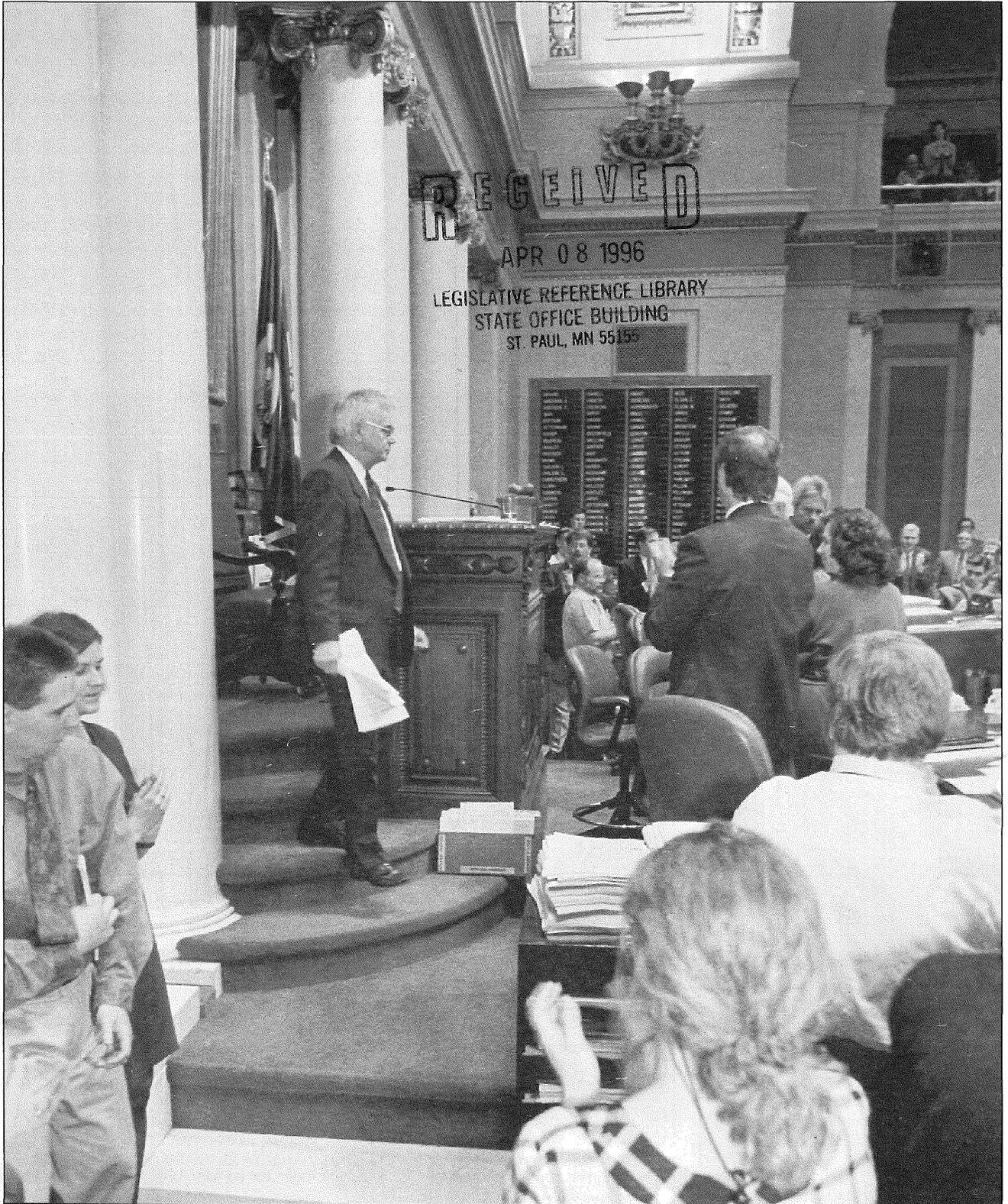


96. April 5

SESSION WEEKLY

A Non-Partisan Publication of the Minnesota House of Representatives ♦ April 5, 1996 ♦ Volume 13, Number 12



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SESSION WEEKLY

Minnesota House of Representatives • April 5, 1996 • Volume 13, Number 12

Week at a glance

Capital projects approved — A \$522.8 million bonding bill on its way to the governor would provide funds for construction and repair of public facilities around the state including \$89 million to build a new prison in Rush City, Minn. **Page 4**

Minimum wage veto — Gov. Arne Carlson has vetoed an increase in Minnesota's minimum wage. As he has stated in this and previous veto messages on the issue, "a minimum wage increase would cost jobs and cause inflation." **Page 11**

Wetlands changes — The lengthy debate between legislators, local officials, farmers, and environmentalists over wetlands has ended in a compromise that now awaits action by the governor. The much-awaited changes to the 1991 wetlands law, which stalled in conference committee last session, would provide broader exemptions and more flexibility in current replacement requirements. **Page 12**

Omnibus game and fish bill — It no longer will be a crime for kids to put sunfish in their home aquariums, under a new law that makes a number of changes to the state's hunting and fishing laws. **Page 13**

Omnibus human services bill — A \$14.8 million health and human services supplemental budget bill containing money for nursing homes and people with disabilities now awaits the governor's signature. A similar bill was vetoed by Gov. Arne Carlson March 26. House and Senate bill sponsors later repassed a governor-approved version of the bill. **Page 17**

Welfare changes — A welfare bill that includes new residency and work-search requirements and requires both caregivers in certain two-parent households on welfare to work was approved April 2 and is awaiting the governor's signature. **Page 18**

Extending an AIDS statute — Minnesota hemophiliacs who were treated with HIV-infected blood products and became infected with the virus that causes AIDS would have an additional year to file lawsuits under legislation on its way to the governor. **Page 20**

Gender specific — Women could exclude men and men could exclude women from certain athletic competitions under a new law signed April 2 by Gov. Arne Carlson. **Page 21**

Transportation funding — A bill that would increase the speed limit on some Minnesota highways is on its way to the governor. The \$60.3 million transportation funding bill includes a provision to boost the speed limit to 65 mph on rural, divided highways. **Page 23**

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On the cover: Speaker of the House Irv Anderson leaves the podium April 3 after adjourning the House sine die at 12:58 a.m.

— Photo by Laura Phillips

Highlights

Sine die . . .

1996 Legislative Session ends in flurry of activity

House lawmakers ended the 1996 Legislative Session shortly before 1 a.m. on April 3 after a hectic final day that saw the passage of several major bills.

In its final hours, lawmakers decided not to build a new airport, approved a speed limit increase and changed the state's Wetland Conservation Act to ease development of northern Minnesota lands. The House also passed a \$522.8 million bonding bill and a proposed constitutional amendment that could lead to the recall of elected officials.

No new airport

The bill (HF3012) would ban the construction of a new international airport in Dakota County. It would authorize the expansion of the existing airport near Bloomington with a new north-south runway designed to reduce flights over Minneapolis. The expected cost is less than \$1 billion.

The legislation, however, did not authorize the building of a new terminal on the airport's west side.

It also struck down a third runway that

presettlement wetlands, areas of up to 5,000 square feet would be exempt. In counties with less than 50 percent of presettlement wetlands, those up to 2,000 square feet would be exempt from replacement.

The bill (HF787) also offers more local government control over wetland management. Local governments would adopt wetland protection and management plans which, after review and approval by the Board of Water and Soil Resources, would replace the strict rules that now must be followed.

Provisions also were included to replace seven-county metropolitan area wetlands within the same area and to ease replacement requirements on road repair projects. (See story, page 12)

Bonding

A \$522.8 million bonding bill on its way to the governor would provide funds for construction and repair of public facilities around the state.

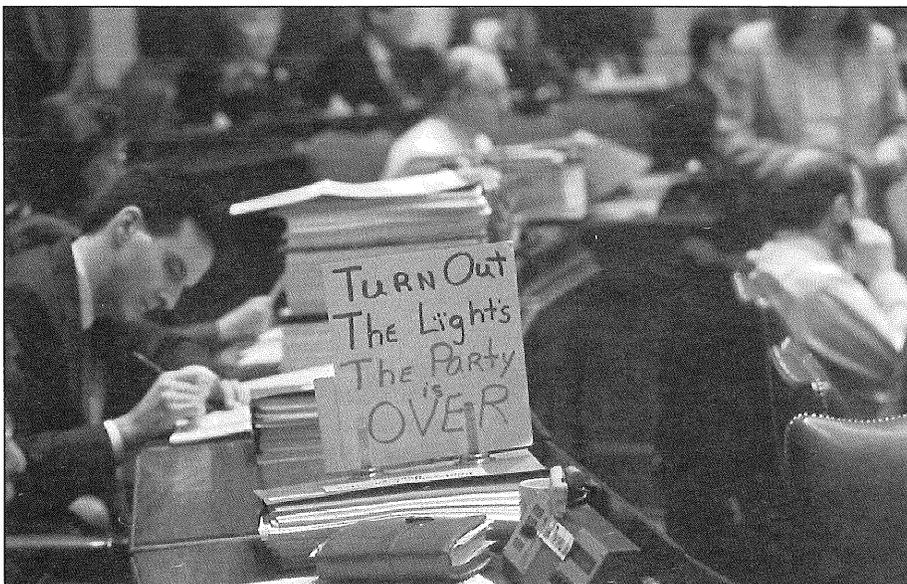
Under the bill (HF3273), the state would spend \$89 million to build a new prison in Rush City, Minn. Bond revenue would be used to build a \$29.5 million library on the St. Cloud State University campus and to construct a \$38.5 million library access center on the University of Minnesota-Twin Cities campus. Another \$30 million would be devoted to construction of a new home for the Science Museum of Minnesota in St. Paul. (See story, page 4)

Public official recall

A constitutional amendment will be on the November 1996 ballot for voters to decide if certain state officials should be subject to recall.

If approved, legislators, constitutional officers, and state supreme court, court of appeals, and district court judges could be subject to recall elections.

The proposal (HF343) would allow voters to recall an elected official for any act of malfeasance or nonfeasance "in the performance of the duties" of office. Other grounds for recall would be if an official has been convicted of a "serious crime," defined by the



This sign on one House member's chamber desk echoed the sentiments of many lawmakers awaiting the end of the floor session April 2. The House adjourned the 1996 Legislative Session sine die at 1 a.m. April 3.

Proposals that faltered in the waning hours included a gas tax increase and a Senate-approved proposal to freeze property taxes for 1997.

Next week, the *Session Weekly* will publish a final, comprehensive summary of major bills the Legislature passed. This week's issue focuses on the flurry of activity that occurred during the final week of the Seventy-ninth Session of the Minnesota Legislature and bills signed into law or vetoed by Gov. Arne Carlson.

Highlights include:

would have directed air traffic — and the noise that accompanies it — deeper into Minneapolis. The bill prohibits the parallel runway from being built without the approval of all affected communities. (See story, page 14)

Wetlands

In counties with more than 80 percent of presettlement wetlands the size of wetlands exempt from replacement requirements would rise from 400 square feet to 10,000 square feet outside of shoreland wetland protection zones. In counties with 50 to 80 percent of

bill as certain gross misdemeanor and misdemeanor offenses involving assault, injury, dishonesty, coercion, or aggravated DWI, among others. (See story, page 11)

Welfare reform

A welfare reform bill that includes new residency and work-search requirements, prohibits immunization co-payments for older children, and requires both caregivers in certain two-parent households on welfare to work is awaiting action by the governor.

Under the bill (HF219), most individuals would have to reside in Minnesota for 30 days before they could receive General Assistance (GA) or Aid to Families with Dependent Children (AFDC).

The bill also includes \$5 million to help subsidize child care costs for more low- and moderate-income families and prohibits welfare recipients from cashing AFDC and GA benefit checks at casinos or other gambling establishments. (See story, page 18)

Omnibus tax bill

There will be no state-imposed property tax freeze for 1997, but cabin owners will see a property tax break under a bill on its way to the governor.

The proposal (HF2102), sponsored by Rep. Ann Rest (DFL-New Hope), also gives Northwest Airlines a corporate income tax break and includes a tax refund on unsold pulltabs for charitable organizations.

The bill would cost the state \$5.1 million in fiscal year 1997 and \$41.7 million for the 1998-99 biennium.

Tax cuts for cabin owners will have the largest impact on the state treasury. (See story, page 21)

Speed limit hike

A bill that would increase the speed limit on some Minnesota highways is on its way to the governor.

The \$60.3 million transportation funding bill (HF3137/SF2702*) includes a provision to boost the speed limit to 65 mph on rural, divided highways.

The speed limit increase would be only on roads outside areas with a population of 50,000 or more. And it would be only on four-lane, divided highways with limited access.

The Minnesota Department of Transportation has indicated the change would increase speeds on about 560 miles of such Minnesota highways. (That does not include the more than 700 miles of rural interstate highways where the speed limit is already 65 mph.) (See story, page 22)



BANKING

Payday loans



Effective April 3, 1996, a new banking law alters regulations for "payday loans."

The 1995 Legislature passed a law permitting such small, tightly regulated, short-term consumer loans.

That law capped interest rates and other charges for "payday loans," named for the paycheck-to-paycheck consumers they were crafted to benefit.

Previously, the loans could be for no more than \$350 and required a 30-day term. But the loans have attracted little interest among lenders.

The new law aims to change that by giving lenders more flexibility. It allows such loans to be offered for terms of less than 30 days.

Another provision in the law affects homeowners who pay for mortgage insurance coverage.

Mortgage insurance to protect against default is required of many borrowers who put down less than 20 percent on their mortgages.

The law stipulates that mortgage insurance no longer should be required if the borrower has paid a specified percentage of the principal and met other conditions such as making monthly payments on time.

The measure also requires lenders to provide annual notice to consumers that they may be eligible to drop private mortgage insurance policies.

The requirements are the result of some lawmakers' concerns that borrowers often continue to pay for mortgage insurance long after it is needed.

Conference committee members removed from the bill a provision earlier approved by the House that would have allowed Minnesota financial institutions to charge up to 21.75 percent interest annually on credit cards.

Current state law caps the credit card interest rate for Minnesota financial institutions at 18 percent.

The catch is that federal law does not allow the state to limit the interest on credit cards issued to Minnesotans by financial institutions in other states. And most other states allow higher interest rates than Minnesota currently does.

As a result, very little issuing of credit cards is done in the state. Most Minnesota banks that do offer credit cards make arrangements

with out-of-state financial institutions so higher rates can be charged.

Supporters claimed that allowing a higher interest rate would have simplified business for Minnesota financial institutions and created more credit card industry jobs in the state.

The proposal was sponsored by Rep. Don Ostrom (DFL-St. Peter) and Sen. James Metzen (DFL-South St. Paul).

HF2369/SF2037/CH414



BONDING

Capital projects approved

A \$522.8 million bonding bill on its way to the governor would provide funds for construction and repair of public facilities around the state.

Under the bill, the state would spend \$89 million to build a new prison in Rush City, Minn.

Bond revenue would be used to build a \$29.5 million library on the St. Cloud State University campus and to construct a \$38.5 million library access center on the University of Minnesota-Twin Cities campus.

Another \$30 million would be devoted to construction of a new home for the Science Museum of Minnesota in St. Paul.

The 1996 bonding bill (HF3273), sponsored by Rep. Henry Kalis (DFL-Walters), received final passage in the House April 2 on a 99-34 vote. The Senate passed it the same day on a 62-3 vote.

The bill would allow the state to sell bonds to raise revenue for public works projects across the state.

More than \$1.3 billion in bond funding was requested this year by state agencies, local governments, and lawmakers.

The major projects include:

New prison

A total of \$89 million would be used to construct and equip a maximum-security facility to house 800 inmates.

The bill also includes a provision calling for the corrections department to consider an alternative design that would allow double-bunking in one of the new prison's six residential sections. That would push the total occupancy of the facility to a maximum of 952 inmates.

In 1994, the Legislature spent \$2 million to design plans for the new prison. Originally, it was slated for Braham, Minn., but environmental issues such as the impact on area wetlands pushed the project east to

neighboring Rush City, about 50 miles north of the Twin Cities.

Science museum

The Science Museum of Minnesota's plans to construct a new museum on St. Paul's riverfront would get a major boost from the state.

The bill would devote \$30 million to the effort to build a new science museum in downtown St. Paul. But the museum must garner \$59 million in funding from other sources before the state money is released.

The city of St. Paul already has promised to acquire the land for the museum and provide \$14 million. The remainder of the \$96 million price tag would come from private donors.

The science museum project is considered by many as a crucial step toward the effort to revitalize St. Paul. The new facility would be built along the river bluff east of the Civic Center parking ramp in downtown St. Paul.

State colleges

Under the bill, \$93.9 million would be devoted to the Minnesota State Colleges and Universities (MnSCU) system.

A total of \$29.5 million earmarked for a new library at St. Cloud State University would account for a good share of the MnSCU bonds.

The bill also would spend \$10.4 million on major renovations at Anoka-Ramsey Community College, \$3.6 million to construct a dormitory at Fond du Lac Community College, and \$4.5 million for the merger of the Hibbing community and technical colleges on the community college campus.

University of Minnesota

The University of Minnesota would receive a total of \$93.8 million for construction and repair projects.

A total of \$38.5 million would be used to construct a new library access center on the U of M's main campus. The facility is expected to serve as an information hub for libraries in Minnesota.

The building would house the university's special collections and archives and would store less-used materials from other libraries.

The bill also would spend \$12 million to revamp Haecker Hall, a 1923 building housing the animal science department on the St. Paul campus, and \$9 million to renovate the architecture building on the Minneapolis campus.

Another provision marks \$6.5 million for the U of M's academic health center, which includes the medical school and dentistry,

nursing, public health, and veterinary programs.

The money would be used to construct a new building for the magnetic resonance imaging (MRI) program and to remodel space for the molecular and cellular therapeutics program.

After-school enrichment

The bill includes \$16 million to support after-school enrichment programs for children in grades four to eight.

Grants would be issued to improve or construct parks and buildings which, in turn, would be leased to non-profit community organizations running programs that help at-risk children.

A total of \$5 million in grant funds would be used in Minneapolis and another \$5 million would go to St. Paul. The remaining \$6 million would be used in suburban and rural areas with high concentrations of students on free and reduced-price lunch programs.

Capitol repairs

The bill includes \$7.4 million for repair and renovation of the State Capitol.

A total of \$4.8 million would pay for replacement of corroded support structures under the terraces that ring the Capitol.

Serious damage to the supports was discovered during 1994 construction of accessibility ramps at the south carriage entry on the Capitol's ground floor.

Another \$1.4 million would be used to repair failing stone structures in the lantern, the 39-foot tall columned structure atop the Capitol dome.

Topped by a gold gilded roof and ornamental ball, the lantern features 12 columns clad with marble and precast concrete panels. Inspections conducted during 1994 and 1995 revealed serious cracking in the stone and marble slabs and in the joints between them.

And \$1.2 million would be devoted to the renovation of the building's cafeteria (once a unique spot fashioned after a German rathskeller).

Radio communication

The bonding bill includes \$15 million for a metropolitan-area public safety radio communications system that would allow all metro public safety personnel to communicate through a common radio link.

Bond money would be used to assist in construction of the backbone of the system, including radio towers, transmitters, and the computers needed to run the system.

The \$15 million would cover just a share of

the system's total cost. In 1995, the Legislature passed a bill creating a Metropolitan Radio Board under the Metropolitan Council and allowing the council to issue up to \$13 million in bonds to assist in the construction of the system.

The Metropolitan Council won't issue the bonds without a guarantee of state participation.

Currently, communication among police, fire, and ambulance personnel (as well as state public safety units like the highway patrol) requires patching across several systems, making it difficult for separate public safety units to talk with one another.

Ice arenas

The bonding bill would provide \$8 million for ice arenas as part of a program known as "Mighty Ducks."

The Minnesota Amateur Sports Commission would get \$6.5 million for grants to local communities for construction of new ice arenas. An additional \$500,000 would be for grants to renovate arenas that are at least 20 years old.

Another \$1 million would be available for construction of a national curling center on the Iron Range if the project is endorsed by the U.S. Olympic Committee.

The "Mighty Ducks" program was initiated by a 1995 law to expand opportunities for girls and boys participating in winter sports such as hockey and figure skating. (The name is taken from a movie about a group of misfit, young hockey players.)

Also, the bill includes \$7 million for construction of a new ice sheet for women's hockey at the U of M. The new facility would be adjacent to Mariucci Arena on the university's main campus.

Convention center

The bill includes \$12 million for the planned expansion of the Minneapolis Convention Center, much less than what the city is seeking in state aid.

Minneapolis requested \$33.8 million from the state to help finance an expansion project expected to carry an eventual cost of \$162 million. The governor recommended lawmakers include no money for the project in this year's bonding legislation.

Training workers

Finally, the bill calls for a \$5 million general fund appropriation for a robotics training facility at the Ford Motor Co. assembly plant in St. Paul.

Ford and United Auto Workers Local 879 requested the funds for the facility, which

would be used to provide technical training in the use of robotics and other subjects.



BUSINESS

Omnibus liquor bill



More free liquor samples, wine tastings, and wine service at bed and breakfasts will be available under a new law sponsored by Rep. Jeff Bertram (DFL-Paynesville) and Sen. Sam Solon (DFL-Duluth).

The law includes changes to current laws governing liquor licenses and warnings posted in the state's liquor establishments.

HF2590/SF2116*/CH418

Warnings

Effective Aug. 1, 1996, the law increases requirements for warning signs that must be posted in retail and municipal liquor stores.

Currently, liquor store owners must post notices notifying customers of the state's penalties for driving while intoxicated and underage drinking. Under the new law, liquor retailers are required to post a single sign in a conspicuous place that includes those warnings plus a warning about the consequences of drinking alcohol while pregnant.

B and Bs

Effective April 3, 1996, the law allows Minnesota bed and breakfast facilities to give guests two complimentary glasses of wine per day. The drinks can be up to 4 ounces each and are to be consumed on the premises. The owners need not obtain an on-sale liquor license for that purpose (although, owners would have to register with the state's public safety commissioner).

A bed and breakfast facility, as defined by the new law, is a place of lodging that provides no more than eight rooms for rent and no more than 20 guests at a time. The law also allows the operators of such facilities to live in a building on the same property as a bed and breakfast. The original bill would have required guests to stay in the owner's personal residence.

Free samples

Free liquor and beer samples are more abundant under the new law. New provisions allow liquor stores, effective April 3, 1996, to give customers free samples of hard liquor in containers up to 15 milliliters. The law currently allows free samples of wine, beer, cordials, and liqueurs. The law also

allows brewers to furnish restricted amounts of beer to off-sale retailers for samplings.

Wine tastings

More wine tasting events are likely to occur under the new law. Effective Aug. 1, 1996, it allows the events at on-sale locations where no charitable organizations are participating, or at locations that are for designated charities, but where the tastings are primarily for educational purposes. Current law strictly regulates wine tastings that are associated with charitable, religious, and nonprofit organizations. The new provision clarifies that restrictions, such as not being allowed to take orders for off-premises consumption, do not apply to tastings sponsored by on-sale establishments that meet the above criteria.

Liquor on the river

The mighty Mississippi and the St. Croix rivers will now join Lake Superior in accommodating tour boats that sell liquor. The law, effective April 3, 1996, allows tour boats on the St. Croix and Mississippi rivers to receive on-sale liquor licenses between May 1 and Oct. 31. Currently, only tour boats on Lake Superior are allowed to receive such licenses.

Regulating pawnbrokers



A new law, effective Aug. 1, 1996, establishes minimum standards for cities and counties to regulate the state's 150 pawnbrokers.

Under current state law, cities and counties have the option of whether to regulate pawnbroker operations. Under the new law, municipalities are allowed to set stricter standards for pawnbrokers.

"This gives a basis for many cities to provide a floor," Greg Brooker, an assistant Bloomington city attorney, told lawmakers in committee testimony. He noted that Bloomington, Minneapolis, St. Paul, and other Minnesota cities have "very strict" pawnbroker ordinances already in place.

Among the provisions of the law, pawnbrokers are required to apply for and receive a license from the city or county in which they do business. Also, the city or county can revoke a pawnbroker's license and must then notify the appropriate law enforcement agency of such a revocation.

Additionally, to obtain a license, a pawnbroker must be 18 years of age or older; cannot have been convicted of any crime directly related to the pawnbroker business, unless he or she showed "competent evi-

dence of sufficient rehabilitation"; and must be "of good moral character or repute."

Concerned about compulsive gamblers, lawmakers also included a provision that prohibits any pawnshop from locating within 10 miles of a gambling casino.

The proposal was sponsored by Rep. Darlene Luther (DFL-Brooklyn Park) and Sen. Len Price (DFL-Woodbury).

HF2752*/SF2472/CH404

Counseling board vetoed



A bill that would have created a board of licensed professional counseling was vetoed by Gov. Arne Carlson.

The bill would have set forth licensure requirements for people who offer professional counseling services.

In his veto message, the governor said the "state should tread lightly when it comes to occupational regulation."

Carlson explained that "the bill exempts from licensure and board oversight a number of other professionals who offer the exact same type of services." He added that "if there is a valid public policy reason to more rigorously regulate counseling provided to the public, then we should address the problem in a comprehensive fashion, not in this piecemeal approach."

Increasing current state oversight should be explored as an alternative to licensure, said Carlson, noting that "there is already an existing government mechanism to investigate unlicensed counselors when the public has complaints against them."

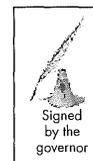
The proposal was sponsored by Rep. Roger Cooper (DFL-Bird Island) and Sen. Sam Solon (DFL-Duluth).

HF66*/SF891/CH423



CHILDREN

Kids and boats



A new law aims to improve safety on Minnesota lakes by keeping young children away from the controls of high-powered watercraft.

Under the law, effective May 1, 1996, children under 13 are prohibited from operating personal watercraft, or Jet Ski-style machines. Effective Jan. 1, 1997, children under 12 are barred from operating motorboats of more than 75 horsepower.

The law, sponsored by Rep. Kris Has-

skamp (DFL-Crosby), also prohibits children under 12 from operating boats from 25 to 75 horsepower unless there is someone 21 or older within immediate reach of the controls. Those children would be allowed to operate boats of less than 25 horsepower without supervision. These changes also are effective Jan. 1, 1997.

The law comes in response to a 1995 boating accident that claimed the life of 10-year-old Aaron Sahli of Ham Lake, Minn.

Aaron was riding in a pontoon boat on a Crow Wing County lake last Memorial Day when the pontoon was struck by a 175-horsepower boat being driven by an 8-year-old boy.

The father of the 8-year-old was in the speedboat but was not at the controls.

Current law allows children under 12 to operate boats of less than 30 horsepower. They can operate more powerful boats as long as an adult is on board.

The proposal was sponsored by Sen. Janet Johnson (DFL-North Branch) in the Senate.

HF2834*/SF2563/CH396



DEVELOPMENT

Omnibus bill passed

A \$28 million proposal to fund energy assistance and summer jobs programs is awaiting action by the governor.

Total appropriations in the omnibus economic development bill nearly doubled the \$15 million included in the version originally approved by the House. The increase would come primarily in the form of money appropriated to the Department of Economic Security for home energy assistance, although more money would also go toward community development, the creation of higher-paying jobs, and youth employment and training programs.

The bill, **HF3243**, sponsored by Rep. Jim Rice (DFL-Mpls), passed the House March 29 on a vote of 86-48. It passed the Senate April 2 on a 37-24 vote.

Home energy assistance

Potentially, \$10 million not found in the original House version of the bill would go toward home energy assistance programs. The money would come through the Department of Economic Security (DES).

A total of \$750,000 would become part of the low-income home energy assistance block grant. Another \$190,000 would be used for the Low-Income Home Weatherization Program.

Most of the money aimed at energy assistance, \$9 million, would come from the budget reserve account in the state's general fund and would be used for low-income home energy assistance, and in the form of grants for energy-related repairs to a home's primary heat source. This money would be used only if the governor determines that the federal money allocated to Minnesota as part of the low-income energy assistance block grant for fiscal year 1996 is less than the grant received by the state for fiscal year 1995. The amount available for use would equal the reduction as determined by the governor.

Youth Programs

A total of \$6 million appropriated to DES would be used to fund the Minnesota Youth Program, primarily the summer employment and training component. The money would be used to offset a potential cut to Title IIB of the Job Training Partnership Act, a parallel program funded by the federal government. Currently, the federal government hasn't appropriated any money for the program, as compared to \$8.9 million appropriated last year at this time.

The summer component of the program would allow disadvantaged youth to work in a variety of settings in all 87 Minnesota counties. Public works projects constitute most of the work undertaken: the construction of park retaining walls, environmental cleanup, and wetland restoration. The program funds site supervision so that participants can obtain the skills necessary to complete the projects. Cooperating communities provide the necessary materials. Participants also receive training in team building skills and conflict resolution.

One-half of the program participants are 14- and 15-year-olds who can't yet work in the private sector and are receiving their first employment experience.

There is also an academic enrichment component to the program, where young people struggling in school receive help in improving their communication and math skills.

And young people who drop out of school can receive help in obtaining their diploma, getting a GED, resume building, and the acquisition of work maturity skills.

Workforce centers

A total of \$500,000 would be given to DES to augment the Minnesota Workforce Center System. The system aims to combine the delivery of employment and training services (mostly administered by the department) under one roof whenever possible, saving money formerly spent on separate leases, and phone and data lines. It also streamlines customer access to services and programs, according to Jane Brown, department commissioner.

The department hopes that other state agencies that deliver services related to employment and training will want to locate their operations at the various workforce centers.

The specific appropriation within the bill would assist the department in hooking up to the MNet System and data lines to establish a cohesive computer system among the operations located within a workforce center. This way, people applying for services offered by the department — employment or job training services, services for the blind, vocational rehabilitation — would have to fill out only one application which could then be accessed by agencies throughout the department. This would eliminate paperwork, save money through the combination of resources, and more effectively match up applicants and services.



CONSUMERS

Notaries public

A new law to prevent notaries public from exploiting immigrants takes effect Aug. 1, 1996.

The law requires anyone who is not an attorney and provides immigration assistance services to post a notice in English and in the appropriate foreign language which says that he or she is not an attorney.

It also prohibits anyone who is not an attorney and offers such services from giving legal advice. A written contract — in both English and the appropriate foreign language — also is required and must include an explanation of services offered and the corresponding charges.

Any notary violating the provisions would be guilty of a misdemeanor.

The measure was proposed by Rep. Carlos Mariani (DFL-St. Paul) in response to reports in Minnesota and elsewhere of notaries public charging excessive amounts for legal services that they were not legally qualified to offer.

Because notary public means "super attorney" in Spanish, Mariani said many Spanish-speaking immigrants mistakenly believe notaries are the same as attorneys.

The proposal was sponsored in the Senate by Sen. Sandy Pappas (DFL-St. Paul).

HF2478*/SF2372/CH401



Minnesota Investment Fund

The bill includes \$4 million for the Department of Trade and Economic Development (DTED) to go to the Minnesota Investment Fund, formerly the Economic Recovery Grant Program. The fund would allow DTED to extend grants of up to \$500,000 to local units of government and recognized Indian tribal governments to help communities create and maintain private-sector jobs, increase local tax bases, stimulate environmentally safe economic growth, and improve employment and economic opportunities for local citizens. Among other things, the grant money could go toward loans for private business and industry, the creation or improvement of local infrastructure, and interest buy-downs. Any loan to a private entity could not exceed one-half of the cost of the project for which financing is sought.

The grant money would be administered as part of the Small Cities Development Block Grant Program. Any portion of a grant that exceeds \$100,000 must be repaid to the state when it is repaid to a local unit of government or a recognized Indian tribal government by a recipient.

To receive grant money, private entities would have to make a case for the need of public funds and meet job creation goals. Loan recipients also would have to pay their employees total compensation, including benefits not mandated by law, at least 110 percent of the federal poverty level for a family of four, or approximately \$16,665 per year, roughly \$8 per hour. The original House version required that loan recipients pay their employees at least \$7.44 per hour.

According to Jay Novak, DTED commissioner, the department doesn't currently consider funding development projects unless prospective employers in the metro areas pay employees at least \$10 per hour, and employers in outstate areas pay their employees at least \$8 per hour.

New language in the bill prohibits any grant being made for the operation or expansion of a casino, a store which is used solely or principally for retail sales, or for any project related to a sports facility, defined as a building that has a professional sports team as a principal tenant.

In case of breach of contract, loan recipients must repay the grant directly to the DTED commissioner.

Rural development

DTED would also receive \$750,000 which would be given as a grant to the Morrison County Rural Development Finance Authority. The money could only be used to make capital improvements to the Hennepin Paper Company in Little Falls. According to Elmer Beale, the company's executive vice president and general manager, the money would be used to upgrade the facility and expand the possibilities for using recycled wastepaper. At least \$500,000 of the grant must be matched by other sources, or the money would not be available.

Film board

Exactly \$100,000 would go to DTED to be distributed to the Minnesota Film Board, the only nonprofit state film commission in the country. This is on top of the \$229,000

appropriated for the film board for fiscal year 1997.

According to the board, nine movies were filmed in Minnesota in 1995, generating more than \$23 million in production revenue

Minnesota Technology, Inc.

A total of \$700,000 would be appropriated to Minnesota Technology, Inc. Of those funds, the Natural Resources Research Institute in Duluth would receive \$575,000. The institute provides environmentally safe economic development within Minnesota as a means of creating private sector employment. They oversee approximately \$10 million per year for research and development activities.

The remaining \$125,000 would be used to study cold weather research needs and opportunities such as automobile starting tests in winter temperatures. Minnesota Technology would consult with the Minnesota Cold Weather Research Center. The study would address ways to encourage cold weather research in Minnesota funded by non-state entities, and the possible economic benefits for the state.

Findings of the study would need to be submitted to the Legislature by Jan. 1, 1998.

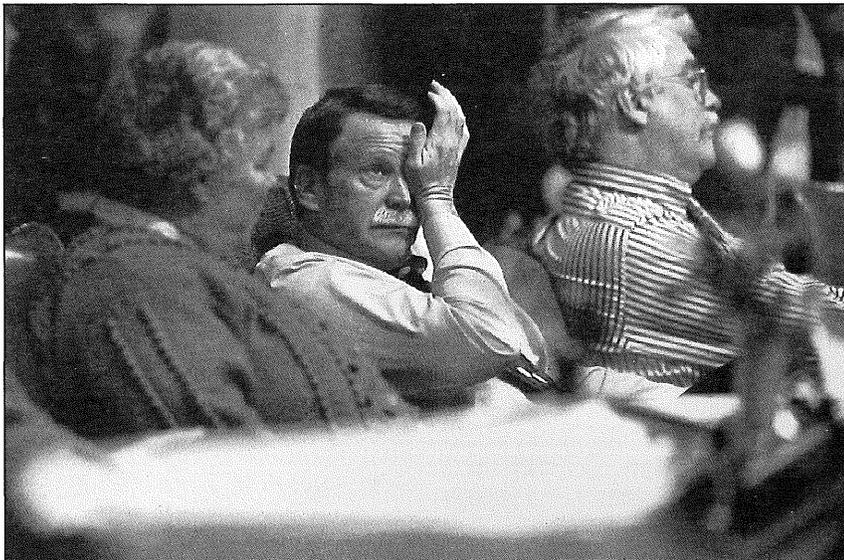
Housing Finance Agency

The Housing Finance Agency would receive \$550,000 under the bill. Of those funds, \$250,000 would be used to purchase, tear down, or rehabilitate multi-unit residential rental property in an effort to combat concentrations of substandard housing. Projects that create a wide range of housing opportunities which would increase the tax base and the income mix within a community would be given priority.

The remaining \$300,000 would go to the Family Homeless Prevention and Assistance Program. The program was established to assist families who are homeless or are at imminent risk of homelessness. The agency provides grants to counties with a large number of homeless families or that experience a significant growth in the number of homeless families. To receive assistance, counties must work to secure permanent or transitional housing for homeless families. Any prevention project must be crafted to stabilize families in their existing homes and shorten the length of time families use emergency shelters. At least one grant must be given to a county outside the metro area.

Workers' compensation

The bill appropriates \$2.8 million from the Special Compensation Fund to the Department of Labor and Industry to be used for the Daedalus Electronic Imaging Systems Project.



Retiring Rep. Roger Cooper wipes his eyes after saying good-bye to fellow House members when the House adjourned at about 1 a.m. April 3. Cooper is one of six DFLers retiring. Other DFLers are: Reps. Chuck Brown, Marv Dauner, Bob Johnson, Howard Orenstein, and Walt Perl.

The aim of the project is to provide a comprehensive computer reference system for workers' compensation files. This way, people needing access to the files (judges and case specialists) could do so via computer, and access could be provided simultaneously. Past research was done by hand.

The department hopes this will lower the number of disputes by getting good information to people more quickly. All paper files would eventually be eliminated.

The Special Compensation Fund is administered by the department, primarily covering system administrative costs, the reimbursement of second injuries, benefits to employees of uninsured employers, and supplemental costs. The fund is supported by required employer contributions resulting from the work-related death of an employee, or different types of work-related injuries.

Historical society

Under the bill, the Minnesota Historical Society would receive over \$1.1 million, \$1 million of which would go to employee compensation.

The St. Anthony Falls Heritage Board would receive \$75,000. The board works to evaluate and interpret significant historical resources within the heritage interpretive zone, a two-mile stretch of the Mississippi River in Minneapolis. The bill also would increase board membership from 19 to 22 members.

Humanities Commission

A total of \$300,000 would be given to the Minnesota Humanities Commission. The commission recently moved its operations into part of what was formerly the Gillette Children's Hospital near Phalen Park in St. Paul. The money would cover some moving and maintenance expenses. According to Cheryl Dickson, commission director, the money will be repaid if federal dollars earmarked for the project come through, or other sources of revenue are found.

Voyageur recreation area

Under the bill, the Voyageur recreation area would be established and would be composed of all contiguous land in Koochiching County and the part of St. Louis County lying north of County Highway 23 and west of County Highway 24 to the Canadian border. It's hoped that such a designation would encourage private and public investment, leading to economic development and educational and recreational opportunities within the area.

The area would be administered by a nine-

member board consisting of county and city officials within the designated area, and representatives from some lake and resort associations. The board would be able to enter into contracts and grant agreements necessary to carry out its responsibilities.

Also included in the bill is \$450,000 for transitional housing programs, and \$200,000 for employment support services for the mentally ill.

Local development plans

A bill on its way to the governor directs the state to draft a "model ordinance" for sustainable development by July 1, 1997, and make it available to local governments. The House passed the bill April 1 on an 87-47 vote; the Senate passed it April 2, 53-0.

Last year, the bill (HF1800) passed the House but didn't make it out of conference committee.

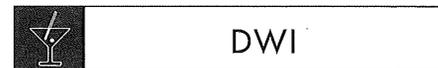
Sustainable development—a concept promoted by Gov. Arne Carlson— involves the development of land and waters that minimizes environmental damage and provides for economic opportunities and community well-being. The goal of sustainable development is to preserve the environment for future generations.

There are no funding or enforcement provisions in the bill. Local governments adopting the model ordinance, however, would be advised that it would be the minimum regulation to guide all sustainable development.

The model ordinance would be reviewed by the state at least once every five years.

Additionally, each state department, agency, and board would have to report to the Environmental Quality Board by Oct. 15, 1996, on how the mission and programs of the organization reflect and implement the state sustainable development principles, or how the mission and programs could be changed to do so.

The proposal was sponsored by Rep. Dee Long (DFL-Mpls) and Sen. Janet Johnson (DFL-North Branch).



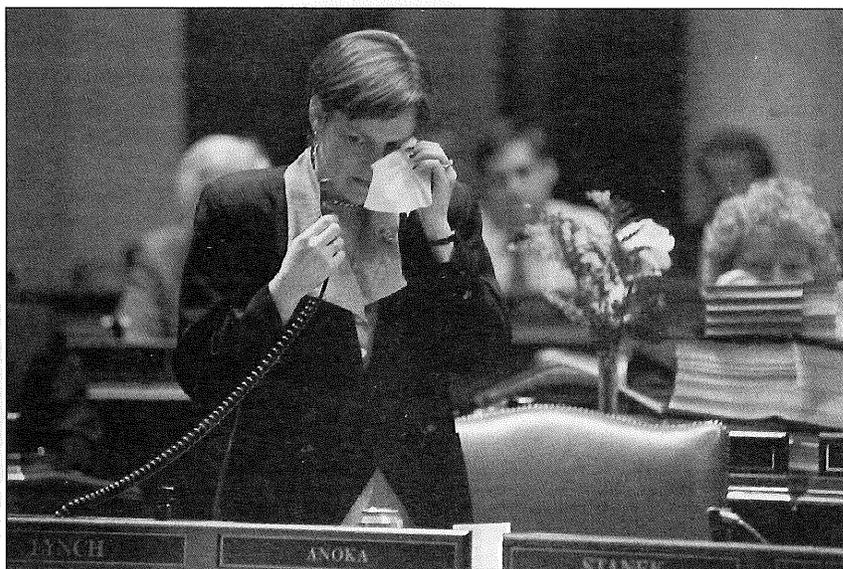
Omnibus DWI bill

A bill on its way to the governor would make it illegal for citizens to drive an automobile or fly an airplane with any amount of certain controlled substances in their systems.

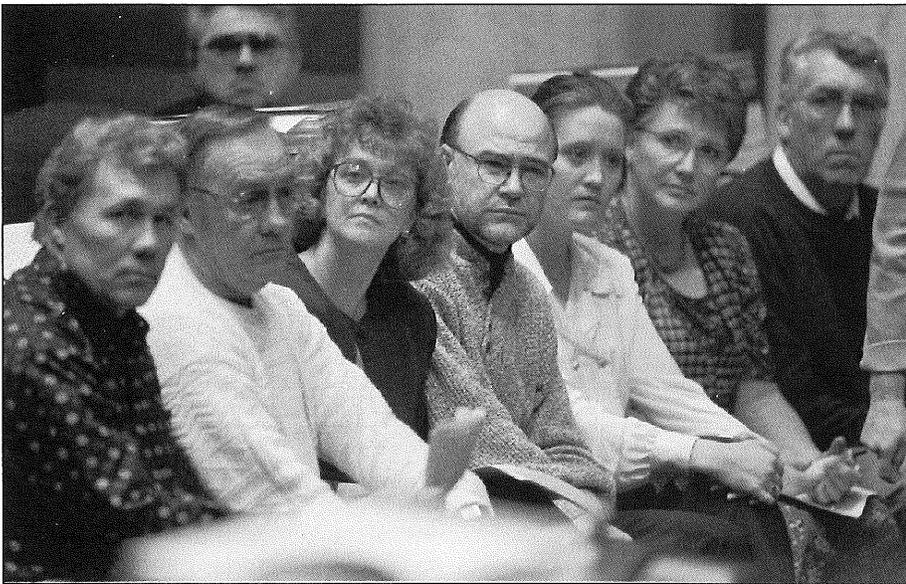
The proposal (HF2779/SF2340*) applies to Level I and Level II controlled substances which include most street drugs and are classified among the most addictive narcotics, stimulants, and depressants. (Marijuana is not included.)

Under the bill, drivers would be charged with a crime if any amount of a Level I or Level II drug was found in their bodies. The penalties will be consistent with the state's current DWI laws.

A typical scenario could work like this: 1) a driver is stopped after an officer suspects he or she is impaired; 2) the driver is given a field sobriety test and then a breathalyzer test, but



Retiring Rep. Teresa Lynch also shed tears while saying good-bye to House members April 3. Lynch is one of four Republicans not seeking re-election in November 1996. The others are: Reps. Virgil Johnson, Tony Onnen, and Gary Worke.



Members of the Burr and Brossard families of the Paynesville-Cold Spring area listened March 30 as the House debated and passed a tough DWI bill which provides "zero tolerance" for driving under the influence of any amount of certain controlled substances. The families lost three loved ones when their car was struck from behind by a driver under the influence of a controlled substance.

no alcohol is registered; 3) the officer still suspects the driver is impaired by something; and 4) the officer arrests the individual and seeks a blood or urine test. If any trace of a Level I or a Level II controlled substance is found, the driver can be charged.

The bill also directs the Peace Officer Standards and Training Board to develop a plan to train a "sufficient" number of officers as Drug-Recognition Experts (DRE) to ensure they are available statewide each day to evaluate suspected drug-impaired drivers.

The test administered by DRE officers is separate from the preliminary field test performed on the side of the road. After a patrol officer stops a driver, performs a field test, and suspects the driver is under the influence, the driver could then be taken to a police or highway patrol station where a more extensive physical test would be performed by a DRE officer.

Some of the bill's other provisions create a new gross misdemeanor crime for violating DWI laws while driving without insurance and provide a longer waiting period before a minor who has committed a DWI offense is issued a limited driver's license for work or school.

Current law states that a minor must wait 15 days for a limited license if it is the person's first DWI offense; 90 days if it is the offender's second, assuming the minor agrees to take the breathalyzer test. Under the proposal, the waiting periods would double.

The bill also eliminates a loophole to keep more chronic DWI offenders off the roads.

Gov. Arne Carlson vetoed an identical bill in 1995 calling it an "unfunded mandate to the Department of Public Safety."

Under current law, when a person's driver's license is suspended for a third DWI offense in five years (or a fourth within 15 years), his or her license plates also are impounded for as long as the offender's driver's license is suspended. For a third-time offender, that's a minimum of one year.

But chronic DWI offenders have found a way around the law. Once their plates are impounded, they often begin to drive someone else's car.

Should they get caught under the influence in someone else's car, those license plates are then impounded. But all the car owner has to do is sign a statement that he or she was unaware of the DWI violation and new plates are issued — free of charge.

HF2779/SF2340* would give the plates back to the car owner (if the car was reported missing), but the plates would be coded with specific letters, so that law enforcement officials would know the car had been involved in a prior DWI offense. The plates would remain on the car for a minimum of one year.

The coded plates would provide law enforcement officers with a "reasonable suspicion" to pull the car over should the driver not be the registered owner of the car. From the patrol vehicle, an officer can check the car's registration and the license status of the car owner, which contains a description of the owner. If the driver doesn't match the description, the officer would have cause to stop the car.

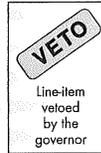
The bill includes \$79,000 for the Department of Public Safety to pay for the coded license plates and other costs associated with the proposed changes.

The proposal was sponsored by Rep. Matt Entenza (DFL-St. Paul) and Sen. John Marty (DFL-Roseville).



EDUCATION

K-12 vetoes



Gov. Arne Carlson used his line-item veto authority to slice \$629,000 from a K-12 education funding package signed into law April 3.

The new law still will provide \$31.7 million for K-12 education, with much of the money earmarked for school technology and full-day kindergarten programs.

Carlson line-item vetoed a \$300,000 grant program to foster constructive school discipline policies focused on keeping kids in the classroom.

Rep. Alice Johnson (DFL-Spring Lake Park) backed the grant program as a way to help schools address behavior problems before they get out of hand.

But Carlson did not like what he saw.

"Although solid discipline policies are a growing concern for school districts, I have a grave concern with providing additional funding for a program that is already required by law," Carlson wrote in his veto message.

The governor line-item vetoed another \$150,000 earmarked to allow students to ride city buses to St. Paul's new Arlington High School during the next school year. The money would have gone to the school district, which, in turn, would have signed a contract with Metropolitan Council Transit Operations.

"Districts should not be encouraged to believe that extra funds are available for such programs," Carlson wrote.

Carlson also line-item vetoed \$100,000 for a "family connections" program and \$79,000 to buy down property taxes in the Pequot Lakes school district.

The governor accepted the rest of the education spending package passed by the Legislature.

The measure was sponsored by Johnson and Sen. Larry Pogemiller (DFL-Mpls).

HF2156*/SF1884/CH412



ELECTIONS

Campaign spending

A bill on its way to the governor closes a loophole in current law that allows independent candidates to ignore spending limits that often bind major-party opponents.

The proposal (**HF667/SF840***) passed

both the House and Senate April 2. The votes were 123-10 and 48-15, respectively.

Currently, a candidate is held to campaign spending limits only if he or she is a member of a major political party and accepts a public subsidy. Independent candidates can spend as they wish and do not qualify for public campaign subsidies.

State law stipulates that only major party candidates are eligible for public subsidies. In Minnesota there are three major parties — Democratic-Farmer-Labor, Republican, and Independence.

If, for example, a DFL candidate's Republican opponent refuses a subsidy and ignores the spending limits, the DFLer also can exceed the limits — even if he or she has already taken the public subsidy. But under current law, this only applies when both parties are from major parties.

Bill sponsor Rep. Dee Long (DFL-Mpls) was affected by that hitch during her 1994 re-election campaign.

Long's opponent did not attach herself to a major party. Because the woman ran as an independent, her spending levels did not trigger the clause that would have allowed Long to exceed spending limits.

As a result, Long was bound by a \$21,000 spending limit while her independent opponent spent about \$50,000.

The bill would change current law to say that the candidate not agreeing to spending limits need not be from a major political party in order for the opponent to also ignore the limit.

Public official recall

A constitutional amendment will be on the November 1996 ballot for voters to decide if certain state officials should be subject to recall.

If approved, legislators, constitutional officers, and state supreme court, court of appeals, and district court judges could be subject to recall elections.

The proposal (HF343) would allow voters to recall an elected official for any act of malfeasance or nonfeasance "in the performance of the duties" of office. Other grounds for recall would be if an official has been convicted of a "serious crime," defined by the bill as certain gross misdemeanor and misdemeanor offenses involving assault, injury, dishonesty, coercion, or aggravated DWI, among others.

Here's how it would work: A petition filed with the Office of the Secretary of State is forwarded for review to the Minnesota Su-

preme Court. If the allegations, if proven, would constitute grounds for recall, a public hearing would then be held. If the hearing reveals the allegations to be true "by a preponderance of the evidence," and the full Minnesota Supreme Court agrees, a petition for signatures would be released. If the petition is then signed by 25 percent of the total eligible voters in the accused elected officer's district, the governor would order a recall election. Such an election cannot be called less than six months before the end of an official's term.

The bill prohibits false information or allegations from being used in a petition or in support of allegations made during the hearing process. Violation of the provision would be a misdemeanor punishable by up to 90 days in jail and a \$700 fine. In such a case, a petition for recall also could be dismissed.

Anyone bringing a petition that is dismissed by the court could be held financially responsible for the court's proceedings.

The proposal was sponsored by Rep. Betty McCollum (DFL-North St. Paul) and Sen. Ember Reichgott Junge (DFL-New Hope).

Vote by mail vetoed



Gov. Arne Carlson vetoed a bill April 3 that would have allowed more Minnesotans to vote by mail.

The bill would have allowed mail balloting in communities outside the metropolitan area with fewer than 1,000 eligible voters. Current law allows voting by mail only in Greater Minnesota communities with fewer than 400 eligible voters.

The proposal would have allowed "a creeping spread of an unwise policy instituted under a previous administration," Carlson wrote in his veto message.

And it would have allowed more Minnesotans "to ignore an important and relatively easy obligation of citizenship, that being to join fellow citizens at the polling place to cast their ballots," Carlson added.

About 250,000 voters live in communities now allowed to conduct mail balloting. The bill would have made about 600,000 people — or about 15 percent of the state voters — eligible to vote by mail.

Rep. Jim Tunheim (DFL-Kennedy) and Sen. LeRoy Stumpf (DFL-Thief River Falls) sponsored the bill.

HF2101*/SF2283/CH432

EMPLOYMENT

Wage floor for businesses

Some Minnesota businesses receiving state subsidies would have to pay employees a poverty level wage — at least \$7.28 per hour — under a bill on its way to the governor.

The proposal (HF2562/SF1997*), sponsored by Rep. Karen Clark (DFL-Mpls), received final passage in the House April 1 on a 78-56 vote. It passed the Senate March 29 on a 41-23 vote.

The governor has vowed to veto the proposal.

Under the bill, medium- and large-sized companies that get \$25,000 or more in state aid through loans or grants would have to pay employees an amount equal to the current federal poverty level for a family of four. That's at least \$7.28 per hour including benefits or about \$15,000 annually.

The wage requirement also would affect nonprofit organizations with a salary ratio between the highest paid and lowest paid employee of 25 to 1 or greater.

The bill would exempt other nonprofit organizations, small businesses, and companies that receive bona fide offers of financial assistance to relocate to other states.

Wage requirements in the bill also would not apply to businesses receiving aid through tax increment financing (TIF).

Provisions that would have required businesses receiving TIF assistance to pay at least \$7.28 per hour were deleted from the bill during conference committee negotiations.

Minimum wage veto



Gov. Arne Carlson has vetoed an increase in Minnesota's minimum wage.

The governor, who has a history of vetoing such wage hikes, vetoed a 75-cent minimum wage increase in 1994.

As Carlson has stated in this and previous veto messages on the issue, "a minimum wage increase would cost jobs and cause inflation." Such an increase, he wrote, automatically raises the cost to business. "Naturally, retailers must pass on the increased cost to consumers in the form of higher prices or cut costs wherever they can. For businesses in highly competitive areas, such as retail, this will most likely trigger layoffs, hiring freezes, reduced benefits and even store closings."

Under this year's bill, the minimum wage for large businesses would have increased from \$4.25 per hour to \$5 per hour in September 1996 and to \$5.35 per hour in September 1997.

Small businesses also would have seen an increase in the \$4 hourly minimum wage required of them. For employers with gross annual sales under \$500,000, the minimum wage would have jumped to \$4.75 per hour in September 1996 and to \$5.10 in September 1997.

Originally, the bill called for the hourly minimum wage to increase \$2.75 over the next two years, peaking at \$7 per hour for large businesses. It also contained provisions that would have allowed employers to pay lower wages in exchange for providing benefits.

Supporters of the bill argued that raising the minimum wage would help people better support their families, especially the "working poor" — people who work two or three minimum wage jobs but still need help.

Opponents argued that the wage hike would cost the state jobs and exacerbate economic problems.

Minnesota last increased the minimum wage in 1991, when it was bumped from \$3.95 per hour to \$4.25.

The proposal was sponsored by Rep. Tom Rukavina (DFL-Virginia) and Sen. Randy Kelly (DFL-St. Paul).

HF401/SF302*/CH436



ENERGY

Koch tax break

A bill exempting high-efficiency electric power generation plants from property taxes on equipment now awaits the governor's action.

The bill passed the House March 30 on a vote of 124-8. It passed the Senate April 1 on a 39-24 vote.

HF637, sponsored by Rep. Loren Jennings (DFL-Harris), aims to keep Koch Refining Co. from building its \$300 million cogeneration facility out of state. The company has said it wants to build the plant in Rosemount, Minn., and has lobbied extensively for the bill.

"Passage of this bill will assure a number of trade jobs in the community to build the facility," Jennings has said. "And it will be the cleanest burning facility of its type."

Cogeneration is a combustion process that uses heat more efficiently than does a conventional power plant. The exemption would

be granted to plants that reach a certain level of efficiency. The measure aims to make Minnesota more attractive to other plants that use or plan to use the process.

Supporters of the bill have said Minnesota is unattractive to electric generation companies relative to other states. Some also say the state needs an energy policy that encourages cleaner burning processes such as cogeneration.

Critics have said the exemption unfairly favors one industry over others.

The bill that emerged from conference committee could exempt Koch from all property taxes on equipment if the cogeneration plant reaches a certain level of efficiency.



ENVIRONMENT

Wetlands changes

The lengthy debate between legislators, local officials, farmers, and environmentalists over wetlands has ended in a compromise that now awaits action by the governor.

The House passed the bill (**HF787**) April 2 on a vote of 133-0. The Senate passed it 63-2 on the same day.

Rep. Willard Munger (DFL-Duluth), bill sponsor and chief proponent of wetlands regulations, said the compromise would make the landmark Wetlands Conservation Act "more workable" for all areas of the state, particularly those areas with a high percentage of wetlands remaining, while maintaining a high level of resource protection.

The much-awaited changes to the 1991 wetlands law, which stalled in conference committee last session, would provide broader exemptions and more flexibility in current replacement requirements.

Farmers who have shown a need for more flexibility would benefit from the bill's expanded definition of "agricultural land," which applies agricultural exemptions to wetlands located in farming areas. Another provision allows farmers to drain many wetlands that are less than five acres, under certain conditions. Munger said these are mostly "small, nuisance wetlands located in farmland."

The replacement requirements for drained or filled wetlands are also eased under the bill. These would benefit certain northern Minnesota counties, where officials have said new development is hindered by current law.

Current law requires most wetlands larger than 400 square feet that are eliminated to be replaced by two wetlands of equal size. Under the bill, in areas where 50 to 80 percent of presettlement wetlands exist, the 2:1 replacement ratio would drop to 1:1.

In counties with more than 80 percent of presettlement wetlands (where replacement is already at a 1:1 ratio), the size of wetlands exempt from replacement requirements would rise from 400 square feet to 10,000 square feet outside of shoreland wetland protection zones. In counties with 50 to 80 percent of presettlement wetlands, areas of up to 5,000 square feet would be exempt. In counties with less than 50 percent of presettlement wetlands, those up to 2,000 square feet would be exempt from replacement.

Environmentalists gained support for a provision that would require the replacement of wetlands lost in the metro area (due to road projects) to be made within the same area, if possible. Replacement should occur first within the same watershed district and, if that's not possible, within the county, or another county within the seven-county metro area. Previously, the law allowed such losses to be replaced in other areas of the state. Proponents of the provision argued that the metro area was losing what is left of its sparse wetlands. Rep. Betty McCollum (DFL-North St. Paul) said the proposed policy would create "clean water and green space," calling the change "the right step" to take.

Changes also would be made regarding wetlands affected by road projects.

Under current law, a public transportation authority that drains or fills a wetland while doing road work must replace the wetland. The bill exempts repair and replacement of existing local roads from that requirement. The Board of Water and Soil Resources (BWSR) would replace wetlands that are drained or filled from local road repair projects. The bonding bill (**HF3273**) includes a related provision that would appropriate \$3 million to BWSR for the purchase of perpetual easements, and to replace wetlands that are drained or filled as a result of the work on existing local public roads.

In addition to the added exemptions and flexibility, the bill offers more local government control over wetland management. Local governments would adopt wetland protection and management plans which, after review and approval by BWSR, would replace the strict rules that now must be followed. The measure also would set forth two programs to encourage local governments to preserve high priority wetlands: a modified tax exemption program and an easement program for the protection of at-risk wetlands.

The bill also calls for an analysis and recommendations on how wetlands regulations affect property values, and to determine levels of compensation for landowners who

have suffered losses as a result of wetlands regulations.

To help those with questions on the complex wetlands laws and regulations, a toll-free number and a local government integration program to offer assistance to landowners would be established if the bill becomes law.

Environmental projects vetoed



The environment and natural resources appropriations bill was signed into law, but was stripped of \$215,000 by Gov. Arne Carlson's line-item vetoes.

The \$10.3 million law funds a variety of proposals relating to agriculture, natural resources, and the environment.

Carlson vetoed four projects:

- \$150,000 for the Minnesota Institute for Sustainable Agriculture. Carlson said the appropriation is a "premature funding proposal." He said there have been "many concerns raised by the agricultural community as to the necessity of this program based on the project's extremely broad charge." The program is also "duplicative of current university and state programs," according to Carlson.
- \$25,000 for the Wabasha County extension service. The governor said the funding for the "Wabasha County extension service for a pilot program to assist retiring farmers is also duplicative of the already established Passing on the Farm program which receives funding in this bill." Carlson added that "before expanding this program into other areas, the success of the Passing on the Farm program should first be evaluated."
- \$20,000 for the Environmental Quality Board to study environmental justice. According to the governor's veto message, "the appropriation for the environmental justice study is insufficient to fund a full examination of all the issues called for in the study." Carlson said that "to undertake extensive examination of all of these issues would be costly and cannot be supported by the current appropriation for the Environmental Quality Board. Furthermore, he added, the board, "through its current authority, has mechanisms in place to address issues of environmental justice."
- \$20,000 for the Minnesota Dairy Producers Board. Carlson said this appropriation was "unnecessary," noting that the "Department of Agriculture has been involved in the activities that would become the re-

sponsibility of the proposed dairy producers board. Furthermore, the governor said, "substantial opposition has been raised from within the dairy industry with regard to this proposal. Consequently, there is no need for a state sanction or appropriation for this activity."

The proposal was sponsored by Rep. Chuck Brown (DFL-Appleton) and Sen. Steve Morse (DFL-Dakota),
HF3231/SF2167*/CH407



FAMILY

Foster children, adoption



Effective April 3, 1996, a new law will bring Minnesota's foster care and adoption laws closer to conformity with new federal standards.

The federal Multi-ethnic Placement Act, which Congress approved in 1994, prohibits agencies from using race, color, or national origin as the sole criteria for denying or delaying placement of foster and adopted children. The new law amends the Minnesota Heritage Act to bring it into compliance with federal law.

House sponsor Rep. Barb Sykora (R-Excelsior) has said the law will increase efficiency and reduce the costs to counties of foster care and adoption placements. She noted that these improvements will help to bring stability into the lives of the children affected by these laws.

Under the law, agencies cannot delay the placement of children until a household of the same race has been found. In addition, the proposal repeals a law that requires agencies to make special efforts to recruit a foster family of a certain racial or ethnic heritage. Placement of children in households of the same race will be one of several factors that agencies consider, as opposed to previous law that places a priority on same-race placement.

Other provisions prohibit agencies from using race as the sole basis for determining eligibility for the Adoption Assistance Program. This program provides assistance to households adopting children who have been severely neglected, abused, or have major medical problems.

The law also establishes an appeals process for foster care providers who feel they haven't received the benefits to which they may be entitled.

It also uses statutory definitions of "egregious harm" and "substantial bodily harm"

within the context of the law to specify when children should be removed from the homes of foster care providers.

The proposal was sponsored in the Senate by Sen. David Knutson (R-Burnsville).
HF2158/SF1885*/CH416



GAME & FISH

Omnibus game and fish



It no longer will be a crime for kids to put sunfish in their home aquariums under a new law.

The law makes a number of changes to the state's hunting and fishing laws.

Under current law, transplanting a game fish from a lake to an aquarium is a misdemeanor, punishable by up to 90 days in jail and a \$700 fine. The new law allows those under age 16 to take by angling "fish for display" in aquariums. The law limits the take to no more than four fish of each species, none of which can exceed 10 inches in length. Not all fish can be taken, however. The law specifies that only largemouth bass, smallmouth bass, yellow perch, rock bass, black crappie, white crappie, bluegill pumpkin seed, green sunfish, orange spotted sunfish, and black, yellow and brown bullheads are permitted.

An amendment that would have allowed adults to take fish for their aquariums was removed in conference committee.

Other provisions in the law will:

- permit full-time students who are non-residents to take big game, except moose, if they buy a resident big game license. Current law allows these students to take only fish or small game;
- require the DNR to seek public input on the allowance to take antlered deer in more than one zone, and whether the license to do so should be extended to archery and muzzle-loader hunters at no additional fee. The DNR must report the results to the Legislature by March 1, 1997; and
- permit the possession of trout or salmon without the purchase of a license stamp on certain lakes where there are no limits and the methods of taking fish go beyond traditional hook and line. Currently, this benefit is given only to anglers with a 24-hour license.

The provisions described above are effective Aug. 1, 1996.

The proposal was sponsored by Rep. Bob Milbert (DFL-South St. Paul) and Sen. Janet Johnson (DFL-North Branch).

HF2799/SF2445*/CH410



GOVERNMENT

No new airport

A bill banning the construction of a new international airport in Dakota County is awaiting action by Gov. Arne Carlson.

The bill (HF3012) would instead expand the existing airport near Bloomington with a new north-south runway designed to reduce flights over Minneapolis. It is expected to cost less than \$1 billion.

The legislation, however, did not authorize the building of a new terminal on the airport's west side.

It also struck down a third parallel runway that would have directed air traffic — and the noise that accompanies it — deeper into Minneapolis. Not only did the bill fail to authorize the third runway, it created extra protection, to prevent it.

Even if the Legislature changes its mind and someday authorizes a third parallel runway, that runway could not be built without the approval of affected cities in the area (Minneapolis, St. Paul, Bloomington, Richfield, Mendota Heights, and Eagan). It requires the Metropolitan Airports Commission (MAC) to sign contracts with each city stating that it will not construct a third runway without the affected city's approval.

If MAC acts in bad faith and fails to negotiate the contracts by Jan. 1, 1997, the airports commission must pay each city with which it fails to sign a contract (property owners would be third-party beneficiaries) twice the amount of money it usually does for airport noise mitigation.

The bill also requires a report on the environmental effects of expanding the airport and requires MAC to spend no less than \$185 million between 1996 and 2002 for sound-proofing homes, schools, and other publicly owned buildings as well as for acquiring property impacted by the noise. Furthermore, the airports commission must sound insulate and air condition four Minneapolis schools and two Richfield schools.

Another provision in the bill prohibits noisy aircraft from using the airport after Dec. 31, 1999. Specifically prohibited would be aircraft not complying with stage 3 noise levels, which means only newer planes or older ones with noise mitigation devices would be allowed.

The bill, sponsored by Rep. Dee Long (DFL-Mpls) and Sen. Ted Mondale (DFL-St. Louis Park), passed the House 94-39 April 2 and the Senate 56-9 the same day.

A separate section of the bill aims to redirect the expansion of the Mall of America in order to keep room available for the expansion of the Minneapolis-St. Paul International Airport and save the airports commission and the city of Bloomington some money.

The bill authorizes the city of Bloomington to transfer a 9-year-old special taxing district east of the mall to the north side of the mall.

To do that, the Metropolitan Sports Facilities Commission would have to be willing to sell its lucrative piece of land on the north side — the Met Center site — for the mall's new development.

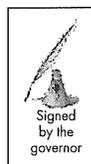
If the sports commission did, it would free up the east side land to help make room for the airport expansion.

Switching the taxing district is necessary because under its current contract with the city of Bloomington, the mall must expand wherever its special taxing district lies.

If the mall continued to expand on the east side and the airport expansion materialized, federal safety rules would come into play and dictate that the mall's east side development be razed because it would be too close to a runway.

Not only would it be a waste, but if the airports commission and the city of Bloomington came in at that time to buy up the already-developed land, the cost of the property would be significant.

Chicano-Latino council



A new law will bring greater geographic diversity to the Minnesota Spanish-Speaking Affairs Council and change the group's name.

The law, effective April 3, 1996, also increases the number of members on the governor-appointed council from seven to 11, including eight members representing each of the state's congressional districts and three members appointed at large. Two non-voting members from both the House and the Senate also will sit on the council.

The group will now be called the Minnesota Council on Affairs of Chicano/Latino People.

The term "Chicano/Latino" is defined as a person born in or a descendent of people from Argentina, Bolivia, Brazil, Chile, Colombia, Costa Rica, Cuba, the Dominican Republic, Ecuador, El Salvador, Guatemala, Honduras, Mexico, Nicaragua, Peru, Panama, Paraguay, Puerto Rico, Uruguay, or Venezuela.

The council has expressed concern that their seven members do not represent out-state interests. Its current members, who are appointed by the governor, predominantly represent the metro area.

The law also makes minor changes to laws relating to the Council on Black Minnesotans, the Indian Affairs Council and the Council on Asian-Pacific Minnesotans.

The proposal was sponsored by Rep. Matt Entenza (DFL-St. Paul) and Sen. Sandy Pappas (DFL-St. Paul).

HF2193/SF1902*/CH420



Brent Hartzell of Little Canada, who won a downhill skiing medal in the Special Olympics, received congratulations and applause from House members March 29 after speaking to the body about the importance of the program.

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Recognizing Taiwan

A resolution the Legislature passed calls for the United States to recognize the Republic of China (Taiwan) and asks that it be admitted as a member of the United Nations. The governor filed the resolution without his signature.

The resolution, (HF14) calls for the United States government to consider rendering active support to "expedite the full participation of the Republic of China in the international community."

Rep. Mike Jaros (DFL-Duluth), who sponsored the measure, said Taiwan is the 14th largest trading nation in the world.

The U.S. established full diplomatic relations with the People's Republic of China in 1979. It severed its diplomatic relations with Taiwan but still maintains trade relations.

Copies of the resolution will be forwarded to Congress and other federal offices.

HF14*/SFnone/Res. 4

No new council



Gov. Arne Carlson vetoed a bill April 2 that aimed to improve cooperation between state and local government.

The bill called for the creation of a council on intergovernmental relations made up of representatives of the Legislature, the executive branch, counties, cities, townships, and school districts.

Council members would have been asked to study and make recommendations on issues ranging from state mandates on local government to opportunities for consolidation of services between governmental units on the state and local level.

Carlson maintains a new council is unnecessary. The Board of Government Innovation and Cooperation already works on such issues, he said.

"This is a clear case of duplication," Carlson wrote in his veto message. "If the Board of Government Innovation [and Cooperation] is not doing its job, then it should be eliminated as I recommended. But to simply create another council is absurd."

The administration is "ready and willing" to work with units of local government to plan for change and is already doing so, Carlson added.

"There are sufficient existing mechanisms to accomplish the necessary dialogue between levels of government, and my administration would be happy to better facilitate the existing efforts," he wrote.

The proposal was sponsored by Rep.

Howard Orenstein (DFL-St. Paul) and Sen. James Metzger (DFL-South St. Paul).

HF2782*/SF2597/CH400



HEALTH

MinnesotaCare veto



A bill that would have expanded eligibility for MinnesotaCare, the state's program to provide subsidized health coverage to uninsured residents, was vetoed by Gov. Arne Carlson April 4. The bill also would have made technical changes to health plan regulations.

The bill, sponsored by Rep. Roger Cooper (DFL-Bird Island), would have allowed individual adults and households without children that earn up to 150 percent of the federal poverty level to become insured under MinnesotaCare beginning July 1, 1996.

Currently, single adults and households without children that earn up to 125 percent of the federal poverty level are eligible for MinnesotaCare.

Under current federal poverty guidelines, that means the bill would have made eligible a single adult earning \$11,205 or less, and a two-person household without children earning \$15,045 or less.

The current limits for single adults and two-person households without children, respectively, are \$9,338 and \$12,538.

In his veto message, Carlson said "increases in eligibility for adults must be approached incrementally." The governor stated that he would direct the commissioner of human services "to use her existing authority to expand the eligibility for this population to 135 percent of the federal poverty level effective July 1, 1996. Carlson also suggested that as "the federal government continues to debate their role in providing public health care services, a cautious state approach is prudent in light of future federal reforms."

Sen. Linda Berglin (DFL-Mpls) sponsored the proposal in the Senate.

HF2190*/SF2106/434



HIGHER EDUCATION

Reducing mandates



If there is a foot of fresh snow on the ground and travel is dangerous in Bemidji, the president of the local state university may want to close the campus for the day.

But he couldn't do it on his own. State law says the ultimate decision must be made by officials 220 miles south in St. Paul.

A new state law changes all that and aims to get rid of state mandates that neither bolster education nor improve accountability at state-funded higher education institutions, according to House sponsor Rep. Gene Pelowski (DFL-Winona).

The law grew out of a collaboration between lawmakers, system officials, college students, faculty, and administrators. The goal is to allow higher education institutions to devote more of their energy educating and less time and resources wrestling with unnecessary state regulations.

The law represents a philosophical shift in government's role in the delivery of higher education, according to Pelowski. The state still sets performance expectations for the systems and campuses, but the institutions are given more decision-making authority to meet those expectations.

One example is the simplification of procedures for closing campuses in weather emergencies.

Under the law, officials at Minnesota State Colleges and Universities (MnSCU) system campuses no longer must get approval from the Department of Employee Relations to close a campus because of bad weather.

Most changes are effective April 3, 1996, and include:

- Purchasing by MnSCU institutions is made more efficient and cost effective. Under previous law, campuses had the authority to make purchases only up to \$1,500, and most purchases had to be made through the state Department of Administration. But campus officials have said they often pay the state more than they would pay local merchants for the same products, whether it's toilet paper or computer disks. The law exempts the institutions from state purchasing requirements.
- Many reporting requirements are dropped. Officials from the colleges and universities consider some of the reports currently required to be especially onerous. For example, campuses now must file a report any time refreshments are served at a meeting. The report must list the names of all in attendance and disclose what was served and its cost. The report then must be signed by appropriate campus officials and filed with the Department of Finance. The law exempts the MnSCU system and its campuses from this and many other reporting requirements.
- Proof of immunization mandates are altered to spare colleges and universities a lot

of paperwork. Current law requires that each student produce evidence of immunization in order to register for classes. The new laws stipulates that beginning in 1997 the schools do not have to get immunization records from students who are graduates of Minnesota high schools. Determining if students are properly immunized will be done at the high school level.

- Common calendar requirements now on the books also are changed. A 1995 law required all MnSCU campuses to begin the school year at the same time. The law sought to ease transfers between schools. But some college officials complained the change would complicate local arrangements, such as those between technical colleges and school districts. The new law stipulates that co-located institutions (most often community and technical colleges) must be on the same calendar, but all institutions are otherwise free to set a calendar in the best interests of the students.

Pelowski has said that the collaborative effort to reduce mandates on higher education institutions demonstrates that reform "doesn't have to be a partisan affair."

The proposal was sponsored in the Senate by Sen. Steve Murphy (DFL-Red Wing).

HF2206*/SF2143/CH398

Higher ed bill signed



A \$14.4 million higher education funding law requires changes in the tenure code for the University of Minnesota academic health center.

The measure provides supplemental funding for the state's higher education institutions, including the University of Minnesota (U of M) and the Minnesota State Colleges and Universities (MnSCU) system. The dollars are available July 1, 1996.

A total of \$9 million is marked for the U of M. The state will spend \$6.6 million to restructure the academic health center, but the money is contingent upon specific performance goals.

The academic health center includes the medical school and dentistry, public health, nursing, and veterinary programs. Funds for the center will be used to improve technology and update curriculum.

Ninety percent of the academic health center appropriation — about \$5.9 million — is contingent on the U of M making changes to the personnel policies in the center.

The law states that the Legislature "requests" the school to pursue changes in the tenure code for the academic health center

without infringing on academic freedom.

Critics say the tenure code is often used as a job protection device that drains resources from academic programs.

Specifically, U of M trustees have to allow for changes in base salary for health center faculty and provide streamlined procedures for their separation.

The remaining 10 percent of the \$6.6 million for the academic health center is earmarked for the University of Minnesota-Duluth (UMD) medical school. But the money hinges on the continued development of the medical school as a rural health center, which aims to produce more medical professionals to serve rural areas.

Under the law, UMD has to expand the training of rural nurse practitioners, pharmacists, physician assistants, and general practitioners. The school also will have to develop electronic links to facilitate video conferences and the transmission of images and other information.

Another \$2 million in the law will be used for interactive communications technology to link academic health center facilities in Minneapolis, St. Paul, and Duluth and other community-based sites.

The law also includes \$5.3 million for the MnSCU system. Most of the money will bolster technology on the campuses.

Under the measure, about \$4.5 million will be made available for grants for the use of technology to improve learning in the classroom.

Grants of up to \$250,000 are to be awarded to state colleges and universities on a competitive basis. A review panel, including faculty, students, and a member of the Minnesota High Technology Council will decide who receives the grants.

Both the governor and lawmakers have established technological upgrades at educational institutions — at all grade levels — as a high priority this year.

Also, the law includes \$800,000 for the U of M and MnSCU to initiate a joint project to coordinate distance learning efforts and improve such programs.

Other provisions of the law:

- provide \$150,000 for the establishment of a statewide on-line library system. The dollars will fund a library planning task force whose goal is to set up an on-line system to serve colleges, public libraries, and public schools; and
- spend \$150,000 to update the technology used in the state's six regional farm business management programs, which aim to help farmers learn business skills and improve profits; and

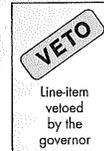
A total of \$1.5 million to increase living

and miscellaneous allowances in state grants for college students was line-item vetoed by the governor, as was a \$50,000 appropriation to repay college loans for graduates of Minnesota law schools who practice low-paying, public-interest law.

The proposal was sponsored by Rep. Tony Kinkel (DFL-Park Rapids) and Sen. LeRoy Stumpf (DFL-Thief River Falls).

HF3239/SF2849*/CH395

Grant funds vetoed



Gov. Arne Carlson has line-item vetoed \$1.55 million contained in this year's higher education supplemental funding proposal.

Gone from the proposal is \$1.5 million to increase living and miscellaneous allowances in state grants for college students and another \$50,000 to repay college loans for graduates of Minnesota law schools who practice low paying, public interest law.

"In a time when colleges and universities . . . are struggling to provide quality programs with limited resources, this [\$1.5 million] appropriation is a particularly poor use of state resources," Carlson wrote in his veto message. "Changes in financial aid should be made in the budget year."

Regarding the loan forgiveness grants, Carlson said "Targeted resources and financial aid should be directed to students who are struggling to attend institutions currently, and not to someone who has successfully graduated."

The proposal was sponsored by Rep. Tony Kinkel (DFL-Park Rapids) and Sen. LeRoy Stumpf (DFL-Thief River Falls).

HF3239/SF2849*/CH395



HOUSING

Right to privacy



A new law, effective Aug. 1, 1996, eases the requirements of previous law governing the privacy rights of tenants.

The measure changes a 1995 tenant's privacy law that some tenants and landlords have said is too strict, according to House sponsor Rep. Linda Wejman (DFL-Mpls).

Under the law, a landlord or resident caretaker can — without giving notice — enter the apartment of a tenant who is over age 55 to do prearranged housekeeping. Under the 1995 law, landlords are subject to monetary

penalties if they enter an apartment without giving the tenant reasonable notice. Entering for anything other than showing an apartment or doing maintenance tasks also brings a fine under the law.

The proposal was sponsored in the Senate by Sen. Ellen Anderson (DFL-St. Paul).

HF2242/SF2196*/CH367



HUMAN SERVICES

Omnibus human services bill

A \$14.8 million health and human services supplemental budget bill containing money for nursing homes and people with disabilities now awaits the governor's signature.

A similar bill was vetoed by Gov. Arne Carlson March 26. A House attempt to override the veto failed by three votes. It takes two-thirds or 90 members in the House to override a veto.

House and Senate bill sponsors then attached a governor-approved version of the bill onto **HF1584**.

Gone from the bill are provisions the governor said did not move quickly enough to transform the state's Medical Assistance program for the poor into a prepaid managed care system.

The governor wants all counties to participate in what is known as the Prepaid Medical Assistance Plan which has been piloted in several counties, including Hennepin, Ramsey, and Dakota, for several years. Each year, increasing numbers of counties participate.

HF1584 would spend \$5 million on nursing homes and attaches a 30-day residency requirement for some welfare recipients who receive Aid to Families with Dependent Children, MA, General Assistance, or General Assistance Medical Care.

One of the most significant portions of the bill restores millions in cuts made by the 1995 Legislature to two programs that help people with disabilities live independently at home instead of in a group home or nursing home.

Without the \$4.7 million in the supplemental budget bill, hundreds of adults and children with disabilities will lose the help they receive at home that keeps them out of an institution.

Last year, at the urging of Carlson, lawmakers cut a program that provides in-home personal care attendants (PCA) for the disabled. The cuts are scheduled to go into effect July 1, 1996. Other scheduled cuts would hit a program known as TEFRA, which allows the families of children with disabilities to

buy into the joint state and federal Medical Assistance plan. This helps them afford costly medical care that their private insurance doesn't cover.

The 1995 law tightened eligibility requirements and limited some services for both programs. One section required those receiving the help of a personal care attendant to be capable of directing their own care or be cared for by family members or placed in an institution.

Another section reduced by 12.5 percent the maximum number of personal care service hours a recipient may receive.

And still another section directly affected mentally ill adults by eliminating services a PCA could provide. Specifically, the 1995 law cut what are called "prompting" and "monitoring" services. That meant mentally ill adults could no longer rely on a PCA to remind them to take medication, prepare meals, or help them get to and from the psychologist or doctor.

HF1584 restores those cuts, eliminates the requirement that recipients be able to direct their own care, and reinstates services such as prompting and monitoring.

Rep. Lee Greenfield (DFL-Mpls) and Sen. Don Samuelson (DFL-Brainerd) sponsored the health and human services supplemental budget proposal. Below are some of the other highlights now found in **HF1584**:

Welfare reductions

Welfare programs would see a \$30 million reduction due not to cutbacks but fewer people needing help. Forecasts used last year to put together the 1996-1997 two-year budget for human services overestimated how many people would participate in public assistance programs.

Reliance on welfare has lessened because Minnesota's job market is in good shape, according to state officials. Also, officials credit MinnesotaCare for keeping more people off welfare. MinnesotaCare is a state subsidized health plan that allows certain low-income families and individuals to buy health insurance at reduced costs.

Discounted drugs

Another section of the bill directs the departments of health, human services, and administration to develop a plan to provide prescription drugs at discounted prices to individuals 65 and older whose income is below 200 percent of the federal poverty level.

For a family of two, that would have meant an annual income of \$20,060 and for a family of one, \$14,940. The departments are to

submit the report to certain legislative committees by Oct. 1, 1996.

Adoption assistance

More parents wanting to adopt children with disabilities or other special needs could see some financial help from the state. The bill sets aside another \$1.5 million to help families adopt such children.

Senior nutrition

The bill marks \$600,000 to expand programs that offer meals and groceries to the elderly across the state. Committee members were told that good nutrition can help keep senior citizens out of nursing homes.

A portion of the money would flow through the Minnesota Board on Aging to local agencies to expand elderly food programs statewide. Another portion would be given directly to local agencies on aging to help pay for such elderly services as the home delivery of meals, groceries, and prescriptions; transportation to supermarkets and congregate dining sites; vouchers for meals at selected restaurants in isolated rural areas; food stamp outreach; and nutrition screening and counseling.

Senior citizens quickly suffer from dehydration and become malnourished if they don't eat properly, proponents have said, adding that minor illnesses can worsen and broken bones take longer to heal due to poor eating.

Home delivery of meals to "shut-ins," as well as congregate meals at senior centers and other sites, are invaluable, they said, noting that they not only keep many seniors healthy, but the latter is especially helpful in getting seniors out and socializing.

Lead poisoning

Money to help relocate families whose homes are affected by lead poisoning is also part of the bill.

In all, \$100,000 would be appropriated to the Department of Health to help clean up lead. Part of the money would be used to help relocate families whose children or other members are experiencing lead poisoning stemming from sources such as contaminated dirt, water, or paint chips. Affected residents would relocate while their old home undergoes a cleanup.

Another portion of the money would help fund a study of the legal responsibilities for landlords and tenants in the area of lead poisoning and clean up.

Birth defects registry

The bill would spend \$195,000 to develop a statewide birth defects registry to collect,

analyze, and distribute information on birth defects. The Department of Health is to put the registry together.

According to the department, about 3 percent of babies are born with a birth defect and without a tracking system, it is difficult to isolate causes.

The purpose of the registry is to monitor the trends in birth defects, investigate clusters of birth defects to address concerns with scientific data, identify cases of birth defects for study to establish a cause, increase public awareness, and evaluate the effectiveness of certain prevention programs.

Restaurant license fees

The bill also contains a proposal to cut license fees for temporary food stands — those at fairs and similar events — that operate seven days per year or less. Those establishments would pay \$60 for an inspection compared to the current fee of \$130. In addition, the bill also sets a \$30 fee for special event food stands with a limited menu.

CHILD program

The supplemental budget bill would spend \$30,000 on a new child abuse prevention program known as Children Helped in Long-term Development or CHILD.

The measure authorizes the Department of Health, in consultation with the Department of Children, Families, and Learning and the Department of Human Services, to develop a statewide CHILD program using volunteers to promote a child's development in their own home.

The program would match volunteers with families before or soon after a child is born. The volunteer would visit the home and help the family cope with stresses that increase the risk of child abuse.

Welfare changes

A welfare bill that includes new residency and work-search requirements and requires both caregivers in certain two-parent households on welfare to work was approved April 2 and is awaiting Gov. Arne Carlson's signature.

The vote was 112-22 in the House and 58-6 in the Senate.

Under the bill (HF219), most individuals would have to reside in Minnesota for 30 days before they could receive General Assistance (GA), General Assistance Medical Care (GAMC) or Aid to Families with Dependent Children (AFDC).

The bill also includes \$5 million to help subsidize child care costs for more low- and



Members of the Welfare Rights Committee displayed enlarged checks outside the House chamber March 29 depicting the annual income of an AFDC mother with two children compared to the yearly salary of Gov. Arne Carlson. The group was protesting a welfare bill which they believe is unfair to people on public assistance.

moderate-income families and prohibits welfare recipients from cashing AFDC and GA benefit checks at casinos or other gambling establishments.

In addition, the bill would prohibit private insurance companies from charging a co-payment on "appropriate immunizations" for children ages 6 to 18. Current law already prohibits co-payments for children from birth to age 6.

Under the bill, the Department of Human Services could, to the extent child care funding is available, require both caregivers in a two-parent household to work if they are receiving AFDC and their children are age 6 or older and not in kindergarten.

In all, this provision is expected to affect about 800 families in Minnesota, according to the Department of Human Services.

Assistant Commissioner Deborah Huskins has told lawmakers the provision is necessary to meet federal guidelines. Last year, she said, the federal government warned the state of a maximum \$5 million sanction because not enough two-parent welfare families were working.

Currently, the federal government, which funds the AFDC program jointly with the state, requires 60 percent of two-parent welfare families to work. To date, Huskins said, Minnesota has 37 percent or 1,231 families.

In 1997, the federal requirement jumps to 75 percent, so the state needs to do something to ensure that it can meet that target.

Huskins said the provision would trigger a need for more child care with both caregivers working. To help, the bill sets aside \$450,000

to pay for two-working-parent child care grants.

In addition, the bill would require two-parent families in the Minnesota Family Investment Plan (MFIP) welfare program to find work after receiving assistance for six months. This, too, would apply only to caregivers whose children are age 6 or older and not in kindergarten.

MFIP, a program operating in eight counties, allows families on AFDC to keep more of their earned income while receiving some public assistance. This goal is to help AFDC families become self-sufficient.

Another provision in the bill would allow counties the option of starting up a new jobs program for AFDC recipients called MNJOBS. Along with state agencies, counties would work with local public and private employers and work force councils to operate the employment program.

In counties that choose to use the program, AFDC recipients would be required to participate or face sanctions, such as the loss of their public assistance benefits.

Welfare recipients would complete a face-to-face orientation on the program within 10 days and be advised of their need to work.

Those on AFDC would be required to begin searching for a job within 30 days of the MNJOBS orientation and job hunt for at least 30 hours per week for up to four weeks. People who are working at least 20 hours per week would have to conduct a job search only for 12 hours per week for eight weeks.

AFDC recipients who can't find private or non-government funded employment within

24 months would be referred to a government-subsidized, public jobs program.

The welfare package originally began as **HF2609*/SF2347** sponsored by Rep. Bob Anderson (DFL-Ottertail) and Sen. Don Samuelson (DFL-Brainerd). Toward the last hours of the 1996 Legislative Session, it was attached to a small bill requiring insurance companies to provide coverage for the treatment of diagnosed Lyme disease.



INSURANCE

Omnibus insurance bill

Insurance consumers would have new protections under a bill on its way to the governor.

The omnibus insurance bill (**HF2378/SF1980***), sponsored by Rep. Tom Osthoff (DFL-St. Paul), received final passage in the House April 1 on a 130-0 vote. The Senate passed the bill March 29 on a 58-5 vote.

The bill would expand a ban on quotas for the sale of certain kinds of insurance. And the measure would provide consumers some protection from predatory sales tactics.

The bill also includes a provision requiring insurance companies to pay for screening for prostate cancer.

Here's a look at major provisions of the bill.

Quotas banned

A 1995 law freed independent agents from company-imposed quotas on the sale of certain kinds of insurance. The bill would extend the ban on quotas to many agents who sell directly for one company.

Current law bars insurance companies from requiring independent agents to meet quotas on the sale of certain types or mixes of policies.

For example, companies cannot link an independent agent's right to sell property or casualty insurance, such as homeowner and automobile policies, to quotas on the sale of life and health policies, which are more difficult to sell.

Critics of the quotas claim they can put unreasonable demands on insurance agents and can be detrimental to the service that consumers receive.

The bill would extend the quota ban to include agents who sell exclusively for one company, as long as the agent has been licensed for at least three years.

Protecting consumers

Consumers would be provided information about the potential risks involved in replacing an existing life insurance policy or annuity contract.

Predatory sales agents target consumers — in many cases senior citizens — in a practice called churning, which sometimes leaves individuals stripped of their savings and life insurance.

Here's one way it works: A person with a policy of small cash-value is approached by an agent who promises additional life insurance coverage at little or no cost.

What the consumer doesn't know is that the new policy, in some cases, will be paid for by borrowing against the value of the old policy which eats away at the policy's cash value and the death benefit.

When the cash value of the older policy runs dry, the consumer may be forced to pay large premiums or risk having the coverage lapse. In the end, the consumer can lose his or her savings and the insurance as well.

The bill would require life insurers to find out before selling a new policy if it would replace existing coverage.

If so, the insurance agent or company would be required to give the consumer a form discussing the possible disadvantages of replacing existing coverage.

Both the customer and the agent would be required to sign the form. The agent also would have to send the company holding the existing policy notice of the proposed replacement.

Insurance choices

Conference committee members attached a provision to the bill that would require all health insurers to offer an old-fashioned option to consumers.

Under the bill, each insurer would have to offer at least one policy that allows the consumer to seek treatment from the doctors of their choice.

Holders of such a policy would not be bound to see doctors within a specific health care system or to follow a system's requirements for specialist referrals.

For group coverage, it would be up to the employer — not individual employees — to decide whether to choose the coverage option.

Cancer screening

The bill would require insurance companies to cover prostate cancer screening.

Under the bill, companies would be required, under certain conditions, to pay for a blood test used to identify the disease.

Insurers would have to cover the prostate specific antigen (or PSA) test for all men older than 50 and for men older than 40 who have symptoms of the disease or are in a high-risk group.

The test is already covered by about half of the health insurance companies, according to Rep. David Tomassoni (DFL-Chisholm). He has argued it is too important to be denied to any policyholder.

Mandated coverage of PSA testing passed the House earlier but was not in the Senate bill. Conference committee members agreed to a compromise that will repeal the mandate after two years.

Lyme disease

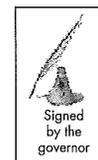
Health insurers in the state of Minnesota would have to cover the treatment for Lyme disease under a bill on its way to the governor.

Sponsored by Rep. Mary Murphy (DFL-Hermantown), the House passed the proposal (**HF219**) April 2 on a 112-22 vote. The Senate passed it on the same day, 58-6.

The disease — a bacterial illness transmitted by the bite of an infected deer tick — affects the skin, joints, and other parts of the body. It can have serious results including chronic arthritis and neurological impairment.

Proponents of the mandate claim it is needed because some insurers won't pay for adequate antibiotic treatment of the disease.

Protecting employees



Gov. Arne Carlson signed a new law April 3 that aims to protect insurance agents from being fired after contacting the Legislature.

Under previous state law, insurance companies are prohibited from firing agents who contact a state agency or department about a problem.

The new law, sponsored by Rep. Don Ostrom (DFL-St. Peter) and Sen. John Hottinger (DFL-Mankato), would simply make it clear that Minnesota law protects agents who contact anyone in the executive, legislative, or judicial branches.

The new law, effective retroactively to May 18, 1989 (the effective date of the original statute), passed the House March 29 on a 129-0 vote. It passed the Senate the same day, 61-0.

An incident involving insurance agents Gary Kemp and Mary McClure led to the introduction of the legislation this year.

The agents claim they were trying to do the right thing when they backed legislation crafted to protect insurance consumers. It cost them their jobs.

Both long-time agents for American Fam-

ily Insurance, Kemp of West St. Paul, and McClure of Mankato, became active in an effort to pass a legislative proposal that the company opposed.

The agents backed a measure to bar insurance companies from requiring agents to meet quotas on the sale of certain types or mixes of policies. The 1995 Legislature passed a law freeing independent agents from such quotas.

Kemp and McClure were pushing for lawmakers to extend the quota ban to cover agents who sell policies directly for companies such as American Family and State Farm.

American Family said that Kemp and McClure engaged in "conduct prejudicial to the company." On Jan. 11, 1996, the agents were abruptly fired.

HF3052*/SF2780/CH433



LAW

Data practices act

A bill to better protect the identities of students and loosen the red tape when it comes to picking up a library book passed the Legislature and is on its way to the governor.

The bill, sponsored by Rep. Mary Jo McGuire (DFL-Falcon Heights) and Sen. Jane Ranum (DFL-Mpls), is the omnibus data practices bill, which addresses privacy issues and the release of information held by the government. It passed the House by a vote of 121-10 and the Senate, 57-2.

Among its many provisions, the bill (HF2386/SF2410*) would:

- allow a family or household member to pick up a reserved book at a library on behalf of a patron. Patrons, however, could request that books be released only to themselves. Current law prohibits any release of data that links a patron's name with a particular book;
- allow the release of private welfare data to the Department of Children, Families, and Learning to determine whether children are eligible for free and reduced-price school meals and to help calculate more accurately the number of children receiving Aid to Families with Dependent Children;
- allow the Department of Health or a local board of health to have the current address and telephone number of a welfare recipient to find the person when there is reason to believe the individual is carrying a disease or is at risk of illness;
- expand a 1995 law that states that heads of state agencies, their assistants, or deputies who have a complaint or charge lodged against them would see investigative information about the charge become public after the investigation is completed. If they resign or are fired before an investigation is completed, the information also would become public. The bill expands officials covered under the law to include members of boards or commissions required by law to be appointed by the governor or other elective officers and executive or administrative heads of departments, bureaus, divisions, or institutions;
- provide that when a school designates school directory information (information about students that can be released to the

public), it must give students and parents notice that they have the right, under federal law, to refuse to release any information for the directory; and

- authorize the vital records division of the Department of Health to release the name and address of an unmarried mother and her child's date of birth to a family services collaborative. The objective is to connect new families in need with social services.

Extending the statute

Minnesota hemophiliacs who were treated with HIV-infected blood products and became infected with the virus that causes AIDS would have an additional year to file lawsuits under legislation on its way to the governor.

The proposal passed the House April 2 on a 93-41 vote, having passed the Senate in March.

The bill (HF2453/SF2198*), sponsored by Rep. Tom Pugh (DFL-South St. Paul), would extend the statute of limitations until June 1, 1997, for affected hemophiliacs.

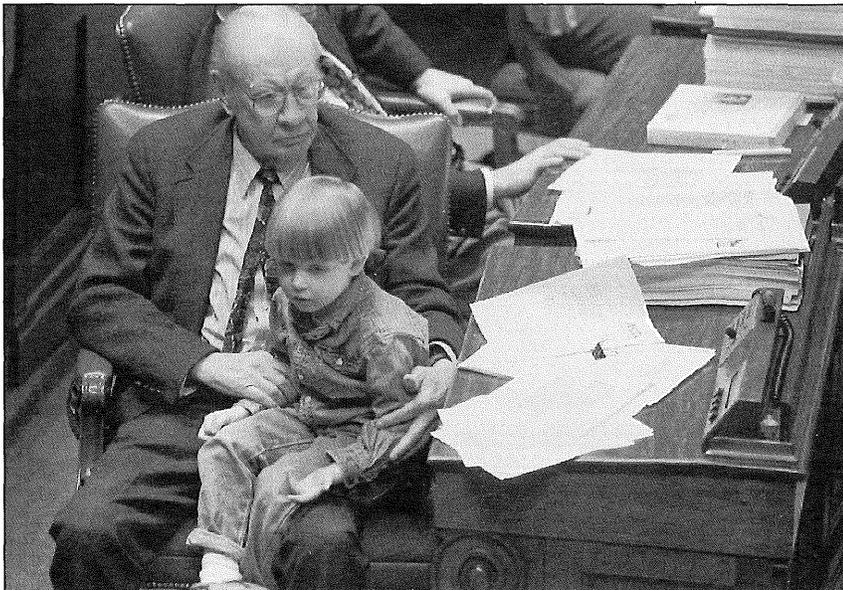
Hemophilia is a hereditary disorder characterized by excessive, sometimes spontaneous, bleeding. A hemophiliac's blood doesn't carry the clotting factor that enables a non-hemophiliac to stop bleeding after a short time.

In the early to mid-1980s, some of the donated blood that is used to create the clotting factor to treat hemophiliacs was contaminated by the AIDS virus.

In Minnesota, about 110 hemophiliacs and their spouses have died of AIDS-related illnesses acquired through the tainted clotting factor.

Because it sometimes takes years to discover that a person is HIV-infected, the current six-year statute of limitations for filing lawsuits against companies that provided the contaminated clotting factor is not long enough, Pugh has said. His bill adds one more year in those cases.

Not included in the statute of limitations extension are patients who were infected with the AIDS virus through direct blood transfusions. "Transfusion problems did affect certain hemophiliacs, but also society in general," Pugh told the Judiciary Committee earlier this session. "We could more effectively narrow down on this group who used the clotting factor."



Three-year-old Brendan Rice had the best seat in the House on the lap of his grandfather, Rep. Jim Rice, during the floor session March 30.

Need to know the House File number or the chief author of a bill?
Call the House Index Office at
(612) 296-6646



LOCAL GOVERNMENT

Temporary vacancies



City councils and other local government bodies will be able to fill temporary vacancies in their ranks under a new state law.

The law, effective Aug. 1, 1996, provides a way to replace local elected officials who are unable to serve due to illness or other reasons.

Under the law, the city council, town board, or county board could declare a temporary vacancy after a member has been absent from his or her job for 90 days.

Another person could then be appointed to fill the vacancy until the absent official returns or until the end of the term.

Previous law allows school boards to fill such temporary vacancies.

The proposal was sponsored by Rep. Phil Carruthers (DFL-Brooklyn Center) and Don Betzold (DFL-Fridley).

HF2425/SF2255*/CH422



METRO AFFAIRS

Wastewater charges



A bill to change the way local sewage charges are allocated in the metro area was vetoed by Gov. Arne Carlson.

Under current law, rates for sewage services are set by local governments within the seven-country metro area. The bill would have placed that authority with the Metropolitan Council.

Carlson objected to "stripping" local governments "of their ability to specify sewer access charges" and "unilaterally" shifting that power to the Metropolitan Council.

Carlson also objected because a provision was dropped from the bill during conference committee negotiations that would have limited the cash-flow fund balance of the council. Carlson noted current law requires "this discipline of school districts and local units of government, and this provision should have remained in the bill."

The proposal was sponsored by Rep. Mark Mahon (DFL-Bloomington) and Sen. Carol Flynn (DFL-Mpls).

HF2556/SF2194*/CH383



SPORTS

Gender specific



Women could exclude men and men could exclude women from certain athletic competitions under a new law signed April 2 by Gov. Arne Carlson.

The measure amends the state's Human Rights Act to exclude one gender "if the restriction is necessary to preserve the unique character of the team, program, or event and it would not substantially reduce comparable athletic opportunities for the other sex."

The law arose out of a conflict last year when a man filed a discrimination complaint against the Northern Lights Running Club for Women. The club wouldn't allow him to participate in its annual "Bruegger's Run for the Bagels," an event that includes a 10-kilometer and 5-kilometer race as well as running events for young girls. The spring event has attracted more than 3,000 runners.

When the man's complaint was dismissed, he filed a civil lawsuit against Bruegger's, the Minneapolis Park Board, and the running club, alleging sexual discrimination. Rather than dealing with the "logistical nightmare" of such a changed format and the "philosophical changes," club members canceled the race for 1996.

The new law, effective April 3, 1996, comes in time for an all-women's race to be scheduled this spring. It was sponsored by Rep. Phyllis Kahn (DFL-Mpls) and Sen. Ellen Anderson (DFL-St. Paul).

HF2042*/SF2015/CH431



TAXES

Omnibus tax bill

There will be no state-imposed property tax freeze for 1997, but cabin owners will see a property tax break under a bill on its way to the governor.

The proposal (HF2102), sponsored by Rep. Ann Rest (DFL-New Hope), also gives Northwest Airlines a corporate income tax break and includes a tax refund on unsold pulltabs for charitable organizations.

The bill would cost the state \$5.1 million in fiscal year 1997 and \$41.7 million for the 1998-99 biennium.

Tax cuts for cabin owners will have the largest impact on the state treasury.

Last year, the 2-percent rate on the first \$72,000 in cabin value was cut to 1.9 percent

for taxes payable in 1997. For taxes payable in 1998, it is scheduled to decrease to 1.8 percent. Those changes mean a loss of \$24.1 million in property tax revenue over the 1998-1999 biennium.

Under HF2102, the rate on the first \$72,000 in cabin value would dip to 1.75 percent for taxes payable in 1997. For taxes payable 1998, the rate is reduced to 1.5 percent. The tax revenue lost due to the cuts would be another \$22.4 million, according to preliminary Department of Revenue calculations. Other property tax payers will not see their taxes increase to cover the lost revenue. Instead, the state would pick up the tab in additional homestead and agricultural credit aid (HACA) payments to local governments and increased school aids. These increased subsidies will continue to offset the cabin tax rate cut in future years.

Other major provisions in HF2102 include:

Pulltab refunds

An organization that purchases pulltabs and tipboard games could get a refund on unsold tickets under a provision in the bill.

Under current law, the state's 1,575 pulltab and tipboard game operators, whose games must be run by charitable organizations, pay a 2-percent tax on projected gross revenues to distributors of such games.

Rep. Bob Milbert's (DFL-South St. Paul) proposal would appropriate \$2.5 million this biennium and \$10.2 million in 1998-99 to refund taxes paid on unsold tickets.

Northwest Airlines break

Northwest Airlines would get a tax break beginning in 1998 under a provision that exempts some "leased movable property" from Minnesota taxes.

The provision modifies how leased movable property is treated in determining business income for corporate income tax purposes.

Currently, receipts from the leasing of movable property, such as airplanes, automobiles, or railroad cars, are accounted for in the state where the lessee is based. Under the provision, such receipts would be accounted for in the state where the property is used.

The provision would cost the state \$3.6 million in tax revenue in the 1998-99 biennium.

Farm equipment exemption

The current sales-tax exemption on used farm machinery, set to expire in July, would be extended until June 30, 1997. (The tax rate on new farm machinery is 2.5 percent.)

The exemption, which is limited to equipment used in the business of farming, would cost the state \$1.6 million in lost revenue.

Disabled homeowners

The bill expands the number of disabled homeowners who could qualify for reduced property taxes. Currently, a permanently or totally disabled person must get 90 percent of his or her income from public pension sources in order to qualify for the reduced tax rate of 0.45 percent. Proposals offered by Reps. Rich Stanek (R-Maple Grove) and Bill Macklin (R-Lakeville) would change that. Under the new provisions, private pensions and other financial sources could be included in the 90 percent figure. The bill also includes a \$50,000 annual income cap for those who qualify for the reduced rate. Currently, there is no income limit.

Macklin has estimated that the salary change would disqualify about 26 people currently covered under the rate.

SCORE taxes

Disparities in the remittance of local waste collection and disposal taxes would be studied but not corrected under a provision in the bill. The provision is scaled back from Rep. Jean Wagenius' (DFL-Mpls) plan to credit counties that paid too much in SCORE taxes and collect from those that have underpaid.

SCORE, which stands for Select Committee on Recycling and the Environment, refers to the taxes counties and local governments pay on public and private mixed municipal solid waste management. There are wide disparities in the amounts of SCORE taxes paid, with some local governments reporting either overpayments or underpayments.

A task force established by the Office of Environmental Assistance would make recommendations to the Legislature on how to improve the collection of the SCORE tax. The office would get \$250,000 for the study.

Helping foster children

Minnesota foster children would no longer have to pay sales tax on automobiles given to them as gifts by their foster parents.

The provision, sponsored by Rep. Darlene Luther (DFL-Brooklyn Park), expands current law governing motor vehicle sales tax exemptions to include the foster parent-child relationship.

Automobile buyers in Minnesota pay a 6.5 percent sales tax, based on the purchase price of the vehicle, less the value of any trade-in vehicle.

Motor fuels taxes

Among the bill's mostly technical motor fuel provisions is a measure that clarifies when a tax should be collected on the sale of motor fuel. The provision, which is in response to a recent decision by the U.S. Supreme Court, mandates that the first distributor of motor fuel is responsible for the tax.

The measure aims to protect Minnesota against challenges to the current practice of collecting the motor fuels tax on reservation sales to individuals who don't live on the reservation.

Special service districts

Cities and towns could establish on their own, special service districts for commercial or housing improvement projects. Currently, local governments must get legislative approval before establishing any special service district.

Such districts allow for additional tax levies to be imposed, with the additional revenue used for housing improvements.

The measure, proposed by Rep. Steve Kelley (DFL-Hopkins), aims to let cities — instead of the state — govern themselves.

The bill also requires a public hearing to be held before such a district is established.

Iron Range tax sharing

Taconite producers would get some tax relief under a proposal that establishes a fiscal disparities tax-sharing program for the Iron Range.

The program would be modeled after the metro area's fiscal disparities program, which requires municipalities to contribute a percentage of their commercial-industrial tax base growth to an area-wide "pool." The pool is then used to equalize disparities in property wealth per capita between districts.

Areas with strong commercial-industrial growth often subsidize other areas under such a program.

Under the provision, commercial-industrial properties would pay a split tax rate in all of Cook and Lake counties, most of Itasca and St. Louis counties, and a small part of Aitkin, Crow Wing and Koochiching counties. Part of the tax would be based on the local tax rate and the other part would be based on the area-wide rate. Under the proposal, the area-wide portion of the tax rate would not exceed 40 percent of the total tax rate.

Taconite relief

Koochiching and Carlton counties are among the northern Minnesota areas that would see increased environmental develop-

ment grants under a provision to help the Iron Range.

Under a provision aimed at the Iron Range economy by Reps. Steve Sviggum (R-Kenyon) and Tom Bakk (DFL-Cook), the share of taconite tax revenues paid to the Iron Range Resources and Rehabilitation Board (IRRRB) would be increased. Currently, the revenues from 1 cent per ton of the production tax on mining companies goes to the board. The bill increases the amount to 1.5 cents. The increase would cost \$200,000 this biennium and \$400,000 in 1998-99.

The IRRRB was established in 1941 to encourage economic diversification on the Iron Range.

Performance goals

Cities and towns could either increase or decrease their share of state aid by setting performance goals. Rep. Andy Dawkins' (DFL-St. Paul) measure would require that cities establish "performance measures" in order to get aid from a newly established "performance aid" fund. The measure aims to increase the accountability of local governments by requiring cities and towns to adopt goals and work toward them.

The current homestead and agricultural credit aid (HACA) program would be modified to create the performance aid fund. Currently, cities and counties receive \$2 per capita from HACA. Under Dawkins' measure, HACA payments to cities and counties would be reduced by \$1 per capita and would be adjusted for inflation. The measure would cost \$2.2 million in the next biennium.

School referendums

A measure aimed at reaffirming the state's commitment to "truth in taxation" policy would affect school districts holding bond referendums. Under the provision, county auditors must indicate on a school referendum ballot that approval of a bond issue could result in a higher tax than the school district has proposed.



TRANSPORTATION

Omnibus funding bill

A bill that would increase the speed limit on some Minnesota highways is on its way to the governor.

The \$60.3 million transportation funding bill includes a provision to boost the speed limit to 65 mph on rural, divided highways.

The speed limit increase would be only on

roads outside areas with a population of 50,000 or more. And it would be only on four-lane, divided highways with limited access.

The Minnesota Department of Transportation has indicated the change would increase speeds on about 560 miles of such Minnesota highways. (That does not include the more than 700 miles of rural interstate highways where the speed limit is already 65 mph.)

The commissioner of transportation also would have the authority to raise speed limits on other segments of rural, divided highway where it is appropriate according to traffic and engineering studies.

Efforts to increase the speed limit on Minnesota highways come in the wake of the 1995 repeal of federal speed limit mandates.

Supporters of a speed limit hike in the state suffered a setback early in the 1996 Legislative Session when several proposals stalled in a House committee.

But the Senate attached a speed limit increase to a transportation funding bill, and the provision survived conference committee to come to a final vote in both chambers.

The transportation finance bill (HF3137/SF2702*), sponsored by Rep. Bernie Lieder (DFL-Crookston), won final passage in the House April 2 on a 113-19 vote. It passed the Senate the same day on a 62-2 vote.

It is unclear how Gov. Arne Carlson will respond to the speed limit increase. He had called for any speed hike to be accompanied by an infusion of additional funds to hire more state troopers.

The House rejected a separate bill that would have provided funds for the new troopers.

(The failed bill (HF1404), also sponsored

by Lieder, also called for a 5-cent increase in the gas tax to provide more money for highways. And the measure aimed to use a portion of the sales tax on new vehicles to finance public transit.)

The transportation funding package that eventually emerged from the Legislature would provide funds for highway repair and would set new requirements for receiving a driver's license.

Here's a look at major provisions of the bill.

Road repair

The bill would provide \$51.4 million to the Department of Transportation largely to be used for highway construction, maintenance, and project engineering.

Carlson recommended spending \$12.8 million less for highway projects.

Under the bill, the transportation department's appropriation also would include \$110,000 for repair of the historic Stone Arch Bridge in Minneapolis and \$100,000 for driver education programs at the St. Cloud State University highway safety center.

Neither of those items were included in the governor's budget recommendations.

Public transit

Under the bill, a total of \$1 million would be included in the transportation department budget to bolster public transit in greater Minnesota.

Another \$6 million would be dedicated to Metropolitan Council Transit Operations (MCTO) for public transit in the Twin Cities area. But critics argue the money would not

be enough to prevent possible fare hikes and service reductions looming as a result of a MCTO's financial struggles.

More driving practice

Minnesotans 18 or under would have to have a learner's permit for six months before they would become eligible for a driver's license, under the bill.

Rep. Carol Molnau (R-Chaska), who backed the measure, said young people need more time to learn how to drive before they are allowed to go it alone.

Drivers 18 years of age and younger account for a disproportionate number of traffic accidents, according to Molnau. And, she said, the six hours of behind-the-wheel training required in driver education programs are not enough.

Designated parents

A symbol placed on a parent's driver's license or state identification card would alert police and health care workers that the parent has designated someone to care for his or her children in times of crisis.

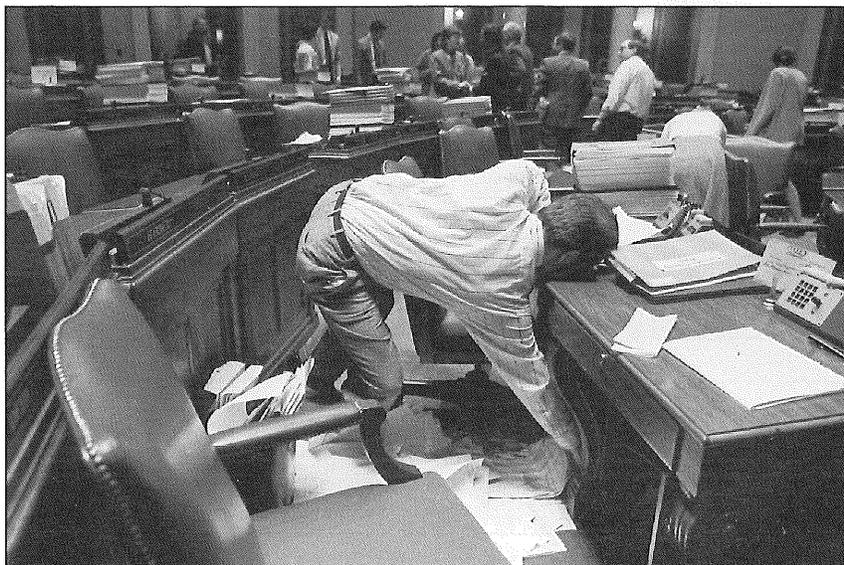
Parents who name another individual as a designated parent to care for their children in the case of an emergency would have to pay a \$3.50 fee to have the symbol placed on their licenses.

Designated parent information would be on file with the Department of Public Safety. The information would be released to law enforcement or health care workers if a parent is unable to communicate and there is a need to contact someone to care for the child or children.

New dispatchers

The governor sought funds to hire 46 additional state troopers to be included in a \$4.8 million he sought for the Department of Public Safety.

But the bill includes only enough money to hire four additional state patrol dispatchers. The measure would provide \$150,000 for the new positions in a \$1.3 million appropriation to the department.



Mark Olson, a House page, starts the cleanup of the House chamber by pulling out the mounds of discarded paper stuffed between desks. The House adjourned the 1996 Legislative Session sine die at about 1 a.m. April 3.

Send e-mail comments
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to:

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We thank you for your input.

The editors

Bills Sent to the Governor

Bills await the governor's signature . . . or veto

Once a bill has passed both the House and Senate in identical form, it's ready to be sent to the governor for consideration. The governor, who has several options when considering a bill, can: sign the bill and it will become law; veto the bill; line-item veto individual items within an appropriations bill; or do nothing, which can have two different effects. The timing of these actions is as important as the actions themselves.

In the second year of the biennium (even-numbered years), a bill passed by the Legislature and presented to the governor before the final three days of the session will become law unless the governor vetoes it by returning it to the Legislature within three days. The gover-

nor normally signs the bills and files them with the secretary of state, but his signature is not required.

But if a bill is passed during the last three days of session, the governor has a longer time to act on it. He/she must sign and deposit it with the secretary of state within 14 days after the Legislature adjourns "sine die" (Latin for adjournment "without a date certain"). If the governor does not sign a bill within this time frame, it will not become law, an action known as a "pocket veto." The governor is not required to provide a reason for the veto.

Only on appropriations bills can the governor exercise the line-item veto authority. This option allows the governor to eliminate the

appropriation items to which he/she objects. As with all vetoes (save pocket vetoes) the governor must include a statement listing the reasons for the veto with the returned bill. Here, too, the timetable is either 14 days after adjournment for bills passed during the final three days of the session, or within three days after the governor receives the bill at any other time.

A two-thirds vote of the members in each house is needed to override a veto. But because only the governor can call a special session of the Legislature, anything vetoed after the Legislature adjourns is history — at least until the next year.

The governor's veto authority is outlined in the Minnesota constitution (Article IV, Section 23).

Chapter	HF	SF	Description	Signed	Vetoed
395**	none	2849*	Omnibus Higher Education Bill	4/1	Line-item
396	2834*	2563	Relating to watercraft; modifying the requirements for operation of a motor boat by a youth.	4/1	
397	2519*	2172	Relating to the environment; increasing the amount of reimbursement available for cleanup of petroleum releases by certain responsible persons.	4/2	
398	2206*	2143	Relating to education; removing mandates from higher education.	4/2	
399	1567*	1441	Relating to public funds; regulating the deposit and investment of these funds, and agreements related to these funds.	4/2	
400	2782*	2597	Relating to local government; providing for creation of an advisory council on intergovernmental relations.		4/2
401	2478*	2372	Relating to consumer protection; restricting the provision of immigration services; regulating notaries public.	4/2	
402	2375*	2073	Relating to local improvements; requiring a report to show the need and cost-effectiveness of local improvements.	4/2	
403	2580*	2409	Relating to game and fish; modifying restrictions for nonresident fish houses.	4/2	
404	2752*	2472	Relating to consumer protection; providing for the licensing and regulation of pawnbrokers.	4/2	
405	2171*	2252	Relating to state government; clarifying powers of the Pollution Control Agency board and commissioner.	4/2	
406	2284*	1948	Relating to family law; regulating reductions in monthly payments for overpayment of support or maintenance.	4/2	
407	2512	2167*	Omnibus Environment, Natural Resources, and Agriculture Bill.	4/2	Line-item
408	3242	2856*	Omnibus Crime Bill.	4/2	

Chapter	HF	SF	Description	Signed	Vetoed
409	2125*	1890	Relating to the environment; allowing the Pollution Control Agency to issue an air quality permit without regard to certain particulate standards.	4/2	
410	2799	2445*	Relating to natural resources; game and fish modifications.	4/2	
411	2041	1872*	Relating to peace officer training; requiring peace officers to undergo training in community policing techniques.	4/2	
412	2156*	1884	Omnibus K-12 Education Bill.	4/3	Line-item
413	2413*	1986	Relating to cemeteries; clarifying procedures for examination of certain accounts and records by the state auditor.	4/2	
414	2369*	2037	Relating to financial institutions; regulating consumer credit.	4/2	
415	2059*	1982	Relating to veterinarians; changing the veterinary practice act.	4/2	
416	2158	1885*	Relating to human services; clarifying foster care payment and placement.	4/2	
417	2319	1919*	Relating to re-employment insurance; making technical changes.	4/2	
418	2590	2116*	Relating to alcoholic beverages; modifying eligibility for manufacturer and wholesaler licenses.	4/2	
419	3123	2720*	Relating to elections; permitting simultaneous candidacy for nomination by major and minor parties with their consent under certain conditions.	4/2	
420	2193	1902*	Relating to several state councils; changing name, membership, and powers.	4/2	
421	2368	2123*	Relating to children; clarifying the procedures peace officers must follow when deciding where to place a child on a health and welfare hold.	4/2	
422	2425	2255*	Relating to local government; providing for certain vacancies in the elected offices of mayor or council member.	4/2	
423	66*	891	Relating to occupations and professions; establishing the board of licensed professional counseling.		4/3
424	1157	842*	Relating to occupations and professions; board of psychology; modifying board duties.	4/2	
425	none	2457*	Relating to public employees; regulating the salaries of certain higher education officers.	4/2	
426	2313	2012*	Relating to highways; designating a part of Highway No. 22 as Victory Drive; designating a part of Highway No. 15 as Veterans Memorial Highway.	4/2	
427	2112*	1987	Relating to the environment; authorizing establishment of municipal individual sewage treatment system and well loan programs.	4/2	
428	2207*	2013	Relating to the environment; adopting changes to the Midwest Interstate Compact on Low-Level Radioactive Waste.	4/2	
429	532*	530	Relating to veterans; proposing an amendment to the Minnesota Constitution permitting the payment of a monetary bonus to veterans of the Persian Gulf War.	4/2	
430	379	317*	Relating to cities; permitting cities to close certain unlawful businesses.	4/2	
431	2042*	2015	Relating to the human rights act; providing certain equal opportunities in athletic programs available on the basis of sex is not an unfair discriminatory practice.	4/2	
432	2101*	2283	Relating to elections; allowing mail balloting in certain elections in additional cities and towns.		4/3

Chapter	HF	SF	Description	Signed	Vetoed
433	3052*	2780	Relating to insurance; clarifying that existing law prohibits insurers from terminating agents as a result of contacts with any branch of government.	4/3	
434	2190*	2106	Relating to health insurance; making technical changes.		4/4
435	2402*	2209	Relating to motor vehicles; abolishing vehicle registration tax exemption for representatives of foreign powers, etc.	4/3	
436	401	302*	Relating to employment; increasing the minimum wage.		4/3
437	2194	1956*	Relating to the environment; providing for an environmental permitting project.	4/3	
438	2417*	2048	Relating to retirement; various Minnesota public pension plans.	4/3	

In remembrance

Peter Popovich, former House member and chief judge of the Minnesota Supreme Court and Court of Appeals, was an Iron Range success story.

He died March 29 at Midway Hospital in St. Paul as a result of multiple-organ failure. He was 75.

Popovich often credited his Yugoslavian roots and Iron Range upbringing for giving him the strong work ethic and independence apparent throughout his public life.

He was born in Crosby, Minn., and also lived in Aurora and Chisholm while growing up.

"In the Iron Range, the emphasis was on education," Popovich said in a 1988 interview. "Education was the key to getting ahead. More than once I heard my father say, 'Get an education. They can't take that away from you.'"

His father, who came to this country from Yugoslavia at age 15, worked in the iron mines before going on to serve as a Chisholm city official. His mother, a teacher, died when Popovich was 13.

Popovich's path to the Legislature and later to the bench was not an easy one. Aside from the death of his mother, he was afflicted with vision problems serious enough to disqualify him from military

service during World War II. And, he had to overcome a bout with polio in his 20s.

He worked odd jobs including a stint as a dance instructor to put himself through college. He eventually earned a degree from St. Paul College of Law (now William Mitchell College of Law).

Popovich lost his first run for the Legis-

Throughout his career, Popovich was known as a strong advocate for government openness and for First Amendment freedoms.

In 1983, former Gov. Rudy Perpich, a friend and fellow Iron Ranger, picked Popovich to be the first chief judge of the newly created Minnesota Court of Appeals.

Popovich was known as an active administrator who shaped the court into the only intermediate court in the nation with no backlog.

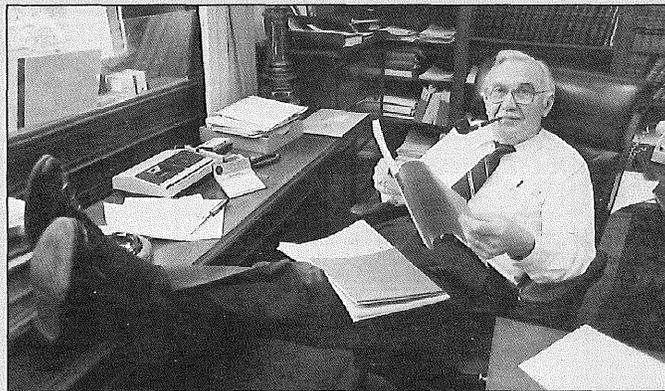
Perpich appointed Popovich to the state Supreme Court in 1987, and Popovich became chief justice in early 1989. He retired from the court in 1990 at age 70.

As the first person from the Iron Range to serve on the Supreme Court, Popovich was

considered a moderate and free thinker on the bench.

Popovich acknowledged that he could be stubborn and demanding, but he considered his determined approach to his work only one part of his character.

"I know the pangs and trauma other people feel. I'm warm. I've got a sense of humor," Popovich said in a 1983 interview. "... You live but once. You've got to do what you think."



Former Chief Justice of the Minnesota Supreme Court Peter Popovich

lature in 1950, but rebounded to win in 1952. He represented his St. Paul district with characteristic tenacity for 10 years.

"I just loved the legislative process — negotiating and drafting bills, negotiating compromises," he said.

His House colleagues named him outstanding freshman legislator in 1953 and most effective legislator in 1959. Among the many bills he sponsored was the state's first open meeting law.

Bill Introductions

HF3279-HF3293

Friday, March 29

HF3279—Murphy (DFL)
 Commerce, Tourism & Consumer Affairs
 Intoxicating off-sale liquor license time of day restrictions modified.

HF3280—Smith (R)
 Rules & Legislative Administration
 President and Congress memorialized to increase the federal minimum wage.

HF3281—Jefferson (DFL)
 Governmental Operations
 Public pension benefit accrual rates increased, pension plan financing adjusted, defined contribution early retirement options authorized, and money appropriated.

HF3282—Orenstein (DFL)
 Judiciary
 Firearms; right to keep and bear arms not abridged and constitutional amendment proposed.

HF3283—Orenstein (DFL)
 Judiciary
 Firearms; right to keep and bear arms established and constitutional amendment proposed.

HF3284—Orenstein (DFL)
 Judiciary
 Firearms; right to keep and bear arms for certain purposes not abridged and constitutional amendment proposed.

HF3285—Orenstein (DFL)
 Judiciary
 Firearms; right to keep and bear arms not abridged and constitutional amendment proposed.

HF3286—Orenstein (DFL)
 Judiciary
 Firearms; right to keep and bear arms not abridged and constitutional amendment proposed.

HF3287—Jennings (DFL)
 Regulated Industries & Energy
 Electric utility service provider service connection provisions modified.

HF3288—Orenstein (DFL)
 Environment & Natural Resources
 Hunting and fishing rights affirmed and constitutional amendment proposed.

HF3289—Orenstein (DFL)
 Environment & Natural Resources
 Hunting and fishing rights affirmed and constitutional amendment proposed.

HF3290—Orenstein (DFL)
 Environment & Natural Resources
 Hunting and fishing rights affirmed and constitutional amendment proposed.

Saturday, March 30

HF3291—Jaros (DFL)
 Environment & Natural Resources
 Minnesota Point; Duluth federal land conveyance legal status report required.

HF3292—Murphy (DFL)
 Taxes
 City aid base definition modified for local government aid purposes.

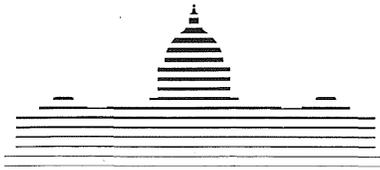
HF3293—Osskopp (R)
 General Legislation, Veterans Affairs & Elections
 Persian Gulf War veteran monetary bonus payment permitted, and constitutional amendment proposed.

Frequently called numbers

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Speaker of the House: Irv Anderson
 Majority Leader: Phil Carruthers
 Minority Leader: Steven A. Sviggum

MINNESOTA INDEX

Women in the U.S. and Minnesota

Year that the U.S. Congress designated March as Women's History Month	1987
Nationwide, private sector managerial jobs held by women, 1992	3 in 10
professional jobs held by women	1 in 2
Percent of K-12 principals, nationwide, who were women, 1975-76	
school years	12.8
in 1992-93	37.3
Number of women veterans in Minnesota	15,812
Minnesota women in the armed forces	381
Percent of adult women in Minnesota who are living in poverty	
(according to federal poverty guidelines)	11
percent of adult men living in poverty	7.5
Minnesota senior citizens who live alone	167,001
women	132,219
men	34,782
Minnesota women who were single, 1900	1 in 3
in 1990	1 in 4
Ratio of marriages to divorces, 1930	8:1
in 1990	2:1
Percent increase in the number of unmarried women giving birth, 1980-1990	100
Nationwide, percent of women with a bachelor's degree, 1990	14
in Minnesota	17
Percent of men in Minnesota with a bachelor's degree, 1990	17
Median annual income, all Minnesota families, 1990	\$36,916
female heads of families	\$18,199
in Aitkin County, lowest in Minnesota	\$9,168
in Washington County, highest in Minnesota	\$24,383
Percent of women in the seven-county metro area working full-time	62
percent of non-metro women working full-time	38
Women as a percent of the labor force, 1900	14.9

Source: Legislative Commission on the Economic Status of Women; *Indicators of Equal Employment Opportunity — Status and Trends*, U.S. Equal Opportunity Commission.

For more information



For general information, call:
House Information Office
 (612) 296-2146 or
 1-800-657-3550

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 (612) 296-2314

To find out about bill introductions or
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