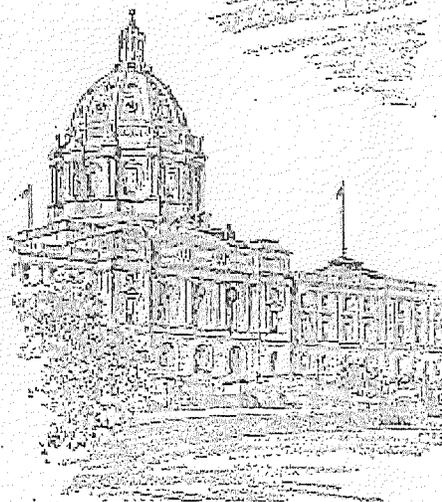


*Office of the Revisor of Statutes*

# PERFORMANCE REPORT

July 1, 2010 to June 30, 2012



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Michele L. Timmons, Revisor of Statutes



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## EXECUTIVE SUMMARY

The Office of the Revisor of Statutes is a nonpartisan legislative agency providing a broad range of services to the legislature, legislative staff, and executive and judicial branches of state government. The services provided by the office are imposed by law, legislative rule, or legislative custom. This report is a review for the legislative biennium beginning July 1, 2010, and ending June 30, 2012, of each of these functions. Included as part of the report are graphs showing long-term trends in selected areas of office activities.

The statistics for the 2010-2012 biennium show legislative drafting activity generally lower than average, average rule drafting activity, and average editing activity as compared to the previous five biennia. Here are some selected statistics:

- Bill and resolution drafts of 6,266 were 10% lower than average
- Conference committee reports at 88 were right at the average number
- Enrollments of 311 were 14% lower than average
- Session law pages of 3,223 were 39% lower than average
- Final rule drafts approved at 190 were 23% above average
- New rule drafting files opened at 146 were 8% lower than average
- *Minnesota Rules* pages at 14,382 were 3% lower than average
- *Minnesota Statutes* pages of 24,881 were right at the average number

Peak volume activity – at the end of regular sessions and the 2011 and 2012 special sessions – remained high, as demonstrated by the conference committee report statistics. During those peak times, the Revisor's office must provide a high volume of legislative materials, with excellent accuracy and quality control, under tight time deadlines.

Once again, the most dramatic chart in this report is the one showing hits on the Revisor's Web servers. In 2011, there were 242 million hits on Revisor Web servers, an all-time record. A number of new features were added to the Web site, including:

- A Statutes Archive, back to 1851, was made possible by legacy grants through the Minnesota Historical Society.
- A new, streamlined "Minnesota Law" page was added as part of the LNET redesign of the Minnesota Legislature's Web site.
- Court rules were added to the Web site in 2011 and are searchable.
- Authenticated administrative rules are online in beta version, to demonstrate cost-effective implementation of the Uniform Electronic Legal Material Act.
- A historical rule-making site will be added by the end of 2012, thanks to an appropriation in the 2012 Legacy bill.

To meet the demand for electronic information, the Revisor's office computer staff completed many other projects, including server virtualization and an improved conference calling system.

Finally, the Office of the Revisor of Statutes continued to play a key role in educational and outreach efforts, by sponsoring continuing legal education courses on topics of legislative interest, participating in National Conference of State Legislature events, and providing leadership in drafting the Uniform Electronic Legal Material Act.

## DUTIES OF THE REVISOR'S OFFICE

This section of the report examines each of the functions of the Revisor's office assigned by law, rule, request, or custom.

### LEGISLATIVE DUTIES

#### **Bill Drafting**

*Source of mandate: Minnesota Statutes, sections 3C.03, subdivision 2; 3C.035; and 3C.05, subdivision 1.*

The mandate to draft and review bills and related legislative documents generated for the legislature is the office's chief responsibility during the legislative session. That mandate has many component duties: the work of drafting itself, the management of drafting loads, the maintenance of a bill tracking system, the systems and software that support bill production, the training and documentation associated with those systems, the work of data entry, and the work of supervision and quality control. As mandated by statute, the office drafts bills on request for any member of the House of Representatives and the Senate, the Governor, and state departments and agencies. Bill drafting services are nonpartisan and confidential. All drafting is done by lawyers, and the attorney-client privilege, as well as broad statutory confidentiality protection, attaches. A peer review procedure is utilized as part of the comprehensive quality control system for bill drafting. Computer programs developed in the office transfer data for all introduced bills to the legislative Web site.

In 2011-2012, the office drafted 515 bills for the executive branch and 5,749 for the legislature.

Much of the bill drafting for departments and agencies is done prior to the start of each session of the legislature. We cooperate with the Governor's office in preparing and jacketing agency bills, and with House and Senate majority and minority leadership in a collaborative effort to deliver these bills to the legislature in a timely manner.

In the first half of the biennium, 3,686 drafting files were opened and in the second half, 2,580 were opened.

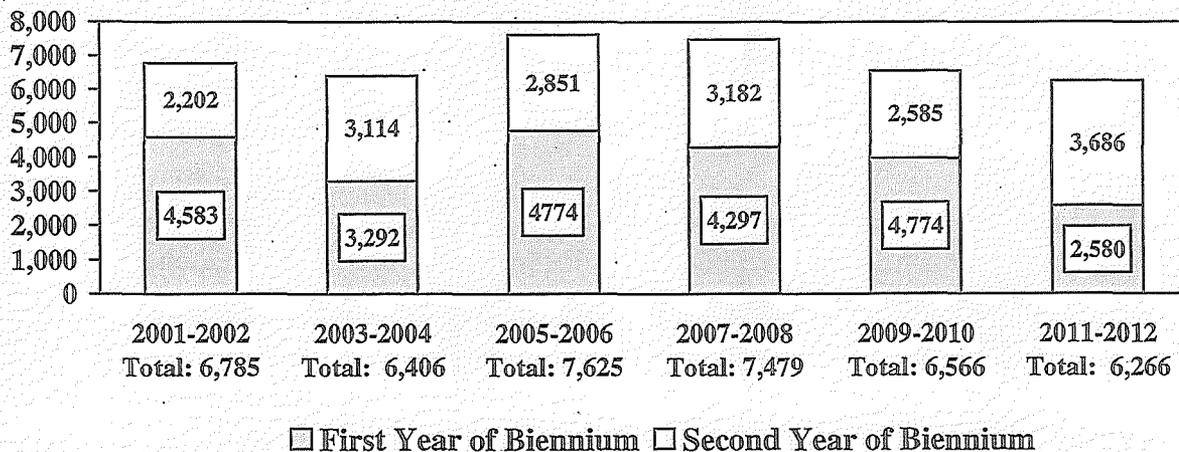
## Resolution Drafting

*Source of mandate: Minnesota Statutes, section 3C.03, subdivision 2*

The office drafts memorial, concurrent, simple, and congratulatory resolutions. Memorial resolutions are drafted for the same reasons as are bills: to accomplish public goals. A memorial resolution contains a statement of facts referred for action by a governmental official, agency, or body. Concurrent resolutions are drafted to do the internal business of the legislature, such as establishing budget limits; some simple resolutions also do internal business. The majority of resolutions drafted by the office are congratulatory resolutions, which are drafted to help individual legislators maintain good constituent relations. Resolutions are often presented at public functions by members or their designees. They are prepared and delivered directly to the requesting member who in turn obtains the proper signatures. In addition to formal resolutions, the office prepares text that can be used by the governor's office in drafting proclamations if that is the form of congratulation the requester prefers.

The office prepared 644 congratulatory resolutions in the first half of the biennium and 1,316 in the second half.

**Bill and Resolution Drafts**

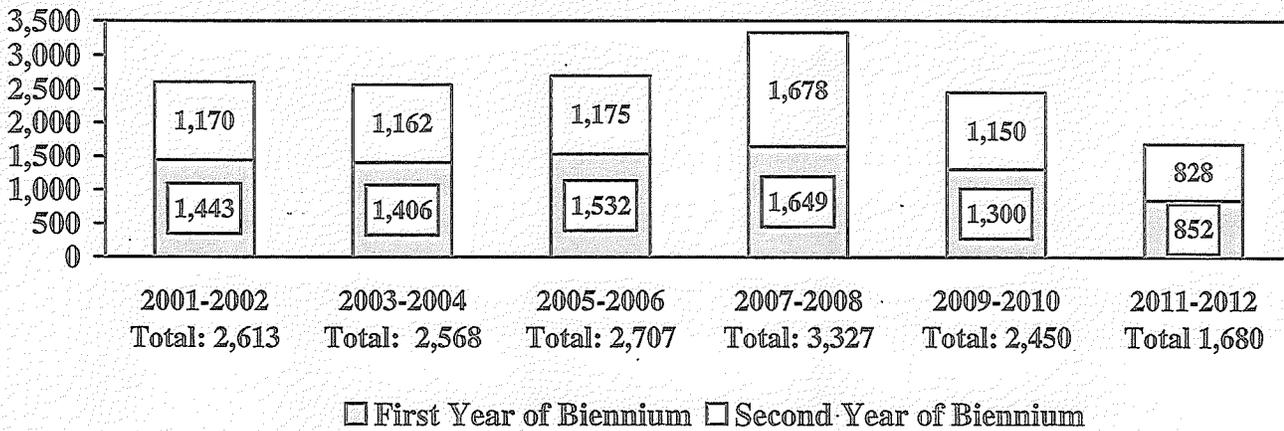


## Amendment Drafting

*Source of mandate: Minnesota Statutes, section 3C.03, subdivision 2*

Amendments are prepared at the request of members, the Governor and other constitutional officers, and state agencies for Senate and House committees and floor sessions. In addition, two lawyers from the office are available on the House floor during floor sessions to draft amendments and to provide related legal advice. Support staff for preparing the amendments on the House floor is also provided by the office. The office prepared 852 amendments in the first half of the biennium and 828 in the second half.

### Amendment Drafts



#### Revisor's, Corrections, and Style and Form Bills

*Source of mandate: Minnesota Statutes, section 3C.04*

Three types of bills are researched, proposed, and drafted by the office and introduced for consideration by members who sit on the House and Senate committees with jurisdiction over civil law matters. They are bills to correct technical errors in the statutes, "the Revisor's bill;" bills to correct errors in a given session's bills, "the session corrections bill;" and bills to improve the style and form of statutory chapters, "style and form bills." Office staff attends committee hearings on these bills and testifies as requested by the members.

Revisor's bills to correct obsolete and redundant language, erroneous and obsolete references, and conflicting amendments were passed in Laws 2011, chapter 76, and Laws 2012, chapter 187.

The session corrections bill is customarily one of the final bills passed during a session. Because of end of session time constraints, an abbreviated procedure developed with legislative leadership is used for these end of session corrections bills. A session corrections bill was not drafted for the 2011 session. A session corrections bill to correct session errors was passed in Laws 2012, chapter 298.

Style and form bills produced by the office are not generally introduced as stand-alone bills but often added as an article to the Revisor's bill or integrated into more substantive pieces of legislation.

#### Form Approvals of Bills

*Source of mandate: House rule 4.01, Joint Rule 2.01, and custom and usage of the legislature*

The office examines each bill and endorses approval of its form and its compliance with the Joint Rules of the House and Senate, with the Rules of the House, and with the provisions of the Minnesota Constitution relating to bills, such as the single subject and enacting clause requirements. Technically, this requirement of approval applies to bills prepared for introduction

in the House of Representatives. In practice, it applies to all bills, since bills drafted for a Senate member have both House and Senate copies. Form checks and approvals are a standard part of the quality control component of the bill drafting process.

### House Committee and Division Reports

*Source of mandate: Minnesota Statutes, section 3C.04, subdivision 6 (requested by the Speaker and Chief Clerk of the House)*

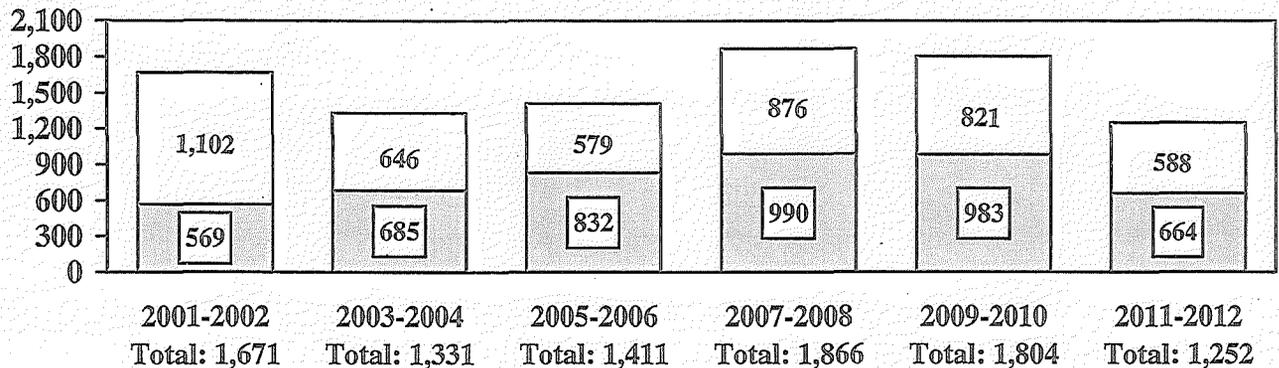
The office drafts and approves all committee reports from standing committees of the House. Since 1999, committee reports were prepared each time a committee took action on a bill. Prior to that, a committee report was prepared only when a committee amended a bill. Beginning in 2007, the office also began preparing division reports for House subcommittees. Staff works closely with House committee staff and members to make sure the reports are technically accurate and legally sufficient.

During the 2011 session, 664 committee reports were prepared for the House.

During the 2012 session, 579 committee reports and nine division reports were prepared.

The office also prepares minority reports for committees upon request. Seven minority reports were prepared for the House in 2011 and six in 2012.

House Committee and Division Reports



□ First Year of Biennium □ Second Year of Biennium

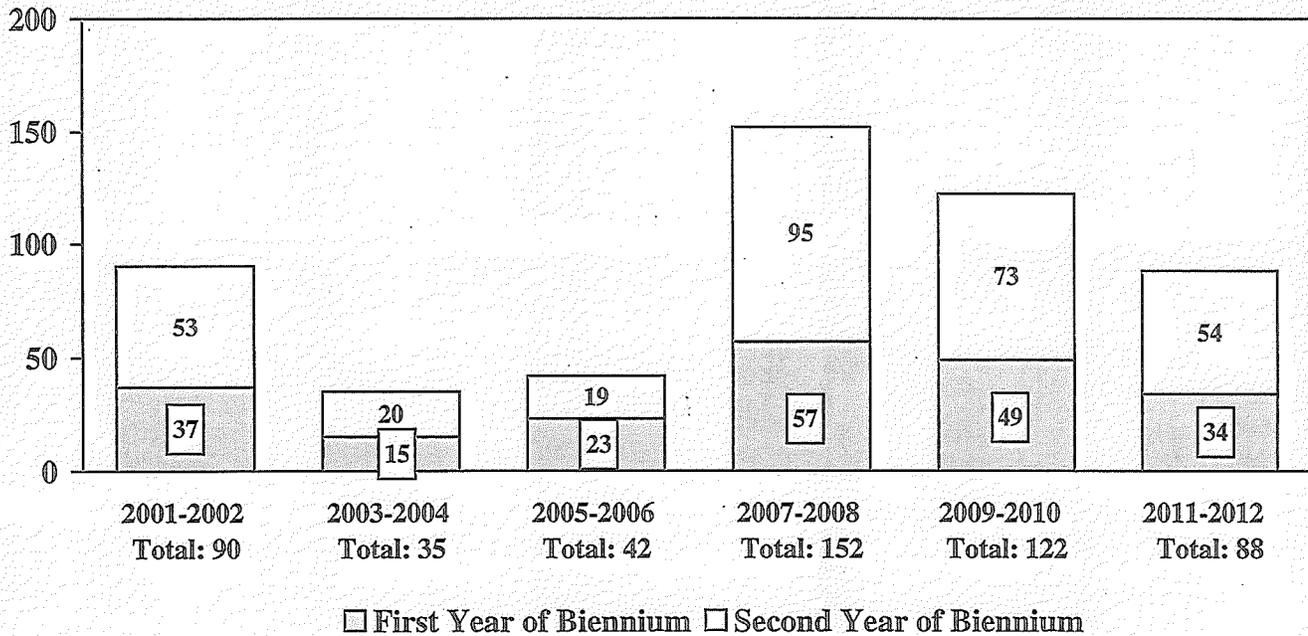
### Conference Committee Reports

*Source of mandate: Minnesota Statutes, section 3C.04, subdivision 6; custom and usage of the legislature*

The office drafts and approves all conference committee reports of the House and Senate. Staff works closely with members and conference committee staff to make sure the reports are technically accurate and legally sufficient. These reports are usually prepared under time constraints during the last few days of session. Computer programs developed by our office transfer data for conference committee reports to the legislative Web site.

During the 2011 session, we prepared 34 conference committee reports that were returned to the desks. There were 19 conference committee reports on House bills and 15 on Senate bills. There were 16 alternative and unofficial versions of reports. For the 2012 regular session, the figures are as follows: 54 total reports returned to the desk, 30 for the House, 24 for the Senate, and an additional 14 alternative and unofficial reports. There were no conference committee reports in the 2012 First Special Session.

Conference Committee Reports  
Returned to the Desks



### Comparison Reports

*Source of mandate: Minnesota Statutes, section 3C.04, subdivision 6; custom and usage of the legislature (requested by members, Secretary of the Senate, and Chief Clerk of the House)*

The office prepares two types of comparison reports for the legislature: side-by-side comparison reports and House and Senate desk comparison reports.

Side-by-side comparisons are usually requested for House and Senate bills under conference committee consideration. These documents show the text of the bills in a side-by-side presentation.

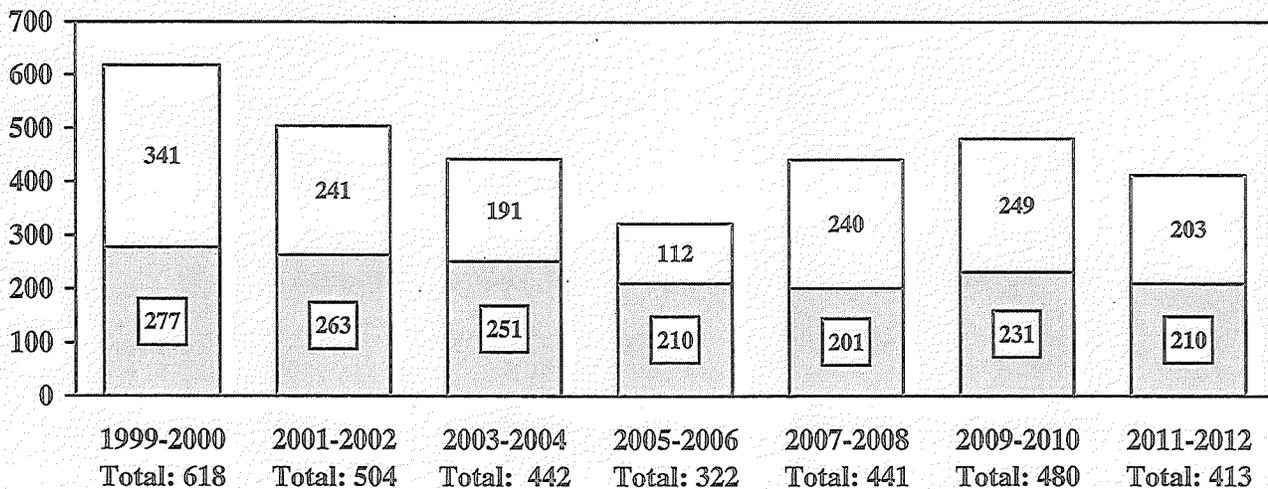
In 2011, 98 side-by-side comparison reports were prepared and in 2012, 59 side-by-side comparison reports were prepared for a total of 157 reports.

Desk bill comparison reports are also prepared in a different form for use by the House and Senate desks. The reports are used to determine differences in companion bills.

The office prepares a short form for the Senate that reports only that the bills are identical or not identical. For the House, we prepare a detailed report showing the differences in language in each companion bill.

In 2011, the office completed 54 reports for the Senate and 58 for the House. In 2012, the office completed 67 reports for the Senate and 77 for the House.

Side-by-Side and Desk Bill Comparisons



□ First Year of Biennium □ Second Year of Biennium

**Engrossments**

*Source of mandate: Minnesota Statutes, section 3C.04, subdivision 5, and Joint Rule 2.07*

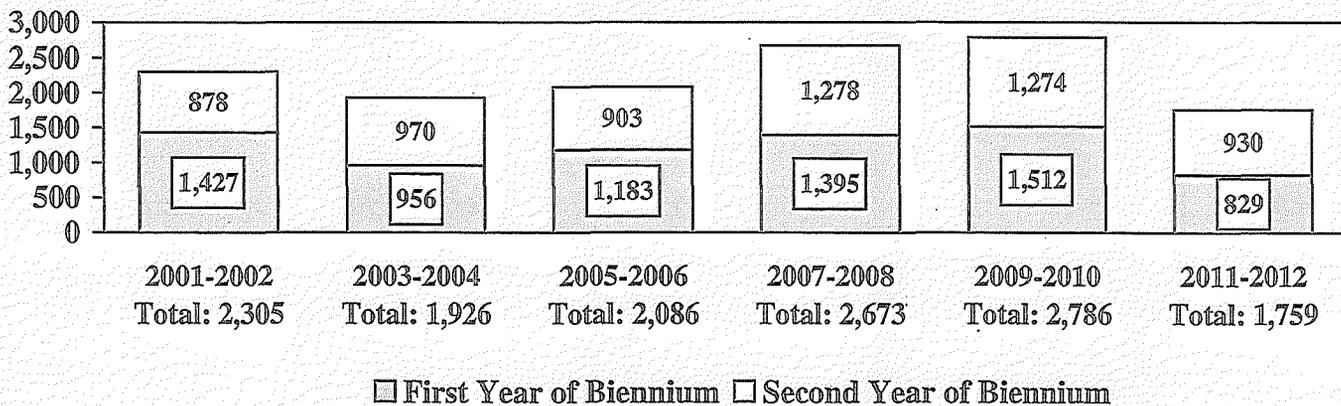
When bills are amended in committee or on the floor in the house of origin, the office merges the amendments into the bill text to produce engrossments, which help readers understand the effect of the amendments. The office also prepares "unofficial" engrossments of amendments adopted by one house to a bill that originates in the other house, "unofficial" engrossments of amendments that are being considered in committees, and other similar working documents. Beginning in 2007, the office prepares a committee engrossment for every division report created.

If amendments cannot be engrossed, the reviewing attorney will suggest journal corrections for minor technical matters, or will work with interested members and staff to correct substantive problems that are found.

Computer programs developed in our office transfer data for engrossments to the legislative Web site.

In the 2011 session, 829 engrossments were completed, and 930 engrossments were completed in the 2012 session. The figures include committee engrossments and unofficial engrossments requested by the desks. Of those numbers, the office prepared 460 engrossments on House bills in the 2011 session and 484 in 2012. The office prepared 369 engrossments on Senate bills in the 2011 session and 446 in the 2010 regular session.

Engrossments, including Committee Engrossments



**Enrollments**

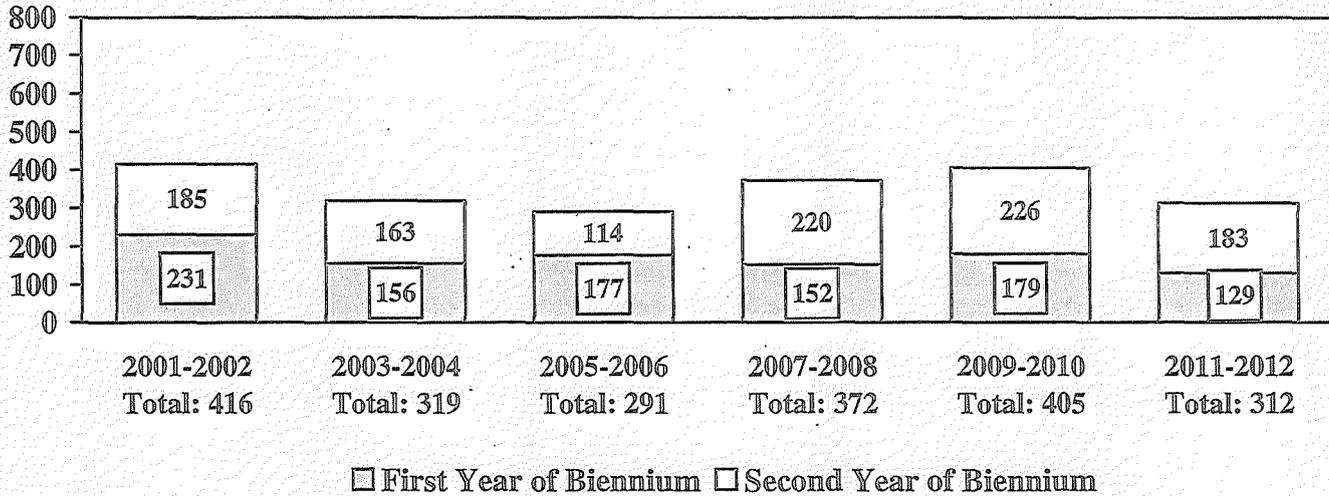
*Source of mandate: Minnesota Statutes, section 3C.04, subdivision 5, and Joint Rule 2.07*

After a bill has passed both houses in the same form, either as introduced or as finally engrossed, the bill is ready to be enrolled and presented to the Governor. Each enrollment is checked for technical accuracy and legal sufficiency.

Signatures of the presiding and chief administrative officers of each house, and the Revisor, are obtained and the bill is formally presented to the Governor on behalf of the legislature. This work is done under time constraints imposed by the Minnesota Constitution.

In the 2011 regular session, 117 enrollments were prepared and 12 enrollments prepared in the 2011 first special session. In the 2012 session, 182 enrollments were prepared, and in the special session, 1 enrollment was prepared. There were no resolutions enrolled during the 2011-2012 biennium.

## Enrollments



## ADMINISTRATIVE RULE DRAFTING

### Rule Drafting and Form Approval of Rules

*Source of mandate: Minnesota Statutes, sections 3C.03, subdivision 2, and 14.07, subdivisions 1, 2, and 4*

The office provides administrative rule drafting services to agencies, providing assistance in proposing and adopting rules that are written clearly and concisely, consistent with legislative direction, and free of common drafting errors.

The office reviews and approves the form of all rules to ensure that they are numbered, formatted, and edited in a way that will fit smoothly into the published compilation of *Minnesota Rules*.

As part of this approval, the office certifies that documents incorporated by reference in rules are conveniently available to the public. In addition to form approval, substantive review is provided as a part of the drafting assistance performed by the office.

Quality controls for rule drafting include review and approval by the drafting attorneys and peer review by senior legal staff. Many redrafts of documents are typical as a part of the agencies' development of language for rules (see Average Document Drafts per File, next page). Other elements include clerical review, the use of specifically adapted computer programs, the Xtend document production system, regular review of all processes, and formal and informal instruction of staff in quality control.

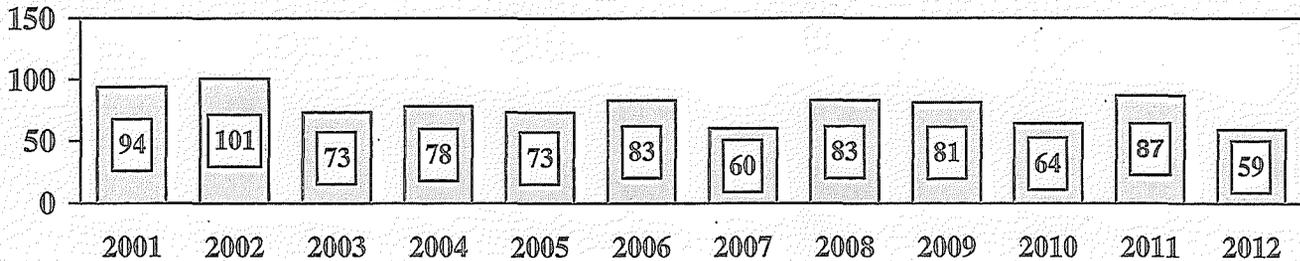
A relational database, for use by the office, stores status information on every action to Administrative Rules. The database contains information from 1981 to the present. In 2006, the data was converted to an Oracle database from an OpenText database. As part of the conversion, a new user interface was coded to allow staff to enter status information directly into the Oracle database. This conversion allows the office to minimize complexity by standardizing on Oracle databases exclusively.

The office opened 87 rule drafting files in 2011 and 59 in 2012.

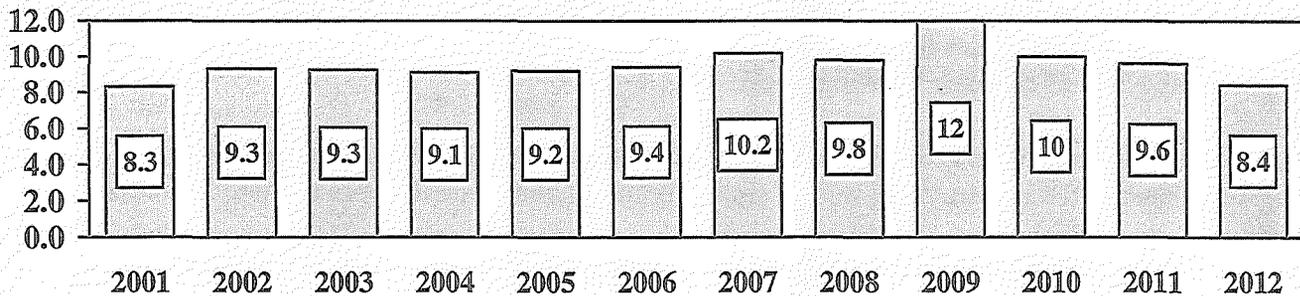
### Proposed Rules

Source of mandate: *Minnesota Statutes, sections 14.07, 14.14, and 14.20*

New Rule Drafting Files  
by Fiscal Year

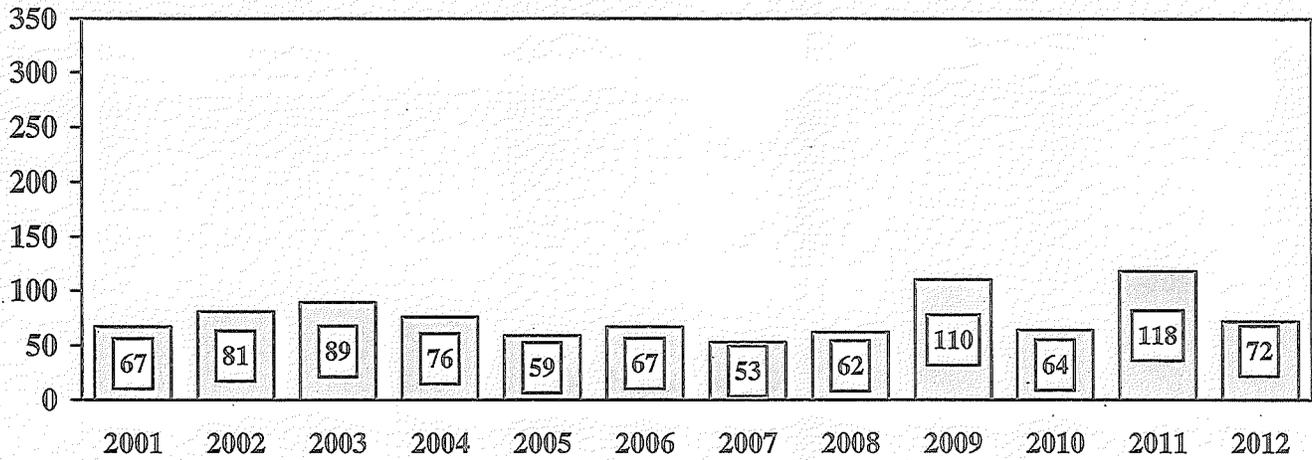


Average Document Drafts per File  
by Fiscal Year



The office prepares the document that contains the text of a proposed rule, certified approved as to form, for publication in the *State Register*.

### Final Proposed Rule Drafts Approved by Fiscal Year

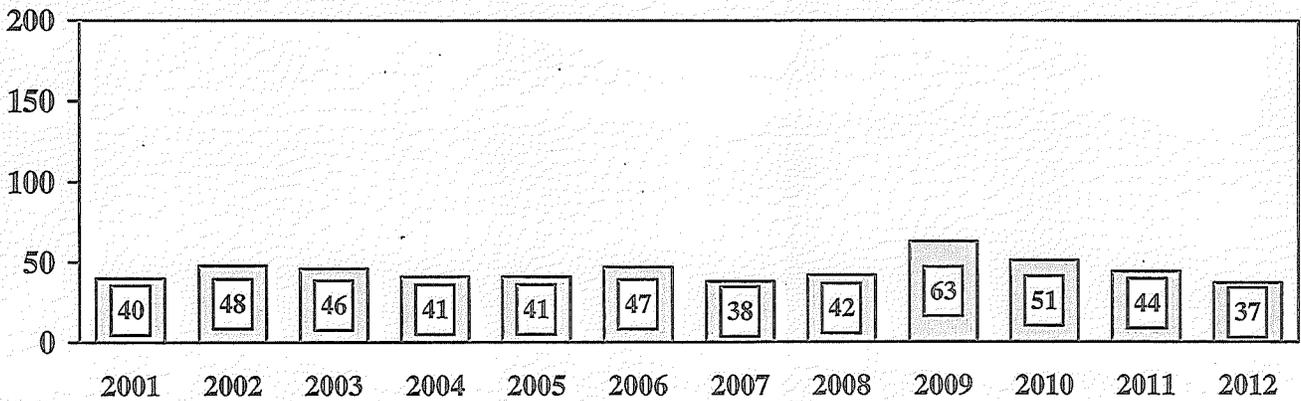


### Modifications

*Source of mandate: Minnesota Statutes, section 14.07*

Agencies sometimes modify or change rules during the rulemaking process to correct defects found by the Office of Administrative Hearings, in response to public comment on the rules, on their own initiative, or to reflect suggestions made by the reviewing attorney in the office. The office prepares the text of these modifications to rules, approved as to form, for use by agencies.

### Modifications by Fiscal Year

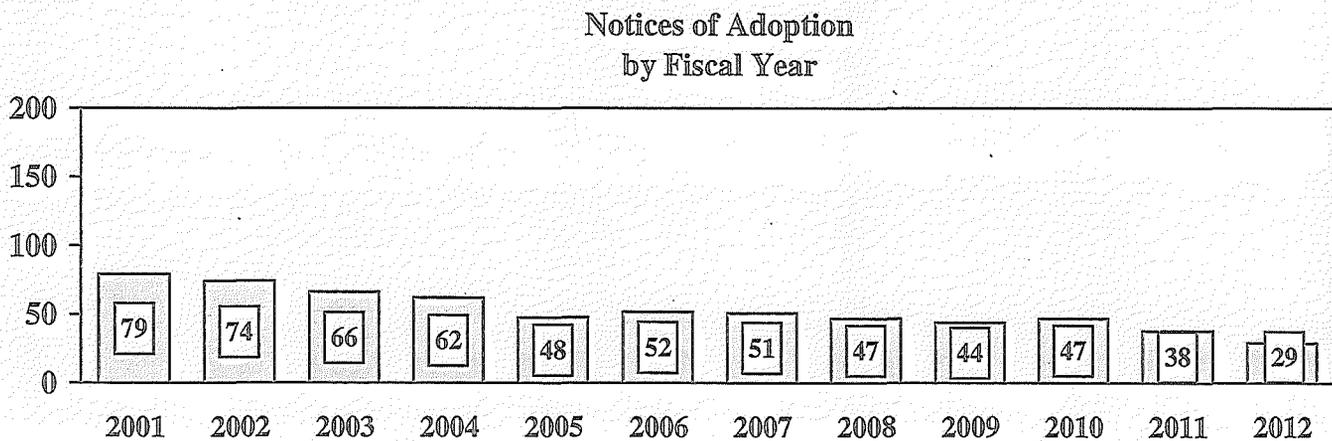


## Notices of Adoption

*Source of mandate: Minnesota Statutes, sections 14.18 and 14.27*

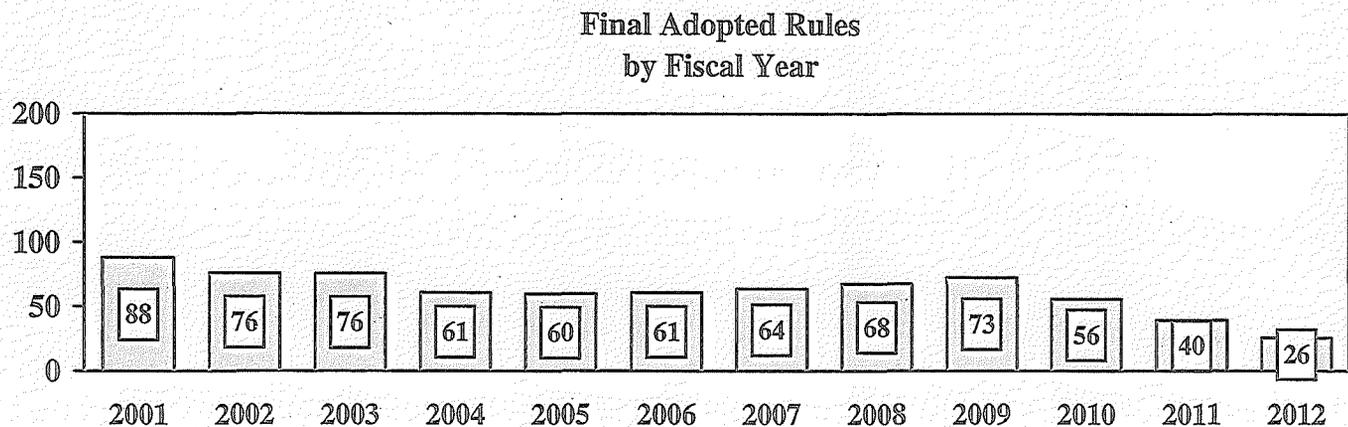
Agencies are required to give the public notice of the adoption of rules. The office prepares and approves the form of these notices of adoption, which are then published in the *State Register*.

## Adopted Rules



*Source of mandate: Minnesota Statutes, sections 14.08, 14.20, 14.28, 14.38, 14.386, and 14.388*

The office prepares copies of rules that have been adopted by agencies, approved as to form, for filing with the Secretary of State.



## PUBLICATIONS AND ACCESS TO DATA

### *Laws of Minnesota*

*Source of mandate: Minnesota Statutes, sections 3C.06 and 3C.08, subdivision 1*

After each regular legislative session, the office publishes all laws enacted during that session. A computer program is used to check the integrity of the source statutory language in *Laws of Minnesota*. Various finding aids and an index are published as part of the *Laws*.

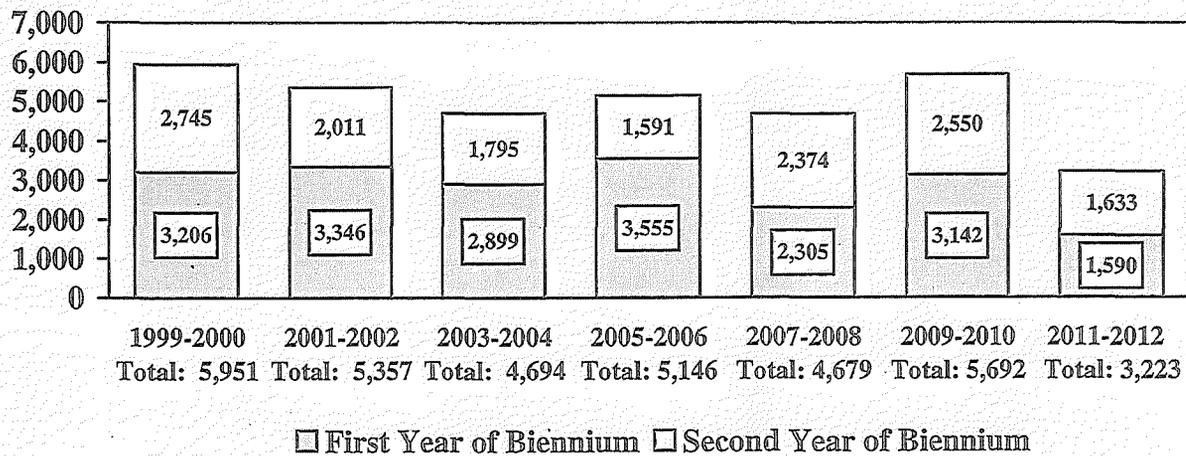
*Laws of Minnesota 2011* contains 117 chapters from the regular session. In total, 1,838 sections of *Minnesota Statutes* were affected. The number of statutory sections affected in 2011, when compared with the comparable odd-numbered year session in 2009, represents a decrease in acts passed and sections affected. The number of pages in the printed set decreased by about 1,550 pages.

*Laws of Minnesota 2012* contains 182 chapters affecting 2,440 sections of *Minnesota Statutes*. This is even with the 2010 session. The actual bulk of the set, when comparing number of pages, decreased by about 920 pages.

*Minnesota Statutes*, section 3C.12, provides for free distribution of the session laws to certain listed bodies. The remainder are sold and the revenue is directed to the general fund; in recent years sales have decreased, probably due to the online availability of the material. Laws 2010, chapter 217, required the office to survey recipients of free 2010 session laws and statutes and only distribute free copies to those who respond affirmatively. Due to the results of the survey the Revisor was able to further reduce the press run. The press run for *Laws of Minnesota 2011* was set at 1,400 sets, and the *Laws 2012* press run was reduced to 1,250 sets.

*Laws of Minnesota 2011* and *Laws of Minnesota 2012* are available to the public on the Internet, as well as in book form. All laws dating back to the 1849 First Territorial Legislature have been scanned and are available online.

Session Law Pages



## Minnesota Statutes and Supplement

*Source of mandate: Minnesota Statutes, sections 3C.08 to 3C.12*

*Minnesota Statutes 2011 Supplement* supplemented the 2010 edition of *Minnesota Statutes*. The full edition of *Minnesota Statutes 2012* is available online and will be available in book form in early December 2012. The publication includes section histories, tables, an index, and other editorial aids. The full set of *Minnesota Statutes* includes a volume of *Court Rules*. The entire publication is composed in house.

*Minnesota Statutes 2012* is based on *Minnesota Statutes 2010*, incorporating *Laws of Minnesota 2011* and *2011 First Special Session*, and *Laws of Minnesota 2012* and *2012 First Special Session*. The edition remains at 15 volumes, with the statutes text printed in 12 hard cover volumes and the tables, index, and court rules and indexes printed in three soft cover volumes. In the 2010 statutes, the phrase "See Note." was added at the end of each subdivision of a section that has a note relevant to that subdivision or a part of that subdivision, to more effectively alert the reader to relevant notes. The actual note is shown after the section and section history.

Additionally, notes were added to the text of the statutes to notify the reader to sections or parts of sections that have been declared unconstitutional or preempted by federal law by a state or federal court that is a precedent. The phrase "See Note." appears after the subdivision if the case is relevant to a portion of the section. The holding and the case is cited in the note following the section.

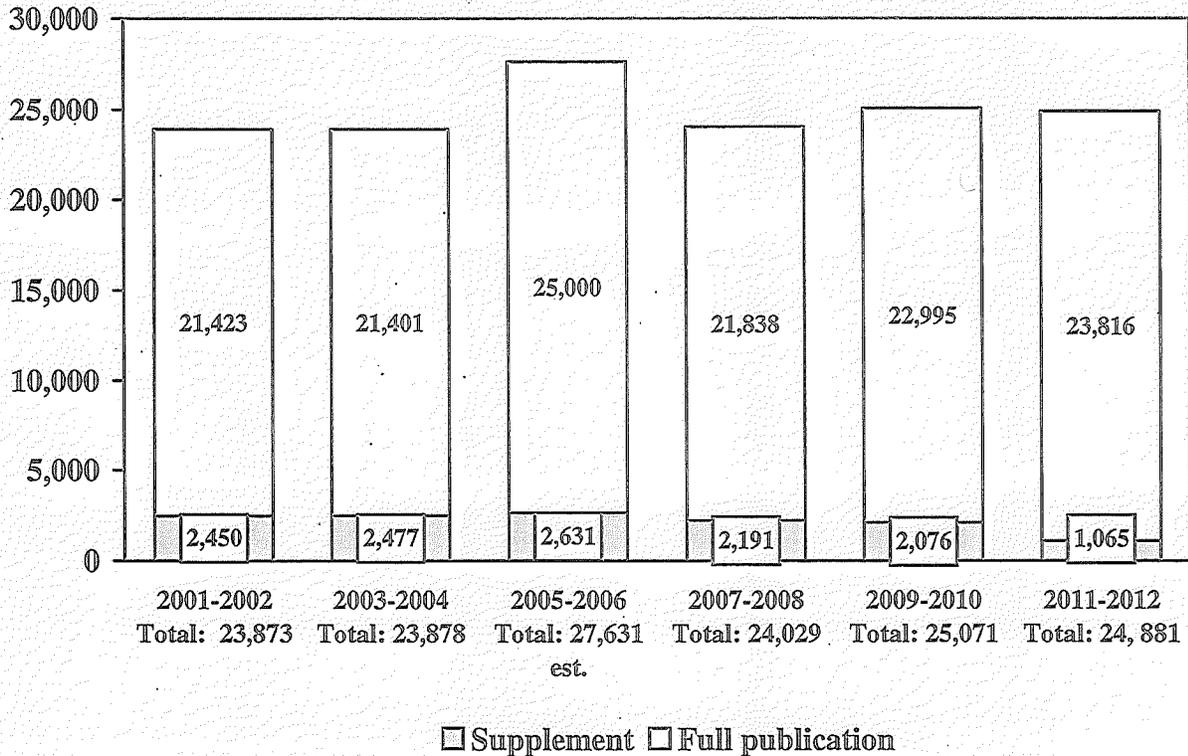
Finally, using a word frequency list, inconsistent spellings of various words were changed to be consistent with the Merriam-Webster Online Collegiate Dictionary.

All materials for the statutes are reviewed by staff attorneys and editors in two stages of the editorial work.

Like the session laws, free distribution of the statutes to certain listed bodies is provided for in *Minnesota Statutes*, section 3C.12. The remainder are sold and the revenue is directed to the general fund. Sales have decreased over time, probably due to our online availability of the statutes. As a result of the survey of recipients of free statutes publications in *Laws 2010*, chapter 217, the press run for the 2010 edition and the 2011 supplement was reduced by 1,000 sets to 2,200. The press run for the 2012 statutes was reduced to 1,950 sets.

All statutes dating back to the 1851 Territorial Statutes have been scanned and are available online.

## Statutes and Supplement Pages



### Laws Tables

*Source of mandate: Minnesota Statutes, section 3C.08, subdivision 1*

Laws that pertain to specific political subdivisions are infrequently coded in *Minnesota Statutes* and need finding aids to make them accessible. The Revisor's office produces tables of these laws to accompany both the session law publication and the statutes. The tables are compiled by a staff attorney, not generated by a computer program. *Laws of Minnesota 2011*, Tables 4 to 6, and *Laws of Minnesota 2012*, Tables 4 and 5, list local laws passed alphabetically by the names of local government units. Also listed are the dates of local approval and the filing of approval with the Secretary of State if local approval has been filed. Table 1 of *Minnesota Statutes* also lists the acts alphabetically, from 1849 through the 2012 session.

The office also publishes other tables to help users find the law, including Table 1 of the session laws, indicating each time a previously enacted session law has been acted on in that legislative session. In 1999, the office began a project to prepare a consolidated, comprehensive Table 1. It now dates back to 1945 and is available on the Internet.

Other tables include, in *Laws of Minnesota*, a table to coordinate *Laws of Minnesota* with the permanent statutes and a table showing House or Senate file numbers with corresponding chapter numbers. *Minnesota Statutes* includes an allocation of acts table and a statutory cross-reference table.

### Statutory Editorial Operations

Session Year	Session Chapters	Session Law Pages	Average Pages Per Chapter	Statute or Supplement Pages	Statutory Units - Amended	Statutory Units - New	Statutory Units - Repealed	Total Statutory Units - Other	Statutory Units - Affected	Session Laws Press Run	Statutes and Supplement Press Run
1999	250	3,206	12.82	2,436	2,703	825	593	117	4,238	3,100	4,500
<u>2000</u>	<u>251</u>	<u>2,745</u>	<u>10.93</u>	<u>21,398</u>	<u>1,720</u>	<u>818</u>	<u>347</u>	<u>80</u>	<u>2,965</u>	3,100	4,500
Total	501	5,951	11.88	23,834	4,423	1,643	940	197	7,203		
2001	218	3,346	15.35	2,450	2,468	804	706	29	4,007	2,600	4,000
<u>2002</u>	<u>251</u>	<u>2,011</u>	<u>8.01</u>	<u>21,423</u>	<u>1,455</u>	458	<u>399</u>	<u>58</u>	<u>2,370</u>	<u>2,500</u>	4,000
Total	469	5,357	11.42	23,873	3,923	1,262	1,105	87	6,377	5,100	
2003	156	2,899	18.58	2,477	2,230	837	625	44	3,736	2,500	4,000
<u>2004</u>	<u>163</u>	<u>1,795</u>	<u>11.01</u>	<u>21,401</u>	<u>1,630</u>	<u>627</u>	<u>311</u>	<u>31</u>	<u>2,599</u>	<u>2,500</u>	4,000
Total	319	4,694	14.71	23,878	3,860	1,464	936	75	6,336	5,000	
2005	163	3,555	21.81	2,631	2,841	941	576	46	4,404	2,500	4,000
<u>2006</u>	<u>114</u>	<u>1,591</u>	<u>13.96</u>	<u>25,000 est.</u>	<u>1,218</u>	<u>501</u>	<u>342</u>	<u>16</u>	<u>2,077</u>	<u>2,500</u>	<u>3,500</u>
Total	277	5,146	35.77	27,631 est.	4,059	1,442	918	62	6,481	5,000	7,500
2007	152	2,305	15.16	2,191	1,977	770	466	26	3,239	2,300	3,500
<u>2008</u>	<u>370</u>	<u>2,374</u>	<u>6.42</u>	<u>21,838</u>	<u>2,009</u>	<u>604</u>	<u>184</u>	<u>4</u>	<u>2,801</u>	<u>2,100</u>	<u>3,200</u>
Total	522	4,679	21.58	24,029	3,986	1,374	650	30	6,040	4,400	6,700
2009	179	3,142	17.55	2,076	2,443	751	322	6	3,522	1,850	3,200
<u>2010</u>	<u>219</u>	<u>2,550</u>	<u>11.64</u>	<u>22,995</u>	<u>1,939</u>	<u>851</u>	<u>325</u>	<u>0</u>	<u>2,835</u>	<u>1,525</u>	<u>2,200</u>
Total	398	5,692	29.19	25,071	4,382	1,602	647	6	6,357	3,375	5,400
2011	117	1,590	13.59	1,065	1,225	365	227	21	1,817	1,400	2,200
<u>2012</u>	<u>182</u>	<u>1,633</u>	<u>8.97</u>	<u>23,816</u>	<u>1,482</u>	<u>497</u>	<u>461</u>	<u>6</u>	<u>2,440</u>	<u>1,250</u>	<u>1,950</u>
Total	299	3,223	22.56	24,881	2,707	862	688	27	4,257	2,650	4,150

## Minnesota Rules and Supplement

Source of mandate: *Minnesota Statutes, section 14.47*

A full edition of *Minnesota Rules* was published in 2011. In response to budget constraints, the edition was again published in soft, rather than hard, cover. The official publication includes a table of *State Register* citations, a table of amendments, and a table of statutory authority.

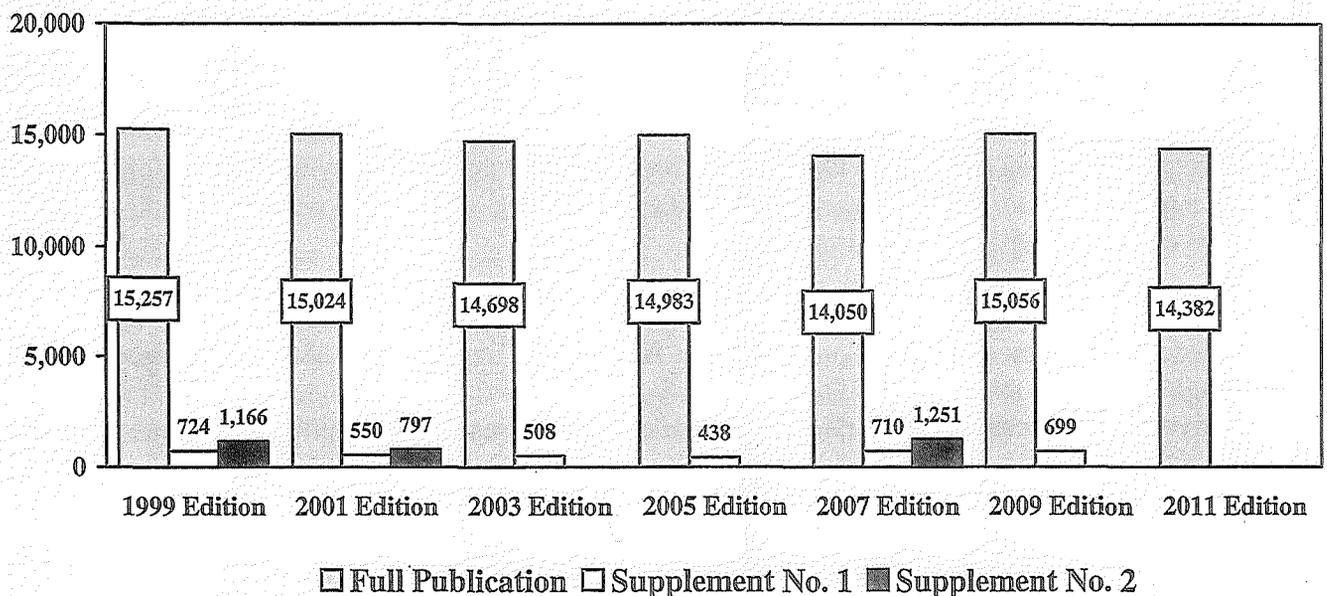
Like the statutes, many changes to the rules are directed by the legislature in the form of Revisor's instructions. Legislation in 2011-2012 produced a number of such changes, adding both to the volume and complexity of the editorial work for the rules.

Over the last several editions of *Minnesota Rules*, the office has instituted a process to remove obsolete rules under its authority in *Minnesota Statutes, section 14.47, subdivision 6*. This process has enabled some agencies to avoid a lengthy and expensive formal rulemaking process.

The text of *Minnesota Rules* is available on the Internet, as well as in print form. The online text is updated throughout the year as changes are adopted.

The 2011 published edition will be supplemented in December of 2012 in pamphlet format.

Rules and Supplement Pages



## Indexes

*Source of mandate: Minnesota Statutes, sections 3C.06, 3C.08, and 14.47*

The Revisor's office produced the following indexes in fiscal years 2011 and 2012:

- index to *Laws of Minnesota 2011*
- index to *Laws of Minnesota 2012*
- index to *Minnesota Statutes 2011 Supplement*
- index to *Minnesota Statutes 2012*
- index to *Minnesota Rules 2011* (full set published)
- index to *Minnesota Rules 2012 Supplement*
- indexes to the *Court Rules* volume of the statutes set in 2012
- indexes for internal publications as needed

During the biennium just ended, the Revisor's index staff and IT staff have continued to work together to improve the usability of the indexes and the efficiency of indexing work. They have completed the following tasks:

- A complete review and update of the manual of indexing procedures, the first in nine years. These written procedures will help the office to train new indexers managers and indexers in future years.
- Programming to automate the removal from the Statutes index of entries for repealed sections of law.
- Programming to allow users to see several indexes – statutes, administrative rules, and court rules – in a single display, which will help the public to form a more complete picture of the law about subjects for which the law appears in more than one publication.
- Programming to simplify the task of updating the online display of any new edition of any of the revisor's indexes. This work makes it easier for index staff to make corrections and show the corrected version almost immediately.

The index to the administrative rules, which was first made available online in 2010, has been updated monthly since that time, on or near the first of each month. The index is coordinated with updates to the text of rules. Online indexes to the court rules are updated on or near the effective dates of changes to the court rules. Indexes to the session laws and the statutes are made available online as soon as editorial work can be completed, usually in June and October following the legislative session.

We continue to produce and publish indexes in the print editions of the session laws, administrative rules, court rules, and statutes.

## Court Rules

*Source of mandate: Minnesota Statutes, section 3C.08, subdivision 1*

Pursuant to Minnesota Statutes, section 3C.08, the office publishes *Minnesota Court Rules* in a separate volume that accompanies *Minnesota Statutes*. Work on the 2011 supplement to the Court Rules volume was completed on schedule. The supplement included extensive

amendments to the *Rules of Criminal Procedure, Sentencing Guidelines, Rules of Juvenile Court, and Professional Rules*, as well as amendments to the *Rules of Appellate Procedure and General Rules of Practice*. The Court Rules volume was published in the fall of 2012 and includes amendments to existing rules and new sets of rules received through August 1, 2012, including amendments to the *Sentencing Guidelines, Rules of Criminal Procedure, and Rules of Civil Procedure*.

### **Revisor's Manual**

*Source of mandate: Minnesota Statutes, section 3C.03, subdivision 4*

The office publishes a manual of form requirements and drafting advice for the use of those who draft bills. A substantially revised edition of the bill drafting manual is being prepared to replace the edition published in 2002; the revised edition will be available by the end of 2012. A PDF and HTML version of the 2002 manual is available on our Web site, and the revised edition will likewise be available upon completion.

### **Rule Drafting Manual**

*Source of mandate: Minnesota Statutes, section 14.07, subdivision 1, clause (2)*

The office publishes a manual of form requirements and drafting advice for the use of those who draft administrative rules. A new edition of the rule drafting manual is being prepared to replace the edition published in 1997. It will be substantially reorganized and revised. Many new forms and aids to the user will be included. The manual is available in electronic form on our Web site.

### **Rulemaking Guide**

*Source of mandate: custom and usage*

Since 1987, the office has published a guide to help agencies through the process of adopting rules. *Rulemaking in Minnesota: A Guide* describes each of the three types of rulemaking proceedings, explains what is required of agencies at each stage of the process, and provides references to the applicable laws and rules. The guide is periodically revised as necessary to include changes made to these laws and rules. The guide is available in electronic form on our Web site.

### **Computer Searches**

*Source of mandate: Minnesota Statutes, section 3C.03 (extension of bill drafting assistance)*

The office has customized commercial software to perform word and phrase searches in documents. The public uses this software on the Web site to search bills, statutes, session laws, and administrative rules. In 2006, the office's Web site became the principal site for text searches in these documents.

Legislative staff use customized search capabilities built into the XTEND legislative publishing system. These searches are displayed in a user interface designed to expedite proofing and editing. As well as doing such searches for our own drafting and editorial work, the office does searches at the request of members, agencies, and some outside entities such as the County Attorneys Association.

## Copies of, and Access to, Public Data

*Source of mandate: custom and usage*

The legislative Web site is made available to the public by the office in conjunction with the House and Senate index offices and the Legislative Reference Library. Our office provides access to the text of bills, statutes, and administrative rules as well as finding aids such as indexes and search software. The Web site also provides public access to House and Senate bill status information. Status information is input by House and Senate index staff, but computer support is provided by the Revisor's information services staff. Internet information is set out in more detail on page 32.

The office also makes available, upon request, paper and e-mail extracts containing the text of portions of *Minnesota Statutes* and *Minnesota Rules*. Extracts are done for bills, statutes, and rules for state agencies, as well as for the general public. During the biennium, 70 paper and electronic extracts were requested for a total of 11,245 pages. Many of these extracts were customized combinations of statutes and rules. The office charges a fee for the extracts with a \$500 maximum for large documents. Revenue from the extracts is transferred to the general fund.

The office also sells copies of its entire databases or portions of our databases to outside sources as requested. Currently, the largest purchasers are Lexis-Nexis for use on its online services and Thomson Reuters for use on the online Westlaw service.

## LEGAL ASSISTANCE AND LIAISON

### Counsel to Subcommittee on Claims

*Source of mandate: Minnesota Statutes, section 3C.04, subdivision 6, and custom and usage of the legislature (requested by LCC)*

At the request of the Legislative Coordinating Commission, since 1991 the office has assigned an attorney to act as counsel to the Joint House/Senate Subcommittee on Claims. Senior Assistant Revisor Craig Lindeke served as the counsel from the 1993 legislative session until his retirement in mid-2011, when Revisor of Statutes Michele Timmons became the subcommittee legal counsel. Duties include reviewing the hundreds of claims made to the subcommittee, making recommendations on each claim, acting as counsel at subcommittee hearings, responding to telephone calls and correspondence from claimants and their lawyers, and drafting the annual claims bill. The work has sometimes included traveling to various places around the state to better understand claims.

Fourteen claims were paid in the 2011 claims bill (Laws of Minnesota 2011, chapter 113), and five claims were paid in the 2012 claims bill (Laws of Minnesota 2012, chapter 232).

### Court Opinions Report

*Source of mandate: Minnesota Statutes, section 3C.04, subdivision 3*

As required by Minnesota Statutes, section 3C.04, subdivision 3, the office prepares a biennial report on Supreme Court and Court of Appeals opinions declaring a statute unconstitutional, pointing out deficiencies in a statute, or recommending statutory changes. To produce the report, staff attorneys read and review every case from the preceding two-year period. Reports are

submitted in November of each even-numbered year. Senior Assistant Revisor Jeff Kase and Assistant Revisor John McCullough acted as lead coordinators and reporters for the report submitted in November 2010, which contained 17 cases.

### **Uniform Laws Conference**

*Source of mandate: Minnesota Statutes, section 3.251*

The Revisor or the Revisor's designated representative is one of Minnesota's four appointed Uniform State Laws commissioners. Michele Timmons attended the 2011 and 2012 meetings of the National Conference on Uniform State Laws. In 2011, the conference approved five new acts, including the Uniform Electronic Legal Material Act, the Uniform Certificate of Title Act for Vessels, a Model Protection of Charitable Assets Act, the Harmonized Uniform Business Organizations Code, and Amendments to the Uniform Debt Management Services Act. Four additional acts were approved in 2012, including the Uniform Deployed Parents Custody and Visitation Act, the Uniform Premarital and Marital Agreements Act, the Uniform Asset Freezing Orders Act, the Uniform Manufactured Housing Act, and the Uniform Choice of Court Agreements Convention Implementation Act.

For the Uniform Electronic Legal Material Act ("UELMA"), Michele Timmons served as the Chair of the Drafting Committee. Essentially, UELMA would require that official electronic legal material be authenticated, preserved for future generations, and made accessible to the public on a permanent basis. After approval by the Uniform Law Commission in July, 2011, UELMA was approved for enactment in the states by the American Bar Association at its February, 2012 meeting. UELMA was introduced in six states in 2012, including in Minnesota, and was enacted in Colorado and California. For her work on the Uniform Electronic Legal Material Act, Michele Timmons was given the 2012 Public Access to Government Information Award by the American Association of Law Libraries.

### **Information for Other State Offices and the General Public**

*Source of mandate: Custom and usage of the legislature*

Attorneys and other staff in the office respond to numerous questions from the public relating to laws, statutes, and rules. Attorneys and the office's language specialist also act as faculty for continuing legal education, addressing classes in law or public administration, and participating in organizations such as the Interagency Rules Committee. The computer searches we provide are also a source of information to state agencies and the public.

We provide information to state agencies in conjunction with our drafting duties. We have offered or assisted in offering seminars to agency staff on drafting in general and on specialized areas in drafting.

In 1999, the office began a series of educational seminars for attorneys and other staff. A total of 77.5 hours of continuing legal education credit has been obtained for these seminars, which have been attended by hundreds of legislative and executive branch staff, members of the legislature, and members of the public. The office offers as many seminars as it can fit into its workload each year. During the 2011 legislative interim, the office offered four seminars for a total of 6-1/2 hours of continuing legal education credit. In 2012, at least five seminars are expected to be offered, for a total of five hours of continuing legal education credit. Notices announcing the

seminars are sent legislative-wide and to the executive branch departments, the judicial branch, and various other members of the Minnesota bar. Seminars have been offered on a variety of topics with a focus on topics that may be of interest to the legislature. The topics have included professional responsibility, elimination of bias, statutory interpretation, cultural diversity, legislative process, unemployment insurance, uniform laws, and current Minnesota Supreme Court decisions.

The seminars are offered to provide educational opportunities particularly to legislative staff because of the very minimal number of seminars on topics with a legislative focus offered by outside vendors. Also, the seminars provide a service to all attorneys employed by the legislature who are required by the Minnesota Supreme Court to earn legal education credits. These free seminars reduce the cost of continuing legal education credits for all legislative, executive branch, and judicial branch staff attorneys, particularly during the current times of tight budgets and budget reduction.

During the biennium, office staff have also participated in meetings of the Council of State Government, the National Conference of State Legislatures, and the Minnesota Bar Association. The office also helped to staff the House of Representatives' State Fair booth and the legislature's new member orientation.

#### **Compiling Data on Operation and Effect of Laws**

*Source of mandate: Minnesota Statutes, section 3C.04, subdivision 2*

**New Project: Statutes Table 1 Improvement.** Table 1 of Minnesota Statutes lists laws relating to particular local units of government that are not coded in Minnesota Statutes. This table was originally completed as a special project coordinated by the Revisor of Statutes and the Hamline University School of Law. It was first printed in the Minnesota Statutes publication in 1982. Since that time, the table has been maintained by the Revisor's office. During the 2012 interim, the Revisor's office has begun a special project to revise and harmonize the Table 1 entries.

**Ongoing Efforts.** There are a number of ongoing projects that fall under the category of compiling data on the operation and effect of laws:

- **Court Opinions Report.** Described more fully in a separate section of this report, the biennial court opinions report highlights cases which involve the interpretation of statutory law.
- **Unconstitutional Statutes.** Since 2010, the Revisor's office adds notes in the Minnesota Statutes when a court has spoken on the constitutionality of a statute, and also maintains a table of statutes declared unconstitutional.
- **Uniform Acts.** To assist in identifying and finding uniform acts enacted in Minnesota, the Revisor's office maintains a list of uniform acts, which can be found on the Web site.

#### **Internal Operations**

*Source of mandate: custom and procedure*

The Revisor's office made a number of internal improvements over the past two years, several of which also benefit the legislature as a whole. Continuing the trend of the last decade, many of the improvements involve enhanced technology.

**Attorney Editing Manual.** In June, 2012, a new Attorney Editing Manual was completed. The manual will help Revisor's staff to follow a set of consistent standards when editing legal material. The new manual is particularly helpful for attorneys who are relatively new to the office, and completes a key goal in our transition planning process.

**Status Information on House/Senate Bills.** For many years, printed House and Senate bills have included information on official actions taken on that particular bill. House and Senate staff were accomplishing this result by taking the official version of the bill from the Revisor's XTEND system, and then adding the status information manually at the beginning of the bill. During the 2011 interim, Revisor programmers modified XTEND so that status information is now automatically retrieved from the Web-based bill status system and displayed in chronological order at the beginning of bills in the PDF format. This improvement saves time and effort for House and Senate staff during busy legislative sessions.

**Preservation of Legal Material.** The Revisor's office continued work begun during the prior biennium on the preservation of legal material for future generations:

- **Court Rules.** Under Minnesota Statutes 3C.08, subd. 1, the Revisor's office is required to include the court rules with the Minnesota Statutes publication. In order to include the court rules in the printed publication, the Revisor's office needed to enter the rules in an electronic database. On February 1, 2011, the court rules were extracted from the database, and made accessible and fully searchable on the Revisor pages of the legislature's Web site. This additional electronic copy of the court rules, which is routinely backed up by the Revisor's office, promotes the preservation of the court rules for long-term accessibility.
- **Statutes Archive.** Minnesota Statutes all the way back to the territorial days of 1851 have been scanned, made searchable, and are accessible on the Revisor pages of the legislature's Web site. The statutes archive was made possible by two small (\$7,000 each) grants from the Minnesota Historical and Cultural Heritage Grant program.
- **Authenticated Administrative Rules in Beta Version.** The Uniform Electronic Legal Material Act (UELMA), if enacted in Minnesota, would require the official publisher of defined "legal material" to authenticate official electronic legal material, and preserve it for long-term accessibility for the public. UELMA was introduced during the short 2012 legislative session, and passed the House unanimously, but time simply ran out to get the bill heard in the Senate. In the meantime, the Revisor's office has implemented a beta version of authenticated administrative rules, to demonstrate that authentication can be accomplished with in-house programming and without the purchase of commercially available software. This low-cost method of achieving authentication has been demonstrated using administrative rules, which are a difficult document type because they are updated continuously and contain graphics. The beta version of authenticated rules can be found at <https://www.revisor.mn.gov/beta/rules/>.
- **Historical Rulemaking Web Site.** Laws 2012, Ch. 264, Art. 5, Sec. 7, appropriated \$35,000 in legacy funds to the Revisor's office to design and implement a Web site to provide the public searchable access to historical state agency rulemaking documents. The Revisor's office is currently in the process of designing the site, and scanning old documents, including State Registers from 1977 to 1997. We hope to have the site up and running by the end of 2012, in a form that may be continued for current and future rulemaking, depending on available resources.

**Virtual Servers.** The Revisor’s office has added virtual servers, which reduces the need for stand-alone servers and helps to centralize server administration. Virtual servers reduce hardware costs and contribute to high availability of Revisor applications.

**VOIP Telephone Network – Conference Calling Feature.** The Revisor’s office provides centralized network service for the legislature’s Century Link VOIP telephone system. In this capacity, Revisor’s network administrator played a key role in the addition of a conference calling feature to the phone system. The conference calling feature is a benefit to the legislators, as well as legislative staff in the House, Senate, and Joint Agencies and Commissions.

**LNET Web site Redesign.** The Revisor’s office participates in the Minnesota Legislative Networking Group (“LNET”), comprised of computer staff from the House, Senate, Legislative Coordinating Commission, the Legislative Reference Library, and the Revisor’s office. LNET has worked on a major project to redesign the Minnesota Legislature’s Web site, with each office contributing to the development of common templates, and then using those templates to create pages for each office with a consistent look and navigation path across the legislature. The redesign is nearing completion, and is planned to be ready for production in late fall, 2012.

### INFORMATION SERVICES

**New System Development Project - Completed**

*Source of mandate: custom and usage*

In September 2002, the office began a six year, \$6.5 million project to replace the existing 30 year-old bill-drafting system with an XML-based system. The new system called XTEND (XML-based Text Editor, New Development) is now in production. XTEND was first used for the 2006 legislative session. In June 2008, the development phase of this new system was completed. Maintenance of the system is ongoing and includes the addition of user suggested features.

The XTEND system is a complete document production system. This means the system can create, edit, print, publish to Web server, and transmit documents electronically. Table 1 shows the document types and the year XTEND became the production system for the document.

**Table1. XTEND’s Production Responsibilities**

Year	Document Type
2006	<ul style="list-style-type: none"> <li>- Legislative Documents</li> <li>- Senate Journal and Calendars</li> <li>- Minnesota Session Laws</li> <li>- Minnesota Statutes</li> </ul>
2008	- Administrative Rules added
2010	- Court Rules added

XTEND runs on readily available computer hardware. The core of the software are commercial off-the-shelf products for the editor, composer, and data repository. Custom Java programs were written to provide features unique to the Minnesota legislature. These features include the ability to:

- (1) compute and insert page and line numbers;
- (2) automatically check statutory order within a bill;
- (3) automatically generate bill titles;
- (4) e-mail bills in PDF format;
- (5) automatically generate a committee report from amendments;
- (6) automatically engross a bill (i.e., apply amendments to a bill);
- (7) produce side-by-side comparison documents;
- (8) search for text in all document types;
- (9) customize print options;
- (10) print directly to House and Senate printers;
- (11) transmit documents to House and Senate servers;
- (12) generate Session Law Table 2;
- (13) utilize custom tools for editing and proofing of Statutes, Session Laws, and Administrative Rules.

Successful completion of XTEND development realized the following benefits:

- (1) elimination of two, earlier, custom-developed document production systems (TE & XTE);
- (2) elimination of the computer hardware needed to run the earlier systems, and termination of the hardware and software support contracts;
- (3) termination of consulting contracts for software development services. However, two consultants are currently augmenting staff to maintain the database, Web site, and XTEND; and
- (4) using XML file format for all document types. XML is an open-standard for digital document storage, exchange, and archiving.

## Maintaining Information Systems (IS) Infrastructure

*Source of mandate: custom and usage*

### A. Revisor's Office Systems

Revisor's Office information systems provide computer programs and equipment to support drafting and publication work of the office. The IS infrastructure supports the work of House, Senate, and LCC offices. Approximately 130 users create and edit documents. The public, members, and staff access bill text and status from the office's Web servers.

Revisor's Office information systems are used in the following offices:

#### House

- Chief Clerk's Office
- House Research Department
- House Index
- House Information Technologies
- House Public Information Services

#### Senate

- Secretary of the Senate's Office
- Office of Senate Counsel and Research

- Senate Index
- Senate Information Systems
- Senate Information Office

#### Legislative Coordinating Commission

- Legislative Commission on Pensions and Retirement
- Revisor's Office

The core information technologies (IT) include:

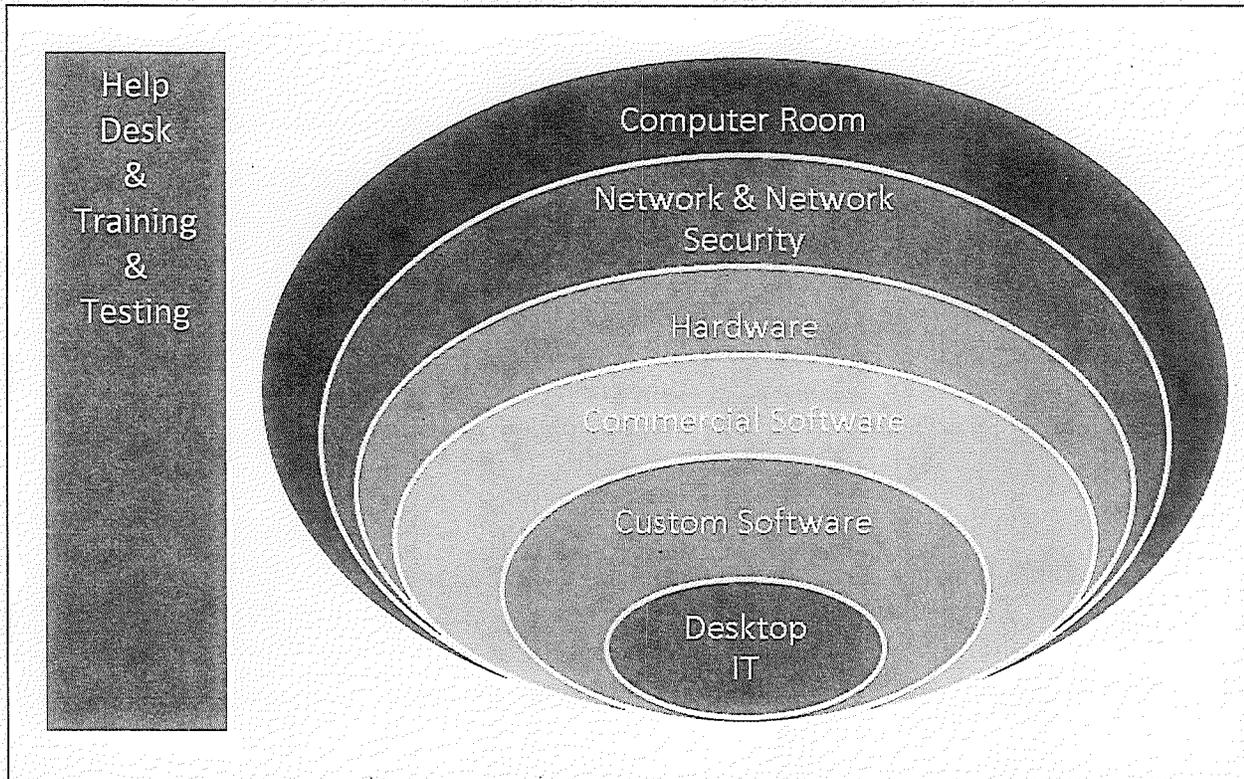
- (1) a secure and environmentally controlled computer room;
- (2) network equipment;
- (3) data storage devices: network attached storage (NAS) and storage area network (SAN);
- (4) computer servers;
- (5) relational database management system (RDBMS);
- (6) commercial software products; and
- (7) custom software applications
- (8) end-user devices (e.g., phone, desktop computer, printers, etc.)

The information technologies are combined to create information systems (IS). The core information systems include:

- (1) a secure local area network (LAN) for digital communication within and outside the legislature;
- (2) desktop Citrix terminals and office productivity software for revisor staff;
- (3) the XTEND system, a customized software application for production of legislative documents, administrative rules, and court rules;
- (4) the public bill status system for data entry and retrieval;
- (5) the public administrative rule status system for data entry and retrieval;
- (6) Revisor Track system for document tracking within the office; and
- (7) the Revisor's Office Internet Web site.

Figure 1.1 shows the hierarchical dependencies of these technologies and systems.

Figure 1.1. Revisor Computer Technology Hierarchy



## B. Computer Room

The office maintains a secured and environmentally controlled computer room. This room contains network and computer hardware. This room has a raised floor, contains 3 air conditioning units, and a Liebert UPS with battery backup. The Revisor, House, Senate, and LCC use this room.

Between 2005-2006, the office contracted to install an FM200 fire suppression system and to improve the smoke and fire detection system to comply with Saint Paul fire code. In 2008, obsolete 1980's and 1990's era computers were removed from the computer room. The recovered floor space allowed the Senate to install two racks in the computer room and provided additional floor space to the House, LCC, and Legislative Library. In October 2008, the Department of Administration installed a new emergency generator for the State Office Building. This new generator also supplies electricity to all equipment in the computer room during electrical outages, thereby preventing hardware from "crashing." Continuous electrical power to the computer room eliminates the time consuming process (anywhere from one to 24 hours) of restoring crashed hardware, operating systems, and applications. In 2009 a thirty year old air conditioner was replaced with a newer refurbished unit.

## C. Network & Network Security

Network security is a serious responsibility. Breaches in network security can render information systems unusable for a period of time, potentially interfering with the operation of the legislature. The network hardware and software described below seek to minimize this pervasive risk. Additionally, the office participates in the Legislative Security and Infrastructure Group (LSIG) and plays a key role in network security. One staff person serves as the Security Firewall System Administrator (consuming approximately 33% of his time). This person performs firewall administration duties for the Senate and LCC offices.

The office network consists of hardware and software components dedicated to reliable and secure delivery of data. The core of the network is a pair of Cisco layer three switches responsible for the data routing decisions. The layer three switches are the network connection point for servers, access switches, and security appliances. Servers connected to the layer three switches include: Red Hat Linux Servers, Microsoft Windows Servers, and the network attached storage device (NAS). Access switches are the connection point for devices such as client machines and printers. They are located near end users and are distributed in nine locations in the Capitol, State Office Building, and the Park Street office. Security appliances are Cisco ASA hardware.

Network security functions are performed by redundant Cisco ASA (Adaptive Security Appliance) hardware. This multifunction device integrates a firewall, a virtual private network (VPN), intrusion prevention (IPS), and content security services in a single platform. A firewall protects a computer network from unauthorized/malicious access from the outside. The firewalls connect the Revisor's network to the Internet and act primarily as a security gateway. Through the use of access lists, the firewalls permit or deny inbound and outbound traffic based on certain criteria, such as source and/or destination IP addressing, and source and/or destination application port numbers. A VPN uses a public Internet connection to provide a user working remotely with secure access to the revisor network. The VPN is used by certain staff during the legislative session, to work from home, allowing them to immediately resolve issues without first commuting to the office. The IPS monitors network data arriving from the Internet looking for known virus and malware code in the incoming data through the use of predefined strings.

The network uses monitoring software to alert support staff anytime problems occur. This software communicates with each network device and sends a page and/or an e-mail when a critical device or service stops responding. Other software is used to monitor bandwidth usage and device resources, such as CPU and memory utilization.

## D. Hardware

The computer hardware in use consists of servers and data storage devices.

### *Computer Servers*

Red Hat Linux and Microsoft Windows servers run the revisor's commercial and custom software applications. Twenty servers are in use to run these production applications. Five additional servers form the test environment supporting continuous software maintenance.

In 2012 the office completed a project to migrate from individual servers to virtual servers. Special software is installed on a physical server. This software allows multiple instances of an

operating system to run simultaneously on the server. Each instance is called a virtual server and can be configured independently. Many virtual servers run on one physical server. Switching to virtual servers provides cost savings and benefits:

- Fewer physical servers are purchased. To date the office has purchased 4 physical servers for virtualization. These 4 servers replace 20 existing servers.
- Reduced electrical usage. Fewer physical servers consume less electricity. They also create less heat so the air conditioning system consumes less electricity too.
- Higher availability. A virtual server image is a single computer file. For the rare instances when a server becomes corrupted, a new virtual server can be created in 5 minutes by activating a copy of the virtual server file. A physical server needs to be reinstalled from CDs and can take hours.

### *Data Storage Devices (NAS and SAN)*

The office maintains a three terabyte (TB) network attached storage (NAS) and a one terabyte storage attached network (SAN). The NAS and SAN are high availability, expandable devices. Each consists of a cabinet of disk drives that can be logically combined and allocated to multiple servers. Each connected server reads and writes data to the NAS or SAN, in addition to its internal disks. Using data storage devices, disk space can be added and removed without disrupting server operations. Additionally, a data storage device automatically monitors its health, rearranges data on the disks for fastest access, and employs RAID technology to prevent loss of data in case of a disk drive failure. The primary difference between a NAS and SAN is the cabling used to connect to individual servers. The NAS uses Ethernet (one Gbit/sec today), the SAN uses FiberChannel (two Gbit/sec).

All office documents reside on the NAS. The SAN is used as an online backup of the Oracle database.

### **E. Commercial Software**

The office renews license agreements for multiple commercial software products. These products provide essential features that would be cost prohibitive to develop and maintain in-house. These products can be extended by adding custom code to provide the unique functionality required by the Minnesota Legislature.

### *Relational Database Management System (RDBMS)*

The Oracle Database is a commercial software application for organizing many different types of information and making it available via the network to software applications. The Oracle Database contains all revisor documents and all data used by XTEND, the bill status system and the office's Web server. It is queried directly by House and Senate IS applications.

### *Application Server*

In distributed applications such as XTEND, an application server runs custom code needed by many client programs. For example, programs on the application server perform all database operations for client programs. The JBoss Java Application Server is used by XTEND.

## *Document Creation and Publishing Applications*

The PTC/Arbortext family of products are the base-line XML processing applications upon which XTEND customizations are built. The Arbortext Editor is used by legislative staff to create and edit documents. The Arbortext Publishing Engine is used by staff to add page-and-lines to a document, and to convert XML documents to standard display formats such as HTML and PDF. Three other Arbortext products are used exclusively by programmers.

Cindex is a product for creating indexes. This product is used to create indexes for Laws, Statutes, Administrative Rules, Court Rules, and selected tables.

## *Office Productivity Applications*

The Microsoft Office suite of applications is used for office productivity tasks. The office's e-mail system consists of open-source components: Linux sendmail server and the Thunderbird client.

## **Custom Software Application**

*Source of mandate: custom and usage*

### **A. TE (Text Editor) Retired in 2008**

TE was the first generation computerized document production system, customized for the Minnesota Legislature. TE system design began in the mid-1970s and was used from 1980 to 2005. TE was written in the assembler language and ran on one IBM mainframe computer.

### **B. XTE (X-windows Text Editor) Retired in 2008**

XTE was the second generation document production system, customized for the Minnesota Legislature. XTE entered production in 1995 and was used until 2005. XTE was written in the C, X-Windows, and Uni-Rexx languages and ran on three Hewlett-Packard UNIX servers.

### **C. XTEND (Xml-based Text Editor, New Development)**

XTEND is the third generation document production system, customized for the Minnesota Legislature. XTEND provides all features found in prior TE and XTE systems. XTEND architecture minimizes long-term maintenance costs by using popular computer hardware (Intel servers running Windows and Linux operating systems), and commercially available software products (Arbortext and Oracle) for common functionality. These products are extended with custom-written software to provide features unique to the Minnesota Legislature.

XTEND system development began in September 2002. The system reached production-ready status for the 2006 legislative session. All legislative document types were produced for the 2006 session. Support for administrative rules and court rules began in 2008.

XTEND is written using multiple languages.

- Document structure definition
  - XML Schema Definition (XSD)
- Document display and conversion
  - Arbortext FOSI
  - Arbortext Styler
  - XSL Transformations (XSLT)

- XML operations
  - XPath
- Software operations
  - Arbortext ACL
  - Java
  - J2EE (on the application server)
  - SQL (for database operations)
  - Ant (for deployment)

Many legislative offices use the XTEND system.

- (a) The Revisor's Office produces resolutions, bill drafts, engrossments, amendments, House committee reports, conference committee reports, side-by-side comparison reports, enrollments, session law editing and publication, and statute editing and publication.
- (b) House Research and the Office of Senate Counsel and Research prepares resolutions, bill drafts, and amendments.
- (c) Offices under the Secretary of the Senate produce Senate agendas, calendars, daily and permanent journals, committee reports, and floor amendments.
- (d) The Chief Clerk's Office staff use XTEND to export documents that are then processed and included in the daily and permanent journals.

#### D. Bill Status System

The office maintains a bill status system that is utilized by the House and Senate. The purpose of this system is to record each body's actions on each introduced bill and make this information publicly available. The bill status system consists of a user interface for entering information, a database for storing the information, and reporting programs to retrieve and display the actions on a specific bill.

In the 1998 biennium, the House and Senate bill status systems were migrated from the IBM mainframe to a commercial database product, called BASIS, running on a UNIX server. In the 2005 biennium, the system was again migrated to an Oracle database running on Linux. In preparation for the 2005 session, House and Senate status information was exported from BASIS and imported into Oracle database tables. New user interface programs were written using Oracle Forms. Oracle Forms allows House and Senate Index staff to enter information on a form and the data is then saved in the database. New reporting programs were written to retrieve and display the information for a user specified bill. These programs run on the office's Internet Web site.

In 2008, significant updates were done to the system. The forms for entering information were converted from OracleForms to PHP. PHP is free, open-source software. The conversion to PHP allowed the office to terminate annual license fees for using OracleForms. Database tables were redesigned and replaced to simplify programmatic access to authors, committees, actions,

and topics. The redesigned tables require less House, Senate, and Revisor's Office IS labor to maintain.

#### E. Administrative Rule Status System

In late 2012 the office will make available public Web pages showing the status of Rule Drafts. The system is the result of collaboration by the Revisor's Office, the Office of the Governor, the Office of Administrative Hearings, the State Register, and the Legislative Reference Library. The key to the status system is the consistent use of a Revisor rule draft number across all organizations. In Phase 1 of the system, the office has created custom code and public Web pages that show the status of a rule draft together with Web links to relevant documents held by the above offices.

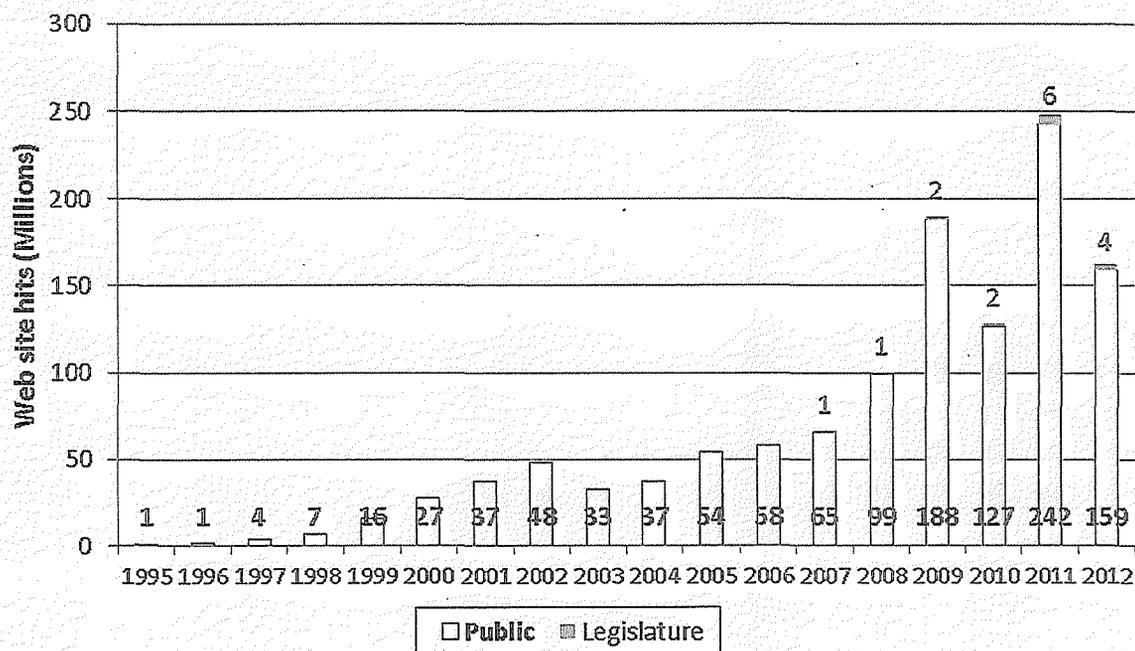
Notices published in the State Register record the progress of a rule draft through the rule making process. State Registers from 1977 – present will be available as textual PDF files on the Revisor Web site. In support of this status system, the office has scanned State Registers from 1977 – 1997. State Registers from 1998 – present are available from the Minnesota Bookstore Web site. The Revisor's Office is storing the scanned historical registers plus copies of all Web accessible registers.

#### F. Internet Web Site

The office's efforts in providing Internet access to data have been very successful. We have been able to contribute a considerable portion of data to the main legislative Web site. Statistical counts for access to data on our Web applications are consistently high, especially during the legislative session when counts exceed 1,000,000 for a weekly time period. To accommodate this high volume of requests, the office installed two identical Web servers in 2006. One Web server is dedicated to public requests; the other is dedicated to legislative members and staff. Starting in 2007, separate statistics were accumulated for each server.

Figure 1.2 shows the annual number of browser requests ("hits") to the office's Web site since the 1995 introduction of a Gopher server. 2012 values are for January through July.

Figure 1.2. Total annual access to revisor Web server



Most official office publications are available on the Internet via the legislative Web site, including *Minnesota Statutes*, *Laws of Minnesota*, and *Minnesota Rules*. *Court Rules* are published concurrently on both the Revisor and Judicial Branch Web sites.

*Minnesota Statutes* and index are fully updated annually online, while the printed publication is fully updated biannually. The text of all statute chapters is searchable using the office's Web site. A new Statutes Archive, going back to 1851, has been added to the Web site. A legacy grant provided funding to scan older statutes from books and make the resulting electronic files searchable and accessible.

*Laws of Minnesota* and each session's index are available online from 1849 to the present. In 2007, the office initiated a project to scan paper-only session laws from 1849 to 1983. These laws are available in a textual PDF format. The text of all laws is searchable using the office's Web site.

During session, the office updates an online, preliminary Table 2: "Minnesota Statutes new, amended or repealed." Shortly after each legislative session, the office has begun to make a preliminary version of session laws available online. This new practice provides session laws to the public much earlier than they could be made available in printed form.

*Minnesota Rules* and index are available online from 1982 to the present. Rules on the revisor Web site are updated continuously, while the printed publication is fully updated biannually. In 2009, with funding from a legacy grant, the office initiated a project to scan paper-only full publications of Rules from 1982 to 2009. These rules are available in a textual PDF format. The text of all rules is searchable using the office's Web site.

The office maintains and publishes *Court Rules* for the judicial branch. After applying requested changes to these documents, the updated documents are simultaneously published to the Revisor's Office Web site and transmitted to judicial branch servers. Consequently, the court rules are now available through the Minnesota Supreme Court's Web site. The office is meeting with the judicial branch to refine procedures for updating court rules and posting the rules on the office Web site.

In 2006 the office's Web site assumed responsibility for performing text searches of session laws, statutes, and administrative rules. Previously, the state's North Star Web site provided this service. Combined with online indexes, users have a powerful arsenal of tools to quickly find relevant documents.

### G. Education for Legislative Staff

Annually, Help Desk and IS staff provide training classes to legislative staff. For permanent staff, new features in office applications are demonstrated. For seasonal employees new to the office's custom applications, approximately one day of hands-on training is provided. The Help Desk is staffed all year long to answer questions about office software applications and to answer the public's questions about the office Web site.

### IT Coordination in the Legislature

*Source of mandate: Laws 2007 c 148 art 1 s 3 subd 4(e)*

#### A. Voice over Internet Protocol<sup>1</sup>

**Background.** Voice over Internet Protocol (VOIP) is a technology where an organization uses its computer network to not only process data, but to also process phone calls. These systems are attractive because the organization needs to support only one network (instead of two), and there are significant cost savings. The House converted to VOIP in early 2005.

With support of leadership, staff from House, Senate, and joint legislative offices met in various combinations for almost a year working through the concept of a centralized phone system. In late fall 2007, staff reached consensus across all of the affected offices about how to locate, manage, and maintain a single phone system that would serve the legislative branch. The House's core system was significantly supplemented by additional hardware to support the additional demands of the joint offices and the Senate. In 2010, the system's core hardware and software reached their end-of-support date. They have been replaced as part of a new five-year support agreement.

**Description of system.** The centralized VOIP system requires an integrated core system of computer devices that in turn connect with House, Senate, and joint legislative agency computer networks.

The core system is managed day to day by the Information Services Office in the Office of the Revisor of Statutes. The VOIP system is generally overseen by a committee of IT staff and other managers from each of the offices involved in the system. In addition, each office provides staff

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<sup>1</sup> This section was taken from an LCC report prepared by Greg Hubinger entitled "Information Technology Coordination in the Minnesota Legislature," dated February 11, 2008.

supports to deal with the myriad of administrative tasks involved in adding, changing, and deleting users of the phone system.

#### **B. Wireless Internet Access in the Capitol and State Office Building**

Members and staff in both houses discovered during the 2007 session that having wireless access was becoming critical in the legislative process. Especially during conference committees, members of the House were in the Capitol, unable to access files that were on the House network. When Senate members and staff were in the State Office Building, they found that files they could access wirelessly in the Capitol were inaccessible in the State Office Building.

IT staff in the House and Senate concluded that for their members and staff to have on-going access to files on their respective networks, no matter where they were in the Capitol or State Office Building, they would need a centralized system that allowed secure access to both.

The legislative wireless network, implemented for the 2008 legislative session, covers all legislative spaces in both the Capitol and State Office Building, allows all legislators and legislative staff access to their own networks from any location within the two buildings, and provides Wi-Fi access to members of the public within the same spaces.

The project was designed, developed, and implemented jointly by the House, Senate, and LCC technology staffs, with the review and guidance of the OET Security staff. The Revisor's Office configured and maintains the core network hardware, while House and Senate staff maintain committee room hardware.

#### **C. Legislative Networking Group (LNET)**

Membership of the Legislative Networking Group (LNET) includes staff members from the House, Senate, Revisor's Office, Legislative Reference Library, and Legislative Coordinating Commission. LNET manages the Legislative World Wide Web service and acts as a forum for all legislative offices to share and discuss technology issues. IT staff from the House, Senate, and joint legislative offices work within LNET to plan upgrades to the legislative Web site. The group meets year-round to continuously improve usability and content on the legislative Web pages. Recently, the LNET group collaborated to achieve a redesigned Minnesota Legislative Web site with easier navigation and a more consistent look that works for both desktop and mobile devices. Legislative Web servers received 538 million hits in 2009.

#### **D. Legislative Security and Infrastructure Group**

Membership of the Legislative Security and Infrastructure Group (LSIG) includes staff members from the House, Senate, Revisor's Office, Legislative Reference Library, and Legislative Coordinating Commission. Through LSIG, general, technical, and security topics and issues are discussed and addressed by the members. Each office is kept abreast of projects or changes in systems and architectures that may have relevance to their respective operations and computer networks. The group meets year-round to proactively address security threats.

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