Center.

The referendum was held and passed. County offices were moved in 1876, and the offices have remained in what is now called Le Center.

St. Peter, one of the older cities in the state, was founded by Cpt. William B. Dodd in 1853. It has been home to five governors, including Henry Swift, who was the third governor after statehood, and John A. Johnson.

Among the 14 city sites listed on the National Register of Historic Places are Old Main at Gustavus Adolphus College, Nicollet County Courthouse, Governor John A. Johnson House, Borneman House, and Union Presbyterian Church.

It is estimated by current architectural experts that as many as 270 buildings in the town could be considered historic structures.

dent Clinton to declare four Minnesota counties a major disaster area.

Department of Commerce Commissioner Dave Gruenes said the tornadoes probably caused about \$200 million in damage, much of which is covered by private insurance.

Rev. Dennis Johnson, vice president for college relations at St. Peter's damaged Gustavus Adolphus College, told legislators the best way to help the wounded college would be to help the community, where much of the faculty and staff reside.

"We can not succeed in our mission at the college without a strong, vibrant community," he said.

Sen. John Hottinger (DFL-Mankato) sponsored the legislation in the Senate.

**HF3862\*/SF3411/CH383**

## Abolish treasurers' office?



Minnesota voters will decide in November whether to abolish the state treasurer's office, under a new law signed by Gov. Arne Carlson.

This year's ballot will contain a proposed constitutional amendment that would eliminate the elected office in January 2003. If the amendment is approved, the treasurer, along with the secretary of state and the commissioner of finance, would decide where to transfer the office's powers.

"Many studies over several decades have recommended abolishing the office because it's a shell of its former self in terms of policy-making," said Rep. Mindy Greiling (DFL-Roseville), who sponsored the legislation in the House.

The state treasurer currently receives and issues receipts for all monies paid into the state treasury, handling about \$150 billion in transactions annually.

At one point the office was in charge of managing the state's permanent school fund and overseeing unclaimed properties, but those duties have been transferred to the State Board of Investments and the Department of Commerce, respectively.

Most of the remaining responsibilities of the office, Greiling said, are cash-management duties that do not involve policy-making.

Likely candidates to take over those duties include the secretary of state's office and the commissioner of finance.

Of the 13 current employees in the treasurer's office, two positions — those of the treasurer and the assistant treasurer — would likely be cut. The other positions would be transferred elsewhere. Greiling said an estimated \$150,000 would be saved in salaries.

But, she said, the purpose behind eliminat-



James Dunlop, the Reform Party candidate for state treasurer in 1998, told lawmakers this year that he would be happy to be the last person to hold the office. A measure passed this year will allow voters to decide whether the Minnesota Constitution should be amended to abolish the state treasurer's office in January 2003.

ing the office "is not to be saving money but to have one less elected figure."

The four-year term of the current state treasurer, Michael McGrath, expires at the end of 1998.

Voters will elect a new treasurer in November, at the same time they vote on the constitutional amendment. A majority of voters voting in the election would have to support abolishing the office in order to ratify the amendment.

Sen. Deanna Wiener (DFL-Eagan) sponsored the legislation in the Senate.

**HF103/SF161\*/CH387**

## Claims against the state



The family of a 14-year-old girl killed in 1991 by a convicted sex offender on his way from prison to a halfway house will receive almost \$15,000, under a new law signed by the governor.

David and Gayle Johnson of Alexandria, Minn., filed a wrongful-death suit against the state after their daughter was murdered by a convict who had been released from St. Cloud prison five days earlier and ordered to report to a halfway house in Minneapolis. He was not assigned an escort and did not show up at the halfway house.

Following the murder, the Legislature changed the law to require that escorts be provided in similar situations, but the Minnesota Supreme Court rejected the parents' claim.

The Johnsons next turned for recourse to the Minnesota Legislature's Joint House-Senate Subcommittee on Claims, which annually hears private restitution claims that have been refused by the courts or a state government department.

Effective April 7, 1998, this year's claims law authorizes payment of certain of those claims against the state, as recommended by the subcommittee.

A Benton County deputy who, in 1996, shot and killed a suspect in the murder of a St. Joseph police officer will receive about \$24,000. The deputy later suffered from post-traumatic stress syndrome and was unable to work for eight months, but she was refused lost-wage payment by Benton County.

Several inmates or former inmates who suffered injuries while incarcerated, as well as some people injured while performing court-ordered community service, also will receive payments this year.

Rep. Edgar Olson (DFL-Fosston) and Sen. Randy Kelly (DFL-St. Paul) sponsored the claims legislation.

**HF3830\*/SF3393/CH362**

## Donating 'distressed' foods



Food handlers will be able to donate "distressed" foods to local governments or to the state, under a new law effective Aug. 1, 1998.

Food is considered distressed when it cannot legally be sold but is still deemed safe — unspoiled milk that has not sold before the expiration date, for example.

Currently, food handlers can donate distressed foods to nonprofit organizations who supply the food to the elderly or needy. The new law will allow them to donate these foods to units of government.

The measure will remove liability for food handlers who choose to donate the distressed food, except in instances of gross negligence or intentional misconduct.

Bill sponsor Rep. Elaine Harder (R-Jackson) said that the idea was brought to her by county commissioners who felt that it would be a good way to defray corrections costs.

"It's food that may not be marketable, but it is still safe for consumption," Harder said.

Sen. Dennis Frederickson (R-New Ulm) sponsored the bill in the Senate.

**HF176/SF154\*/CH333**



## Gov. Carlson makes impromptu visit to House chamber

It was shortly after 9 p.m. on April 9, the last day of the session, when House Speaker Phil Carruthers (DFL-Brooklyn Center) interrupted Rep. Charlie Weaver (R-Anoka) for an unusual announcement. The governor had come to say goodbye.

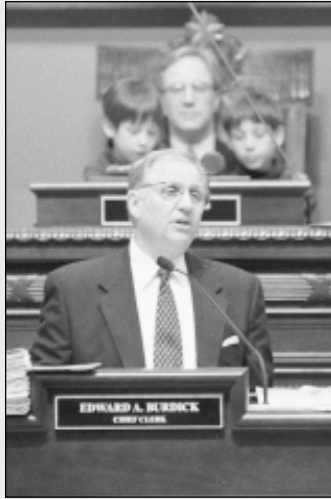
Gov. Arne Carlson appeared in the House chamber to make an unannounced visit — rare for any governor — and to address members. Carruthers asked lawmakers to pause for the state's chief executive.

Carlson is in his final year as governor, and after 30 years of holding political office, he is leaving public life. His impromptu address was a quick thank you, good luck, and goodbye.

Carlson said he has been lucky to serve throughout his career with people who care.

"I have met very honest, very dedicated, very concerned people," Carlson said, and he included the current Legislature high on that list.

He said that at times, partisan debate can become heated, but that's unavoidable.



Gov. Arne Carlson made a surprise appearance in the House chamber April 9 to say thank you, good luck, and goodbye.

"Clearly, this is precisely the essence of what democracy is all about. The fact that it exists and flourishes on this floor

is something for us to celebrate," he said. "I think the people of Minnesota are extraordinarily well-served. You've put in long days and long hours and you do it out of a commitment to the well-being of the people. On behalf of my wife and I, I extend a personal thank you for the kindness you have shown through the years."

Carlson left the chamber — shaking hands with members along the way — to a standing ovation.

The governor, 63, spent two years on the Minneapolis City Council from 1965 to 1967, then four terms in the House before being elected state auditor in 1978. He was elected governor in 1990 and re-elected in 1994.

Press Secretary Jackie Renner said that after his term is up, Carlson has considered teaching part time or working on the school choice issue, one of his key concerns as governor.

### Red Cross volunteers



Although Gov. Arne Carlson allowed a bill granting full pay to state employees who volunteer for the American Red Cross to become law without his signature, he wrote that the legislation

"truly represents poorly thought-out public policy."

The new law, effective Aug. 1, 1998, allows any state employee to receive 100 percent pay while volunteering for the Red Cross for up to 15 days per year.

"Clearly, the intent is noble . . . but this bill goes well beyond the normal parameters of good judgment," Carlson wrote.

He said the legislation was flawed for including only state employees and not private-sector or local government workers, and also for including volunteering with only the Red Cross and not other disaster-relief organizations.

"At the same time, how can a person be a 'volunteer' while receiving 100 percent pay?" he wrote. He added that he hoped the Legislature would consider altering the policy in the future.

Rep. Ann H. Rest (DFL-New Hope) and Sen. LeRoy Stumpf (DFL-Thief River Falls) sponsored the measure.

HF2673\*/SF1946/CH356

### State employee labor agreements



Employees of the Minnesota Bureau of Criminal Apprehension have a new reason to look into taking early retirement, under a new law.

Effective April 3, 1998, certain employees of that bureau who retire before age 55 will now be eligible for employer-paid health insurance.

The new law also ratifies labor agreements with state employment unions, compensation plans for state employees who are not represented by unions, and salaries for state agency heads.

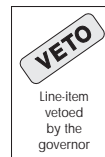
Those agreements, plans, and salaries had already been approved by a joint legislative subcommittee on employee relations, and have been in effect on an interim basis.

Effective Aug. 1, 1998, a separate provision of the new law will make a small change to the salary of the Iron Range Resources and Rehabilitation Board commissioner. That salary will be capped at 75 percent of the governor's salary and will be set by the governor. Under current law, the Legislative Coordinating Commission sets that salary.

Rep. Loren Solberg (DFL-Bovey) and Sen. Carol Flynn (DFL-Mpls) sponsored the new measure.

HF3068\*/SF2520/CH351

### Attorney general's budget



Following through on his earlier criticism of the size of the attorney general's budget request, Gov. Arne Carlson used his line-item veto to cut \$1.1 million from the office's 1999 budget.

Carlson said he was troubled by what he called misrepresentation by the attorney general's office concerning a 1995 budget appropriation. He said the office had requested \$3 million for one-time technology upgrades in 1996 and 1997 but had, in fact, spent about \$2 million of that money on salary increases.

That \$2 million then expanded the office's budget base and led to an increased request for future funding, according to the governor.

"Frankly, the Office of the Attorney General possesses a division that deals with consumer issues and insists on high standards of truthfulness," Carlson wrote. "Those standards were not applied to the 1996-1997 budget expenditures."

But the governor left \$23 million for the office's 1999 expenses in the new \$32 million omnibus state government law.

Last year, he used his line-item veto authority to strike the attorney general's entire 1999 budget of \$24.4 million, citing what Carlson called the enormous and unnecessary growth of the office since 1991.

This year's \$23 million appropriation will

go for core functions of the state's top legal and law enforcement agency for the fiscal year that begins July 1. The office is responsible for asserting and defending the state's legal interests, settling claims, and aiding other law enforcement agencies in prosecuting and solving cases.

The \$1.1 million line-item vetoed by Carlson would have provided: \$500,000 for legal services to state agencies; \$250,000 for gaming enforcement; \$250,000 for counties needing assistance with felony prosecutions and related tasks; and \$100,000 for a fund to educate senior citizens about telemarketing fraud.

Carlson also noted that the \$23 million appropriation represents a 13.6 percent increase over the office's previous base funding.

"Therefore, this line-item veto will do little more than return their service to normal," he wrote.

The new law also calls for a task force to study the availability, effectiveness, and cost of legal services provided by the attorney general's office.

Rep. Tom Rukavina (DFL-Virginia) and Sen. Len Price (DFL-Woodbury) sponsored the legislation.

**HF3137/SF3354\*/CH366**



## HEALTH

### Prenatal alcohol abuse



Gov. Arne Carlson signed a bill into law which will authorize the voluntary reporting of prenatal alcohol abuse.

The legislation comes as a result of recommendations made by the Governor's Task Force on Fetal Alcohol Syndrome, which was chaired by first lady Susan Carlson.

The task force was formed in July 1997 to formulate a comprehensive approach to the problem of alcohol abuse during pregnancy. Approximately 800 children are born each year in Minnesota with the effects of Fetal Alcohol Syndrome, according to the task force.

Effective Aug. 1, 1999, the new law will permit health care workers, counselors, and others working with pregnant women to report instances of suspected alcohol abuse to local welfare authorities.

The law will require that the local welfare agency then conduct an assessment and offer necessary services to the pregnant woman.

An earlier version of the bill would have made prenatal abuse of alcohol statutory grounds for civil commitment and required local welfare agencies to petition for commit-

ment in cases where the woman fails to follow treatment recommendations.

The civil commitment process is used to require individuals to accept health care when, because of mental illness or other reasons, they do not realize the need for treatment. Civil commitment usually prompts hospitalization, which allows the individual to be monitored and effectively treated.

Rep. Wes Skoglund (DFL-Mpls) and Sen. David Knutson (R-Burnsville) sponsored the new measure.

**HF3184\*/SF3207/CH361**

### Improper use of DEA numbers



The U.S. Drug Enforcement Administration (DEA) uses a numbering system that was established to identify medical professionals and others who are authorized to engage in business activities involving controlled substances.

But the insurance industry and health plan companies have sometimes used DEA numbers for other purposes, such as tracking the drug prescription practices of health care providers.

That will no longer be allowed under a new law, which will not take effect for at least two years. Its effective date is 24 months after a unique, alternative health identifier is adopted.

The identifier is expected to be adopted under the federal legislation dealing with health insurance portability and accountability. The status of that identifier is pending.

The DEA has tried to get national health

insurance associations to find an alternative to the industry use of DEA numbers and has asked its registrants to refuse to furnish DEA numbers to insurance providers for reimbursement purposes. The DEA claims misuse could weaken the registration system, and the agency has sought to restrict the registration numbers to use for drug enforcement purposes.

The new state law will limit the use of DEA numbers for law enforcement purposes, and thus prohibit insurance providers or health plan companies from monitoring the prescribing practices of a practitioner.

The law also stipulates a prescription that is not a controlled substance does not have to bear a DEA number.

Rep. Thomas Huntley (DFL-Duluth) and Sen. John Hottinger (DFL-Mankato) sponsored the measure.

**HF2401/SF2207\*/CH316**

### Rendering emergency care



Volunteers and others who provide emergency medical care with an automatic external defibrillator without expectation of compensation will not be liable for civil damages under a new law effective

Aug. 1, 1998.

The law broadens the existing "Good Samaritan statute," which provides immunity to volunteers or untrained people who give emergency care, unless a patient objects.

Many airlines and businesses now carry automatic external defibrillators, which restore the heart's rhythm by delivering an elec-



A new state law will protect people who are not trained in medicine from litigation if they use an automatic external defibrillator in an attempt to save another's life. A dummy was used for a Capitol demonstration of such a device this year.

tric shock. To use an automatic external defibrillator, the rescuer places two pads on the victim's chest and the device measures the heart's rhythm. If the device detects ventricular fibrillation, the machine directs the user to push a button to deliver a shock.

Under the new law, any volunteer or other person who does not expect compensation will be able to render the emergency care without fear of civil liability, unless the person giving the care acts in a reckless manner.

The law will apply only to the scene of an emergency outside of a hospital or other facility where licensed practitioners are available.

Rep. Geri Evans (DFL-New Brighton) and Sen. John Hottinger (DFL-Mankato) sponsored the measure.

**HF3138/SF2861\*/CH329**

## Hepatitis B vaccinations



Children who enroll in kindergarten beginning in the 2000-2001 school year will have to be vaccinated against hepatitis B, under a new law effective Aug. 1, 1998.

The law also will apply to children enrolling in kindergarten through the seventh grade beginning with the 2007-2008 school term. But the law will exempt families who object to the vaccination for religious or other reasons.

Hepatitis B is caused by a virus and is spread by contact with an infected person's blood or other body fluids. It can also be spread by sharing washcloths, razors or needles, and through tattooing. The vaccination process involves a schedule of three doses of the vaccine.

The disease causes liver inflammation that can lead to liver failure or cancer.

Roughly 80 percent of infants receive the vaccination in conjunction with other childhood vaccinations. The law's purpose is to inoculate those who now do not receive the vaccination.

The cost of the vaccination program for those entering kindergarten is covered under a federal program.

Rep. Nora Slawik (DFL-Maplewood) and Sen. Becky Lourey (DFL-Kerrick) sponsored the measure.

**HF2681/SF2372\*/CH305**

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## 'Off-label' drug coverage



Cancer patients who find relief from certain treatments not approved by the Food and Drug Administration for their specific form of cancer no longer will have to wonder if their health plan will pay for the treatment.

A new state law will require health maintenance organizations and other health plans to pay for "off-label" use of drugs prescribed for cancer treatment. Effective Aug. 1, 1998, the law will stipulate that all health plans, including Medicare supplemental coverage, may not refuse to pay for cancer treatments involving drugs that are already on a plan's formulary.

"Off-label" drug use is the prescribing of drugs recognized as a treatment for at least one form of cancer in standard medical literature. Cancer specialists indicate about 10 percent of their patients respond to treatment that is not covered for their specific cancer under their insurance plan.

Drugs are often approved by the FDA for treatment of certain cancers, and further research sometimes finds the drug is beneficial for a wider range of cancers.

But drug companies rarely resubmit these medications for FDA approval because of the time and cost involved. Some health plans then refuse to pay for use of these prescription drugs if the medication is not FDA-approved for a specific cancer.

The law will not apply to drugs used in experimental cancer treatment.

There are 27 other states with similar laws related to off-label drug use.

Rep. Alice Hausman (DFL-St. Paul) and Sen. Dallas Sams (DFL-Staples) sponsored the measure.

**HF1306/SF1076\*/CH301**

## 'Critical access' hospitals



Closures and financial problems at rural hospitals nationwide have created concern in Minnesota, where up to 60 percent of the rural hospital patient population is on Medicare.

Effective Feb. 26, 1998, a new state law allows state designation of rural nonprofit or public hospitals and facilities as "critical to access." Such facilities can be certified by the state as necessary providers of health care services to residents in the area.

Necessary providers can be those 20 miles from the nearest hospital, those that are the sole hospital in a county, or those that meet certain federal criteria.

There is the potential for 39 such hospitals in the state to receive the special designation.

Under federal law, critical access hospitals receive enhanced reimbursement and regulatory flexibility in exchange for limiting their inpatient services while maintaining emergency medical services.

A study by the Agency for Health Care Policy and Research, part of the U.S. Department of Health and Human Services, indicates traumatic injuries are more common in rural areas. Rural areas also have a larger percentage of elderly people than urban areas and higher poverty rates, according to the agency.

The small, rural hospitals designated as "critical access" facilities will retain patients only for a limited time, but the hospitals will be able to arrange for transfers and referrals when longer hospital stays are required.

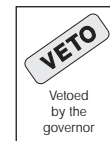
The bill was the first introduced by Rep. Mary Ellen Otremba (DFL-Long Prairie), who won a special election last fall to replace her late husband, Ken.

Sen. Dallas Sams (DFL-Staples) sponsored the legislation in the Senate.

The new law also calls for the Minnesota Department of Health to develop a rural health plan within the current level of funding.

**HF2550\*/SF2261/CH257**

## Acquiring nonprofit hospitals



Gov. Arne Carlson used his veto authority to reject legislation that would have made purchase of nonprofit hospitals by for-profit chains more difficult.

The measure would have required that whenever a nonprofit hospital proposes to transfer more than 50 percent of its assets or financial control to a for-profit group, it must notify the state attorney general in writing.

The attorney general already has the power to investigate and stop such transactions, but the legislation would have ensured that written notice would go to the attorney general's office 45 days in advance of any deal.

Under the legislation, the attorney general could have made the notice accessible to the public if the office determined the public would benefit from the information.

The governor wrote in his veto statement, "I am persuaded that the office of the attorney general can adequately protect the public's interest in this area with the authority granted under current law."

Carlson also indicated he thought the bill "established a litigious, adversarial process for conducting business transactions which I find unnecessary."

"While I recognize the value of community hospitals, I cannot support the wholesale lock-



out of noncharitable business entities in the marketplace, which is the effect of the bill."

He also said, "In some instances, particularly in the case of a financially struggling rural community hospital, the public may be best served by the noncharitable acquisition of the hospital, especially when the only alternative is closure of the facility."

Nonprofit hospitals are generally viewed as charitable community assets, but from 1990 to 1996 a total of 192 nonprofit hospitals nationwide were converted to for-profit status.

Public funds are used for various projects at nonprofit hospitals. If the hospital is acquired by a for-profit company, the company likely acquires assets paid for with public dollars, possibly at less than fair-market value.

Rep. Lee Greenfield (DFL-Mpls) and Sen. Linda Berglin (DFL-Mpls) sponsored the bill.  
**HF381/SF695\*/CH330**



## HIGHER EDUCATION

### Higher education funding



A new Minnesota higher education funding law will spend \$72.5 million — the largest supplemental budget increase for higher education in this decade — to improve the state's colleges and universities.

Appropriations in the new law will target \$35.5 million for the University of Minnesota and \$36 million for the Minnesota State College and Universities (MnSCU) system.

Another \$1 million will go to the Higher Education Services Office to bolster work study programs on the state's college campuses. All of the spending provisions are effective July 1, 1998.

Gov. Arne Carlson line-item vetoed a total of \$500,000 that would have gone to the U of M for two separate programs — an on-campus law clinic and an effort to address the shortage of school counselors in K-12 schools. (See related story on this page.)

Much of the remaining money for the U of M will go toward "strategic academic initiatives," which are programs — such as molecular and cellular biology — that are considered crucial to ensure the university's future as a leading academic institution.

The bulk of the appropriation for MnSCU's seven state universities and 29 two-year colleges will go toward reduction of the wide variances in the amount of per-student funding the individual institutions receive.

Rep. Gene Pelowski (DFL-Winona) and Sen. LeRoy Stumpf (DFL-Thief River Falls) spon-

sored the higher education finance legislation.

Here's a look at some highlights of the new law.

#### **HFnone/SF3297\*/CH384**

#### **Funding for MnSCU**

A total of \$20 million will reduce variances in state funding per full-year equivalent student at the 36 MnSCU institutions.

Minnesota currently spends more per student at some two-year institutions than at some of its four-year campuses. Significant disparities exist in the amount of money the state's institutions receive per full-time equivalent student.

For example, Southwest State University in Marshall, Minn., receives about \$2,000 more per student than Mankato State University.

The variance between the highest- and lowest-funded state universities for fiscal year 1998 is 54 percent, and the disparity between the highest- and lowest-funded two-year schools reaches 90 percent.

Under the new law, MnSCU will be expected to develop its own allocation model for fiscal year 2000 and beyond. The model will be required to minimize the variance in per-student funding between institutions and to reduce campus and system reliance on one-time funding.

The law also will provide \$10 million to enhance partnerships between MnSCU institutions and business and industry.

The appropriation will go toward efforts to increase the number of students enrolled in internships by providing incentives for businesses to train, place, and retain students. Also, the funding will support efforts to restructure degree and certificate programs so more of them require internships.

The new law also will provide \$3 million for MnSCU libraries to purchase materials and equipment.

Another \$3 million included in the law will help universities to redesign teacher education curriculum to ensure that would-be teachers are prepared to work with the state's new K-12 graduation standards and to integrate technology into teaching methods.

#### **University of Minnesota spending**

A total of \$31.9 million of the new law's \$35.5 million for the U of M will go toward improvement of key academic initiatives.

Fields specifically targeted for improvement include programs in digital technology and programs in molecular and cellular biology. The funds will be available for hiring faculty, purchasing equipment, or making other improvements.

Both the governor and the university requested \$41.5 million in supplemental appropriations for the U of M.

University President Mark Yudof has focused on investing in the school's molecular and cellular biology programs and other key academic initiatives since he took over as president in 1997.

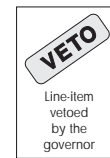
His goal is to create an institute for molecular and cellular biology with the aim of pushing the school into the top five public universities in biological sciences.

Yudof requested funds from the 1998 Legislature to recruit 11 blue-chip faculty members during the next three years and to provide them with equipment needed for research. The president also intends to hire another 15 junior faculty members by redirecting previous U of M funding.

The law also requires that an unspecified portion of the \$31.9 million to go toward agricultural research into problems affecting Minnesota farmers. Those problems include plant diseases that have damaged wheat and barley crops and respiratory diseases that have hit turkeys on many farms in the state.

A separate provision of the new law will provide an additional \$3.6 million for agricultural research and outreach programs.

### Higher education funding cut



Gov. Arne Carlson used his line-item veto authority to cut \$500,000 from a \$73 million higher education funding plan approved by the Legislature.

Funding for the University of Minnesota's law clinic, which is essentially a free law firm on campus, was one of the items cut by the governor. Carlson struck down \$250,000 earmarked for the clinic.

"The law clinic appropriation is disturbing because it ought to be a self-sustaining program," Carlson wrote in his veto message. "Promoting pro bono activities by law school students is a worthy goal and should be financially supported within the law school budget."

The law clinic provided legal assistance to more than 700 low-income Minnesotans in 1997, according to law school officials. The recipients of the free legal services were represented by second- and third-year U of M law students, who work for clients under supervision of clinic instructors.

Law school officials said that with the \$250,000 from the state for fiscal year 1999 the school planned to add 80 more students to the law clinic. That would have translated into an additional 6,000 hours of legal services and another 200 clients.

The law school officials also said 50 percent of the clinic's current \$900,000 annual budget comes from tuition, with 15 to 17 percent

from the state. The rest comes through private contributions and through a federal grant.

The governor also deleted a \$250,000 appropriation for the U of M-administered Project Inform, a program designed to address the shortage of high school counselors in Minnesota by providing outreach and information to K-12 students and their families.

"I believe that the Department of Children, Families and Learning should be involved in such important K-12 activities and object to [its] non-involvement in this proposed solution," the governor said.

The remainder of the new law represents the largest supplemental budget increase for higher education in this decade. The \$72.5 million in appropriations would target nearly \$36 million each for the University of Minnesota and the Minnesota State Colleges and Universities system.

Rep. Gene Pelowski (DFL-Winona) and Sen. LeRoy Stumpf (DFL-Thief River Falls) sponsored the measure.

**HFnone/SF3297\*/CH384**



## HOUSING

### Housing options for seniors



A new law seeks to create more affordable housing options for seniors.

Effective March 19, 1998, the law expands the statutory definition of elderly housing as it applies to the human rights law, bringing state law into compliance with federal statutes. The effect is that more facilities may classify as elderly housing exclusively.

The new law removes the requirement that elderly housing must provide facilities designed to meet social and physical needs, such as recreation and meeting rooms.

Rep. Satveer Chaudhary (DFL-Fridley), sponsor of the measure, said that the additional services provided to tenants mean additional cost in rent.

"These types of facilities often cause rent to be \$100 to \$300 higher than other facilities," he said.

Sen. Deanna Wiener (DFL-Eagan) sponsored the bill in the Senate.

**HF2779/SF2230\*/CH291**

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## Tenant security deposits



A new law, effective Aug. 1, 1998, will extend the current interest rate paid by property owners on tenant security deposits.

Current law sets the rate at 3 percent until May 1999, and after that time the rate was to be increased to 4 percent. The rate increase was supposed to parallel an increase in interest rates generally; however, interest rates have remained low.

Property owners said that after 1999 they would be paying a higher rate to hold deposit funds than most financial institutions would pay.

The new law will change the date of the increase to 4 percent from May 1, 1999, to May 1, 2001.

Rep. Loren Jennings (DFL-Harris) and Sen. James Metzen (DFL-South St. Paul) sponsored the measure.

**HF2590\*/SF2122/CH266**

## Selling abandoned homes



A new state law aims to help Minnesota's manufactured-home park owners rid their properties of abandoned homes.

Effective March 17, 1998, the law authorizes the owner of a manufactured-home park to obtain a limited dealer's license and to sell up to five used homes that are within the park's boundaries per year.

Previously, only real estate agents and licensed dealers were permitted to sell manufactured homes in Minnesota.

The legislation was introduced at the request of rural park owners who were having difficulties attracting agents to sell low-end homes.

The measure was sponsored by Rep. Gary Kubly (DFL-Granite Falls) and Sen. Steven Novak (DFL-New Brighton).

**HF3148/SF2047\*/CH280**



## HUMAN SERVICES

### Health and human services bill

New abortion reporting requirements are part of a \$58 million health and human services finance bill passed by the House in the waning moments of the 1998 session. The vote was 99-34.

The bill, which awaits action by Gov. Arne Carlson, was the subject of a lengthy standoff over abortion-related provisions. The House had earlier approved a version of the bill that

called for a ban on late-term (or so-called "partial birth") abortions and for new reporting requirements.

The legislation, sponsored by Rep. Lee Greenfield (DFL-Mpls), appeared to be in trouble after the House rejected a conference committee version of the bill that did not include any of the abortion-related provisions. However, a last-minute compromise on new abortion reporting requirements helped the bill to win final passage.

The abortion-related provisions make up just a small portion of an omnibus bill that would provide funds for salary increases for nursing home employees, prevention of Fetal Alcohol Syndrome, food stamps for legal non-citizens, and efforts to ensure food safety.

Also, the bill includes provisions that Minnesota must adopt to receive federal funds totaling \$58 million for welfare programs and \$28 million for health care for children.

The governor's 1998 supplemental budget proposal for health and human services called for a total appropriation of just under \$31.7 million.

Here's a look at key provisions of the health and human services bill (**HF2868/SF3346\***).

### Abortion reporting

The final version of the bill would require that medical practitioners provide the state with information about abortions they perform and that the Department of Health release an annual public report compiling Minnesota abortion statistics.

Physicians would be required to report a variety of factors related to each abortion procedure. Specifically, each physician would have to disclose the number of abortions he or she performed within the previous year, the method used for each abortion, the approximate gestational age at the time of the abortion, and the age of each woman who has an abortion.

Also, physicians would be asked to supply a specific reason for the abortion. The bill lists a range of reasons — such as the pregnancy poses a risk to the woman's health, the pregnancy resulted from rape or incest, or the woman does not want children at the time — that could be listed, but the reasons that could be listed by doctors would not be limited to those listed in the bill.

The bill stipulates that the woman would not have to provide a reason.

The reporting requirements also would seek information about the number of previous abortions the woman has had and the method of payment for the abortion. And physicians would be required to provide information related to complications stemming from abortion procedures.



Controversy over abortion-related provisions in a health and human services finance bill brought out protesters from both sides of the issue. The final version of the bill would require physicians to meet new abortion reporting requirements.

The Department of Health would be required to release an annual report beginning in 2000 on abortion in Minnesota. The bill would mandate that the report protect the identity of doctors who perform abortions and women who undergo abortions.

If the department fails to produce the public report on time, any group of 100 or more citizens would be allowed to seek a court injunction to force timely release of the information, under the bill.

The bill also includes a provision that would slap a fine on physicians or medical facilities that fail to report on time. After a report is 90 days late, the physician or facility could be fined \$500 for each 30-day period the report is overdue.

#### Fighting Fetal Alcohol Syndrome

The bill includes \$5 million to fight Fetal Alcohol Syndrome, a series of birth defects that can result from alcohol consumption during pregnancy.

Minnesota first lady Susan Carlson co-chaired the Governor's Task Force on Fetal Alcohol Syndrome, which last year estimated the disease costs Minnesota taxpayers at least \$45 million annually in health, judicial, and social services costs.

The \$5 million included in the omnibus funding bill matches the governor's request for the program.

Under the bill, the health department would design and implement a statewide program to raise public awareness about Fetal Alcohol Syndrome. The program would have to in-

clude a toll-free resource and referral line. A total of \$800,000 would be spent for the public awareness campaign.

Another \$400,000 would be used to develop a statewide network of regional Fetal Alcohol Syndrome diagnostic clinics, and to help train health care providers to deal with the problem.

The bill also would provide \$350,000 to fund creation of a fetal alcohol coordination board, which would review and coordinate existing state programs and integrate state and local prevention and intervention programs.

A total of \$850,000 would be for a Fetal Alcohol Syndrome community grant program. The commissioner of health would administer the program, which would finance work by community organizations on prevention and intervention.

Another \$850,000 would go to the Department of Human Services to expand treatment services for women who abuse alcohol during pregnancy.

The Journal of the American Medical Association reports Fetal Alcohol Syndrome is the leading known cause of mental retardation.

#### Nursing home workers

The bill calls for a 3 percent wage increase for nursing home employees. The increase in per diem payments to long-term care facilities would cost the state about \$20 million.

The nursing home spending is part of an effort to stabilize the workforce at nursing facilities. Low wages among most nursing home employees, coupled with bountiful job

opportunities in other fields in the current booming economy, have made it difficult for nursing homes to attract and keep workers.

The state pays nursing homes a per diem for each resident based on location, property costs and taxes, case mix, and other operating costs. Case mix is determined by the extent of care needed for each patient.

Under the bill, per diem payments would increase by 3 percent and the money would be used to pay nursing home workers who provide direct care to patients, perform house-keeping, and handle other such duties. The increase would take effect July 1.

Nursing home workers told lawmakers this session that their work is emotionally stressful and often leads to occupational-related injuries such as back problems, the result of lifting patients.

Legislators also were told that understaffing leads to distress for patients and problems that include malnutrition, which can result from insufficient staff to handle all patients at meal times.

#### Helping legal immigrants

The bill includes funds for food stamps for thousands of legal immigrants in the state who are not eligible for the federal food stamp program. About \$5.4 million would go toward providing food stamps for legal noncitizens, under the bill.

The funds would be used to establish a one-year, state-funded program for legal noncitizens who, if not for their citizenship status, would otherwise be eligible for federal food stamp benefits.

The food assistance program was not part of the governor's health and human services spending recommendations.

The program would provide food assistance to legal noncitizens who are not on Minnesota Family Investment Plan-Statewide (MFIP-S), which allows families to accept lower-paying jobs and receive some state aid while working toward the goal of getting off public assistance.

The federal Welfare Reform Act of 1996 made noncitizens ineligible for the federal food stamp program, but the federal 1997 Emergency Supplemental Appropriations Act gives states the option to purchase food stamp benefits for those who are ineligible because they are not citizens.

That option requires states to pay for the value of the food stamp benefits, plus the federal government's cost for providing the option.

Counties would use the same income, budgeting, and benefit allotment regulations for the state program as for the federal food stamp program.



Twelve other states currently provide similar assistance.

Another nearly \$3.8 million would help extend the food supplement to legal noncitizen families on MFIP-S, which is the state's main welfare reform initiative.

A cash benefit equal to \$63 a month, which was designated to replace the value of the food stamps lost when noncitizens became ineligible for the federal food stamp program, was scheduled to end June 30, 1998. The bill would extend the benefit and also make eligible legal noncitizen families who are on MFIP-S, regardless of whether they became state residents as of July 1, 1997, as current law stipulates.

### **Food safety**

There is also \$2.5 million in the bill for a food safety initiative. The money would be targeted toward state efforts to improve food safety. Some funds also would be used to study and protect against food-borne illness.

Increasingly, fruits and vegetable are imported, and roughly half of food dollars are spent eating in restaurants, where food can be improperly handled or stored.

Dr. Michael Osterholm, state epidemiologist for the Minnesota Department of Health, has told legislators this year that the supposed 6,000 to 8,000 annual deaths connected with contaminated food are underestimated.

Osterholm also has said that at certain times of the year nearly 100 percent of fresh fruits and vegetables available are grown in developing nations. He has said if that produce were purchased by Americans abroad, they would be advised to boil and peel it before eating.

### **Consumer health assistance**

If you can't get referred to a chiropractor under your current health plan, where do you turn? Minnesota health plan companies and health care professionals are governed by more than 20 boards and oversight bodies.

People confused or unhappy about their health plan would have a one-stop place to call, under a \$100,000 provision in the bill that would go to establish an office of health care consumer assistance.

The office would have no regulatory power, but it would have a broad range of duties. It would assist consumers who have complaints or questions about their health plan or health care provider. It would also help them understand their legal rights and get appropriate health care referrals.

The state commissioner of health would appoint an executive director, and the office would have at least nine consumer advocates to perform the duties of the office.

Preceding this provision was a 1997 law, the Patient Protection Act, which aimed to pre-

vent health plan companies from interfering with the medical professional-patient relationship, and to provide patients with accurate information about their health plan and health plan companies.



## **INDUSTRY**

### **Protecting telephone customers**



A new law aims to protect Minnesota telephone customers from unauthorized switching of long-distance telephone carriers.

"While most long-distance providers conduct their business in an ethical, above-board fashion, there are some that unfortunately do not," Gov. Arne Carlson said in a news release. "In signing this legislation, we are now able to give Minnesotans protection from unscrupulous carriers."

A new provision, effective July 1, 1998, will require long-distance providers to give price information on specific calling patterns to consumers and will forbid the providers from the practice of "slamming," or switching customers without their knowledge.

The long-distance providers will have to provide proof that a customer authorized a change in carriers. If the provider is unable to produce a written statement or a tape recording indicating the customer authorized the change, the carrier will have to pay the cost of returning the customer to the original service and the cost of any of the customer's long-distance calls during the unauthorized period.

Long-distance companies also will have to provide upon request — or when soliciting customers — information on the price range of services, minimum volume requirements, termination charges, and other fees.

### **Biomass fuels**

A separate provision effective April 1, 1998, provides an exemption to requirements of biomass-fueled power plants. Examples of biomass power sources are sawdust or wood chips, agricultural residues, and the organic portion of the solid waste stream.

Previous law provided that biomass-fueled power plants can use non-biomass fuels for up to 25 percent of their fuel. The new law provides an expansion so that when biomass fuel sources are not reasonably available to the facility because flood, fire, drought, disease or other acts of God, the power facility can exceed the exemption without penalty or a charge against its normal 25 percent exemption.

Rep. Loren Jennings (DFL-Harris) and Sen. Steven Novak (DFL-New Brighton) sponsored the legislation.

**HF3042\*/SF2797/CH345**

### **Pipeline excavation notices**



A new law will make a distinction between information needed before a pipeline excavation and information needed before a land survey when notifying the Gopher State One-Call excavation notice system. The provision is effective Aug. 1, 1998.

Current law requires these notices to contain the same information. The new law removes language pertaining to anticipated discharge of explosives when only a survey is being done.

The Minnesota Pipeline Safety Act of 1987 mandated the establishment of a one-call notification center for facility operators, which became the Gopher State One-Call. That act included definitions and requirements for notices given by excavators and underground facility operators.

Underground facility operators include those who deal with electricity, power, heat, gas, oil, and water.

The new law also requires, as of Jan. 1, 1999, that operators maintain maps, drawings, diagrams, and other records of any underground facility that was abandoned or out of service after Dec. 31, 1998.

And a provision effective June 30, 1998, will allow the commissioner of public safety to appoint a pipeline advisory committee.

This discretionary advisory committee would replace the Pipeline Safety Advisory Council, and it would be governed by the statute pertaining to advisory councils and committees rather than administrative boards and agencies.

The difference is that members on advisory councils and committees serve at the pleasure of the appointing authority. Members of the current council may be removed for missing three consecutive meetings.

The new committee would consist of representatives of the hazardous liquid pipeline industry, the gas distribution industry, the gas pipeline industry, the pipeline design and construction industry, state or local government, and the general public.

Rep. Dennis Ozment (R-Rosemount) and Sen. Steven Novak (DFL-New Brighton) sponsored the legislation.

**HF3324/SF2445\*/CH348**

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

## Using professional titles



Industrial hygienists — people hired to make work environments safer — will become members of a legally recognized profession under a new law effective Aug. 1, 1998.

The law will prohibit people who do not meet certain requirements from using specific titles including industrial hygienist, certified safety professional, and construction health and safety technologist.

Only those who have attended an accredited college or university and received the proper certification will be allowed to use those professional titles. For instance, a certified industrial hygienist will have to pass a test by the nonprofit American Board of Industrial Hygiene and maintain that license in order to use the title.

The restrictions will not apply to properly supervised apprentices, or to employees of the state of Minnesota, who are already subject to strict standards.

Rep. Alice Seagren (R-Bloomington), who sponsored the proposal in the House, said the law will not only protect the professionals, but will further public health and safety by ensuring quality work.

Sen. Sheila Kiscaden (R-Rochester) sponsored the measure in the Senate.

**HF668\*/SF668/CH288**



## INSURANCE

### New investment options



A new law effective Aug. 1, 1998, will give insurance companies more flexibility in investing their assets.

Under the law, “financially strong” insurers will be allowed to choose to be governed by the new provisions rather than by current state insurance laws, which will remain in place.

To use the new investment options, insurers will be required to have a minimum of \$2 billion in total assets and a total capital and surplus of \$200 million.

Insurers who qualify and decide to invest under the new law could invest in anything within a standard considered by the company's board of directors, subject to an internal control system. The companies will have to have a written investment policy.

The commissioner of commerce will require information from insurers, and the commissioner could hire an expert to review an insurer's investments. The commissioner also will be able to order insurers to change their investments.

Rep. Ann Rest (DFL-New Hope) and Sen. Deanna Wiener (DFL-Eagan) sponsored the measure.

**HF3355/SF3032\*/CH319**

### MCHA cap increased



The maximum lifetime benefit for people who get their health coverage through Minnesota Comprehensive Health Association (MCHA) increased from \$1.5 million to \$2 million, under a new law effective March 19, 1998.

The change was necessary to address the needs of a southern Minnesota boy who suffers from Melnick-Needles Syndrome, a bone and cartilage disorder. The boy requires a full-time nurse, specialized equipment, frequent hospital visits, and medications.

A 1995 law moved the cap on MCHA benefits from \$1 million to \$1.5 million because the boy's medical expenses were approaching the limit and he was at risk of being cut off from coverage.

This year, the child was closing in on the \$1.5 million maximum. Also, supporters of the new law said \$2 million is the standard limit for lifetime health benefits.

The Legislature created MCHA in 1976 to sell insurance to state residents who have been turned down for insurance due to pre-existing conditions.

The organization is not funded by the state. Premiums are collected from participants and from an annual assessment on insurance companies, health maintenance organizations, and other insurance providers.

The boy could have been forced onto the government-funded Medical Assistance program, had the MCHA coverage limit not been increased.

The new measure was sponsored by Rep. John Dorn (DFL-Mankato) and Sen. Deanna Wiener (DFL-Eagan).

**HF3065/SF2608\*/CH293**

### Medical equipment, supplies



A new law effective Jan. 1, 1999, will require health plans to tell clients what medical equipment and supplies are covered.

The law also will stipulate that any health plan that covers durable medical equipment may not exclude coverage of devices used in the home.

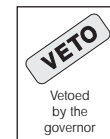
In addition, health plans will be required to tell members and prospective members the nature of the coverage for durable medical equipment, level of coverage available, proce-

dures for prior authorizations, and an address or telephone number of someone with the plan that the member can call to get information, either verbally or in writing, on what's covered and not covered.

Rep. David Tomassoni (DFL-Chisholm) and Sen. Leo Foley (DFL-Anoka) sponsored the new measure.

**HF2814\*/SF2130/CH334**

### No break on insurance premiums



Gov. Arne Carlson used his veto authority to strike down legislation that would have allowed drivers who successfully complete an accident prevention course to get a break on auto insurance premiums.

Drivers over 30 years old who passed the safety course would have received a 10 percent reduction in their auto insurance premiums, under the bill. Currently, drivers 55 and older who pass an accident prevention course every three years receive a premium reduction.

In his veto message, Carlson wrote, “Statistical analyses fail to provide evidence that successful completion of additional driver testing results in heightened safety rates on Minnesota roadways.”

He said automobile insurance premiums ought to be determined by the market and individual driving records.

“Any mandated rate reduction to one class of citizen drivers would unfairly shift costs to those of the unprotected class,” he said. “In this case, the shift would take place on those drivers who are already paying the highest premiums within this state, that is, those drivers under the age of 30.”

Carlson also said while a driver safety course can be effective for those 55 and older, “I do not believe that the completion of this type of program would be effective on younger drivers.”

The legislation was sponsored by Rep. Mark Mahon (DFL-Bloomington) and Sen. Douglas Johnson (DFL-Tower).

**HF2846\*/SF2245/CH287**

## Where to find information

### Chief Clerk's Office

211 State Capitol (612) 296-2314

The Chief Clerk's Office provides copies of bills at no charge, all agendas for House sessions, and the Journal of the House.



## Government data practices



Gov. Arne Carlson has allowed a measure calling for several changes in information policy to become law without his signature.

He took the opportunity to comment on the changes in a two-page letter he filed with the bill.

The new law makes several changes in Minnesota's Government Data Practices Act, which classifies information the state government collects as public or private.

The governor wrote that the law lacks the comprehensive reforms that are necessary to address the problems with the data practices law.

"The current bill does not address substantive reforms, but rather continues the legislative track of enacting complicating minutiae, and poorly balancing the public's 'right to know' with citizens' rights to privacy," Carlson wrote.

The most notable provision in the new law will allow the Legislature to subpoena county child protection workers.

The new law came as a result of legislators' attempt to reform the state's child protection system in the wake of three-year-old Desi Irving's death in Minneapolis.

Last year, Mildred Irving pleaded guilty to second-degree murder in her daughter's death. She admitted to the court that she repeatedly hit Desi with an extension cord, broke one of Desi's arms, and punched her in the abdomen so hard that the child's liver was lacerated. The autopsy results showed that Desi had suffered numerous broken bones, had cigarette burns and many other scars, and had been suffering from malnutrition before her death.

The brutality of Desi's death was accented by the fact that evidence shows that the Irving family had been in contact with Hennepin County's child protection services.

Legislators sought to make sure that children like Desi were protected in the future. Attempts to bring Hennepin County caseworkers to testify before the Legislature failed due to data privacy issues. Caseworkers expressed a desire to disclose the facts of the case. However, they feared losing their jobs if they broke the data privacy law.

The new provision, effective April 10, 1998, provides an exemption to current data privacy law for child protection in the case where the information is subpoenaed by a standing legislative committee. The provision is only to remain in effect until July 1, 1999.

The governor expressed concern in his letter about this provision.

"Although I am a staunch advocate of opening up court records for juvenile proceedings when necessary, the Legislature is simply not the government entity to conduct such investigations," Carlson wrote.

Carlson stated he is concerned that the Legislature has not outlined adequate safeguards to ensure the protection of this information. He wrote that he is also concerned that the provision sets a dangerous precedent and that it violates the separation of powers between the legislative and judicial branches of government.

The new law also contains several provisions, effective Aug. 1, 1998, which attempt to make the transition from welfare to work easier.

One such provision addresses Minnesota Family Investment Program-Statewide (MFIP-S) data. MFIP-S, instituted by last year's welfare reform legislation, allows families to accept lower paying jobs while receiving some public assistance. The new law authorizes the flow of information between agencies administering the program to provide the services more efficiently.

The new law also permits the Department of Economic Security to provide information on potential employers to the state's Workforce Centers. The information is to be used to help match potential employers with those seeking employment.

The law also authorizes, effective Aug. 1, 1998, the release of names and addresses from motor vehicle registration files to community-based nonprofit organizations for public safety purposes.

The bill was sponsored by Rep. Mary Jo McGuire (DFL-Falcon Heights) and Sen. Don Betzold (DFL-Fridley).

**HF1626/SF1378\*/CH371**

## Attempted help for state firm

Gov. Arne Carlson announced a special session scheduled for April 20 to revive a bill which would assist a Minnesota company in a pending lawsuit.

The bill (**HF3872/SF3416\***) passed the Senate but did not receive a vote on the House floor April 9. Supporters could not get enough votes to suspend constitutional requirements so the bill could be rushed through and brought up for consideration on the last day.

Sponsored by Rep. Jim Tunheim (DFL-Kennedy), the bill would affect a lawsuit between Marvin Windows and Doors in Warroad, Minn., and a Pennsylvania company. Marvin Windows is suing the company

for breach of contract and fraud relating to a wood preservative produced by the Pennsylvania company and used by the Minnesota manufacturer.

Among several claims made by Marvin Windows, the firm alleges that the other company engaged in intentional misrepresentation of its product. Attorneys for Marvin Windows are attempting to use Minnesota's tort law to address these claims in court.

The Pennsylvania company argues that this claim cannot be brought forward under Minnesota's tort law, and the company's argument is based on a 1991 law which outlines how the tort law can be used in contract disputes of this sort.

The proposed legislation would have expanded this provision of law to allow for claims to move forward in cases where fraud or negligent misrepresentation is evident.

Supporters of the bill argued that the change is a clarification of the 1991 law, which did not address the issue of fraud.

Opponents of the legislation said that the change would undermine the current law because all cases of breach of contract could be construed to contain an element of alleged misrepresentation.

## Making health care decisions

A plan to consolidate the law regarding health care decision-making is on its way to the governor following final approval by the full House April 9. The vote was 75-58.

The bill (**HF2521/SF2050\***), sponsored by Rep. Dave Bishop (R-Rochester), is based on the recommendations of a working group the Minnesota State Bar Association sponsored to review current law on health care decision-making and to suggest ways to make the laws more effective. The group is made up of government officials and representatives from health care organizations, consumer groups, and ethical and religious organizations.

Currently, a patient can create a document that designates the care to be received if he or she cannot communicate those wishes. The document is called a living will. In addition, a patient can name a person as his or her durable power of attorney, which authorizes that person to make health care decisions. The living will and durable power of attorney provisions are contained in two separate statutes.

The bill would combine the living will and the durable power of attorney into one document called a health care directive. The bill provides the criteria necessary for a directive to be valid.

Bishop said that he brought the proposal forward to make an already existing process



easier. He said his bill would encourage more people to outline their health care wishes before it is too late.

Opponents of the bill argued that the change would make it easier to withhold treatment that may prolong life from those who are terminally ill.

## Special guardians, conservators



A new law will refine the special guardian and conservator hearing process to prevent potential abuse.

Guardians and conservators are appointed by the state courts to make decisions for adults who are incapable of making decisions for themselves, oftentimes the elderly in nursing homes.

Special guardianships and conservatorships differ in that they are temporary arrangements designed to respond to short-term situations.

Effective Aug. 1, 1998, the new law lengthens the time required to give notice of hearings related to special guardianships and conservatorships from 24 hours to 48 hours and requires that the hearing be held within two weeks of the notice.

The law also requires that petitioners show a clear need for the appointment. It also limits these appointments to 30 days.

Rep. Rob Leighton (DFL-Austin), House sponsor of the new measure, said that the idea was brought to him by members of a family in his district who felt the process was being abused by a nursing home caring for their father.

Sen. Pat Piper (DFL-Austin) sponsored the measure in the Senate.

**HF1414/SF1151\*/CH281**

## Protection for news media



Gov. Arne Carlson allowed a measure providing new protections for the news media to become law without his signature.

However, the governor did take the opportunity to comment on what he referred to as a "disturbing trend" in journalism in a letter filed with the bill.

Effective April 7, 1998, the new law expands the current media shield law by guaranteeing protection for reporters' notes and tapes except in extreme instances.

Carlson, in his two page letter, wrote that while the freedom of the press must be maintained, he is concerned about the lack of accountability in journalism, especially with investigative journalism.

"News organizations often justify their ac-

tivities based on the public's 'right to know,'" Carlson wrote. "It is ironic, however, that the media seldom extend that right to the way they do business."

Journalists have no boards of professional responsibility like lawyers, doctors, and accountants to ensure ethical behavior, according to the governor.

"Granting this law's special protection to the news media would be more palatable if it were a profession that adhered to a strict code of journalistic conduct," Carlson wrote.

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

**HF1668/SF1480\*/CH357**



## LOCAL GOVERNMENT

### Nonprofit corporations



A new state law permits Brown County and other political subdivisions to create nonprofit corporations to help with economic development.

The measure has been filed with the secretary of state without the governor's signature. It empowers such nonprofit corporations to issue bonds, make grants to companies, and to buy, sell, and develop property.

Gov. Arne Carlson allowed the measure to become law, but he clearly did not approve of its content.

"It gives local governments the power to create entities with broader powers than the entity itself," Carlson wrote, in a letter filed with the measure. "This is a dangerous precedent being established by the Legislature. Moreover, these local entities — while having greater powers than local governments — are not subject to some of the same legal requirements such as open meeting laws, competitive bidding, the Data Practices Act, and the Ethics in Government Act."

Carlson also was bothered by the expansion of power to many other nonprofit corporations, which he believes "has now opened the door to widespread misuse by these entities."

When introduced in the House, the measure applied only to Brown County, but it was amended to include similar corporations created elsewhere before June 1, 1997, by allowing them to continue to operate.

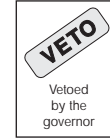
The budget of any such corporation must be made public, and if the corporation is going to spend \$100,000, it has to be approved by the county board.

The new law took effect April 8, 1998, except for the section devoted to Brown County, which is retroactive to July 10, 1990.

Rep. Elaine Harder (R-Jackson) and Sen. Dennis Frederickson (R-New Ulm) sponsored the measure.

**HF2700/SF2192\*/CH360**

## Real estate filing fees



A plan to create a uniform real estate filing fee structure for counties statewide was vetoed by Gov. Arne Carlson.

Carlson said he supports the idea of standardizing such processes across the state. However, he said that he could not support the proposal because it would have meant fee increases.

"Minnesotans already pay a substantial portion of their incomes to provide for local, state, and federal services," he wrote in his veto message. "With no demonstrated need for these fee increases, I cannot sanction this bill."

The bill was sponsored by Rep. Mary Murphy (DFL-Hermantown) and Sen. David Ten Eyck (DFL-East Gull Lake).

**HF1882/SF1654\*/CH311**



## METRO AFFAIRS

### Innovative bike racks



Gov. Arne Carlson signed into law a measure that allows cities of the first class to place art and informational signs on bicycle racks and storage areas.

Effective March 17, 1998, the new law results from a desire by the Minneapolis City Council to place decorated bicycle racks on every block in the Uptown neighborhood of the city.

The city is trying to promote bicycle riding to ease parking and traffic congestion. City officials want to place art or signs on the racks that would blend with the Uptown area's atmosphere that caters to a young clientele.

The art and signs will be allowed only if placement does not create a hazard. That decision will be left to the road authority that authorizes the placement of the art or signage.

The new measure was sponsored by Rep. Dee Long (DFL-Mpls) and Sen. Allan Spear (DFL-Mpls).

**HF3296/SF2729\*/CH283**

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## MILITARY

### NATO expansion resolution

Filed  
without  
signature



A new law requires the state to send a resolution asking President Clinton and Congress to support the admission of Poland, the Czech Republic, and the Republic of Hungary to NATO. The measure became law without the governor's signature.

A NATO expansion to include the three countries is anticipated in April 1999, pending U.S. approval. President Clinton supports the expansion, and the U.S. Senate is expected back the plan.

The Minnesota proposal was originally sponsored by Rep. Mike Jaros (DFL-Duluth), who spent about two months translating for NATO troops in northeastern Bosnia last summer.

"My idea is that every country should join NATO, and then once everybody is joined in support of peace, we won't need any more armies," he said.

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

HF2417\*/SF2055/Res.5



## TAXES

### Omnibus tax bill

The 1998 omnibus tax bill includes some tax relief for almost everyone — including homeowners, renters, business owners, apartment owners, cities building convention centers, charitable gambling organizations, and senior citizens.

The House passed the bill in the final hours of the 1998 session April 9. The vote was 100-33.

The bill would provide \$500 million in rebates to Minnesota taxpayers, but critics said that wasn't enough and called for more of the \$1.9 billion state surplus to be returned to taxpayers.

Bill supporters said some surplus funds should be returned, some should be saved, and some should be used for major building projects.

Rep. Dee Long (DFL-Mpls), who chairs the House Taxes Committee and sponsored the tax bill, urged lawmakers to support the final bill produced by a House-Senate conference committee.

"We've worked long and hard. The bill is the result of compromise on both sides," she

said. "... In this bill, we provide about \$1.2 billion to be returned to the taxpayers of the state of Minnesota. This is a bill that will help all Minnesotans."

But Rep. H. Todd Van Dellen (R-Plymouth), who was consistent throughout the session in calling for permanent income tax reductions, found fault with the bill.

"I think the straw that breaks the proverbial camel's back is not what they've done with the tax dollars that already have been paid," he said. "What the DFL is doing is erasing the hope. [The bill] prevents any future tax cuts. We've committed the dollars to be spent already. It's highly, highly unusual."

Van Dellen was referring to a clause in the bill that would direct that the first \$400 million of any surplus after the \$822 million designated for budget reserves and tax reform and reductions be used to reduce bonding to pay for capital projects.

House Majority Leader Ted Winter (DFL-Fulda) tried to answer the bill's critics. The bill meets the needs of Minnesota families, he said.

"They said, 'We need some help,' and we're giving them some help," Winter said. "We're taking a long time to look at all the needs of the state of Minnesota. We've got bigger budget reserves than we've ever had."

Here are some highlights of the bill (HF3840\*/SF2985), which Gov. Arne Carlson has indicated he will sign.

#### Property tax rebates

The bill would provide a rebate for homeowners and renters equal to 20 percent of the property taxes paid in 1998, similar to the rebate in effect for property taxes paid by homeowners and renters in 1997. The maximum rebate would be \$1,500. The rebate would be allowed as a refundable income tax credit to be claimed on the 1998 income tax return filed in 1999.

In the earlier version of the bill approved by the House, there was a proposal for an additional rebate to be sent out later this fall that would equal 50 percent of the regular 1997 rebate. The "no-wait rebate" is not part of the conference committee version of the bill.

#### Property tax reform

Property taxes for homeowners, businesses, and others would be reduced, under the final version of the bill.

The tax classification rate for the second tier of residential homestead property (value over \$75,000) would go from 1.85 percent to 1.7 percent.

The class rate of the first \$115,000 in market value of agricultural homestead property would go from 0.4 percent to 0.35 percent.

The class rate on the market value over \$115,000 and under 320 acres would go from 0.9 percent to 0.8 percent.

There also would be a break for owners of commercial and industrial property. Class rates on that property valued up to \$150,000 would go from 2.7 percent to 2.45 percent. The upper tier, over \$150,000, would go from 4 percent to 3.5 percent.

Owners of apartment buildings with four or more units would see their class rates go from 2.9 percent to 2.5 percent, and owners of rental houses would see their class rates go from 1.9 percent to 1.25 percent for the first tier of property value, and from 2.1 percent to 1.7 percent on the upper tier.

#### Property taxes, local bonding, levy authority

Counties that saw a reduction in the property tax base of at least 5 percent because of the 1997 floods would get "replacement aid" under the bill, equal to the tax base loss multiplied by the payable 1998 county government's average tax rate.

Owners of deteriorating homes needing at least \$20,000 worth of repairs in "marginal" neighborhoods, would get a five-year exemption on their property taxes if they undertake rehabilitation. The program would apply only to the cities of Minneapolis, St. Paul, and Duluth, and would last until May 1, 2003.

Those homes would have to be in an area where the median home value is less than 80 percent of the median value for the entire city. Homes would be required to have an estimated market value of less than 60 percent of the median value for the entire city.

#### Senior citizens' property tax deferral

Seniors would no longer be required to complete a form every year to participate in a property tax deferral program for the elderly. Once enrolled in the program, seniors would need only to notify the state by July 1 if their income exceeds the limit for the program. Information alerting taxpayers of the availability of the senior deferral program will be in the property tax refund instruction booklet, beginning with those prepared in 1998 and on the property tax statements.

Under the program, seniors making less than \$30,000 a year can delay paying the portion of their property tax that is more than 5 percent of their income. The delay can last until they sell the property. Then, it has to be paid back with interest.

#### Sales and excise taxes

The 2.5 percent sales tax on farm machinery, which includes logging and fish farming equipment would be phased out.

The tax would go to 2 percent June 30, 1998,

to 1 percent June 30, 1999, and to nothing after June 30, 2000.

The bill provides for a variety of sales tax exemptions at various building projects throughout the state. It would extend the sales tax exemption for purchases of construction materials, supplies, or equipment that are used in any expansion at the Duluth Entertainment and Convention Center. That exemption was to have expired Dec. 31, 1998.

The same sales tax exemption would go into effect for the expansion at the Minneapolis Convention Center and the RiverCentre in St. Paul.

The latter will be the new home of the National Hockey League's Minnesota Wild, which will begin play in 2000.

The city of Duluth also would be allowed to raise its local lodging and restaurant taxes from 1 percent to 1.5 percent to help pay for improvements at the city's convention center.

### Budget reserves

The budget reserve would be brought to \$622 million, and the bill would establish a tax reform and reduction account. The governor would make suggestions to the Legislature on the tax reform and reduction account's use.

After the \$622 million in reserve, \$200 million of surplus funds would be put in that tax reform and reduction account for tax reductions. The next \$400 million of a future surplus would be used to help pay for capital projects in the 1998 bonding bill.

### Gaming taxes

The bill would make several changes to the tax on lawful gambling.

The \$12 million exemption from pari-mutuel tax would not end June 30, 1999, as originally planned. Also, pari-mutuel license holders would not have to return the value of unredeemed tickets after Jan. 1, 2000.

The tax rate on lawful gambling operations, which applies to gross receipts less prizes paid, would drop 5 percent.

### Federal update

The tax bill would adopt for the state, changes made by the federal Taxpayer Relief Act of 1997.

The bill would get state law in line with federal provisions that allow taxpayers to deduct interest from their state tax forms on student loans for the first five years interest is due on the loans. The maximum deduction is \$1,000 in 1998, \$1,500 in 1999, \$2,000 in 2000, and \$2,500 in 2001. Under the bill, those deductions could be claimed on state taxes as well as federal taxes.

The bill also would accommodate the fed-

eral Education IRA, a \$500 per beneficiary non-deductible IRA to be used for the beneficiary's higher education.

And, finally, the bill would shape state law to fit the federal government's new "Roth" IRA. Under the federal program, contributions are not deductible, but distributions are not taxed if it's distributed at least five years after the account was established and after age 59-and-a-half, death, disability, or a first-time home purchase.

## Property tax rebate



Effective March 19, 1998, a new state law ensures homeowners who prepaid their 1997 property taxes can claim a rebate allowed under a law passed last year.

The 1997 Legislature, flush with a projected \$2.3 billion budget surplus, passed a one-time tax rebate to give some of that surplus back to homeowners and renters. The rebate was linked to property taxes paid in 1997.

However, that created a problem for those who paid their 1997 property taxes before Jan. 1, 1997. Homeowners sometimes pre-pay their taxes to claim an itemized deduction for the previous year's income tax.

Under the 1997 law, people who prepaid were out of luck, because the measure limited payment of the rebate to those who paid their property taxes in 1997.

The new law allows the property tax rebate to be paid to all taxpayers who paid their 1997 property taxes before Jan. 1, 1998.

The rebate is available to both homeowners and renters. For homeowners, it comes to 20 percent of their property taxes, and for renters, 3.6 percent of their rent paid. Although the rebate is a property tax rebate, it is claimed on the state income tax returns filed this year. The rebate is separate from the regular property tax refund that many renters and homeowners get in August of each year.

Rep. Dee Long (DFL-Mpls) and Sen. Douglas Johnson (DFL-Tower) sponsored the new measure.

HF2294/SF2041\*/CH304



## TOURISM

### Fishing dispute resolution



A resolution asking President Clinton and the U.S. Congress to help settle fishing-rights disputes between Minnesota and the Canadian province of Ontario has

been filed with the Office of the Secretary of State without the governor's signature.

The resolution urges the federal government to seek a solution to the border troubles that have spawned a proposal to allow Minnesota's Northwest Angle to secede from the United States.

The approximately 85 year-round residents of the Northwest Angle have complained for years about Canadian policies including fish limits, user fees, and border crossing permits that they say discriminate against U.S. anglers.

The Northwest Angle, the northernmost spot of the continental U.S., is actually a peninsula on Lake of the Woods that is attached only to Canada.

According to Canadian law, tourists fishing the two-thirds of the lake in Canada, and staying in Canadian resorts, may keep up to two walleye or sauger per day. But beginning this summer, anglers staying at U.S. resorts will not be allowed to keep either of those fish if pulled from Canadian waters. Canadians say the regulations are needed because the species are overfished, but Americans say they are driven by a desire to force tourists to stay at Canadian resorts.

U.S. Rep. Collin Peterson (D-Minn.) introduced a constitutional amendment in March that would let the Angle and nearby islands separate from the United States, allowing residents and tourists to enjoy the Canadian fishing privileges.

Peterson said he sees secession as a long shot but that he sponsored the proposal in order to bring attention to the plight of affected anglers. He also said the Canadian regulations violate a 1909 border-waters treaty and the North American Free Trade Agreement but that the federal government has not taken action to protect U.S. rights in the area.

Rep. Irv Anderson (DFL-Int'l Falls) and Sen. LeRoy Stumpf (DFL-Thief River Falls) sponsored the legislation.

HF3854\*/SF3406/Res.8



## TRANSPORTATION

### Omnibus transportation



Gov. Arne Carlson got many of the extra state troopers he had wanted for two years when he signed a \$51 million omnibus transportation plan into law.

The new law also allows the Department of Transportation to spend up to \$40 million on new highway projects. And the law will create a task force designed to catch Minnesota residents who illegally register their vehicles in neighboring states.



Rep. Bernie Lieder (DFL-Crookston) and Sen. Janet Johnson (DFL-North Branch) sponsored the legislation.

Here is a look at major provisions of the new law. All of the provisions detailed below are effective July 1, 1998.

**HF3057/SF3298\*/CH372**

### State troopers

The governor had originally requested 47 additional state troopers and support staff at a cost of \$5.25 million. In 1996, the governor sought funds to hire an additional 46 state troopers, but the Legislature approved only enough funding for four state patrol dispatchers.

Under the new law, there will be \$2.7 million in funding for 29 new state troopers, and there is \$200,000 for additional state patrol helicopter flight time.

Legislators were told helicopter patrols, which are currently used only on Friday and Saturday nights, are perhaps the greatest single boost ground patrols receive in law enforcement efforts. The funding will allow the patrols to fly during weekday evenings as well.

The state patrol's current complement is 535 troopers, including 37 that are expected to shortly graduate from training. The new troopers would increase the allowable force limit to 564.

### Highway projects

A total of \$40 million will be appropriated from the trunk highway fund for highway construction projects in fiscal year 1999.

Another \$6.8 million from the trunk fund will be available for design engineering and construction engineering.

Also, the new law stipulates that the town bridge account may be used to pay the cost of abandoning an existing bridge that is deficient but will not be replaced.

The account also will be used to pay to construct a road or street to facilitate the abandonment of a deficient bridge if it is determined the construction of the road or street is more cost-efficient than replacing the existing bridge.

### Lake Street planning board

A provision in the new law will establish a 13-member board to help plan and coordinate development of the Lake Street corridor in Minneapolis. The board would have jurisdiction over one-half mile on either side of Lake Street.

The board's purpose will be to concentrate on economic development, transportation, and residential renewal in the area in coordination with local government, businesses, and other neighborhood entities.

If light rail transit becomes a reality in the state, this area is expected to be affected by the Hiawatha Corridor of the transit line.

The members will have a three-year term ending June 30, 2001.

### Registration task force

A dealer licensing and motor vehicle registration enforcement task will be created, under the new law.

A total of \$50,000 from the highway user tax distribution fund will be allocated to the commissioner of public safety, who is to designate four state highway patrol members to investigate the incidence of vehicle registration evasion and dealer fraud.

It is believed countless Minnesota residents register their motor vehicles in neighboring states, which have lower licensing fees. Estimates indicate this costs the state millions annually, even though it is a gross misdemeanor for vehicles owned and operated in Minnesota to be registered in another state.

The task force's final report is to go to the governor and the Legislature by Feb. 15, 1999. The task force expires July 1, 2000.

### Ignoring highway barricades

Driving on roads closed because of storms could become costly, under a bill the House passed April 9. The vote was 117-14.

The bill (HF2589/SF2592\*) would stipulate that any motorist who becomes stranded after bypassing a barricade or law enforcement officer placed to restrict travel on a roadway during or after a storm could pay up to \$10,000 in expenses incurred during any rescue efforts.

The cost of such rescues has typically been about \$2,000. Law enforcement officers have sometimes put their lives at risk during such rescues.

Drivers would be liable if they failed to obey the instruction of authorized personnel at the roadway entrance, or if they drove around or through a barricade placed to stop travel on a closed portion of a roadway.

Another part of the bill would make it a misdemeanor to drive around a lowered railway gate. The bill stipulates all drivers must stop when railway gates are lowered and not continue until they are raised. Under current law, drivers who bypass a lowered railway gate face a misdemeanor charge only if it is determined it was unsafe to do so.

The bill also would establish criteria for a business that wants its name or logo posted on a roadway panel. Such panels are typically located near interstate freeway exits and indicate gasoline stations or restaurants are nearby.

Rep. Jean Wagenius (DFL-Mpls) is the sponsor of the legislation, which awaits action by the governor.

### Bowe Memorial Highway

For the first time in Minnesota history, a stretch of highway will be named after a slain state trooper.

Gov. Arne Carlson signed into law a measure that will rename a stretch of Trunk Highway 95 after Cpl. Timothy Bowe.

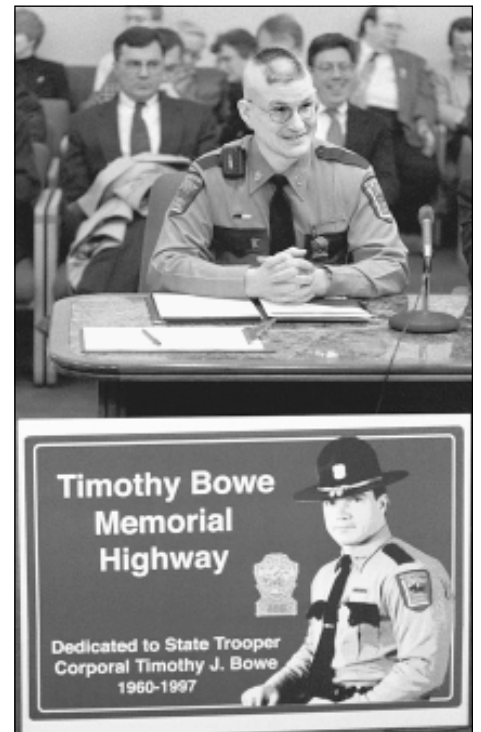
Effective Aug. 1, 1998, the new law requires the commissioner of transportation to adopt a design and to erect the signs to mark the memorial highway. The signs will be paid for by the community of Cambridge, Minn.

Last year, Bowe became the first Minnesota State Patrol officer killed in the line of duty since 1978. The 36-year-old Coon Rapids man was shot to death in Chisago County while answering a call about a shooting at a rural home.

Bowe, a 15-year veteran, was the seventh Minnesota trooper killed in the line of duty.

Rep. Loren Jennings (DFL-Harris) and Sen. Janet Johnson (DFL-North Branch) sponsored the measure.

**HF2612\*/SF2335/CH290**



Minnesota State Patrol Sgt. Russell Wicklund supported a new measure passed this year that will honor his former colleague Timothy Bowe, the first Minnesota State Patrol officer killed in the line of duty since 1978. The new law will designate a stretch of Trunk Highway 95 as State Trooper Timothy Bowe Memorial Highway.

## Making vehicles available



Nonprofit organizations that sell or lease inexpensive cars no longer need to apply for a motor vehicle dealer's license, under a new law that took effect March 19, 1998.

Certain charitable organizations repair and recondition older vehicles that are donated to them. These groups then sell the vehicles at low prices to people moving off public assistance or to other low-income people.

The new law exempts these organization from needing a dealer's license.

Under the law, the cash value of the vehicle being sold must be less than \$1,000 and the organization must meet the requirements of a nonprofit charitable group under the tax code to get the exemption.

The law could make more vehicles available for people at a time when welfare recipients are being encouraged to find employment under welfare reform measures that took effect in 1997. Many of these people do not have transportation, according to Rep. Tim Pawlenty (R-Eagan), who sponsored the measure in the House.

Sen. David Knutson (R-Burnsville) sponsored the legislation in the Senate.

**HF3028/SF2163\*/CH285**

## Sirens and flashing red lights



A new law will reinstate a safety requirement for ambulances.

Effective Aug. 1, 1998, the new law will require all medical emergency vehicles to both sound an audible signal and activate red emergency lights while responding to emergencies. Medical vehicles that are transporting patients in non-emergency situations will not be required to sound their alarms.

In 1997, legislation to exempt law enforcement officers from the requirement to sound audible signals while responding to emergency calls included language that also exempted emergency medical vehicles.

Rep. Al Juhnke (DFL-Willmar), House sponsor of the new measure, said that after the 1997 law was approved, insurance carriers began telling owners of emergency medical vehicles that rates for coverage would rise if both audible and visible signals were not used while responding to emergencies.

Proponents argued that it is safer for ambulance drivers, other motorists, and pedestrians to have the audible warning in addition to flashing red lights.

Sen. Dallas Sams (DFL-Staples) sponsored the measure in the Senate.

**HF2576/SF2028\*/CH263**

## No more fingerprint checks



Those with direct management responsibility for a company's hazardous waste transportation no longer must submit a full set of fingerprints to determine if the person has a criminal record under a law effective March 24, 1998.

Ward Briggs, of the Minnesota Department of Transportation, said the hazardous waste transportation industry objected to the requirement, calling it a nuisance. He also said the background check involving fingerprints had been part of a national pilot program that had expired.

Briggs said the fingerprint checks were not proven to be the best method of evaluating the background of those involved with the intrastate transport of hazardous waste. He said some with a criminal record were slipping by despite the checks.

Briggs said other methods of accomplishing better background checks are currently under study, and a national system for such a process is expected soon.

Rep. Al Juhnke (DFL-Willmar) and Sen. Steve Murphy (DFL-Red Wing) sponsored the measure.

**HF2665/SF2316\*/CH310**

## Aircraft repair resolution



A resolution asking President Clinton and Congress to enact federal legislation called the Aircraft Repair Station Safety Act of 1997 has been filed with the Office of the Secretary of State without the governor's signature.

The resolution supports a congressional effort to force foreign repair facilities to use the same standards that apply to domestic aircraft repair procedures and parts.

Some aviation experts are concerned that airplane repair facilities in foreign countries use defective parts or do substandard repair work on U.S. airplanes.

Federal legislation before the U.S. Congress aims to tighten controls on repair facilities that service aircraft that operate in the United States. The act would revoke certification of any repair facility that purposely uses uncertified or substandard parts.

Rep. Edwina Garcia (DFL-Richfield) and Sen. Sandy Pappas (DFL-St. Paul) sponsored the resolution.

**HF3250\*/SF2786/Res. 6**



## VETERANS

### Gulf War veterans' bonuses



A new law effective Feb. 26, 1998, allows the state's Department of Veterans Affairs to consider documents other than a veteran's military discharge form in determining an applicant's eligibility for a state bonus program for Persian Gulf War veterans.

In 1997, the Legislature passed a law setting aside \$17 million to give Minnesota's approximately 44,000 Persian Gulf War veterans a bonus for their military service in Desert Storm. Veterans receive bonuses at three levels: Approximately 13,000 who served within a war zone are eligible to get \$600. Another 30,500 who were preparing to be shipped overseas can get \$300, and the families of the nine Minnesota soldiers killed in the war each are eligible for \$2,000.

Problems arose when the process used by the veterans affairs department to determine eligibility was causing benefit delays of up to six months.

Under the new law, the department can use — in the place of military discharge forms — other reliable documentation proving military service. The documents must be approved by the department.

Minnesota veterans who served in the military between Aug. 2, 1990, and July 31, 1991, are eligible. Applications will be accepted until June 30, 1999, and are available through groups such as the American Legion and the Veterans of Foreign Wars.

Rep. Betty Folliard (DFL-Hopkins) and Sen. Jim Metzen (DFL-South St. Paul) sponsored the legislation.

**HF2338\*/SF2167/CH258**

## Where to find information

### House Public Information Office

175 State Office Building

(612) 296-2146 or 1-800-657-3550

The House Public Information Office is a nonpartisan office that provides: committee meeting schedules; legislator information; and publications, including the *Session Weekly* news magazine, educational brochures for all ages, and member directories. All information is available at no charge.

Most of what this office publishes can be viewed on the Legislature's World Wide Web page. To connect, point your web browser at: <http://www.leg.state.mn.us>

Rep. Ron Kraus . . .

## House member returns home to create 'meaningful jobs'

By Matt Wetzel

After the regular 1998 Legislative Session, Rep. Ron Kraus (R-Albert Lea) stopped to assess things.

When he ran in 1994, Kraus said he would stay in office only for two or three terms, and last week he paused to consider running for a third term. He decided the answer is no.

"My business has grown and with the help of my family and friends I came to the decision," he said. The decision was reached over several days following the end of the session.

Kraus, 41, owns Kraus Foods, which operates Dairy Queen restaurants and convenience stores in Iowa and Minnesota. He said that on occasion, he'll even take his turn at dishing up the soft-serve.

"My family is important to me and I want to spend more time with them and my business," Kraus said. "Although it feels really good to help people by serving them in the Legislature, there is no better feeling than the one I get creating real, meaningful jobs here at home. That's where I'm going to focus my attention."

Successful legislation Kraus carried includes a law that requires school superintendent candidates to tell the hiring school board if they had ever been bought out of a previous job contract. He also was able to get \$800,000 for the Blazing Star Trail, \$250,000 for Albert Lea schools to develop a unique kindergarten and first-grade pilot program, and a \$250,000 "Mighty Ducks" grant for a second ice sheet in Albert Lea, Minn.

Kraus served on several House committees — Education, Taxes, Agriculture, and Local Government and Metropolitan Affairs — during his legislative career.

He said his favorite was the Taxes Committee, which was particularly busy this past ses-

sion, having to deal with a projected \$1.9 billion surplus in state coffers.

"In my two years [on that committee], I was proud of the way we did some reductions in commercial and industrial [property] tax rates," Kraus said. "I think the [property tax] rebates were a good idea. I would like to have gone deeper. When you compromise with the committee as a whole, I think both sides achieve some good things."

The 1998 omnibus tax bill, which Gov. Arne Carlson has indicated he will sign, includes \$500 million in property tax rebates and cuts in commercial and industrial tax rates. Kraus and other Republicans fought for deeper cuts.

Kraus said he is leaving without regrets, despite the fact that he was in the minority caucus throughout his time in office.

"It's a wonderful opportunity to serve people. I would encourage anybody to serve this way. I don't leave with any bad feelings," he said.

Kraus said he will miss his fellow legislators, and after he made his announcement early on April 16, he got "pages of responses from . . . colleagues on both sides of the aisle."

"I leave feeling I have good friends on both sides of the aisle," he said.

Out of gratitude to his constituents, Kraus and his wife, Kathy, have pledged \$5,000 to the Youth in Government Program at the YMCA in Albert Lea.



Rep. Ron Kraus is leaving the House after two terms.

"We want young people to know that public service is something that is good," Kraus said.

One tradition Kraus is determined to keep alive is the annual Dilly Bar Day in the Legislature. As an owner of Dairy Queen franchises, he was able to supply his colleagues with the popular treat on the designated day — and he did it for four years.

Next year, he said, he'll encourage his successor to adhere to the same tradition.

### Frequently called numbers

#### Secretary of the Senate

231 Capitol ..... 296-0271

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

#### Information, House

175 State Office Building ..... 296-2146

TTY\*, Senate ..... 296-0250

Toll free ..... 1-888-234-1112

TTY\*, House ..... 296-9896

Toll free ..... 1-800-657-3550



## Internet provides one more place to find information



On the sixth floor of the State Office Building, the Legislative Reference Library offers the state's most complete collection of Minnesota state-agency documents.

**By Sandy Donovan**

It's safe to say that a library won't be the same once it's met the Internet, and the Legislative Reference Library is no exception.

"It's really a positive and a negative," Director Marilyn Cathcart said, though she's quicker to point out the advantages than the disadvantages of having World Wide Web access.

"Libraries are really good at organizing information and trying to think in an anticipatory way about what users will need," she said. "And we've applied that to the Internet, so philosophically it's not a new direction, but it's a big leap."

Cathcart and Deputy Director Robbie LaFleur agree that the Internet's greatest value is in simply providing one more place to find information.

"But not everything can be found on the Internet," LaFleur said.

Both women have stories to tell of people who have come to depend on the new technology.

"Most of our staff have had someone come up to them saying 'I'm sure what I'm looking for doesn't exist because I've looked all over the Web and can't find it,'" Cathcart said. "But library staff can lead them right to a book on the shelf with exactly the information they need."

Still, if a report that's germane to a particular public-policy issue is available on the Web, chances are it's available via links from the library's home page.

LaFleur says those simple online link connections have had a particularly big impact on the library's resource guides called Resources on Minnesota's Legislative Issues.

Each guide contains a list of related state

and national articles, reports, references to Internet materials, and other resources pertaining to a topic of legislative concern.

Before the library began publishing on the Web, the guides existed in paper form. "But the trouble is that as soon as you commit something to print, it's out of date," LaFleur said.

Now the guides can be accessed via the library's home page. They are updated frequently and, if referenced materials are available online, they can be reached via a quick click of the mouse.

Electronic publishing is changing the way the library builds its collection.

Cathcart says that within the past year, most state and federal agencies have begun offering much more information online. But, because of the sometimes temporary nature of Internet-published documents, she says, the library still makes every effort to secure a printed copy of all Minnesota state agency reports for its collection.

Providing the most complete collection available of Minnesota public policy documents is, after all, one of the library's roles.

But it's in the area of accessing those and related documents that the Internet has supplied the greatest boost.

"The most exciting and rewarding aspect is the ability to meet people's needs immediately," LaFleur said.

Cathcart tells the story of a legislator who called last year, needing a copy of a Texas report before a committee hearing convened in two hours.

"Not only could I find the report on the Web, but I was able to e-mail the author with my questions and get a reply," she said. "In the

past, I would have had to call to get the report, maybe send a letter to ask questions."

But despite the better accessibility, the increased scope of online resources continues to challenge library staff.

"The hard part is managing the information, because there's just so much more of it, and finding ways to let users know what we've got," said Cathcart.

There are plans in the works to streamline, via the Internet, one of the library's established systems for alerting users to resources.

The system is called Inside Issues, and it allows lawmakers and staff to submit a list of topics about which library staff, who regularly scan incoming periodicals, can alert them of related articles.

Currently, staff sends out a weekly list the old-fashioned, hard copy way, but Cathcart and LaFleur say they may have that converted to e-mail by next session.

"So far we haven't felt the timing was right for that — there just hasn't been that mass of legislators and staff who were familiar with the technology — but now we think the time is right," LaFleur said.

In fact, Cathcart says, the idea of putting the Inside Issues alerts on e-mail came up six years ago, when library staff drew up a fantasy list of all the things they hoped to coordinate online.

Also in the wings for online conversion is the series of notebooks containing information on all former legislators.

"That's our next big data project, creating that data base online," Cathcart said.

Already, staff is in the process of adding its extensive records of everything from gubernatorial vetoes to caucus-strength data to the library's Web page.

LaFleur says the library staff has accepted the role of being the Capitol Internet experts, and now offers both formal and informal Internet training classes.

Library staff members have long lent their talent and skills to organizing the Legislature's Web site. They have collaborated with House, Senate, and Office of the Revisor of Statutes staff since the site's 1994 inception.

"For example, we help staff from the revisor's office design the forms for searching the bills

and statutes," LaFleur said. "They know UNIX [operating system] and we know what people want UNIX to do."

And although Internet access has increased speed and resource possibilities for the library, the 20-member staff still has its hands full managing the library's print collection.

Managing the collection — sifting out outdated materials — takes up a big chunk of time. Both women say they have the experienced, dedicated staff to thank for that.

"We're very cognizant that we don't want to provide outdated material, and we're also very cognizant of remaining nonpartisan," Cathcart said. "We take that very seriously."

Library patrons will attest to the staff's knowledge and helpfulness. As Cathcart said, "We take every inquiry seriously. We know people aren't just coming in and asking idle questions."

## Tape Listening Library rolls with the times

In a cramped room in the basement of the State Office Building, Paul VanCura is surrounded by overflowing stacks of books, journals, and tapes.

As senior reference assistant for the Legislative Reference Library, it's his day to preside over the Tape Listening Library, where the public has access to audio recordings of all House and Senate committee hearings and floor sessions since 1973.

Actually the older tapes are stored across the freeway in the Minnesota History Center, but copies of proceedings from about the past 10 years can be found in Room G-71 of the State Office Building.

VanCura says an average of eight to 12 people a day pay a visit to the tape room to hear or record a portion of past legislative activities.

"For the most part, people want to find out what the intent of the Legislature was when it passed a certain law," he said. "Most of our visitors are from the legal community — lawyers or law clerks."

While the service has been available for more than two decades, VanCura says recent Internet access has made researching via tapes a far less cumbersome activity than it used to be.

The process used to entail up to an hour of flipping through the Minnesota Statutes, the Laws of Minnesota, and the House and Senate journals. After cross-referencing bill numbers in those three volumes, researchers could determine which hearings or floor sessions they needed to hear.

Today, for accessing pre-1996 proceedings, the same process applies, but for recent years, a two-minute visit to the Legislature's home page on the World Wide Web will pull up a complete list of every hearing or floor session a particular bill went through.

An at-home researcher could then order tape copies by telephone from House or Senate supply offices.

Or they could pay a visit to staff in the basement tape library where a row of audio machines — both reel-to-reel machines for older years and cassette machines for newer recordings — allow patrons to listen to or tape recordings free of charge.

## Constitutional Officers

### Governor

**Arne H. Carlson**  
130 State Capitol  
75 Constitution Ave.  
St. Paul 55155 ..... 296-3391

### Lieutenant Governor

**Joanne E. Benson**  
130 State Capitol  
75 Constitution Ave.  
St. Paul 55155 ..... 296-3391

### Attorney General

**Hubert H. Humphrey III**  
102 State Capitol  
75 Constitution Ave.  
St. Paul 55155 ..... 296-6196

### Secretary of State

**Joan Anderson Growe**  
180 State Office Building  
100 Constitution Ave.  
St. Paul 55155 ..... 296-2803

### State Auditor

**Judith H. Dutcher**  
Suite 400  
525 Park St.  
St. Paul 55103 ..... 296-2551

### State Treasurer

**Michael A. McGrath**  
303 Administration Building  
50 Sherburne Ave.,  
St. Paul 55155 ..... 296-7091

Hugs and handshakes . . .

# House members say goodbye to



Rep. Charlie Weaver announced that after serving for 10 years he will run for attorney general in the election this fall. He joked with DFL members about his chances for victory. "To my colleagues on the other side of the aisle, it's been a privilege and a challenge. I respect all of you. I won't be far away," Weaver said, referring to the attorney general's office located in the Capitol.



Rep. Jim Farrell takes a long awaited opportunity to address the members of the House from the "well" at the end of his eight years to run for Ramsey County attorney.



Rep. Kevin Knight said he will miss working with political rivals. "We can put together our differences and take the things we have in common. That's the thing I'll miss most about this place." Knight will run for state treasurer in the fall. He has served in the House for six years.



Rep. Dee Long said that she will remember the times the two parties cooperated to achieve significant public policy goals. "When this place works, it is an institution at it's best," Long said. "I have been deeply honored to be a part of this institution." Long, who was the first woman elected speaker of the House, is leaving after 20 years to run for secretary of state.





Rep. Tim Commers joked that he is leaving because he is tired of being mistaken for Rep. Erik Paulsen. "We flipped a coin and I lost," Commers said. "So I'm leaving." Commers is stepping down after serving six years in the House.



"It certainly has been an honor and a privilege for me to be a member of this House," Rep. Eileen Tompkins said. "I will be leaving with fond memories." Tompkins is retiring after serving in the House for 14 years.



"Thanks for allowing me to work with you and to be your friend," Rep. Mark Mahon said in his farewell to the House. "Continue to keep up the good work." Mahon is retiring after six years.



"It's time to move on to another phase in my life," said Rep. Richard Jefferson. "I don't know what it's going to be — but I'm going to move there anyway." Jefferson is retiring after serving in the House for 12 years.



"It's been an honor to serve in this body," Rep. Edwina Garcia said. She told members that she is indebted to her political opponents for teaching her about the importance of strength and faith. Garcia is leaving after eight years to run for secretary of state.

# Governor's Desk

CH252-CH408

## Now it's up to the governor

Exactly 3,051 bills were introduced by the Legislature during the regular session — 1,629 by the House and 1,422 by the Senate. Of those, 157 bills (and four resolutions) were passed by both bodies during the 1998 Legislative Session and sent to the governor.

So what happened to the other 2,890 bills? Some were duplicates, some were folded into other bills, but most are dead, gone from the legislative process unless they are reintroduced next year. The biennium has ended, and bills do not carry over from one biennium to the next.

And what happened to the 157 bills (and four resolutions) that have been sent to the governor? Most were signed into law, some are awaiting the governor's action, and some were vetoed.

Here's a quick review of the governor's veto authority during the second year of the biennium.

Once a bill has passed both the House and the Senate in identical form, it's ready to be sent to the governor for consideration. The governor has several options when considering a bill. The governor can:

- sign the bill and it will become law;
- veto the bill;
- line-item veto individual items within an appropriations bill; or
- do nothing, which at the end of the biennium, results in a pocket veto.

The timing of these actions is as important as the actions themselves.

If a bill was passed by the Legislature and presented to the governor before the final three days of the session, the bill will become law unless the governor vetoes it by returning it to the Legislature within three days. The governor normally signs the bills and files them with the secretary of state, but his signature is not required.

If a bill is passed during the last three days of the session, the governor has a longer time to act on it. He/she must sign and deposit it with the secretary of state within 14 days of adjournment or the bill will not become law. Inaction by the governor results in a "pocket veto," and the governor is not required to provide a reason for the veto.

Only on appropriations bills can the governor exercise the line-item veto authority. This option allows the governor to eliminate the appropriation items to which he/she objects. As with all vetoes, the governor must include a statement listing the reasons for the veto with the returned bill. Here, too, the timetable is either 14 days after adjournment for bills passed during the final three days of the session, or within three days after the governor receives the bill at any other time.

A two-thirds vote of the members in each house is needed to override a veto. But because only the governor can call a special session of the Legislature, anything vetoed after the Legislature adjourns is history — unless it is re-introduced next year.

After each session, a comprehensive summary of all bills that were signed into law or vetoed is published. You can obtain a copy of *New Laws 1998* 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.

**Editor's note:** The following chart includes the 157 bills (and four resolutions) that passed both the House and the Senate and have been sent on to the governor for consideration. Final action is as yet incomplete on 25 of the bills. The bills are, for the most part, sorted according to the committee of origin.

Here are definitions of some of the terms used in the chart.

### Governor's Options

- enactment

The date the governor signed the bill into law.

- line-item veto (liv)

The power or action of the governor to reject individual items within an appropriations bill while approving the rest of the bill.

- Veto

The governor did not approve the bill.

- \*An asterisk marks the version of the bill the House and Senate approved and sent on to the governor.

### Effective Dates

Each act takes effect at 12:01 a.m. on the day it becomes effective, unless the act specifies a different time. Examples:

- Aug. 1, 1998

Each act the governor signs into law, except those that make appropriations, take effect on Aug. 1 following its final enactment, unless the act specifies a different date.

- Upon local approval

A special law requiring approval from the local government unit it affects becomes effective the day after the local government unit's governing body files a certificate with the secretary of state, unless the act specifies a later date.

- July 1, 1998

An appropriations act, or an act spending money, takes effect at the beginning of the first day of July following its final enactment, unless the act specifies a different date.

- Day after enactment

The act becomes effective on the day after the governor signs it.

- Various

Different parts of the act have different effective dates.

- with exceptions (we)

Act includes other effective dates.

- with qualifications (wq)

Act adds conditions to the effective date.

- retroactive (retro.)

Act goes into effect as of a specified date in the past.

1998 MINNESOTA LEGISLATURE FINAL ACTION (as of April 16, 1998)						Governor's signature	Governor's veto	Awaiting governor's action	Effective date	
HF	Author	SF	Author	Bill Title	CH					
HF—House File SF—Senate File Res.—Resolution CH—Chapter						we—with exceptions wq—with qualifications *—bill the governor signed or vetoed †—filed without governor's signature				liv—line item veto
AGRICULTURE										
349	Kahn	1181*	Moe, R.D.	Industrial hemp use study.	394			x		
2065	Winter	816*	Dille	Veterinarians allowed to dock horses.	402			x		
2708*	Juhnke	2414	Frederickson	Agricultural marketing and bargaining advisory committee established.	373	4/9			8/1	
COMMERCE, TOURISM & CONSUMER AFFAIRS										
1116	Sekhon	1814*	Scheid	Board provisions modifications.	324	3/23			8/1	
2308*	Slawik	2014	Oliver	Accountant licensing provisions modified.	340	3/31			8/1	
2315*	Leppik	2344	Oliver	Trademarks and service marks regulated.	315	3/23			8/1	
2425	Anderson, I.	2170*	Lessard	Watercraft trailers and ATVs exempt from motor vehicle sales on Sunday prohibition.	267	3/5			8/1 (Sec. 1); 3/6 (Sec. 2)	
2601*	Mullery	2677	Wiener	Building and construction contract lien and claim waivers and subcontractor payments regulated.	289	3/18			8/1 (Secs. 1, 3); 8/1/97 (Sec. 2, retro.)	
2641	Rest	2378*	Junge	Corporate professional and professional services definitions expanded.	309	3/23			3/24	
2695	Tunheim	2274*	Solon	Omnibus liquor bill.	364	4/6			Various	
2706	Kahn	2068*	Kelley	Electronic message reliability and certification authorities required.	321	3/23			8/1	
2971	Entenza	2489*	Solon	Residential mortgage loans regulated, and table funding requirements established.	344	3/31			8/1	
2983	Tunheim	2966*	Scheid	Minnesota Residential Mortgage Originator and Servicer Licensing Act.	343	3/31			Various	
3148	Kubly	2047*	Novak	Manufactured home park owners limited dealers licenses.	280	3/16			3/17	
3841	Entenza	3397*	Spear	Air carriers agreements franchise law retroactive exemption application exclusions.	353	4/2			5/31/97 (retro.)	
ECONOMIC DEVELOPMENT & INTERNATIONAL TRADE*										
661*	Biernat	663	Higgins	Landlord and tenant law recodified, clarified, and relocated.	253	2/18			7/1/99	
2417*	Jaros	2055	Pogemiller	Cong. memorialized to support admission of Poland, Czech Rep., Rep. of Hungary to NATO.	Res. 5	3/4 †			na	
2700	Chaudhary	2192*	Novak	Local government units corporations creation clarification.	360	4/7†			4/8 (Sec. 1); 7/10/90 (retro.) wq	
EDUCATION										
none		3297*	Stumpf	Omnibus higher education supplemental appropriations.	384	4/9	liv		4/10 (Sec. 6); 7/1 (balance)	
2174	Kelso	2082*	Pogemiller	Omnibus K-12 education statutes recodification provided.	397			x		
2803	Kinkel	2532*	Piper	Omnibus family and early childhood education programs supplemental appropriations.	365		4/3			
2874*	Kelso	3378	Pogemiller	Omnibus K-12 education bill.	398			x		
ENVIRONMENT & NATURAL RESOURCES*										
113*	Munger	76	Morse	State lottery proceed dedication to environment and natural resources trust fund.	342	3/31			Voter approval	
1351	Hasskamp	1169*	Stumpf	Personal watercraft operation restrictions increased.	400			x		
2489*	Holsten	2381	Krentz	Ramsey and Washington counties state trail extended.	318	3/23			8/1	
2492	Anderson, I.	2111*	Samuelson	Fish house restrictions and license periods modified.	252	2/12			2/13	
2686	Munger	2269*	Stumpf	Board of Water and Soil Resources hearing and review provisions modified.	312	3/23			8/1	
2696	Munger	2402*	Stevens	Merchandise pallets unauthorized possession or damage prohibitions.	282	3/16			8/1	
2722*	McCollum	2756	Novak	Red tag issuance authorized for underground petroleum storage tank violations.	379	4/9			4/10 (Sec. 1); 12/31 (Secs. 1, 3, 4)	
3140	Kalis	2351*	Vickerman	State park additions and deletions specified.	391			x		
3297*	Long	2296	Morse	MERLA: statute of limitations provided for filing of actions under MERLA.	341	3/31			Various	
3524	Bakk	3016	Johnson, D.J.	Qualified landfills authorized to accept materials from closed dumps.	306	3/23			3/24	
FINANCIAL INSTITUTIONS & INSURANCE										
2016	Haas	2550*	Fischbach	Financial institutions mail loan solicitations regulation.	335	3/25			1/1/99	
2309*	Leppik	2136	Wiener	Financial institutions consumer credit issuance and reporting equal treatment of spouses.	327	3/23			1/1/99	
2500*	Rest	2540	Oliver	Customer loss or theft of a debit card limited liability provided.	295	3/18			8/1	
2625	Tomassoni	2267*	Novak	Workers' comp. self insurance regulation provisions modification.	339	3/31			8/1 (Sec. 1); 4/1 (Secs. 2-12)	
2750	Wenzel	2262*	Novak	Reinsurance intermediary brokers funds investment authority regulation.	323	3/23			8/1	
2846*	Mahon	2245	Johnson, D.J.	Auto insurance program reduction provided for completion of an accident prevention course.	287		3/18			
2890	Tunheim	2478*	Samuelson	Savings Association Act maintained.	260	2/27			2/28	
2895*	Tomassoni	2293	Solon	Township mutual insurance companies permitted investments expanded.	297	3/18			3/19	
3065	Dorn	2608*	Wiener	Health insurance basic Medicare supplement plans coverage for diabetes equipment.	293	3/18			1/1/99 (Sec. 1); 3/19 (Sec. 2)	
3355	Rest	3032*	Wiener	Investments of Insurers Act adopted.	319	3/23			8/1	
3402	Dauids	2928*	Hottinger	Insurance company affiliates rebating activities prohibition.	375	4/9			8/1	
3432	Wenzel	2659*	Wiener	Life insurance company investments and transactions regulations modified.	328	3/23			3/24	
3748	Anderson, I.	908*	Oliver	Trust companies regulation provisions modification.	331	3/25			8/1	
GENERAL LEGISLATION, VETERANS AFFAIRS & ELECTIONS										
103	Greiling	161*	Wiener	Constitutional amendment to abolish office of state treasurer.	387	4/9			First Monday in January 2003 (if amendment approved)	
2293	Jefferson	2118*	Higgins	Minneapolis absentee voting pilot project.	370		4/9			

\* See also Way & Means



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HF—House File SF—Senate File Res.—Resolution CH—Chapter					we—with exceptions wq—with qualifications *—bill the governor signed or vetoed †—filed without governor's signature					liv—line item veto				
2338*	Folliard	2167	Metzen	Gulf War vet bonus program modified.	258	2/25			2/26					
2387	Folliard	2149*	Scheid	Voter record address change updates.	346		3/31							
2485	Greiling	2256*	Marty	Elections provisions modifications for constitutionality purposes.	376	4/9			4/10					
2526	Osthoff	2148*	Scheid	Absentee voting eligibility expansion.	352		4/2							
2567	McCollum	2221*	Wiger	Ramsey County open absentee ballot system pilot program extension.	347		3/31							
3095*	Rhodes	2688	Terwilliger	Chaplain Sunday designation.	272	3/6			3/7					
				GOVERNMENTAL OPERATIONS*										
none		2379*	Metzen	Local government unit aid distribution clarification in township annexation.	264	3/4			3/5					
384	Kahn	726*	Knutson	State agencies procurement process modification.	386			x						
2043	Greiling	1583*	Hottinger	Rules, programs policy and obsolete, unnecessary or duplicative rules regulation.	303	3/18			8/1					
2673*	Rest	1946	Stumpf	Compensation increase for state employees on leave serving as Red Cross disaster volunteers.	356	4/6†			8/1					
2777	Jefferson	2516*	Stevens	Employee relations department experimental or research projects authority expansion.	286	3/18			3/19					
2811	Kahn	2315*	Robertson	Director of Office of Technology membership to various organizations clarified.	270	3/5			7/1/97 (retro.)					
2866	Kinkel	2477*	Stumpf	CFL and Economic Security reorganization codified.	273	3/9			8/1					
2947	Hilty	2730*	Robertson	Administration department provisions modifications.	359	4/3			4/4 (Secs. 1, 19, 20, 21)					
2970*	Kahn	2555	Morse	Omnibus pensions bill.	390			x						
3068*	Solberg	2520	Flynn	Public employee labor agreements ratified.	351	4/2			4/3 (Secs. 3, 5)					
3593	Larsen	2457*	Flynn	Rural finance authority and housing finance electronic meetings authority permanency.	279	3/16			6/30 (repealed)					
3734	Mares	2354*	Kiscaden	Public employees insurance program expansion.	271	3/6			8/1					
				HEALTH & HUMAN SERVICES										
381	Greenfield	695*	Berglin	Nonprofit health care trust agreements or transactions regulation.	330		3/25							
668*	Seagren	668	Kiscaden	Industrial Hygienist and Safety Professional Title Protection Act adopted.	288	3/18			8/1					
1306	Hausman	1076*	Sams	Health plan coverage for off label use of drugs.	301	3/18			1/1/99					
2401	Huntley	2207*	Hottinger	Federal drug enforcement admin. registration number requirement exemption provided.	316	3/23			Federal contingency					
2550*	Otremba	2261	Sams	Rural hospital flexibility program.	257	2/25			2/26					
2681	Slawik	2372*	Lourey	Hepatitis B immunization required for children.	305	3/23			8/1					
2786	Wejzman	2447*	Sams	Speech-language pathologist, unlicensed mental health practitioner, alcohol and drug counselor, physical therapists, and hearing instrument dispenser licensure req. modified.	317	3/23			3/24 (Secs. 1-4, 9-29); 11/1 (Secs. 5-8)					
2814*	Tomassoni	2130	Foley	Health plan companies durable medical equipment coverage requirement.	334	3/25			1/1/99					
2828*	Tingelstad	2345	Morse	Commissioner of health public water supply approval authority modified.	261	3/4			8/1					
2868	Greenfield	3346*	Samuelson	Omnibus health and human services bill.	407			x						
2992	Greenfield	2669*	Hottinger	Day training, rehab services business arrangements use, rate variance mechanism flexibility.	284	3/16			8/1					
3040*	Johnson, R.	2355	Lourey	Long-term nursing care facility payroll documentation procedures modified.	274	3/16			8/1					
3138	Evans	2861*	Hottinger	Emergency medical care automatic external defibrillators use liability immunity.	329	3/23			8/1					
3258	Greenfield	2699*	Lourey	A resolution to remove Medicaid policy barriers to employment for people with disabilities.	Res. 7	3/18†			na					
				JUDICIARY										
none	Murphy	3345*	Kelly, R.C.	Omnibus crime bill.	367	4/6			Various					
176	Harder	154*	Frederickson	Food donors' liability limit.	333	3/25			8/1					
1207	Paymar	330*	Spear	Nonprofit corrections treatment facilities liability limit.	336	3/25			8/1					
1414	Leighton	1151*	Piper	Guardians and conservators appointment provisions modifications.	281	3/16			8/1					
1554	Dawkins	1440*	Ranum	Uniform Certification of Questions of Law Act adopted.	255	2/19			8/1					
1626	McGuire	1378*	Betzold	Government data classification and dissemination provisions.	371	4/10†			Various					
1668	Entenza	1480*	Cohen	MN free flow of information act disclosure provisions.	357	4/6†			4/7					
1882	Murphy	1654*	Van Eyck	Real estate document filing and recording fees modified.	311		3/23							
2326	Bishop	2586*	Kelly, R.C.	Sex offender treatment and release notification requirements modification.	377				Recalled by author					
2390	Pugh	2031*	Betzold	Real property conveyance provisions modified.	262	3/4			8/1					
2521	Bishop	2050*	Junge	Advanced health care directive provisions modified.	399			x						
2524*	Chaudhary	2134	Betzold	Revisor's bill.	254	2/18			8/1					
2590*	Jennings	2122	Metzen	Tenant security deposit interest rate increase.	266	3/4			8/1					
2615	Pugh	2252*	Wiener	DWI repeat offenders sentencing to intensive supervision and incarceration.	332	3/25			3/26					
2734	Bishop	2498*	Kelly, R.C.	Sex offender registration law expanded.	396			x						
2779	Chaudhary	2230*	Wiener	Elderly housing definition modification for discrimination prohibition exemption purposes.	291	3/18			3/19					
2784	Dawkins	2276*	Knutson	Child support enforcement provisions modifications.	382			x						
2785	Entenza	2373*	Betzold	Civil commitment release on provisions modified.	313	3/23			8/1					
2861	Entenza	2040*	Foley	Child and medical support enforcement administration process modification.	338	3/31			8/1					
2985*	Entenza	2682	Ranum	Child welfare reform.	406			x						
3184*	Skoglund	3207	Knutson	Prenatal alcohol abuse voluntary reporting and legislative report provided.	361	4/6			8/1/99 (Secs. 2, 3)					

\* See also Way & Means

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HF	Author	SF	Author	Bill Title					
HF—House File SF—Senate File Res.—Resolution CH—Chapter we—with exceptions wq—with qualifications *—bill the governor signed or vetoed †—filed without governor's signature									
3332*	Skoglund	2949	Ranum	Open adoption agreements modified.	354	4/3			4/4 (Secs. 1-7); 7/1/97 (Sec. 8, retro.)
3389	McGuire	2493*	Junge	Financial institutions liability immunity for stolen or fraudulent checks information release to criminal alert networks or law enforcement agencies.	337	3/25			8/1
3442	Wenzel	2945*	Stumpf	Interstate emergency management assistance compact.	298	3/18			8/1
3808	Milbert	41*	Lessard	Hunting and fishing rights confirmed and constitutional amendment proposed.	392			x	
3839	Skoglund	3396*	Ranum	Revisor's bill.	408			x	
LABOR-MANAGEMENT RELATIONS									
1693	Pugh	1074*	Kelly, R.C.	Public safety dispatchers as essential employees under PELRA.	355	4/3			8/1
2642*	Jefferson	2280	Higgins	Standard collection procedure exemption provided to overpaid reemployment insurance benefits.	275	3/16			3/17
2646	Jefferson	2621*	Scheevel	Re-employment insurance technical changes.	265	3/4			Various
3459	Greiling	2751*	Anderson	Employers nursing mothers accommodations requirement.	369	4/9			8/1
3465	Tomassoni	3084*	Janezich	Hibbing taconite company employees additional reemployment insurance benefits.	358	4/6†			4/7
3532	Bettermann	3068*	Runbeck	Workers comp benefits special compensation fund reimbursement requirement elimination.	294	3/18			7/1
LOCAL GOVERNMENT & METROPOLITAN AFFAIRS									
680	McElroy	535*	Wiger	Metropolitan Council and agency contractors affirmative action plan requirements.	381			x	
2222*	Juhnke	1973	Johnson, D.E.	Cartways established by town boards upon owner petition.	296	3/18†			3/19
2357	Wejzman	2346*	Flynn	Minneapolis civilian police review authority provided.	393			x	
2372*	Lieder	2017	Moe	Norman County Medical Center bid exemption.	256	2/25			2/26
2499*	Stanek	2156	Higgins	Hennepin County board small purchase limit increased.	259	2/27			2/28
2508	Bishop	2581*	Kiscaden	Olmsted County auditor/treasurer made an appointed position.	307	3/23			Upon local approval
2616*	McElroy	2255	Metzen	Dakota County dangerous dog registration system city administration provided.	277	3/16			Upon local approval
2635	Skare	2574*	Ten Eyck	Headwaters Regional Develop.Commission nonprofit housing corp. establishment authority.	292	3/18			8/1
2667	Rest	2429*	Wiener	Local gov. services advisory council membership increase, appointment process clarification.	325	3/23			3/24
2736*	Hilty	2205	Lourey	Counties authorized to provide grants to nonprofit community food shelves	368	4/9			4/18
2774	Kuisle	2302*	Scheevel	County optional forms of government adoption referendum procedure clarification.	349	4/2			4/3
2790	Jennings	2384*	Johnson, J.B.	Chisago County recorder appointment; Rush City easements.	302	3/18			3/19 (Sec. 5); upon local approval (Secs. 1-4)
2809*	McElroy	2791	Wiener	Audited financial statement copies provided to members of the local unit of government.	276	3/16			8/1
2824	Pugh	2281*	Pariseau	Dakota County Housing and Redevelopment Authority employees not deemed county employees without county board consent.	308	3/23			Upon local approval
2927	McCollum	2525*	Wiger	Ramsey County purchases from health care cooperatives.	268	3/5			Upon local approval
3119	Olson, E.	2685*	Vickerman	Public officers contract interest authority clarification.	269	3/5			3/6
3254	Kahn	2725*	Betzold	County recorder and registrar functions provided additional methods.	314	3/23			8/1
3268	Dawkins	2645*	Wiger	Metropolitan Council and agency contractors affirmative action plan requirements	385			x	
REGULATED INDUSTRIES & ENERGY*									
2920	Delmont	2911*	Vickerman	Lawful gambling revisions.	322	3/23			3/24
3042*	Jennings	2797	Novak	Long-distance telephone provider slamming and loading disclosure requirements expanded.	345	3/31			7/1
3070*	Wolf	2847	Ourada	Decorative gas lamp prohibition variance provided.	350	4/2			8/1
3071*	Wolf	2849	Ourada	Petroleum product specifications modified.	278	3/16			8/1
3324	Ozment	2445*	Novak	One call excavation notice system modification.	348	4/2			6/30 (Secs. 7, 8)
3644*	Sviggum	3170	Moe	Combined school districts extended area telephone service voting requirements modification.	326	3/23			3/24
3654*	Jennings	3189	Novak	Electric industry restructuring comprehensive study required.	380	4/9			4/10
TAXES*									
2294	Long	2041*	Johnson, D.J.	Property tax rebate for tax pre-payments.	304	3/18			3/19
2507	Macklin	3036*	Betzold	Limited partnership withdrawals regulated.	320	3/23			8/1
2523	Johnson, R.	2266*	Belanger	Gasoline and special fuels tax provisions recodification and clarification.	299	3/18			Various
2659	Olson, E.	2570*	Belanger	Tax provisions technical corrections and administrative changes.	300	3/18			Various
3145*	Rest	2719	Novak	Low income housing tax credit allocation and compliance monitoring review provided.	363	4/6			Fiscal years 1999 and later
TRANSPORTATION & TRANSIT									
none	Lieder	3298*	Johnson, J.B.	Omnibus transportation bill.	372	4/7			Various
2532	Chaudhary	2407*	Junge	Drivers license provisions modifications.	388			x	
2576	Juhnke	2028*	Sams	Emergency vehicle signal operation modification.	263	3/4			8/1
2589	Wagenius	2592*	Johnson, J.B.	Department of transportation housekeeping bill.	403			x	
2612*	Jennings	2335	Johnson, J.B.	Trunk highway #95 designated as State Trooper Timothy Bowe Memorial Highway.	290	3/18			8/1
2654*	Mahon	2318	Sams	License provisions clarified.	405			x	
2665	Juhnke	2316*	Murphy	Intrastate hazardous material carriers provided continuation of uniform reg., permit. program.	310	3/23			3/24

\* See also Way & Means

1998 MINNESOTA LEGISLATURE FINAL ACTION (as of April 16, 1998)					CH	Governor's signature	Governor's veto	Awaiting governor's action	Effective date
HF—House File		we—with exceptions		liv—line item veto					
SF—Senate File		wq—with qualifications							
Res.—Resolution		*—bill the governor signed or vetoed							
CH—Chapter		†—filed without governor's signature							
HF	Author	SF	Author	Bill Title	CH				
3028	Pawlenty	2163*	Knutson	Motor vehicle dealers licensing requirements exemption for charitable organizations.	285	3/18			3/19
3250*	Garcia	2786	Pappas	President and Congress memorialized to enact the Aircraft Repair Station Safety Act of 1997.	Res. 6	3/18†			na
3296	Long	2729*	Spear	Bicycle racks and storage facilities advertisements, public art and informational signs placement and maintenance authority.	283	3/16			3/17
				WAYS & MEANS					
none	Trimble	3367*	Beckman	Omnibus jobs, housing and economic development.	374		4/7		
none	Rukavina	3354*	Price	Omnibus state departments bill.	366	4/6	liv		Various
3064	Clark, K.	2718*	Kelley, S.P.	Telephone assistance plan provisions modifications.	378		4/9		
3799	Osthoff	3353*	Morse	Omnibus environment and natural resources bill.	401			x	
3830*	Olson, E.	3393	Kelly, R.C.	Payment of claims against the state.	362	4/6			4/7 (Secs. 1-7); 4/7 (Sec. 8 wq)
3840*	Long	2985	Johnson, D.J.	Omnibus tax bill.	389			x	
3843*	Kalis	0	Langseth	Omnibus bonding bill.	404			x	
3853*	Tunheim	3409	Stumpf	Farmer-lender mediation act provisions modified.	395			x	
3854*	Anderson, I.	3406	Stumpf	U.S. memorialized to resolve differences between province of Ontario and the state of MN regarding Canadian waters and the taking of fish.	Res. 8	4/2†			na
3862*	Johnson, R.	3411	Hottinger	Tornado relief bill.	383	4/9			4/10 (generally)

## Lumber baron leaves pine forests for governor post

**It's a fact!**

Minnesota's 13th governor, the "hard-working and hard-swearing" David Marston Clough, was a self-made lumber baron

who ascended the ranks of state government despite his roughneck ways.

In the mid- to late-1800s, the timber industry was paramount in Minnesota.

"Pine became the synonym of wealth and power. These, with the Falls of St. Anthony as an operating center, held sway over every pine-fringed stream and lake that flowed from the north, and with their virile force floated into the politics of the state," wrote James H. Baker in his book *Lives of the Governors of Minnesota*.

Clough was born in New Hampshire in 1846. His father, a lumberman and a farmer, was drawn westward by the promise of Minnesota's vast white pine forests. In 1857, the family settled at Spencer Brook in Isanti County.

One of 14 children, Clough spent his summers on the farm and winters at the lumber camps; there wasn't much time for school. What he lacked in formal education, he made up for with common sense, ambition, and a good smile.

In 1868, he married his childhood sweetheart and moved to Minneapolis where he and his oldest brother established a lumber company at St. Anthony Falls.



Gov. David Marston Clough

An active Republican since his youth, Clough spent several terms on the Minneapolis City Council and in the Minnesota Senate. He also served as Gov. Knute Nelson's lieutenant governor. In 1895, Nelson was elected to the U.S. Senate and Clough settled into the big chair.

"Certainly no man not possessed of talent and tact could, in so short a time, with but little education, have vaulted from the pineries of the north into the gubernatorial chair," wrote one early biographer.

Clough's administration, though noted for few laws, approved several important constitutional amendments: Women gained the right to vote for and serve on library boards. The pardon board was created. And an amendment was passed to make it more difficult to amend the constitution.

The cornerstone for the third and current state Capitol was set in place during the Clough era, but perhaps his most lasting accomplishment was the establishment of a constitutionally protected state fund to assist in constructing county roads and bridges.

"Men of all classes perceive that the continued prosperity of the state, and especially of the agricultural sections, demands the early adoption of efficient measures for improving the condition of our highways," he said in his first biennial message.

Lingering resentments from three decades of Minneapolis politics resulted in the only blemish on Clough's political record: He turned on a fellow Republican during the 1898 governor's race.

Clough so despised the Republican candidate, William H. Eustis, of Minneapolis, that he openly supported John Lind, a Democrat. When Lind won, Clough sent him a telegram: "Allow me to congratulate you from the bottom of my heart. There is still a God in Heaven."

Clough left politics for pine trees in 1899. He moved west in search of virgin forests and lived out the remainder of his days building an international lumber empire on the Washington coast.



# Minnesota House of Representatives 1998 Members

List as of January 28, 1998

District/Member/Party			Phone (612) 296-	District/Member/Party			Phone (612) 296-
		Room*				Room*	
45A	Abrams, Ron (R)	209	9934	37B	Macklin, Bill (R)	349	6926
19B	Anderson, Bruce (R)	281	5063	40A	Mahon, Mark P. (DFL)	401	7158
3A	Anderson, Irv (DFL)	563	4936	55A	Mares, Harry (R)	239	5363
6A	Bakk, Thomas (Tom) (DFL)	575	2190	65B	Mariani, Carlos (DFL)	403	9714
10B	Bettermann, Hilda (R)	243	4317	57B	Marko, Sharon (DFL)	439	3135
59A	Biernat, Len (DFL)	429	4219	55B	McCollum, Betty (DFL)	501	1188
30B	Bishop, Dave (R)	343	0573	36B	McElroy, Dan (R)	259	4212
25B	Boudreau, Lynda (R)	327	8237	54A	McGuire, Mary Jo (DFL)	379	4342
30A	Bradley, Fran (R)	233	9249	39B	Milbert, Bob (DFL)	579	4192
53B	Broecker, Sherry (R)	321	7153	35A	Molnau, Carol L. (R)	287	8872
46B	Carlson, Lyndon R. (DFL)	365	4255	21B	Mulder, Richard (R)	283	4336
47B	Carruthers, Phil (DFL)	463	3709	58A	Mullery, Joe (DFL)	359	4262
52A	Chaudhary, Satveer (DFL)	507	4331	7A	Munger, Willard (DFL)	479	4282
23A	Clark, James (R)	211	9303	8A	Murphy, Mary (DFL)	557	2676
61A	Clark, Karen (DFL)	503	0294	20A	Ness, Robert "Bob" (R)	289	4344
38A	Commers, Tim (R)	217	3533	10A	Nornes, Bud (R)	357	4946
11A	Daggett, Roxann (R)	253	4293	2B	Olson, Edgar (DFL)	565	4265
31B	Davids, Gregory M. (R)	371	9278	19A	Olson, Mark (R)	323	4237
65A	Dawkins, Andy (DFL)	409	5158	16A	Opatz, Joe (DFL)	473	6612
14A	Dehler, Steve (R)	203	7808	60B	Orfield, Myron (DFL)	521	9281
51A	Delmont, Mike (DFL)	433	4226	29B	Osskopp, Mike (R)	329	9236
29A	Dempsey, Jerry (R)	251	8635	66A	Osthoff, Tom (DFL)	585	4224
24A	Dorn, John (DFL)	571	3248	11B	Otremba, Mary Ellen (DFL)	545	3201
64A	Entenza, Matt (DFL)	421	8799	37A	Ozment, Dennis (R)	317	4306
42A	Erhardt, Ron (R)	237	4363	42B	Paulsen, Erik (R)	221	7449
17A	Erickson, Sondra (R)	247	6746	38B	Pawlenty, Tim (R)	231	4128
52B	Evans, Geri (DFL)	413	0141	64B	Paymar, Michael (DFL)	529	4199
67A	Farrell, Jim (DFL)	491	4277	32A	Pelowski Jr., Gene (DFL)	549	8637
1B	Finseth, Tim (R)	377	9918	13B	Peterson, Doug (DFL)	569	4228
44A	Folliard, Betty (DFL)	523	3964	39A	Pugh, Thomas W. (DFL)	583	6828
63B	Garcia, Edwina (DFL)	417	5375	46A	Rest, Ann H. (DFL)	485	4176
9A	Goodno, Kevin (R)	369	5515	28A	Reuter, Doug (R)	241	5368
62A	Greenfield, Lee (DFL)	381	0173	44B	Rhodes, Jim (R)	309	9889
54B	Greiling, Mindy (DFL)	553	5387	32B	Rifenberg, Michelle (R)	215	1069
26A	Gunther, Bob (R)	337	3240	18A	Rostberg, Jim (R)	311	5364
48A	Haas, Bill (R)	201	5513	5A	Rukavina, Tom (DFL)	471	0170
22B	Harder, Elaine (R)	277	5373	17B	Schumacher, Leslie J. (DFL)	517	5377
12A	Hasskamp, Kris (DFL)	453	4333	41A	Seagren, Alice (R)	315	7803
66B	Hausman, Alice (DFL)	449	3824	21A	Seifert, Marty (R)	213	5374
8B	Hilty, Bill (DFL)	525	4308	50A	Sekhon, Kathleen (DFL)	451	2439
56A	Holsten, Mark (R)	345	3018	4A	Skare, Gail (DFL)	431	5516
6B	Huntley, Thomas (DFL)	533	2228	62B	Skoglund, Wes (DFL)	477	4330
7B	Jaros, Mike (DFL)	559	4246	57A	Slawik, Nora (DFL)	551	7807
58B	Jefferson, Richard (DFL)	577	8659	34A	Smith, Steve (R)	353	9188
18B	Jennings, Loren Geo (DFL)	591	0518	3B	Solberg, Loren A. (DFL)	445	2365
48B	Johnson, Alice M. (DFL)	539	5510	33B	Stanek, Rich (R)	351	5502
24B	Johnson, Ruth (DFL)	567	7065	14B	Stang, Doug (R)	223	4373
15A	Juhnke, Al (DFL)	531	6206	28B	Svigum, Steve (R)	267	2273
59B	Kahn, Phyllis (DFL)	367	4257	23B	Swenson, Howard (R)	331	8634
26B	Kalis, Henry J. (DFL)	543	4240	43B	Sykora, Barb (R)	389	4315
35B	Kelso, Becky (DFL)	415	1072	50B	Tingelstad, Kathy (R)	295	5369
20B	Kielkucki, Tony (R)	313	1534	5B	Tomassoni, David J. (DFL)	593	0172
4B	Kinkel, Anthony G. (Tony) (DFL)	537	2451	36A	Tompkins, Eileen (R)	245	5506
40B	Knight, Kevin (R)	229	4218	67B	Trimble, Steve (DFL)	597	4201
16B	Knoblach, Jim (R)	207	6316	25A	Tuma, John (R)	301	4229
49B	Koskinen, Luanne (DFL)	411	4231	1A	Tunheim, Jim (DFL)	509	9635
27A	Kraus, Ron (R)	279	8216	34B	Van Dellen, Todd (R)	291	5511
53A	Krinkie, Philip (R)	303	2907	51B	Vandever, Ray (R)	255	4124
15B	Kubly, Gary W. (DFL)	423	4346	63A	Wagenius, Jean (DFL)	437	4200
31A	Kuisle, William (R)	375	4378	49A	Weaver, Charlie (R)	261	1729
56B	Larsen, Peg (R)	307	4244	61B	Wejcman, Linda (DFL)	407	7152
27B	Leighton, Rob (DFL)	527	4193	12B	Wenzel, Stephen G. (DFL)	487	4247
45B	Leppik, Peggy (R)	393	7026	9B	Westfall, Robert L. (Bob) (R)	225	6829
2A	Lieder, Bernie L. (DFL)	515	5091	13A	Westrom, Torrey (R)	273	4929
33A	Lindner, Arlon (R)	227	7806	22A	Winter, Ted (DFL)	459	5505
60A	Long, Dee (DFL)	443	0171	41B	Wolf, Ken (R)	387	5185
47A	Luther, Darlene (DFL)	581	3751	43A	Workman, Tom (R)	335	5066

Note: Room numbers are subject to change.

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

# Minnesota Senate 1998 Members

District/Member/Party	Room*	Phone (612) 296-	District/Member/Party	Room*	Phone (612) 296-
66 Anderson, Ellen R. (DFL) .....	G-24 Cap. ....	5537	8 Lourey, Becky (DFL) .....	G-9 Cap. ....	0293
26 Beckman, Tracy L. (DFL) .....	124G Cap. ....	5713	54 Marty, John (DFL) .....	325 Cap. ....	5645
41 Belanger Jr., William V. (R) .....	113 SOB .....	5975	39 Metzen, James P. (DFL) .....	303 Cap. ....	4370
13 Berg, Charles A. (Ind.) .....	G-51 SOB .....	5094	2 Moe, Roger D. (DFL) .....	208 Cap. ....	2577
61 Berglin, Linda (DFL) .....	309 Cap. ....	4261	32 Morse, Steven (DFL) .....	G-24 Cap. ....	5649
48 Betzold, Don (DFL) .....	306 Cap. ....	2556	29 Murphy, Steve (DFL) .....	301 Cap. ....	4264
64 Cohen, Richard J. (DFL) .....	317 Cap. ....	5931	25 Neuville, Thomas M. (R) .....	123 SOB .....	1279
28 Day, Dick (R) .....	147 SOB .....	9457	52 Novak, Steven G. (DFL) .....	322 Cap. ....	4334
20 Dille, Steve (R) .....	103 SOB .....	4131	43 Oliver, Edward C. (R) .....	121 SOB .....	4837
14 Fischbach, Michelle L. (R) .....	149 SOB .....	2084	34 Olson, Gen (R) .....	119 SOB .....	1282
62 Flynn, Carol (DFL) .....	120 Cap. ....	4274	19 Ourada, Mark (R) .....	145 SOB .....	5981
49 Foley, Leo T. (DFL) .....	G-9 Cap. ....	4154	65 Pappas, Sandra L. (DFL) .....	120 Cap. ....	1802
23 Frederickson, Dennis R. (R) .....	139 SOB .....	8138	37 Pariseau, Pat (R) .....	109 SOB .....	5252
50 Hanson, Paula E. (DFL) .....	328 Cap. ....	3219	27 Piper, Pat (DFL) .....	G-9 Cap. ....	9248
58 Higgins, Linda I. (DFL) .....	227 Cap. ....	9246	59 Pogemiller, Lawrence J. (DFL) .....	235 Cap. ....	7809
24 Hottinger, John C. (DFL) .....	120 Cap. ....	6153	57 Price, Leonard R. (DFL) .....	235 Cap. ....	7-8060
5 Janezich, Jerry R. (DFL) .....	328 Cap. ....	8017	63 Ranum, Jane B. (DFL) .....	306 Cap. ....	7-8061
40 Johnson, Dave (DFL) .....	111 Cap. ....	9261	45 Robertson, Martha R. (R) .....	125 SOB .....	4314
15 Johnson, Dean E. (R) .....	117 SOB .....	3826	35 Robling, Claire A. (R) .....	151 SOB .....	4123
6 Johnson, Douglas J. (DFL) .....	205 Cap. ....	8881	53 Runbeck, Linda (R) .....	107 SOB .....	1253
18 Johnson, Janet B. (DFL) .....	G-9 Cap. ....	5419	11 Sams, Dallas C. (DFL) .....	328 Cap. ....	7-8063
46 Junge, Ember Reichgott (DFL) .....	205 Cap. ....	2889	12 Samuelson, Don (DFL) .....	124 Cap. ....	4875
44 Kelley, Steve (DFL) .....	321 Cap. ....	7-8065	31 Scheevel, Kenric J. (R) .....	129 SOB .....	3903
67 Kelly, Randy C. (DFL) .....	323 Cap. ....	5285	47 Scheid, Linda (DFL) .....	317 Cap. ....	8869
30 Kiscaden, Sheila M. (R) .....	135 SOB .....	4848	7 Solon, Sam G. (DFL) .....	303 Cap. ....	4188
16 Kleis, Dave (R) .....	143 SOB .....	6455	60 Spear, Allan H. (DFL) .....	120 Cap. ....	4191
36 Knutson, David L. (R) .....	133 SOB .....	4120	17 Stevens, Dan (R) .....	105 SOB .....	8075
51 Krentz, Jane (DFL) .....	235 Cap. ....	7061	1 Stumpf, LeRoy A. (DFL) .....	G-24 Cap. ....	8660
56 Laidig, Gary W. (R) .....	141 SOB .....	4351	4 Ten Eyck, David J. (DFL) .....	G-24F Cap. ....	4913
9 Langseth, Keith (DFL) .....	122 Cap. ....	3205	42 Terwilliger, Roy (R) .....	115 SOB .....	6238
10 Larson, Cal (R) .....	153 SOB .....	5655	22 Vickerman, Jim (DFL) .....	226 Cap. ....	5650
21 Lesewski, Arlene J. (R) .....	131 SOB .....	4125	38 Wiener, Deanna L. (DFL) .....	303 Cap. ....	7-8073
3 Lessard, Bob (DFL) .....	111 Cap. ....	4136	55 Wiger, Charles W. (DFL) .....	325 Cap. ....	6820
33 Limmer, Warren (R) .....	127 SOB .....	2159			

\*Capitol or State Office Building, St. Paul, MN 55155

## Minnesota House and Senate Membership

1 A • Rep. Jim Tunheim-DFL B • Rep. Tim Finseth-R Sen. LeRoy A. Stumpf-DFL	15 A • Rep. Al Juhnke-DFL B • Rep. Gary W. Kubly-DFL Sen. Dean E. Johnson-R	29 A • Rep. Jerry Dempsey-R B • Rep. Mike Oskopp-R Sen. Steve Murphy-DFL	43 A • Rep. Tom Workman-R B • Rep. Barb Sykora-R Sen. Edward C. Oliver-R	57 A • Rep. Nora Slawik-DFL B • Rep. Sharon Marko-DFL Sen. Leonard R. Price-DFL
2 A • Rep. Bernie L. Lieder-DFL B • Rep. Edgar Olson-DFL Sen. Roger D. Moe-DFL	16 A • Rep. Joe Opatz-DFL B • Rep. Jim Knoblach-R Sen. Dave Kleis-R	30 A • Rep. Fran Bradley-R B • Rep. Gregory M. Davids-R Sen. Sheila M. Kiscaden-R	44 A • Rep. Betty Follard-DFL B • Rep. Jim Rhodes-R Sen. Steve Kelley-DFL	58 A • Rep. Joe Mullery-DFL B • Rep. Richard Jefferson-DFL Sen. Linda I. Higgins-DFL
3 A • Rep. Irv Anderson-DFL B • Rep. Loren A. Solberg-DFL Sen. Bob Lessard-DFL	17 A • Rep. Sondra Erickson-R B • Rep. Leslie J. Schumacher-DFL Sen. Dan Stevens-R	31 A • Rep. William Kuisle-R B • Rep. Gregory M. Davids-R Sen. Kenric J. Scheevel-R	45 A • Rep. Ron Abrams-R B • Rep. Peggy Leppik-R Sen. Martha R. Robertson-R	59 A • Rep. Len Biernat-DFL B • Rep. Phyllis Kahn-DFL Sen. Lawrence J. Pogemiller-DFL
4 A • Rep. Gail Skare-DFL B • Rep. Anthony G. Tony Kinkel-DFL Sen. David J. Ten Eyck-DFL	18 A • Rep. Jim Rostberg-R B • Rep. Loren Geo Jennings-DFL Sen. Janet B. Johnson-DFL	32 A • Rep. Gene Pelowski Jr.-DFL B • Rep. Michelle Rifenberg-R Sen. Steven Morse-DFL	46 A • Rep. Ann H. Rest-DFL B • Rep. Lyndon R. Carlson-DFL Sen. Ember R. Junge-DFL	60 A • Rep. Dee Long-DFL B • Rep. Myron Orfield-DFL Sen. Allan H. Spear-DFL
5 A • Rep. Tom Rukavina-DFL B • Rep. David J. Tomassoni-DFL Sen. Jerry R. Janezich-DFL	19 A • Rep. Mark Olson-R B • Rep. Bruce Anderson-R Sen. Mark Ourada-R	33 A • Rep. Arlon Lindner-R B • Rep. Rich Stanek-R Sen. Warren Limmer-R	47 A • Rep. Darlene Luther-DFL B • Rep. Phil Carruthers-DFL Sen. Linda Scheid-DFL	61 A • Rep. Karen Clark-DFL B • Rep. Linda Wejman-DFL Sen. Linda Berglin-DFL
6 A • Rep. Thomas Tom Bakk-DFL B • Rep. Thomas Huntley-DFL Sen. Douglas J. Johnson-DFL	20 A • Rep. Robert "Bob" Ness-R B • Rep. Tony Kielucki-R Sen. Steve Dille-R	34 A • Rep. Steve Smith-R B • Rep. Todd Van Dellen-R Sen. Gen Olson-R	48 A • Rep. Bill Haas-R B • Rep. Alice M. Johnson-DFL Sen. Don Betzold-DFL	62 A • Rep. Lee Greenfield-DFL B • Rep. Wes Skoglund-DFL Sen. Carol Flynn-DFL
7 A • Rep. Willard Munger-DFL B • Rep. Mike Jaros-DFL Sen. Sam G. Solon-DFL	21 A • Rep. Marty Seifert-R B • Rep. Richard Mulder-R Sen. Arlene J. Lesewski-R	35 A • Rep. Carol L. Molnau-R B • Rep. Becky Kelo-DFL Sen. Claire A. Robling-R	49 A • Rep. Charlie Weaver-R B • Rep. Luanne Koskinen-DFL Sen. Leo Foley-DFL	63 A • Rep. Jean Wagenius-DFL B • Rep. Edwina Garcia-DFL Sen. Jane B. Ranum-DFL
8 A • Rep. Mary Murphy-DFL B • Rep. Bill Hilty-DFL Sen. Becky Lourey-DFL	22 A • Rep. Ted Winter-DFL B • Rep. Elaine Harder-R Sen. Jim Vickerman-DFL	36 A • Rep. Eileen Tompkins-R B • Rep. Dan McElroy-R Sen. David L. Knutson-R	50 A • Rep. Kathleen Sekhon-DFL B • Rep. Kathy Tingelstad-R Sen. Paula E. Hanson-DFL	64 A • Rep. Matt Entenza-DFL B • Rep. Michael Paymar-DFL Sen. Richard J. Cohen-DFL
9 A • Rep. Kevin Goodno-R B • Rep. Robert L. Bob Westfall-R Sen. Keith Langseth-DFL	23 A • Rep. James Clark-R B • Rep. Howard Swenson-R Sen. Dennis R. Frederickson-R	37 A • Rep. Dennis Ozment-R B • Rep. Bill Macklin-R Sen. Pat Pariseau-R	51 A • Rep. Mike Delmont-DFL B • Rep. Ray Vandever-R Sen. Jane Krentz-DFL	65 A • Rep. Andy Dawkins-DFL B • Rep. Carlos Mariani-DFL Sen. Sandra L. Pappas-DFL
10 A • Rep. Bud Nornes-R B • Rep. Hilda Bettermann-R Sen. Cal Larson-R	24 A • Rep. John Dorn-DFL B • Rep. Ruth Johnson-DFL Sen. John C. Hottinger-DFL	38 A • Rep. Tim Commers-R B • Rep. Tim Pawlenty-R Sen. Deanna L. Wiener-DFL	52 A • Rep. Satveer Chaudhary-DFL B • Rep. Geri Evans-DFL Sen. Steven G. Novak-DFL	66 A • Rep. Tom Osthoff-DFL B • Rep. Alice Hausman-DFL Sen. Ellen R. Anderson-DFL
11 A • Rep. Roxann Daggett-R B • Rep. Mary Ellen Otremba-DFL Sen. Dallas C. Sams-DFL	25 A • Rep. John Tuma-R B • Rep. Lynda Boudreau-R Sen. Thomas M. Neuville-R	39 A • Rep. Thomas W. Pugh-DFL B • Rep. Bob Milbrat-DFL Sen. James P. Metzen-DFL	53 A • Rep. Phil Krinkie-R B • Rep. Sherry Broecker-R Sen. Linda Runbeck-R	67 A • Rep. Jim Farrell-DFL B • Rep. Steve Trimble-DFL Sen. Randy C. Kelly-DFL
12 A • Rep. Kris Hasskamp-DFL B • Rep. Stephen G. Wenzel-DFL Sen. Don Samuelson-DFL	26 A • Rep. Bob Gunther-R B • Rep. Henry J. Kalis-DFL Sen. Tracy L. Beckman-DFL	40 A • Rep. Mark P. Mahon-DFL B • Rep. Kevin Knight-R Sen. Dave Johnson-DFL	54 A • Rep. Mary Jo McGuire-DFL B • Rep. Mindy Greiling-DFL Sen. John Marty-DFL	List as of January 28, 1998
13 A • Rep. Torrey Westrom-R B • Rep. Doug Peterson-DFL Sen. Charles A. Berg-IND.	27 A • Rep. Ron Kraus-R B • Rep. Rob Leighton-DFL Sen. Pat Piper-DFL	41 A • Rep. Alice Seagren-R B • Rep. Ken Wolf-R Sen. William V. Belanger Jr.-R	55 A • Rep. Harry Mares-R B • Rep. Betty McCollum-DFL Sen. Charles W. Wiger-DFL	
14 A • Rep. Steve Dehler-R B • Rep. Doug Stang-R Sen. Michelle L. Fischbach-R	28 A • Rep. Doug Reuter-R B • Rep. Steve Sviggum-R Sen. Dick Day-R	42 A • Rep. Ron Erhardt-R B • Rep. Erik Paulsen-R Sen. Roy Terwilliger-R	56 A • Rep. Mark Holsten-R B • Rep. Peg Larsen-R Sen. Gary W. Laidig-R	

## Order Form: *New Laws 1998*

A publication outlining the new laws of 1998 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 1998* 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 1998*? ☐ Yes ☐ No

Please place this form (**with the mailing label on the back**) in an envelope. Mail it by May 22, 1998, 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: 1998 *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 ☐ Greater 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"/> Reflections (page 2)	<input type="checkbox"/> Features	<input type="checkbox"/> Governor's Desk
<input type="checkbox"/> First Reading (page 3)	<input type="checkbox"/> Closer Look	<input type="checkbox"/> Bill Introductions
<input type="checkbox"/> Once in the House (page 4)	<input type="checkbox"/> Member Profiles	<input type="checkbox"/> Committee Schedule
<input type="checkbox"/> Highlights	<input type="checkbox"/> It's a Fact	<input type="checkbox"/> Information (i.e., lists)
<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.

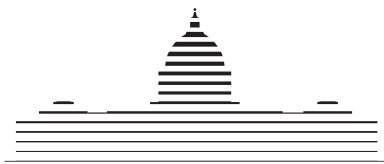
<b>Writing</b>	<input type="checkbox"/> Hard to understand	<input type="checkbox"/> Somewhat understandable	<input type="checkbox"/> Easy to understand
<b>Story Length</b>	<input type="checkbox"/> Too short	<input type="checkbox"/> Too long	<input type="checkbox"/> Just right
<b>Readability</b> (type 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*? \_\_\_\_\_

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

### 1998 Legislative Session

House files introduced during the 1998 session .....	1,629
Total for biennium .....	3,884
Senate files introduced during the 1998 session .....	1,422
Total for biennium .....	3,425
Total number of bills introduced, 1997-98 .....	7,309
in 1995-96 .....	6,185
Bills sent to the governor (resolutions excluded), 1998 .....	157
in 1996 .....	206
Two-year total of bills sent to the governor, 1997-98 .....	408
in 1995-96 .....	471
Bills that became law, 1995-96 .....	439
Resolutions adopted by the 1998 Legislature .....	4
Number filed without the governor's signature .....	4
Number of pages in the 1998 omnibus tax bill .....	334
in 1997 .....	396
in 1996 .....	272
Maximum number of legislative days the lawmakers can meet in	
regular session during a biennium .....	120
Number used in 1997-98 .....	109
Number used in 1995-96 .....	113
Number used in 1993-94 .....	106
Legislative days used in 1998 .....	46
in 1997 .....	63
in 1996 .....	48
in 1995 .....	65
Time the Legislature will convene Jan. 5, 1999 .....	12 p.m.
Governors who have vetoed more bills than Gov. Arne Carlson .....	0
Year Carlson was first elected the House 1970	
Years served .....	8
Year Carlson was first elected state auditor .....	1978
Years served .....	12
Year Carlson was first elected governor .....	1990
Number of House speakers since Carlson took office .....	4
Number of House majority leaders since Carlson took office .....	5
Number of House minority leaders since Carlson took office .....	2

Sources: Legislative Reference Library, House Index Department, House Public Information Office, Senate Information Office, and Office of the Governor.

### 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  
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**House Index Office**  
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For up-to-date recorded message  
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