

PERFORMANCE REPORT
ON THE
OFFICE OF THE REVISOR OF STATUTES
FOR THE PERIOD
JULY 1, 1988 - JUNE 30, 1989

JULY 1, 1989

To ensure that we continue to do all our work well, the Office of the Revisor of Statutes has established a program of self-evaluation at the end of each fiscal year. This written review is the office's eleventh evaluation of its yearly performance. It is intended to provide a more systematic look at how the office has performed than merely looking at production statistics or making a general judgment of how well the office is doing. The report is divided into two parts. The performance of the drafting and publishing duties, in terms of production volume, is shown in the tables on the following pages. The office's performance on each of its assigned functions is then analyzed.

The functions of the Office of the Revisor of Statutes are established by law, rule, or custom. Twenty-Six identifiable functions were performed during some portion of the year. Of that number, five require only minimal work. No new functions were added during the year and no functions were removed or have come to an end. The principal functions of the office remain drafting and publishing.

A review of the 26 assigned functions shows that the office continues to provide diverse products and services. The office has continually sought to improve those products and the delivery of services. The office also provides its products and services efficiently: almost all staff do more than one function and, despite the increased workload, the number of drafting attorneys and production staff has remained the same for many years.

The bill drafting area again had another large increase in the number of bills and amendments being drafted by the office. The number of bills drafted represented the highest number of drafting files since 1975. A large portion of the increase, but not all of it, was due to the mushrooming of drafting congratulatory resolutions. The number of these resolutions increased from about 50 a year ten years ago to over 400 a year now. Most of this increase has occurred in the past two years. In order to conserve the use of the time of professional staff, drafting of congratulatory resolutions was shifted from an attorney to several senior drafting and editing assistants.

During the year, computerization of the office's internal drafting docket was completed. That system strengthens internal control over drafting files and facilitates analysis of drafting requests.

Comparison can be made between the amount of original drafting done by the Revisor's office and the amount done by the House Research Department and Senate Counsel and Research. These comparisons had been done previously but were discontinued after 1983, as part of an agreement with Senate Counsel and Research to foster a cooperative not a competitive relationship. While that agreement ended several years ago, the statistics have not been calculated again until now.

The amount of all Revisor drafting files apparently originally drafted in Research or Counsel is as follows:

House Research Department and
Senate Counsel and Research

1975-1976	5%
1977-1978	9%
1979-1980	13%
1981-1982	16%
1983	26%
...	...
1989	30% (w/o resolutions)

A review of these percentages show that Senate Counsel and Research and House Research increased their original drafting from 26 percent in 1983 to 30 percent in 1989. This increase was achieved despite efforts by the Revisor's staff to maintain or reclaim its former share of original drafting.

In statistics calculated before 1989, no breakdown was made by party caucus. Such a breakdown was calculated for 1989. The number of drafts, by party group, coming directly to the Revisor or Counsel is as follows:

	House House	House IRs	Senate DFL	Senate Senate	IR	DFL	Overall
Revisor	69%	66%	73%	63%	86%	57%	68%
HRD	31%	34%	27%	--	--	--	32%
SC&R	--	--	--	37%	14%	43%	

Comparing the Senate and House numbers shows that while the minority members of the House use the House Research Department, the minority in the Senate doesn't use Senate Counsel and Research. Of course, the percentage tells nothing about the reason for this difference. Since the Revisor is close to Minority Senate offices and remote from Senate Counsel, the difference could merely reflect the relative ease of contact between the two offices.

The statistics have some limitations. The chief of these is that it is sometimes difficult to tell where a draft originated. A draft might be originally done by the Revisor and given to a senator. The senator might give it to a Counsel, who makes changes but rekeys the draft and sends it back to the Revisor looking like a Counsel originated the document. Attorneys in the Revisor's office were aware of some occurrences of that type. However, the exact number is unknown and the staff who reviewed our drafting files to compile the statistics would not be aware of that type of occurrence.

Another difficult case was that of files that were reintroduced session after session. The original source of such drafts is very difficult to determine.

Both the 1975-1983 statistics and the 1989 statistics would be subject to the same possible problems.

In computer development, the office made major gains. We are, in fact, ready to put into actual production several applications that were developed in the past two years. Those developments were in three separate areas. These are the installation of the PROFS electronic mail and scheduling system, the MLIS legislative information database, and SNA software that enables computer-to-computer communication. Planning is well advanced to add the necessary hardware to support system growth.

The office continues to try to draw legislators into playing a strong role in shaping the growth of the computer system. Early in the year, the Revisor talked to legislative leaders about proposed computer developments. Later, top-level legislative staff was also consulted.

In the budget process, the Revisor subcommittee reviewed the proposals and gave the go-ahead to everything including the recommendation of the appropriation of funds to pay for the hardware, software, and personnel costs. The full LCC later transferred some personnel costs to its own contingency fund. This was intended to provide an opportunity for subsequent centralized review of the proposed development. However, the bill to set up that centralized review never passed during the session. The nature of LCC review, in view of that defeat, must now be determined.

The office was charged four years ago with billing state agencies for drafting done by the office for them. As indicated in last year's report, the bill-back system's utility was doubtful. It was recommended that the whole system be repealed. However, the Legislature changed the law to effectively double the cost of almost all bill drafting done for agencies.

In the area of statutory publication, several events were of importance during the fiscal year.

The popularity of the office's publications continues to grow. Minnesota Statutes 1988 sold out within six months of publication. Minnesota Rules 1989 will apparently sell out in the near future. 981 sets have been sold to date and that is 181 more than the comparable 1987 set and more than have ever been sold. Almost all of Laws 1988 were sold and Laws 1989 sold out in two months so that a second printing of 300 more had to be arranged for. It is believed that that record is due to the improvements made in the publications as well as promotional efforts undertaken by the office.

In the 1988 session, the Legislature enacted a law allowing the Revisor, rather than the Secretary of State, to assign chapter numbers to session laws. The change was intended, in part, to facilitate publication of Laws of Minnesota about 30 days after the session's end rather than 60 days. After the 1989 session, all the internal work in the office to meet the 30-day deadline was completed on time. However, machine problems at the compositor led to the loss of about 20 days. Nevertheless, the Laws were out about ten days earlier than prior years.

The office published a CD-ROM version of Minnesota Statutes. This was a first attempt to get the office's publication in on a dramatic new form of publication. Initial sales were modest, but that was not unexpected. The CD-ROM publication is still the wave of the future.

The cumulative effect of years of enhancement of the office's computer capacity for publishing work was seen in a dramatic way this interim. The total year-round number of drafting and editing assistants was reduced from ten to seven. The three people affected voluntarily assumed nine-month permanent positions. (Under the Legislature's benefits package, this permitted them to remain eligible for fully-paid state benefits.) This change in interim staffing levels is expected to be permanent.

All told, there was significant progress made by the office in many different areas. Some problems that are reported are not unlike some minor problems reported every year. As before, the office's staff expects to make corrections in those areas where problems were noted and to continue to make progress in all areas.

OFFICE OF THE REVISOR OF STATUTES
YEARLY PRODUCTION STATISTICS

TOTAL PRODUCTION

Session Year			Comparisons	Conf. Comm. Rpts.	Misc. Doc.	Engross	Enroll	Resol. Enroll	Comm. Rpts	Admin. Rules	Statutory Editing	Rule Editing	Total	Change	
	Bills	Amendments													
1977	3301	388	197	50(Est)	--	1324	455	--	--	--	2703	--	8418		
<u>1978</u>	<u>1418</u>	<u>400</u> (Est)	<u>171</u>	<u>50</u> (Est)	--	<u>975</u>	<u>342</u>	--	--	--	<u>2162</u>	--	<u>5518</u>		
Total	4719	788	368	100(Est)	--	2299	797	--	--	--	4865	--	13936		
1979 & Spec.	3275	425	138	49	--	1078	348	5	--	--	2130	--	7448		
<u>1980</u>	<u>1571</u>	<u>454</u>	<u>180</u>	<u>55</u>	--	<u>892</u>	<u>283</u>	<u>5</u>	--	--	<u>3042</u>	--	<u>6482</u>		
Total	4846	879	318	104	--	1970	631	10	--	--	5172	--	13930	Nil	
1981 & Spec.	2936	405	227	72	--	1048	406	4	--	--	4397	--	9495		
<u>1982 & Spec.</u>	<u>1562</u>	<u>404</u>	<u>159</u>	<u>62</u>	--	<u>896</u>	<u>286</u>	<u>5</u>	--	--	<u>956</u>	<u>2675</u>	--	<u>7005</u>	
Total	4498	809	386	134	--	1944	692	9	--	--	956	7072	--	16500	18%
1983	2607	566	225	92	--	1261	387	11	445	892	3922	--	10408		
<u>1984</u>	<u>1651</u>	<u>546</u>	<u>212</u>	<u>40</u>	<u>172</u>	<u>994</u>	<u>298</u>	<u>11</u>	<u>371</u>	<u>1213</u>	<u>3612</u>	--	<u>9120</u>		
Total	4258	1112	437	132	172	2255	685	22	816	2105	7534	--	19528	18%	
1985 & Spec.	3170	1109	256	79	389	1347	335	7	478	1673	4543	3051	16437		
<u>1986 & Spec.</u>	<u>1536</u>	<u>710</u>	<u>181</u>	<u>58</u>	<u>112</u>	<u>808</u>	<u>172</u>	<u>2</u>	<u>280</u>	<u>1342</u>	<u>2412</u>	<u>1048</u>	<u>8661</u>		
Total	4706	1819	437	137	501	2155	507	9	758	3015	6955	4099	25098	29%	
1987 & Spec.	3052	1020*	246	67	161	1660	410	10	606	1148	6167	3453	18000		
<u>1988</u>	<u>2115</u>	<u>1044*</u>	<u>274</u>	<u>139</u>	<u>193</u>	<u>1274</u>	<u>324</u>	<u>6</u>	<u>450</u>	<u>1548</u>	<u>2773</u>	<u>875</u>	<u>11015</u>		
Total	5167	2064*	520	206	354	2934	734	16	1056	2696	8940	4328	29015	16%	
1989	3356	1268*	234	152	195	1621	362	6	556	1668	5390	5075	19883		

*Includes floor amendments. Floor amendments are not included in earlier numbers.

OFFICE OF THE REVISOR OF STATUTES
YEARLY PRODUCTION STATISTICS

STATUTORY EDITORIAL OPERATIONS

Session Year	Session Chapters	Session Law Pages	Average Pages Per Chapter	Statute or Supplement Pages	Statutory Sections-Amended	Total				Session Laws Press Run (Activity)	Statutes or Supplement Press Run (Activity)
						Statutory Sections-New	Statutory Sections-Repealed	Statutory Sections-Other	Statutory Sections-Affected		
1975	437	1623	3.72	958	1335	851	714	0	2900	2750(dumped some)	
<u>1976</u>	<u>348</u>	<u>1405</u>	<u>4.04</u>	<u>7509</u>	<u>1533</u>	<u>748</u>	<u>782</u>	<u>0</u>	<u>3063</u>	<u>2750(dumped some)</u>	<u>2750(dumped some)</u>
Total	785	3028	3.86	8467	2868	1599	1496	0	5963		
1977	455	1449	3.19	874	1508	652	543	0	2703	2750(dumped some)	
<u>1978</u>	<u>342</u>	<u>1251</u>	<u>3.66</u>	<u>8253</u>	<u>1315</u>	<u>535</u>	<u>312</u>	<u>0</u>	<u>2162</u>	<u>2750(dumped some)</u>	<u>2900(dumped some)</u>
Total	797	2700	3.39	9127	2823	1187	855	0	4865		
1979 & Special	343	1297	3.78	757	1233	508	389	0	2130	2750(dumped some)	
<u>1980</u>	<u>283</u>	<u>1621</u>	<u>5.73</u>	<u>10704</u>	<u>1606</u>	<u>838</u>	<u>598</u>	<u>0</u>	<u>3042</u>	<u>2500(dumped some)</u>	<u>3200(dumped some)</u>
Total	626	2918	4.66	11461	2839	1346	987	0	5172		
1981 & Special	381	2602	7.19	1732	2522	975	875	25	4397	2500(dumped some)	
<u>1982 & Special</u>	<u>272</u>	<u>1786</u>	<u>6.57</u>	<u>11680</u>	<u>1543</u>	<u>667</u>	<u>443</u>	<u>21</u>	<u>2675</u>	<u>2500(dumped some)</u>	<u>3200(dumped some)</u>
Total	653	4388	6.73	13412	4065	1642	1318	46	7072		
1983	375	2905	7.7	2151	2506	896	506	14	3922	2400(dumped some)	
<u>1984</u>	<u>282</u>	<u>2409</u>	<u>8.5</u>	<u>12731</u>	<u>2225</u>	<u>789</u>	<u>590</u>	<u>8</u>	<u>3612</u>	<u>2400(dumped some)</u>	<u>3200(sold out with Supp Fall '85)</u>
Total	657	5314	8.08	14882	4731	1685	1096	22	7534		
1985 & Special	327	2993	9.2	2093	2747	1061	719	16	4543	2400(dumped some)	
<u>1986 & Special</u>	<u>169</u>	<u>1508</u>	<u>8.9</u>	<u>12421</u>	<u>1108</u>	<u>852</u>	<u>406</u>	<u>46</u>	<u>2412</u>	<u>2400(dumped some)</u>	<u>3500(sold out 12/86)</u>
Total	496	4501	9.07	14514	3855	1914	1125	62	6955		
1987 & Special	410	3960	9.7	2517	3466	1619	1017	65	6167	2400(dumped some)	
<u>1988</u>	<u>315</u>	<u>2241</u>	<u>7.1</u>	<u>13050</u>	<u>2061</u>	<u>464</u>	<u>241</u>	<u>7</u>	<u>2773</u>	<u>2400(all but 10 sold)</u>	<u>3800(sold out 4/89)</u>
Total	725	6201	8.4	15567	5527	2083	1258	72	8940		
1989	356	3562	10.0	2453	2950	1650	761	29	5390	2600 (sold out 8/89)	

*Special Session not included.

OFFICE OF THE REVISOR OF STATUTES
YEARLY PRODUCTION STATISTICS

BILL DRAFTING OPERATIONS

Session Year	Drafting Files Opened	Drafting Files Introduced	Percent	Amendment Drafts	Total Bill Introductions	Bill Comparisons	Conference Committee Reports(Acted On)	Misc. Documents Including Appropriations
1975	3683	*	*	*	3643	*	*	*
<u>1976</u>	<u>1541</u>	*	*	*	<u>1654</u>	*	*	*
Total	5224	2645	51%	559	5297	*	*	*
1977	3301	*	*	388	3268	197	*	*
<u>1978</u>	<u>1418</u>	*	*	*	<u>1680</u>	<u>171</u>	*	*
Total	4719	3049	65%	*	4948	368	*	*
1979 & Special	3275	2001	61%	425	3252	138	49	*
<u>1980</u>	<u>1571</u>	<u>974</u>	<u>62%</u>	<u>454</u>	<u>1692</u>	<u>180</u>	<u>55</u>	*
Total	4846	2975	61%	879	4944	318	104	*
1981 & Special	2936	1835	63%	405	3045	227	72	*
<u>1982 & Special</u>	<u>1562</u>	<u>876</u>	<u>56%</u>	<u>404</u>	<u>1484</u>	<u>159</u>	<u>62</u>	*
Total	4498	2711	60%	809	4529	386	134	*
1983	2607	1594	61%	566	2690	225	92	*
<u>1984</u>	<u>1651</u>	<u>1088</u>	<u>66%</u>	<u>546</u>	<u>1803</u>	<u>212</u>	<u>40</u>	<u>172</u>
Total	4258	2682	63%	1112	4493	437	132	*
1985 & Special	3170	1959	62%	1109	3308	256	79 (61)	389
<u>1986 & Special</u>	<u>1536</u>	<u>931</u>	<u>61%</u>	<u>710</u>	<u>1647</u>	<u>181</u>	<u>58 (31)</u>	<u>112</u>
Totals	4706	2890	61%	1819	4955	437	137 (92)	501
1987 & Special	3052	1902	62%	1020	3253	246	67 (62)	161
<u>1988</u>	<u>2115</u>	<u>1258</u>	<u>59%</u>	<u>1044</u>	<u>2174</u>	<u>274</u>	<u>139 (85)</u>	<u>193</u>
Totals	5167	3160	61%	2064	5427	520	206(147)	354
1989	3356	1783	53%	1268	3444	234	152 (86)	195

*Statistics not available

OFFICE OF THE REVISOR OF STATUTES
YEARLY PRODUCTION STATISTICS

ENGROSSING AND ENROLLING OPERATIONS

Session Year	Engrossed House Bills	Engrossed Senate Bills	Unofficial House Engrossments	Unofficial Senate Engrossments	Total Engrossments	House Enrollments	Senate Enrollments	Total Enrollments	Vetoes*	Senate & House Resolutions Enrolled	
1975	763	648	2	4	1411	257	180	437	1	1	
<u>1976</u>	<u>475</u>	<u>432</u>	<u>73</u>	<u>6</u>	<u>907</u>	<u>174</u>	<u>176</u>	<u>350</u>	<u>4</u>	<u>2</u>	
Total	1238	1080	75	10	2318	431	356	787	5	3	
1977	608	716	67	6	1324	211	244	455	0	1	
<u>1978</u>	<u>544</u>	<u>431</u>	<u>58</u>	<u>15</u>	<u>975</u>	<u>242</u>	<u>100</u>	<u>342</u>	<u>0</u>	<u>2</u>	
Total	1152	1147	125	21	2299	453	344	797	0	3	
1979 & Spec.	494	584	65	7	1078	195	153	348	5	3	
<u>1980</u>	<u>381</u>	<u>511</u>	<u>53</u>	<u>4</u>	<u>892</u>	<u>139</u>	<u>144</u>	<u>283</u>	<u>5</u>	<u>0</u>	
Total	875	1095	118	11	1970	334	297	631	10	3	
1981 & Spec.	408	640	26	14	1048	207	199	406	8	4	
<u>1982</u> & Spec.	<u>461</u>	<u>435</u>	<u>24</u>	<u>12</u>	<u>896</u>	<u>161</u>	<u>125</u>	<u>286</u>	<u>10</u>	<u>5</u>	
Total	869	1075	50	26	1944	368	324	692	18	9	
83	1983	626	635	40	18	1261	205	182	387	1	11
<u>1984</u>	<u>513</u>	<u>481</u>	<u>26</u>	<u>9</u>	<u>994</u>	<u>162</u>	<u>136</u>	<u>298</u>	<u>5</u>	<u>11</u>	
Total	1139	1116	66	27	2255	367	318	685	6	22	
1985 & Spec.	607	740	35	31	1347	163	172	335	1	7	
<u>1986</u> & Spec.	<u>377</u>	<u>431</u>	<u>15</u>	<u>18</u>	<u>808</u>	<u>89</u>	<u>83</u>	<u>172</u>	<u>1</u>	<u>2</u>	
Total	984	1171	50	49	2155	252	255	507	2	9	
1987 & Spec.	858	801	41	40	1660	262	158	410	0	10	
<u>1988</u>	<u>611</u>	<u>615</u>	<u>26</u>	<u>22</u>	<u>1274</u>	<u>171</u>	<u>153</u>	<u>324</u>	<u>3</u>	<u>6</u>	
Total	1469	1416	67	62	2934	433	311	734	3	16	
1989	762	774	52	33	1621	224	138	362	3	6	

*Does not include item vetoes.

OFFICE OF THE REVISOR OF STATUTES
YEARLY PRODUCTION STATISTICS

ADMINISTRATIVE RULES - DRAFTING AND FORM APPROVAL OF RULES

	(1) New Drafting Files	(2) Rough Drafts Prepared	(3) Preliminary Drafts Prepared	(4) Final Rule Approved	(5) Proposed Rules	(6) Stripped Proposed Modifi- cations	(7) Final Adopted Rules	(8) Notice of Adoption	(9) Stripped Adopted	(10) Total (2)to(9)	(11) Average Drafts Per File
FY 1982	195	175	104	201	82	109	122	76	87	956	4.9
FY 1983	140	140	154	171	75	73	117	84	78	892	6.4
FY 1984	185	185	205	241	138	95	135	103	111	1213	6.6
FY 1985	239	240	318	283	179	169	173	151	160	1673	7.0
FY 1986	180	242	176	192	186	85	182	151	128	1342	7.5
FY 1987	152	245	173	164	118	90	120	112	126	1148	7.6
FY 1988	206	324	278	244	182	103	148	135	134	1548	8.2
6 FY 1989	177	390	285	230	150	147	177	150	139	1668	8.9

OFFICE OF THE REVISOR OF STATUTES
YEARLY PRODUCTION STATISTICS

ADMINISTRATIVE RULES--SOURCE AND TYPE OF RULE DRAFTING

	Agencies Served	Department-Level Agencies	Smaller Agencies	Original Drafts by Revisor	Agency Drafts Needing Few Changes	Agency Drafts Needing Many Changes
FY 1982	46	13	33	1	15	65
FY 1983	40	16	24	0	35	105
FY 1984	39	17	22	0	40	145
FY 1985	41	17	24	0	45	194
FY 1986	42	16	26	0	45	135
FY 1987	44	20	24	0	30	122
FY 1988	45	20	25	0	42	164
FY 1989	45	20	25	1	26	151

OFFICE OF THE REVISOR OF STATUTES
YEARLY PRODUCTION STATISTICS

COMMITTEE REPORTS*

<u>Session Year</u>	<u>House Committee Reports</u>
1983	445
<u>1984</u>	<u>371</u>
Total	816
1985	478
<u>1986</u>	<u>280</u>
Total	758
1987	606
<u>1988</u>	<u>450</u>
Total	1056
1989	556

*The revisor did not draft committee reports before 1983 and now only does it for the House. Senate reports are prepared by Senate engrossing staff.

OFFICE OF THE REVISOR OF STATUTES
YEARLY PRODUCTION STATISTICS

MINNESOTA RULES EDITORIAL OPERATIONS

		Edition	Pages	Parts Amended	New	Repealed	Renumbered	Total Rule Parts Affected	Press Run(Sold)
Prior to 8/1/83		1983	8787	-	-	-	-	-	1000 (480)
8/1/83 to 8/31/84		1984 Supplement	1107	487	906	457	-	1850	1000 (650)
9/1/84 to 4/8/85		1985	9661	414	547	240	-	1201	
4/9/85 to 12/2/85		1986 Supplement No. 1	843	257	564	209	18	1048	
4/9/85 to 7/28/86		1986 Supplement No. 2 (cumulative)	1404	564	1039	458	38	2099 (cumulative)	
12	4/9/85 to 3/30/87	1987 (cumulative)	10481	919	1547	891	96	3453 (cumulative)	1000 (800)
3/31/87 to 11/30/87		1988 Supplement No. 1	976	271	518	86	-	875	
3/31/87 to 8/8/88		1988 Supplement No. 2	1398	567	1096	365	10	2038 (cumulative)	
3/31/87 to 4/3/89		1989 Rules	11460	1703	1803	855	714	5075 (cumulative)	1100 (981)*

*As of August 31, 1989.

Function:

- drafting bills, resolutions, and amendments for the members of the Legislature, the heads of departments, and the Governor.

Source of Mandate: Minnesota Statutes 1988, section 3C.03, subdivision 2.

Performance:

The office prepared 3356 bills and resolutions for the 1989 session of the Legislature. That number is 300 more than in 1987. It continues the recent upward trend in the number of files drafted and is the highest number since 3683 drafts were prepared in 1975.

The office prepared 1268 amendments during the year. This, also, continues the upward trend in that area. Of that number, 1014 were drafted for the House and 254 for the Senate. The difference is undoubtedly due to the fact that the office provides staff on the House floor but not the Senate, and to the close proximity of the office to representatives and House committee rooms.

Again, virtually all drafts were completed within the time allotted by the requester. All drafting files are reviewed to ensure that prompt delivery is the normal procedure.

Two lawyers were available on the floor of the House at all times during its meetings to draft amendments and provide other legal services. A member of the Revisor's staff and the chief clerk's secretary provided computer and noncomputer assistance to type amendments for the House floor.

Quality controls for all drafting include review by attorneys, clerical review, the use of specially adapted computer programs, the text editing system itself, regular review of all processes, and formal and informal instruction of all staff in quality standards.

Problems reported last year with clerical support on the House floor have been resolved. Revisor's support staff provided substantially all of the support. The remodeling of the House chamber this interim will permit moving the support staff from the remote third floor to the second floor next to the chamber.

Proposals will be made later this interim for changes in the form of bill drafts. The changes are intended to take advantage of new technology to make the bills easier to read and use. This will be the first significant change in bill form in 20 years. As a result of any approved changes, the Revisor's bill drafting manual will have to be extensively revised.

Problems:

Within the drafting total for 1989, 420 were congratulatory resolutions. This was up from 240 in 1987, and from an unknown but certainly much smaller number in 1985. The number of congratulatory resolutions has clearly mushroomed. If the number continues to increase, the office's ability to process all work expeditiously, without a staff increase, will be affected.

Function:

- examine bills and endorse approval of both form and compliance with joint rules and House rules.

Source of Mandate: House Rule 5.1.

Performance:

Each bill prepared for introduction in the House of Representatives (that, in practice, means all bills since bills drafted for a senator have both House and Senate copies) was checked for compliance with legislative rules. This function was continued without difficulty as an integral part of the regular bill drafting procedure.

Problems:

None

Function:

- preparing House committee reports.

Source of Mandate: Minnesota Statutes 1988, section 3C.04, subdivision 6 (requested by the speaker and chief clerk).

Performance:

There were 556 House committee reports prepared in 1989 compared to 606 reports in the 1987 regular session, which is a decrease of 50. Since the 1987 work was a significant increase over the number prepared two and four years before, the reduction is modest and the number prepared continues at a high level.

Problems:

We encountered no significant problems.

Function:

- drafting administrative rules upon the request of an agency.

Source of Mandate: Minnesota Statutes 1988, section 14.07, subdivision 1, clause (f).

Performance:

During fiscal year 1989, the office handled 177 sets of rules for form approval or drafting assistance. This figure is up from the 152 sets prepared in fiscal year 1987 and down from the 206 sets in fiscal year 1988.

Quality controls for rule drafting include review by the drafting attorneys and the assistant deputy revisor for rules, clerical review, the use of specifically adapted computer programs, the text editing system itself, regular review of all processes, and formal and informal instruction of all staff in quality standards.

The average number of drafts per file continued its uninterrupted upward trend from 4.9 per file in fiscal year 1982 to 8.9 per file in fiscal year 1989. The number per file increased from 8.2 in fiscal year 1988 to 8.9 this year. When the number of documents produced per file is considered along with the increase in the number of files, the growth in the rules work can be seen as very significant.

Problems:

None

Function:

- compiling and publishing the Laws of Minnesota, Minnesota Statutes, and Minnesota Statutes Supplement together with their indexes and finding aids.

Source of Mandate: Minnesota Statutes 1988, sections 3C.06, 3C.08, and 3C.09.

Performance:

Laws of Minnesota 1989 was delivered on July 13, 1989, 52 days after adjournment of the 1989 legislative session. 5,390 statutory sections were affected in 356 chapters compared to 6,167 sections in 410 chapters in 1987. As in 1987, 1989 session laws are bound in three volumes.

The 1988 law giving the Revisor the authority to assign chapter numbers to acts became effective in 1989. As a result, the arrival of the session laws was slightly ahead of other years. The arrival of the statute supplement will also be early, despite the large volume of material.

Minnesota Statutes 1988 was made available on CD-ROM this year, and the updated 1989 data base will also be available in that form. Response has been favorable to this pilot project. Sales have been modest, but this was not unexpected. After several years, sales growth will be reviewed to see if we will continue this service.

Problems:

The hardbound edition of Minnesota Statutes 1988 sold out early as it did in 1986, despite an increase of 300 copies in the press run in an attempt to eliminate this problem. The press run for the 1990 Statutes will be further increased to accommodate the continuing increase in sales. The good news on this problem is that the increasing popularity of the set, as reflected by increased sales, continues to outstrip what the office considered might be an overly optimistic expectation of growth.

The office originally planned a 30-day delivery schedule for the session laws. The office's staff met the deadline for delivery of material to the compositor that was set to make the 30-day goal. Unfortunately, the compositor then had serious equipment problems that caused a week's delay in completion of the composition. The printer then completed its work promptly but the binder delayed its work by two weeks because the initial window to bind the session laws had been missed because of the delay in composition. In the end, while the session laws were delivered earlier than ever before, it was not as early as desired. If it is any consolation, the session laws were out before West Publishing Company completed its Session Law Service.

The 30-day schedule was extremely difficult given the large volume of material and the other end-of-session factors (engrossing, enrolling, session clean-up, and fatigue of staff.) Although the chapter numbering substantially increased our ability to process materials more quickly, a 45-day schedule minimum may be a more reasonable goal.

Function:

- publish rules adopted by the Minnesota Supreme Court and other courts.

Source of Mandate: Minnesota Statutes 1988, section 3C.08, subdivision 1.

Performance:

Work on the 1988 edition of the court rule volume was completed on schedule. The 1988 edition of the court rule volume contained a substantially rewritten preface to reflect the merger of the trial courts, and a new thumbcut for Family Court Rules.

Work on updating rules for the 1989 pocket-part supplement is progressing on schedule. The 1989 pocket-part supplement will contain amendments to the Rules of Civil Procedure, new or substantially amended rules for the second and fourth judicial districts, and the new Minnesota Probate Rules.

We currently have Minnesota Statutes on optical compact discs (CD-ROM). The CD technology enables anyone with an IBM compatible PC to access the text of Minnesota Statutes. In order to make court rules also accessible by use of CD technology, we approached Chief Justice Popovich of the Supreme Court with a request that a change in the format of the court rules be considered. Because of the idiosyncrasies of each of the 50 sets of court rules, we would have to get the Supreme Court's cooperation in developing a uniform system of numbering, dividing, and catchwording the rules before it would be economically feasible to use CD technology for the rules. The cost of programming each of the present 50 sets of rules would be too great to warrant putting them on an optical disc.

If Chief Justice Popovich responds favorably to our recommendations, we will help the court design a system of numbering and dividing the rules that is more compatible with CD-ROM technology. The change will ultimately give the court rules more uniformity.

Problems:

The editorial cut-off date for the pocket-part supplement to the court rule volume is earlier this year because our publication deadlines occur earlier. This may cause some problems, especially with sentencing guideline changes, because the courts and other rule promulgating bodies have a tendency to make court rule changes in the summer.

Function:

- compiling and publishing Minnesota Rules and Minnesota Rules Supplement together with an index and finding aids.

Source of Mandate: Minnesota Statutes 1988, section 14.47.

Performance:

Minnesota Rules was delivered on June 28, 1989, which was 60 days ahead of schedule. Editorial work was reduced by approximately 60 days, easing the burden on staff in the final weeks of the legislative session.

We were also able to cut time from the scheduled deliveries of the 1988 supplements to the 1987 edition.

800 copies of Minnesota Rules 1987, of a press run of 1,000, were sold before the 1989 edition was delivered. This was compared to 650 copies on a press run of 1,000 for the 1985 edition. In the expectation that sales would continue to increase, the press run for the 1989 set was increased to 1,100.

The office is looking at ways to further increase the distribution of the rule publications. If the CD-ROM project for the statutes is successful, we will make Rules available in CD-ROM format as well.

Problems:

The office needs to enhance the timeliness of the rule publications given the dynamics of the rulemaking process. Of particular concern is the scheduling of the work with our legislative and indexing workloads if we publish more frequently.

The office should contemplate making more rulemaking information available to the Legislature given the expressed increased interest in administrative rules that appears to be taking place in bills.

Function:

- preparation and printing of pamphlets containing extracts from Minnesota Statutes and Minnesota Rules.

Source of Mandate: Minnesota Statutes 1988, section 3C.11, subdivision 2.

Performance:

There were 36 requests for extracts from Minnesota Statutes in 1989. Again, this is a slight decrease from the previous year. This is not unexpected in a year the books are published. We had requests from the Documents section of the Department of Administration, agencies, and private businesses.

There was a total of 39 extracts processed for Minnesota Rules. Twenty-eight of these were from Documents, 11 from agencies or private requests. There were 12 extracts prepared that contained both statutes and rules. We provide a chapter analysis, a "suggested" cover, and a Revisor's Certificate for each of these.

Problems:

Statutes: This was a year when we provided most extract requests by page positives from statutes. Usually requests for both rules and statutes were provided from the data base. Although the total number was down, the size of requests increased. We also provided printouts for various agencies that were used for future drafting purposes.

Rules: The charging of a fee for copy has created a few minor areas of confusion as to when and whom to charge for copy and when and whom not to charge.

A number of extracts totaled over 1,000 pages each. This is much larger than was ever contemplated. The rate structure needs to be increased to account for the work done on these behemoth publications.

Function:

- accumulating data on the operation and effect of laws in Minnesota and other states.

Source of Mandate: Minnesota Statutes 1988, section 3C.04, subdivision 2.

Performance:

This mandate is fulfilled by the Revisor's active encouragement of the staff to request acquisition of specialized legal treatises relating to their assigned bill drafting subject areas. Several attorneys have acquired collections that they actively use in drafting. Acquisitions to these collections were made on a regular basis.

Problems:

None

Function:

- prepare and have available for use indexes of the permanent and general laws and all permanent local laws of this state.

Source of Mandate: Minnesota Statutes 1988, section 3C.08, subdivision 1.

Performance:

The 1988 Statutes index was completed in mid-September 1988. It was 40 pages longer than the previous edition. The index to Laws 1989 was completed in the scheduled 18 days. At the time of this report, the 1989 Statutes Supplement index is in the final stages of editing.

The Statutes reindexing project that we started in 1988 is progressing. The project has been modified; the goal now is to have a completely new index ready for the 1992 edition of Statutes. During the interim this year, eight people (only one full time) will be working on the project, including four attorneys from our office. The attorneys are in the process of being trained for the work. Right now, we are almost finished with volume one of the text in our reindexing work. The work is slow and tedious, but we believe that the methods we are using will produce a superior index.

Problems:

The reindexing project is an addition to the usual workload of our office. So far, we have been able to meet all deadlines. We will continue to need an extra effort from our staff to remain on schedule.

Function:

- preparing and publishing a bill drafting manual.

Source of Mandate: Minnesota Statutes 1988, section 3C.03, subdivision 4.

Performance:

The edition of the bill drafting manual published in 1984 remained in use for 1989 drafting. Suggestions and comments for another edition are regularly considered.

Problems:

Preliminary work on a new edition of the bill drafting manual, to be published in 1990, is now under way. Intensive work will be done next interim. The major work on the manual will be to account for any changes resulting from proposed major changes in form to be considered at the next session to be effective in the 1991 session.

Function:

- preparing and publishing a rule drafting manual.

Source of Mandate: Minnesota Statutes 1986, section 14.07, subdivision 1, clause (2).

Performance:

Because of the demands of the reindexing project, and because we anticipated amendments to the Administrative Procedure Act, we postponed republication of the rule drafting manual in 1988. Our stock of manuals is now depleted; to comply with our mandate, we must reprint the existing manual or update it. The existing manual contains outdated information, so an update is needed.

To avoid producing an update that can be rendered obsolete by a single amendment to the APA, we are taking steps to prepare copy for the manual with our own composition facilities. By composing the manual in-house, at least as a temporary measure, we can reduce costs and incorporate changes in the APA as soon as they are made.

Problems:

None

Function:

- engrossing and enrolling bills for the Senate and House.

Source of Mandate: Minnesota Statutes 1988, section 3C.04, subdivision 5; Joint Rules 2.07.

Performance:

In the 1989 regular session, 1621 engrossments were completed including 85 unofficial engrossments requested by the desks. 814 engrossments were done for the House. This is a decrease of 44 from the 1987 regular session. 807 engrossments were done for the Senate. This is a increase of six over the 1987 regular session.

In this session, 362 enrollments were completed. This figure represents a decrease of 43 from the 1987 regular session.

This year the card file system for keeping track of engrossments and enrollments was eliminated. A computer printout took the place of the cards. The printout showed all existing engrossments. This system was a considerable timesaver and presented no problems.

Individual pages were used this year for the enrollment register. Chapter number information was added to the register. The individual pages made it easier to keep track of the enrollments because they could be kept in numerical order.

Problems:

None

Function:

- examining all administrative rules and approving or rejecting their form.

Source of Mandate: Minnesota Statutes 1988, section 14.07, subdivision 2.

Performance:

In fiscal year 1989, no final proposed rules or final adopted rules were disapproved. The drastic step of disapproving a rule has not been necessary since 1982, the first year the Revisor was involved in rulemaking. Agencies are generally comfortable allowing the Revisor to make changes considered appropriate to avoid disapproval. The office's method of billing is designed to encourage agencies to use available services. The office's production statistics for fiscal year 1989 confirm that agencies are using all services and allowing the office to revise drafts before they are finalized. Consequently, there is no need to refuse to approve these drafts when they are finalized.

Problems:

None

Function:

- preparing a biennial report on Supreme Court opinions that criticized statutes or found them to be unconstitutional.

Source of Mandate: Minnesota Statutes 1988, section 3C.04, subdivision 3.

Performance:

The report submitted in November 1988 contained 11 cases, four of which involved statutory provisions previously remedied by the Legislature. In the remaining seven cases, the comments by the Court were extremely broad and failed to suggest an appropriate remedy.

Problems:

None

Function:

- serve as one of the four state commissioners on the Uniform Laws Commission.

Source of Mandate: Minnesota Statutes 1988, section 3.251.

Performance:

Uniform Laws Commission drafts were reviewed throughout the year. Participation in conference meetings and committees was provided. The 1989 conference will consider acts relating to child support, controlled substances, employment, foreign money claims, judgments, land use, and partnerships.

Problems:

None

Function:

- preparing and submitting to the Legislature bills that clarify existing statutes.

Source of Mandate: Minnesota Statutes 1988, section 3C.04, subdivision 4.

Performance:

A bill to clarify, modernize, and simplify text in seven chapters of Minnesota Statutes dealing mainly with warehouses, grain, and town boards was proposed and passed.

A bill to clarify, modernize, and simplify text in four chapters of the education code in Minnesota Statutes was proposed and passed.

A Revisor's bill to correct obsolete and redundant language, erroneous and obsolete references, and conflicting amendments was proposed and passed.

A bill to correct errors made in bills passed during the session was proposed and passed.

Problems:

In past sessions, problems arose when lengthy amendments were added to the Revisor's technical corrections bill. The amendments were made purportedly to correct errors made during the session, but they sometimes included controversial matters. To avoid this, the Revisor's technical corrections bill containing technical and noncontroversial matters is processed and passed separately from the legislative corrections bill containing corrections of errors made during the session.

Some problems were still encountered on the session technical corrections bill. While new procedures better documented the source and need for changes, management of the numerous last-minute changes was difficult. In addition, differences between the Senate and House over what should go in the bill caused behind-the-scenes difficulty. Some surprises resulted when some matters were included or deleted from the bill that were not understood by all the sponsors.

A solution to that problem may be to deliberately put the session corrections bill into conference committee. In that way, the conference committee report could stabilize continual tinkering with the content of the bill.

Function:

- preparing bill comparison reports for the Secretary of the Senate and Chief Clerk of the House.

Source of Mandate: Minnesota Statutes 1988, section 3C.04, subdivision 6; custom and usage of the Legislature (requested by Secretary of the Senate and Chief Clerk of the House).

Performance:

During 1989, we completed 234 comparison reports. We had 144 for the Senate, 82 for the House, and we also did eight appropriation comparisons.

This year, all deck staff were trained to prepare the comparisons with supervisors checking them. The Senate has a short form while the House has a more detailed comparison report showing the difference in language in each companion bill.

Problems:

The same problem occurs with the House comparisons as in years past. A short form or amendment form of comparisons for the House would be most helpful.

A suggestion for comparisons for the House would be to compare only the body. We had a problem when the only difference was in the title and the bodies of the two bills were identical. Some criteria need to be set up for deck staff for what they need to look for when comparing companion bills.

Function:

- preparing special comparisons of appropriations bills for use by appropriations conference committees to arrive at a compromise on major bills.

Source of Mandate: Minnesota Statutes 1988, section 3C.04, subdivision 6; custom and usage of the Legislature (requested by staff of House appropriations committee and Senate finance committee).

Performance:

The higher education, state departments, building, education aids, and semistate appropriation conferees used a side-by-side comparison for some or all of their bills. The human service, state departments, and education aids conferees used a single-column comparison that had been copied into the computer for some or all of their bills.

Problems:

The matter of which kind of comparison to use is one of preference of the staff and conferees. It is important to make sure, in advance of the conference, which kind of comparison is preferred. The manual preparation of the side-by-side comparison is very time consuming. Computer assistance would speed up preparation, though there are significant technical hurdles to overcome before computer assistance will be available.

Function:

- developing and maintaining a computer for use by the Revisor of Statutes office for the production of legislative documents.

Source of Mandate: None, but the use of the computer system is the most efficient way to do work otherwise mandated.

Performance:

Highlights of work done during the year:

1. System Network Architecture (SNA) was installed making possible the connection of the Revisor's computer to Intertech, the Wang system, the House and Senate local area networks, and outside contract indexers.
2. House and Senate gateways for personal computer users were connected through the VTAM program allowing access to Minnesota Legislative Information System (MLIS).
3. Look-up software was rewritten for the bill status system to optimize performance.
5. The indexing system for the reindexing program was augmented.
6. Several existing applications (bill status system, retrieval of statutes and rules, access of public bills) were packaged into MLIS.
7. The power of the main bill drafting application program (TE) was extended through "DO EXEC's."
8. The new electronic mail and scheduling applications program, PROFS, was installed.
9. Facility management software (VM Center, CA Netman, Multiterm) are now being installed.
10. Minnesota Statutes was put on CD-ROM.

Problems:

The office has recognized the need for more organization in running our system. Next year we will be seeing a big increase in the number of users when the House and Senate local area networks are fully connected. The office will attempt, through the purchase of vendor software, staff reassessments, and additional staff, to meet the need in the areas of training, problem solving, documentation, security, and user relations.

Function:

- upon request, assisting Senate and House staff in preparing new computer systems for their use.

Source of Mandate: Minnesota Statutes 1988, section 3C.04, subdivision 6; custom and usage of the Legislature (requested by Senate and House staff).

Performance:

1. System Network Architecture (SNA) was installed making possible the connection of the Revisor's computer to Intertech and the House and Senate local area networks.
2. House and Senate gateways for PC users were connected through VTAM allowing access to MLIS.
3. Look-up software was rewritten for the bill status system to optimize performance.
4. The power of TE was extended through "DO EXEC's."

Problems:

There is a need to upgrade our computing center in the areas of training, problem solving, documentation, security and user relations.

Function:

- obtaining and maintaining computer terminals, printers, and other equipment for use by the Revisor's office and other legislative agencies for the production of legislative documents.

Source of Mandate: Minnesota Statutes 1988, section 3C.04, subdivision 6; custom and usage of the Legislature (requested by Senate and House staff).

Performance:

The following equipment was added:

- . Twelve 3192 terminals
- . Two personal computers and software and peripherals
- . Upgrade of 3705 communications controller
- . One T-Bar switch
- . One 3880 disk controller
- . Two 3380 disk units
- . One CD-ROM reader

Problems:

Each piece of equipment added is an additional piece of hardware to be maintained. As for internal and external software support, the increasing amount of equipment may soon necessitate additional staff.

A major equipment change is now under way. That is the change to a new generation of CPUs. A decision on the equipment selected will be made soon with installation near the end of the year. The office was under major pressure by IBM to buy new IBM equipment. It appears that buying used equipment on the third-party market is much cheaper because of the extremely rapid loss of market value of new equipment. Despite the loss of market value, the equipment is still high quality and, because it is solid-state, has not physically deteriorated.

Function:

- drafting conference committee reports.

Source of Mandate: Minnesota Statutes 1988, section 3C.04, subdivision 6; custom and usage of the Legislature.

Performance:

The office prepared 86 conference committee reports. There were 66 for the House and 20 for the Senate. This total reflects the reports completed and returned to the desks with the original bill. We prepared 152 reports including alternative and unofficial versions. There were 116 for the House and 36 for the Senate.

Problems:

There is the continued problem of how quickly these reports must be done without proper time to check references, titles, and retrieval, especially on documents originating outside our office. Because of the severe time constraints in producing these documents, the growing number of multiple versions requested for conference committee reports is of continuing concern. This year we made at least six versions of some reports.

A new problem occurred when sending out a copy of the conference committee reports for printing before the signed report was returned to the office. There was some confusion about when that should be done and why it was necessary. If this is to continue, guidelines should be set up to ensure proper processing.

Function:

- providing legal assistance to the Legislative Commission to Review Administrative Rules.

Source of Mandate: Minnesota Statutes 1988, section 3C.04, subdivision 6; custom and usage of the Legislature (requested by the LCRAR).

Performance:

The assistant deputy Revisor for rules was assigned as counsel for the LCRAR. This position was in addition to this person's other drafting duties. At the request of counsel, other attorneys in the office provide advice on specific issues related to their drafting specialties.

Counsel's duties include attending all commission hearings, reviewing preliminary assessments, staff reports, and other documents issued by the commission, and providing legal advice to staff and commission members as requested.

Problems:

None

Function:

- conducting computer searches for legislative staff and executive agency clients.

Source of Mandate: Minnesota Statutes 1988, section 3C.04, subdivision 6 (individual research requests by legislative and outside staff of a system developed by us for drafting and editorial purposes.

Performance:

During the past year, the attorneys in our office, as well as people in other offices, have learned to utilize the search programs. Consequently, our office prepared 207 searches from 80 requests. The majority of requests were from agencies or our attorneys but we also had requests from the court of appeals, attorney general, Anoka library, Rochester city attorney, Minnesota newspaper association, senators and representatives.

Problems:

There were no problems encountered during the year. As more and more attorneys and other offices learn to do searches, we hope to be more of a resource than the actual producer of searches. A search capability will eventually be built into the MLIS system. Consequently, we expect the numbers of custom searches to decrease.

Function:

- furnishing public data to outside sources requesting copies.

Source of Mandate: Minnesota Statutes, chapter 13 (Government Data Practices Act).

Performance:

The firm that wanted access to Revisor-created documents went out of business at the end of 1986. There were subsequent periodic inquiries from other companies about furnishing a similar feed. However, no significant interest from any new quarter appeared during this fiscal year.

Problems:

Sooner or later, other companies or individuals will want to receive electronic feeds of our data. Under the state's Data Practices Act, we must provide the data. Consequently, the office must maintain a capacity to do so even though it is not used at the present time. Furnishing this information on-line on a user-friendly basis will require significant effort by the office's computer staff. If there are significant numbers of people requesting such a service, the capital cost of doing so will be high and additional staff will be necessary to provide service to the users.

Discussions are now underway with INTERTECH for them to duplicate the MLIS system and furnish it to state agencies and the public. If that discussion bears fruit, then the cost and difficulty for the Revisor's system and staff to furnish services to the public will be obviated.

