



Emily Anne Staples Tuttle papers.

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# Senate Majority Research

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March 21, 1980

TO:      Senator Staples  
FROM:    Marcia Greenfield  
RE:      LABOR BILLS AUTHORED

Attached is a copy of your author index on which I have marked bills on which you were chief or co-author which can be considered labor issues.

Bills which labor might have opposed are marked with an "X". Sometimes it was hard for me to tell which side of a "labor" issue organized labor would have been on if the issue was not included in the AFL-CIO Legislative Report.



## SENATE BILLS BY AUTHORS—Continued.

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Taxation-Income

Tax incentives to employers for employee health care benefits; options	\$1350*	
------------------------------------------------------------------------	---------	--

Trade Practices

Commercial assumed name	\$1001	
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Traffic Regulations

Speed limits in school zones	\$361*	Ch60
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Transit

Operating subsidy for Medicine Lake Transit Service	\$481	Ch266
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Veterans

Educational grants to veterans and dependents	\$832	
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Workers' Compensation

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# Senate Majority Research

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February 20, 1980

TO:      Senator Staples  
FROM:      Marcia Greenfield *mg*  
RE:      SPECIAL INTEREST GROUP LEGISLATIVE RATINGS

Attached are the special interest group ratings available for your legislative term (agricultural ratings not included). There are no special interest legislative surveys done by any business-oriented groups.

Except for Americans for Democratic Action and the Legislative Evaluation Assembly, the special interest groups do not calculate ratings for their legislative voting surveys. Therefore, the ratings for all groups, except ADA and LEA, are my calculations. I have provided two ratings in cases where you have not voted on one or more of the survey issues: one rating counting the "not voting's" and one not counting them.

In addition to your ratings, in some cases I have included the average DFL rating and/or the average Senate rating. In the case of ADA, those averages are provided by the organization. In the cases of LEA, the AFL-CIO and MEA, the averages are taken from the Minnesota Legislative Guide, a lobbyist manual published by Carter/Locey & Associates. I have attached a copy of your page from the Minnesota Legislative Guide for the 1979 session, which contains some information that may be of use to you.

Also, I have enclosed copies of the special interest group surveys for your use should you be concerned about the issues taken by any of the groups.

If I can be of further assistance, please let me know, at 296-4866/296-4113.

Encl.



February 29, 1980

STAPLES SPECIAL INTEREST GROUP RATINGS, 1977-1979

1. Americans for Democratic Action (ADA)

1977: 85% (25 issues: 21 agree, 4 disagree)  
Fourth highest Senate rating (tied for fourth with  
four other Senators)  
DFL average: 57%  
Senate average: 48%

No surveys for 1978, 1979.

2. Legislative Evaluation Assembly (LEA)

1977: 0% (13 issues)

1978: 0% (13 issues)

1979: 13% (16 issues: 2 agree, 11 disagree)

Senate average: 23% (1977-78)

3. League of Women Voters

1979: 75% (4 issues: 3 agree, 1 disagree)

No surveys for 1977, 1978.

4. AFL-CIO

1977: 80% (25 votes: 20 agree, 3 disagree, 2 not voting counted)  
87% ("Not voting" not counted)

1978: 72% (19 votes: 13 agree, 1 disagree, 4 not voting counted,  
1 excused not counted)  
93% ("Not voting" not counted) - Don't think you can use  
this higher rating.

1979 not available until after 1980 session.

Senate average: 70% (1977-78)

Staples Special Interest Group Ratings  
Page 2

5. Minnesota Education Association (MEA)

1977: 45% (11 votes: 5 agree, 2 disagree, 4 not voting counted)  
71% ("Not voting" not counted)

1978: 57% (7 votes: 4 agree, 3 not voting counted)  
100% ("Not voting" not counted) - Don't think you can use  
this higher rating.

1979 survey not available until after 1980 session.

Senate average: 69% (1977-78)

6. DFL Feminist Caucus

1977: Not available

1978: 71% (7 votes: 5 agree, 2 not voting)  
100% ("Not voting" not counted) - Don't think you can  
use this higher rating)

1979: 100% (6 votes: 6 agree)



DISTRICT 43

SENATOR

Emily Anne Staples  
1640 Xanthus Lane  
Plymouth 55391  
(612)473-9120

CAPITOL

235 Capitol  
St. Paul 55155  
296-4137

1st term. Community Volunteer and Home Manager. b. May 3, 1929. B.A. U of M. Former Henn. Cty. Library Board. Exec. Cmte., Abbott-N'westn. Hosp. Exec. Cmte., United Way of Greater Henn. Cty. CLA Board, U of M. Dir., KSJN-MPR. Dir., Mn. Historical Society Chmn, Henn. Cty. Bicentennial Plng. Comm. Nat'l Trust for Historic Pres. Past Pres. Mpls. Jr. League. Womens Advisory Cmte, Mn. Dept. of Human Rights. Trustee, Breck School. Married. Four children. Husband: Loring.

INTEREST GROUP RATINGS:

	<u>ADA</u>	<u>MEA</u>	<u>LEA</u>	<u>AFL-CIO</u>
Staples	84	50	0	80 75
Senate Average	48	69	23	70

ENDORSED BY: DFL, AFL-CIO, Robbinsdale MFT, Minneapolis Politically Involved Nurses, State and Municipal Employees, Minnesota Women's Political Caucus

PARTY INDEX

	<u>1970</u>	<u>1974</u>
DFL	46%	46%
IR	54%	54%

ELECTION RESULTS - 1976

Staples (DFL)	15,928	50.8
Nelson (IR)	15,439	49.2

COMMITTEES

Employment, Vice Ch.  
Energy and Housing  
General Legislation  
Health, Welfare and Corrections  
Veterans Affairs

SUBCOMMITTEES

DISTRICT DESCRIPTION: Consists of that portion of Hennepin county consisting of the villages of Plymouth and Medicine Lake, the city of Robbinsdale, that portion of the city of Golden Valley not included in senate district 41 and that portion of the village of New Hope described as follows: commencing at the intersection of Mendelssohn Ave. North and 36th Ave. North, easterly along 36th Ave. North to the western boundary of the city of Crystal, southerly along the western boundary of the city of Crystal, southerly westerly, southerly, westerly, northerly, westerly, southerly, westerly, southerly, easterly, northerly, easterly and southerly to Medicine Lake Road, westerly along Medicine Lake Road to Mendelssohn Ave. North, northerly along Mendelssohn Ave. North to the point of origin.



BILLS AUTHORED

1977-78 SESSION

DISTRICT 43

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 Ambulances 1757  
 Birth Control 2143 2253  
 Building Codes 421  
 Children 1290 1291 1803 1917  
           1974 2050  
 Colleges & Universities 917 542  
 Counties 875 978 993  
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 Corrections 1163  
 Crimes & Criminals 918 2257  
 Elections 1248  
 Finance Department 1071  
 Fish & Game 259  
 Forest & Trees 174

Handicapped & Disabled 1485  
 Health 652 1114  
 Hospitals & Health Facilities 1401 1685  
 Landlord & Tenants 1280  
 Minnesota Historical Society 1441  
 Municipalities 2167 2250  
 Personnel Dept. 1205  
 Public Welfare 741 936 1081 1486 2199  
                   2201  
 Sewers 749  
 State Government 375

BILL SUCCESS RATIOS:No. AuthoredNo. Enacted

Staples  
 Caucus Average

43  
 43

8  
 14

SENATE KEY ISSUES - 1977-78 SESSION

For explanation of bills on which votes are shown, see "Explanatory Notes".  
 Voting Symbols: (+) vote for; (-) vote against; (0) not voting.

<u>BILL #</u>	<u>ISSUE</u>	<u>VOTE</u>
S.F. 1	Container Deposit	+
S.F. 1	Deposit Compromise	-
H.F. 8	Unit Pricing	+
H.F. 45	Ban Plastic Milk Bottle	+
S.F. 141	Fuzzbuster	-
S.F. 270	Truck Weight	-
H.F. 382	Motorcycle Helmets	+
H.F. 451	Detached Banking Facilities	+
S.F. 483	Legislator Pay Increase	+
H.F. 515	Telephone (Directory Assistance)	+
H.F. 522	Building Code	+
H.F. 800	Gun Control	+
S.F. 895	Stadium	+
S.F. 1137	Chiropractors	-
S.F. 1468	Truth in Repairs	+



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February 21, 1980

TO:      Senator Staples  
FROM:      Marcia Greenfield  
RE:      Community Social Services Act

Attached is the material you requested on the intent of the Community Social Services Act. It also includes information on implementation of the Act.

Also, enclosed is a detailed outline of the Act.

If you have any questions, or if I can be of further assistance, please let me know at 296-4866. I have quite a bit of material in my CSSA file.



COMMUNITY SOCIAL SERVICES ACT

(Minnesota Laws 1979, Chapter 324)

The express purpose of the 1979 Community Social Services Act is "to establish a system of planning for and providing community social services administered by the boards of county commissioners of each county under the supervision of the Commissioner of Public Welfare."

The Community Social Services Act was developed by the legislature in response to criticisms over a number of years that in the area of social services the legislature and the state Department of Public Welfare have been and are too prescriptive. Accordingly, legislation was developed with the overall purpose of returning to local government the ultimate responsibility and accountability for social service programs provided at the local level and the management of funds for this purpose.

Recognizing this overall purpose, it also needs to be recognized that the new law reflects a series of understandings and compromises developed over a three year period between the House and Senate, between the legislature and the state agency, and between the legislature, the state agency and social service providers and consumers. And further, we must recognize that the new legislation will undoubtedly undergo clarifying and other changes in future legislative sessions.

As enacted, the Community Social Services Act reflects the intent of the legislature to:

1. Eliminate the categorical approach to social services funding, and establish instead a formula allocation for state and federal social service funds.
2. Make social service delivery responsive to local needs by placing social service planning, budgeting, and administration in the hands of an elected local body.

The Community Social Services Act does not change the state's commitment to adequate and high quality social services. Basically, the Act consolidates a wide range of social service programs that used to be planned and funded separately into a single system, and, at the same time, decentralizes planning, budgeting, and administrative responsibility.

Funding for social services will continue to be a three-part system, consisting of state funds appropriated by the legislature, Title XX funds from the federal congress, and county matching funds raised through the property tax levy. What will change is the method of distributing state and federal funds to the counties and allocating funds among the social services in each local area. Rather than distributing program funds separately to the counties and other local agencies, locally apportioned funds will be allocated for services to reflect local needs.



Under the new system, the separate social service funding mechanisms which were administered by the state Department of Public Welfare will be replaced, and county boards of commissioners will receive an annual state social services block grant and an annual Title XX block grant. The state grant will be determined by a formula based upon each county's public welfare income maintenance caseload, county population over age 65, and total county population. Title XX grants will be determined by a formula based on county public assistance income maintenance caseload, and general county population. Counties will be required to match state aids through a social services tax levy, and will be required to continue to meet the 25% match for Title XX funding.

Because the total number of social service dollars available in a county will depend upon the county's formula share of the total state and federal appropriations plus the county's required local matching funds, some shifting of counties' shares of the statewide state and federal social service appropriations according to formula needs will be noticed. Also, with the shift to local planning and budgeting, the relationship of funding for particular social services within a county may change, depending upon relative local needs. Further, methods of delivery for each of the social services may change, similarly, depending upon local needs. However, the quality of social services should remain constant. While the new system changes social services planning, placing it on a decentralized local level, it does not change the system for program standards, which will continue under the authority of the state Department of Public Welfare.

In the three years during which legislators worked on the Community Social Services Act, they were made aware of many problems which could arise under the new system. In response, the legislature included several features in the bill passed last session designed to ensure maintenance of at least the current level of social service funding to each of the counties, and maintenance of at least the current level of funding for each of the social service areas within each county. Further, the Act includes features designed to ensure responsiveness to local needs and to permit flexibility in providing for special social services needs.

The Act guarantees each county a minimum amount of state aid and federal Title XX funds for calendar years 1980 and 1981. Each county is guaranteed state aid in calendar years 1980 and 1981 of at least 106% and 112%, respectively, of the state funds it received for social services in calendar year 1978. Each county is guaranteed Title XX funding equal to its 1978 Title XX allocation plus at least 50% of its share of increases in Title XX appropriations to the state. The guarantees are based on 1978 funding because of data availability problems for more current funding.

While shifts in funding based upon formula criteria may result in slightly less state funding for some counties in 1980 than in 1979, most should make up any decrease from increased



Title XX funds. Also, some counties will be receiving greater aid in 1980 than they received in 1979. In future years, the level of county aids will depend upon the total state legislative appropriation for social services and the federal Title XX appropriation. Also, formula changes could be made by the legislature. In many ways the funding process will resemble the process employed by the legislature for school aids.

The Community Social Services Act also protects county distribution of social services funds among the various social service areas. The new law prohibits county boards from reducing in 1980 or 1981 the level of funding which was provided in their county in calendar year 1979 for child care services, mental health services, chemical dependency services, and mental retardation and developmental achievement center services. This means that each county board is required to spend in each of these service areas in 1980 and 1981 at least the same amount as it will have spent for these services in 1979, before the new system was implemented. Of course, the method of delivery for these services may change to reflect local needs.

The Community Social Services Act also has special features to ensure that the local system will be responsive to local needs. The Act requires each county board to develop a biennial community social services plan which must be approved by the state Department of Public Welfare. Also, each county board will be required to submit to the Public Welfare Department an annual community social services program evaluation report. The county plan must include identification of social service goals, social service needs assessment, service delivery descriptions, and fund allocations. The evaluation report must contain evaluations of each service on the basis of measurable program objectives and performance criteria. These plans and reports will enable the Department of Public Welfare to oversee and report to the legislature on the operation of the new system. The department is now in the process of writing rules for county plans and evaluation reports.

Also, the Act requires that county boards provide for citizen participation by social service consumers in the development of the social service plan and in the allocation of social service funds.

In addition to the citizen participation requirements within the Act, the state Department of Public Welfare established an advisory task force to help in the implementation of the new system. A large proportion of the 26 task force members represent service providers and consumers. Four members are from the state department, one is from the State Planning Agency, and others represent local government officials and welfare professionals. The purpose of the task force is to ensure that ideas, issues and problems relating to the new system are identified and dealt with during the implementation stage.

Finally, in addition to establishing the new funding mechanism and providing for planning and evaluation for the new system, the Community Social Services Act attempts to ensure that, in addition to the operation of existing social services, opportunities exist for new and innovative social service programs. The Act provides for legislative funding of special social service programs in addition to and outside of the regular state social services aid. The bill passed in the 1979 session includes, in fact, funding for such a special program for the chronically mentally ill. Chapter 324 appropriates \$2 million for grants to counties for up to 90% of the cost of community services for the chronically mentally ill. Also, the 1979 legislature enacted a separate law establishing and appropriating \$1.5 million for grants to counties for sliding fee assistance for child care for low income families ineligible for fully subsidized child care. Both programs are two-year pilot programs. At the end of that time, the legislature can opt either to continue the programs as special appropriations outside of state social services aid, or can fold the additional money into the social services aid appropriation.

The Community Social Services Act represents a new, and hopefully improved, method of delivering social services -- one which will maximize equitable distribution of social service funds across the state and also which will improve the responsiveness of the social service delivery system to local area needs. 1980 is the first year for the new system. Undoubtedly, there will be some problems and some dissatisfactions. However, through the development of Public Welfare Department rules, and legislative changes, if necessary, these problems should be solvable.

On January 29 and 30, 1980, a hearing on implementation of the Act was held jointly by the Senate Finance Committee Subcommittee on Health, Welfare and Corrections and the Health, Welfare and Corrections Committee. The joint committee heard testimony from the Department of Public Welfare, counties, county welfare personnel and community social service consumers. The hearings were useful in clarifying the role of the Department in implementation of the Act and alerting legislators to areas of professional and consumer concern.



# Senate Majority Research

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May 14, 1980

TO:      Senator Staples  
FROM:    Marcia Greenfield  
RE:      BILLS ENACTED 1979-80

Attached is a copy of a work-up on your enacted bills which I prepared for the legislative report which our office is putting together for you. I thought that a copy of this information might be useful to you for other purposes during the campaign.

The bills listed include those on which you were a co-author as well as chief author, and includes bills which were enacted as part of other bills (even though you may not have been an author on the actual bill which became law). The list is not exhaustive, but rather includes only major or significant pieces of legislation. There are a few item which you may not want to use in literature, but which I thought you would want to be aware of.

In about a month Senate Index should be supplying me with a complete listing of each Senator's bills. As soon as that is available, I would be more than happy to provide you with a copy. If you need any further authorship information before then, please let me know.

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SENATOR STAPLES AUTHORSHIP ENACTED, 1979-80

Note: Includes only major or important bills (selected)  
Includes bills which were enacted as part of larger bills

HEALTH, WELFARE AND HUMAN SERVICES

1. S.F. 307: Co-author  
Laws 1979, C. 38  
Pets in nursing homes.  
Provides for nursing homes, hospitals and other institutional care facilities to keep animals as pets for the residents.
2. S.F. 477: Chief author  
Laws 1979, C. 323

Health care facilities certificate of need amendments.  
Re-enacts and amends Minnesota's certificate of need law to bring the state into conformity with federal law. The purpose of this legislation is to contain health care costs by controlling unnecessary health facility construction, expansion and modification and controlling unnecessary proliferation of health care services.

Significant new provisions of the law include:

1. Expansion of the law to cover state hospitals, kidney disease treatment centers and intermediate care facilities for the mentally retarded, as well as hospitals, nursing homes and ambulatory surgical centers, which were already covered. The new law also provides that HMO's will be covered if required in the future by federal law or regulation.
2. Extension of the law to new institutional services, expansion in scope of services, and predevelopment activities, in addition to capital expenditures.
3. Expansion of certificate of need criteria to include the impact of a proposed construction project on the energy needs and cost of health services in the region.
4. Provides for the monitoring of projects for which certificates of need have been granted, for periodic reports and for comparison of actual and projected costs.
5. Expands certificate of need appeals procedures.

Also, includes a hospital rate review provision. See below.



3. S.F. 1301: Co-author  
In S.F. 477/Laws 1979, C. 323, Sec. 15 (certificate of need bill; Staples chief author)

Amends the state hospital rate review statutes to provide for the Commissioner of Health to periodically establish an acceptable level of increase for hospital acute care charges, and to exempt hospitals which anticipate lesser increases in their acute care rates from the currently in force voluntary hospital revenue and expenditure rate review process.

4. S.F. 480: Chief author  
Laws 1980, C. 577

Establishes a statewide poison information center similar to the "911" emergency telephone system, to provide 24-hour emergency information services for prompt identification and to give appropriate home management or referral for poison victims.

5. S.F. 510: Co-author  
Laws 1979, C. 256

Subsidized adoption. Establishes a 100% state funded program in the Department of Welfare, to subsidize adoptions of special needs children. Provides subsidy for medical, psychological and/or maintenance costs, based on the child's need rather than the adoptive family's income, up to an amount equal to the maximum payment allowable under family foster care.

This law also contains a provision designed to encourage the development of American Indian child adoption agencies.

6. S.F. 654: Chief author  
Laws 1980, C. 455

Retired senior volunteer program funding. Appropriates \$200,000 to the State Board on Aging for grants to expand and strengthen existing retired senior volunteer programs and to encourage development of new programs in areas of the state where these programs do not now exist. Authorizes use of grant money to reimburse volunteers for their expenses.

7. S.F. 702: Chief author  
Laws 1980, C. 575

Nursing home pre-admission screening. Establishes a pilot program to prevent inappropriate nursing home placements and to study containment of health care costs associated with inappropriate nursing home placements. Provides for pre-admission screening of Medical Assistance recipients and other individuals who would qualify for M.A. within 90 days of admission to a nursing home, to determine viable noninstitutional services available to meet their health and social needs and to provide for maintenance in the community under a specific service plan whenever feasible.

8. S.F. 723: Chief author  
Laws 1980, C. 527

Medical Assistance earned income disregard for the disabled. Provides a disregard of the first \$65 and one-half of all other monthly earned income for disabled persons receiving Medical Assistance or Minnesota Supplemental Aid (the same earned income disregard provided under the federal Supplemental Security Income program). This new law was designed to help handicapped persons, whose medical needs are great, who without such a disregard would lose their medical benefits if they became employed. This bill will let handicapped persons who have modest jobs retain their medical assistance benefits.

9. S.F. 777: Co-author  
In H.F. 588/Laws 1979, C. 309, Sec. 4

Medical Assistance Social Security cost-of-living disregard. Provides that Social Security cost-of-living increases will not be counted as income when determining Medical Assistance eligibility. This law will allow seniors, handicapped persons, and surviving widows and dependent children to keep more of their Social Security benefits and still be eligible for Medical Assistance.

10. S.F. 786: Co-author  
Laws 1980, C. 596

Dental professionals regulation. Provides for stricter regulation of dental professionals by the Board of Dentistry by authorizing the Board to require dentists, dental hygienists and dental assistants who fail their clinical exam twice to obtain additional education or training before they may retake the exam. Also, clarifies standards for the name under which a dental professional may practice.

Licensed professionals advertising. Authorizes occupational examining and licensing boards to adopt regulations for advertising for the professionals whom they license.

Other provisions.

11. S.F. 856: Chief author  
Laws 1979, C. 268

HMO demonstration projects for special needs groups. Authorizes the Commissioner of Health to approve and waive HMO rules for HMO demonstration projects for up to six years designed to provide coverage to: (1) persons enrolled in the federal Medicare program; (2) low income population groups; (3) any group of less than 50 employees covered by a single group health policy; and (4) individuals not eligible for enrollment in a group health maintenance contract; with the requirement that the projects provide, at a minimum, the health benefits available in the federal Medicare program. The Commissioner will have to seek a waiver from federal Medicare regulations for any HMO Medicare demonstration project. This legislation is designed to examine whether HMO's can be used to contain health care costs for special needs populations. This is especially significant for the Medicare and low income (Medicaid) groups.



12. S.F. 1141: Chief author  
Laws 1980, C. 574

Hearing Impaired Services Act. Establishes a statewide network of coordinated developmental, social, educational and occupational services for the hearing impaired, and provides for establishment of up to eight regional service centers within existing regional vocational rehabilitation field offices. Centers to serve as entry points for hearing impaired persons who need services, and to make referrals, provide interpreter services, loan equipment and materials, and work with local welfare agencies to improve access for the hearing impaired to state and local income maintenance and social services. Establishes a statewide interpreter referral service. Provides for Commissioner of Economic Security to adopt a plan to deal with underemployment of hearing impaired persons, and for the Commissioner of Welfare to strengthen state services to the hearing impaired through needs assessment, staff training and program development.

Also enacted as part of this law, S.F. 1636 (of which Staples was not an author): aids for handicapped persons at state meetings. Requires state agencies which sponsor meetings or conferences for the public or for state employees to ensure that a physically handicapped participant who gives reasonable advance notice will receive the auxiliary aids necessary for effective participation, including taped or brailled materials, interpreters, or equipment adaptable for use by persons with manual impairments. Also, requires state agency meetings or conferences to be held in buildings meeting State Building Code requirements for accessibility for the physically handicapped.

13. S.F. 1668: Chief author  
Laws 1980, C. 565

Catastrophic health insurance extension. Extends the Catastrophic Health Expense Protection Program coverage to health services provide outside the state in circumstances when appropriate or timely services cannot be provided in Minnesota.

(Also, includes a provision excluding from the comprehensive health insurance plan provided by the Comprehensive Health Association for persons uninsurable under regular health insurance coverage of treatment for a mental or nervous disorder in a hospital outside Minnesota and services of a private duty nurse on other than an inpatient basis.)



14. S.F. 1769: Co-author  
In H.F. 2476/Laws 1980, C. 614, Sec. 131  
(supplemental appropriations bill)

General Assistance personal needs allowance. Establishes a personal needs allowance for General Assistance recipients living in congregate living care and in room and board arrangements equal to and tied to the Medical Assistance nursing home personal needs allowance. The allowance will be \$30 per month until July 1, 1980, and \$35 per month thereafter. This law will effect primarily persons living in residential facilities for the mentally ill. Under federal law persons residing in community facilities for the mentally ill are not eligible for Medical Assistance for their living care, and, therefore, their residential costs are paid under General Assistance.

15. S.F. 1917: Chief author  
Laws 1980, C. 496

Reconstructive surgery. Requires health insurance policies and plans and HMO's to cover reconstructive surgery which is incidental to or follows surgery resulting from injury, sickness or other diseases of the involved part or when performed on a child to correct a functional defect resulting from a congenital disease or anomaly.

16. S.F. 1943: Co-author  
Laws 1980, C. 542

Vulnerable adults. Provides protections against abuse or neglect for persons age 18 or over who are residents, patients or clients of hospitals, nursing homes, residential facilities, day programs or service programs, or who, regardless of residence, are unable or unlikely to report abuse or neglect without assistance because of physical or mental impairment or emotional status. Establishes a reporting system similar to that for reporting and investigating child abuse (i.e., requires health, social service, law enforcement and educational professionals and facility and program employees or contractees, to report suspected abuse or neglect; and requires investigation by welfare and professional licensing agencies); and establishes civil and criminal penalties. Also, requires facilities and programs serving vulnerable adults to develop abuse prevention plans.

17. S.F. 2049: Co-author  
In H.F. 1847/Laws 1980, C. 570, Sec. 3-5

Nursing home dental health program. Provides for a one-year program under the Commissioner of Health to develop dental health programs in all nursing homes by: (1) identifying nursing home dental care responsibilities; (2) establishing nursing home dental health standards, dental priorities, and guidelines for nursing home advisory dentists; (3) reviewing existing nursing home dental health regulations to ensure consistency with current oral hygiene standards; (4) establishing a site program in each state health district to help individual nursing homes identify dental care needs and to train nursing home staff in preventive oral hygiene; and (5) providing other technical assistance, consultation and information to nursing homes. Program to be carried out in consultation with dental health professionals.

18. S.F. 568: Chief author  
Laws 1979, C. 42

Day care residential zoning. Increases from 6 to 10 the allowable number of persons in licensed day care/non-residential programs in areas zoned for residential housing. Affects all non-residential programs for children and adults.

19. S.F. 2035: Co-author  
In H.F. 1121/Laws 1980, C. 607, Art. XII  
(1980 omnibus tax bill)

"Revenue Recapture Act". Establishes a system for the collection of debts owed to the state for child welfare by persons owing child support by applying the debtor's tax refunds to his debt. Includes provisions for notification of the debtor in writing, hearings and appeals for contested claims, and protection against misuse of data.

- ?20. S.F. 798: Chief author  
S.F. 386 enacted in H.F. 2476/Laws 1980, C. 614,  
Sec. 30 and 91 (supplemental approp. bill)

In-home care services. S.F. 798 would have established a state program for in-home care of persons over age 18 who are permanently disabled or infirm due to age, physical or developmental disability or mental illness. S.F. 386, which became law in the supplemental appropriations bill, established a more limited program for in-home and community health services for the elderly and physically impaired adults. (Staples was not an author on S.F. 386.)

21. S.F. 2099: Co-author  
Laws 1980, C. 593

Housing Finance Agency bill. Makes a number of changes to improve Housing Finance Agency programs, including increasing the grant maximum for certain HFA low and moderate income housing grants.

Also, enacted as part of Chapter 593, S.F. 1459 (on which Staples was not an author): Veterans home ownership assistance. Provides Housing Finance Agency interest free loans to low and moderate income veterans and veterans' dependents to assist in making down payments to enable them to purchase new or existing residential housing.

22. S.F. 1930: Co-author  
VETOED line item in H.F. 2476 (supplemental appropriations bill)

Temporary shelter assistance. Housing Finance Agency funding for grants to nonprofit agencies to provide residential housing for temporary emergency shelter for low and moderate income persons.

23. S.F. 1981: Co-author  
VETOED line item in H.F. 2476 (supplemental appropriations bill)

Indian housing. Would have increased Housing Finance Agency funding (\$3 million) for loan and grant programs for housing for low and moderate income American Indians.



EMPLOYMENT (many also non-discrimination bills)

1. S.F. 265: Co-author  
Laws 1979, C. 40

Mandatory retirement amendments. Removes certain exceptions and otherwise improves the 1978 law raising the allowable age for mandatory retirement from 65 to 70 (on which Staples was a co-author).

2. S.F. 562: Co-author  
Laws 1979, C. 130

Equal employment opportunity in apprenticeship. Establishes a Minnesota plan for equal employment opportunity in apprenticeship consistent with federal standards. Makes other small changes to improve the state apprenticeship law.

3. S.F. 1629: Chief author  
Laws 1980, C. 572

Job sharing. Creates a two-year demonstration project on job sharing for state employees which divides 50 full-time classified positions in state executive agencies in units which are not bargaining units into 100 shared positions.

4. S.F. 1721: Co-author  
Laws 1980, C. 508

Unemployment compensation bill. Significant provisions:

1. Provides for unemployment compensation coverage for temporary or provisional employees (excludes them from voluntary quits).
2. Removes liability of public and nonprofit employers for unemployment compensation costs for part-time employees holding other jobs who lose those jobs.

Other housekeeping provisions.



BUSINESS AND COMMERCE

1. S.F. 624: Co-author  
Laws 1979, C. 279

Substitutes a new index on which the "floating" mortgage usury ceiling is based (equal to the monthly index of the Federal National Mortgage Association's auction yields, rather than 2% above the monthly index of longterm U.S. government bond yields.) The new index puts Minnesota's interest ceiling more in line with current national mortgage market conditions. Also, requires lenders to make available to borrowers the same premium payment plans as are available to the lender in paying private mortgage insurance premiums, i.e., requires that the borrower would have the option of paying the whole premium at once or over the life of the loan. Expires November 30, 1982

2. S.F. 787: Chief author  
Laws 1979, C. 246

Business Assistance Center. Creates a business assistance center in the Department of Economic Development consisting of (1) a bureau of small business, to serve as an information clearinghouse and referral service; and (2) a bureau of business licenses, to help businesses obtain required permits and licenses in Minnesota and to study and recommend changes in state licenses and licensing activities. Provides for transfer of issuance of all state licenses for business operation to the new bureau, but with enforcement authority remaining with the former agencies.

3. S.F. 929: Co-author  
Laws 1979, C. 283

State small business set-aside expansion. Expands the state small business set-aside program by increasing from 10% to 20% the state contracts for goods and services to be set aside for small businesses; and by increasing from 10% to 15% the amount of those contracts to be set aside for small businesses owned and operated by socially and economically disadvantaged persons.

4. S.F. 936: Co-author  
In H.F. 223/Laws 1979, C. 334, Art. V, Sec. 32, Subd. 10 (omnibus school aids bill)

Small business management education programs. Increases funding for adult vocational education programs in small business management to establish programs in areas where they are not currently offered.

5. S.F. 951: Co-author  
Laws 1980, C. 361

Small business set-aside definitions. Establishes a uniform definition of small business and of "socially or economically disadvantaged" for purposes of the various small business set-aside programs. Designed to assure that programs serve the communities for which they were intended.

6. S.F. 1619: Chief author  
Laws 1980, C. 462

MTC small business set-aside. Authorizes the Metro Transit Commission to establish a set-aside program for contracts with socially or economically disadvantaged persons or handicapped persons. Also, authorizes MTC grants for paratransit projects lacking local financial support.

This bill may also be considered a bill to assist the handicapped in providing transportation services for handicapped persons.

7. S.F. 1806: Co-author  
Laws 1980, C. 547

Small business finance agency. Creates a small business finance agency to sell tax exempt obligations or borrow to provide loans for small business projects, including pollution control and waste disposal projects.

Staples authorship/p. 12

#### ELECTIONS

1. S.F. 129: Co-author  
Laws 1980, C. 588

Reapportionment commission bill/constitutional amendment.  
Provides for a constitutional amendment to be placed on this November's ballot which would provide for legislative and congressional reapportionment by a nine member bipartisan commission. (For details see Senate Majority Research 1980 Session Summaries.)



LOCAL GOVERNMENT

1. S.F. 291: Co-author  
Laws 1980, C. 528

Local government self insurance for employee health benefits.  
Authorizes and regulates local government self insurance joint local government self insurance for employee health benefits, except for long-term disability or life benefits, for local government units and agencies which singly or jointly have over 100 employees.

2. S.F. 403: Co-author  
Laws 1980, C. 529

Local government self insurance and insurance pooling for liability. Authorizes and regulates local government and joint local government self insurance against liability from damage actions for itself and its officers and employees.

3. S.F. 2019: Co-author  
In H.F. 2476/Laws 1980, C. 614, Sec. 124  
(supplemental appropriations bill)

Joint municipal franchising of cable communications.  
Authorizes, establishes joint powers for and regulates joint municipal franchising of cable communications.

4. S.F. 481: Co-author  
Laws 1979, C. 266

Medicine Lake transit service. Appropriates funds to the Department of Transportation for Medicine Lake transit service.

5. S.F. 622: Chief author  
Laws 1979, C. 198

Hennepin County recodification. Recodifies special laws relating to Hennepin County.

6. S.F. 831: Chief author  
Laws 1979, C. 288

Hennepin County Park Reserve. Alters Hennepin County Park Reserve tax levy requirements and removes the park reserve bonding authority. Also, provides for redistricting of the park reserve and for appointment and election of Hennepin County park commissioners.



Staples authorship/p. 14

7. S.F. 2095: Chief author  
Laws 1980, C. 573

Hennepin County personnel bill. Revises the Hennepin  
County personnel system. Requires local approval.

EDUCATION

1. S.F. 602: Co-author  
In H.F. 223/Laws 1979, C. 334, Art. VI, Sec. 21 and Sec. 35, Subd. 10 (omnibus school aids bill)

Educational aid for the gifted or talented.  
Provides state aid to school districts for gifted or talented students.

2. S.F. 832: Co-author  
In H.F. 2476/Laws 1980, C. 614, Sec. 20 and 99 (supplemental appropriations bill)

Veterans education grants. Increases the maximum annual amount for education grants to veterans and veterans' dependents.

TAXES

1. S.F. 1627: Co-author  
In H.F. 1121/Laws 1980, C. 607, Art. I, Sec. 1  
(1980 omnibus tax bill)

Income tax exemption for interest income. S.F. 1627 would have provided an income tax exemption for up to \$100 interest income. Chapter 607 provides a deduction from gross income of interest and dividends up to \$200 for a single person nad \$400 for a married couple.



MISCELLANEOUS

1. S.F. 2060: Co-author  
In H.F. 2476/Laws 1980, C. 614, Sec. 22 and 187  
(supplemental appropriations bill)

Council on Black Minnesotans. Establishes and funds a Council on Black Minnesotans to serve as a liaison between state government and black organizations and to study the educational, employment, human rights, health, housing and social welfare problems facing black Minnesotans.

2. S.F. 361: Chief author  
Laws 1979, C. 60

Speed limits in school zones. Provides for reduced speed limits in school zones.

3. S.F. 833: Chief author  
In S.F. 1504/Laws 1979, C. 337, Sec. 3, Subd. 1(h)  
(omnibus semi-state appropriations bill)

Appropriates funds to the Minnesota Historical Society for the Minnesota International Center.



# Senate Majority Research

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November 11, 1980

## MEMO

TO: Senator Staples

FROM: Dave Karpinski

RE: Comments on Charges in Ramstad Literature

What follows are a few comments on specific charges leveled in Ramstad's literature. I have addressed direct quotes and attempted to present the facts, as well as the votes Ramstad's statements may be based upon.

### 1. Charges related to indexing.

In the "Jim Ramstad Will Put Your Interests First" piece Ramstad says "THE DFL INCUMBENT STATE SENATOR VOTED AGAINST INFLATION-PROOFING YOUR STATE INCOME TAX."

This is a misleading half-truth, while you voted against three Republican amendments to index brackets at 100 percent (Jensen amendments--May 14, 1979, Journal Page 2249; March 11, 1978, Journal Page 4657; May 5, 1977, Journal Page 1925), you voted in favor of indexing state income tax rates at 85 percent the annual increases (from \$40 to \$60) and index dependent credits and to double and index the standard deduction (May 21, 1979-Journal Page 3364).

(Notably, the three Jensen amendments all failed on party lines votes).

This Ramstad charge appears intended to imply you opposed all indexing, by ignoring your votes in favor of 85 percent indexing, and increasing and indexing the standard deduction and dependent credits.

In other literature, Ramstad charges that you voted against 100 percent inflation-proofing the Minnesota state income tax. Those statements refer to the Jensen amendments, and he cites those votes. Here again, the accusation may be misleading by virtue of omission. However, the original charge quoted is by far the more serious misrepresentation of your record.

### 2. Charges related to legislative pensions.

Direct quotes from Ramstad literature include that Senator Staples voted "FOR GETTING HER PENSION AFTER ONLY SIX YEARS IN OFFICE." and "FOR GETTING YOUR OWN PENSION AFTER ONLY SIX YEARS IN OFFICE" (MOST OF US WORK 20 YEARS FOR OUR PENSIONS).

Clearly, Ramstad is implying that you will receive pension benefits after only six years in office. Just as clearly, the vote he cites (March 23, 1978-Journal Page 5953) does no such thing.

Under provisions of the bill cited, you will not receive a pension immediately after completing six years of service in the Minnesota Legislature. You will not receive any pension until reaching the age of 62, and only if reelected (March 23, 1978-Journal Page 5952). Furthermore, according to the Pension Reform Bill, a legislator now must reach the age of 62 before receiving a legislative pension. Previously, that age requirement was 60 years of age; saving taxpayers \$1.8 million in the current biennium alone.

In addition, prior to the new law, a legislator could potentially retire at a pension equal to 100% of his or her final monthly salary. Legislators will now retire at only 50% of their average monthly salaries, and this is possible only after 20 years of service. Again, this charge provides a great dollar savings to Minnesota taxpayers.

Ramstad also chose to ignore the fact that when pension vesting was considered separately from these other cost saving issues, you clearly established that you favored the previous eight-year vesting over six-year vesting. On May 7, 1979 (Journal Page 1564) you voted in favor of Senate File 326 which would have returned vesting to eight years. That bill passed the Senate 48-1, but died in the House.

It seems apparent, then, that Ramstad has not only misrepresented the impact of six-year vesting, but also your position on the vesting issue.

3. Charges related to general senior citizen tax relief.

Perhaps the most damaging and misleading charge leveled is in the "interest" piece, when Ramstad charges that "THE DFL INCUMBENT STATE SENATOR VOTED AGAINST TAX RELIEF FOR SENIORS AND OTHERS ON FIXED INCOMES". No cites are given, and the facts show you voted in favor of far more senior tax relief than you could possibly have opposed.

You voted in favor of increasing the dependent credit for seniors from \$80 to \$120, as well as to index those credits (May 21, 1979-Journal Page 3364); voted to dramatically expand the low-income tax credit program (March 23, 1978-Journal Page 5882; May 21, 1979-



Journal Page 3364; April 11, 1980-Journal Page 6682); voted in favor of property tax relief measures which saw seniors' relief go from providing \$836,000 in relief to 15,000 seniors in 1977, to the provision of 33.8 million dollars in relief to 156,000 seniors in 1980 (May 21, 1977-Journal Page 2875); March 23, 1978-Journal Page 5882; April 11, 1980-Journal Page 3364); Senator Staples has voted to increase the pension income exclusion from \$0 to \$11,000 for private pensioners and from \$7,200 to \$11,000 for public pensioners (March 23, 1978-Journal Page 5882; May 21, 1979-Journal Page 3364; and April 11, 1980-Journal Page 6682); voted for inheritance tax reforms which eliminated taxes on more than 90% of Minnesota estates (May 21, 1979-Journal Page 3364).

4. Charges specifically related to pension tax relief.

In the "Emily, How Could You?" piece and the "Land of 10,000 Taxes" piece, Ramstad charges that you voted "AGAINST PENSION TAX RELIEF FOR SENIOR CITIZENS." He cites votes against a Sieloff amendment (May 9, 1977) which would have restored a total exemption for public pensions (1977 Omnibus Tax Bill set that exemption at \$7,200) and your vote against a Sieloff amendment (May 14, 1979-Page 2117) which would have raised the pension exemption to \$12,000 and eliminated offsets for federal gross income over \$13,000.

Here again, while you opposed those two amendments, Ramstad is bending the facts to distort your record. He fails to point out, for example, that since you have been in office you have voted to raise the pension income exclusion for private pensioners from \$0 to \$11,000 (prior to 1978 private pensioners benefitted from no pension income exclusion).

Ramstad also ignores the fact that you have voted, since 1978, to substantially increase the public pension income exclusion (from \$7,200 to \$11,000, with offset improvements). Those votes are March 23, 1978-Journal Page 5882; May 21, 1979-Journal Page 3364; April 11, 1980-Journal Page 6682.

Notably, while Ramstad cites your 1980 vote against an amendment to increase the pension income exclusion from \$10,000 to \$12,000, he ignores the fact that in that session you voted to increase the exclusion from \$10,000 to \$11,000.

Ramstad literature also charges that you voted "for taxing public employees' pensions." While you did voted for the 1977 Tax Bill eliminating the total public pension income exclusion, you also voted to increase the allowable exclusion each session since.

5. Charges related to renters' credits.

Here again, Ramstad is distorting your record by claiming you voted "AGAINST INCREASING RENTERS' CREDITS", when actually the

question was not whether to increase those credits, but rather by how much.

Ramstad cites a vote against a Sieloff amendment increasing the portion of rent used to compute those credits from 20 percent to 25 percent (May 9, 1977-Journal Page 1927). He fails to point out that you did vote to increase the renters' credit from 20 to 22 percent (May 21, 1977-Journal Page 2875); and later to 23 percent (May 21, 1979-Journal Page 3364).

Clearly, attempting to paint you as against increased renters' credits is a distortion.

6. Charges related to voting against outlawing the showing of obscene movies at drive-ins.

You did vote against that bill (it passed 48-10) on May 21, 1979.

7. Charges related to gay rights.

Ramstad literature charges you voted "FOR A BILL THAT ALLOWS HOMOSEXUALS WHO OPENLY ADVOCATE THEIR WAY OF LIFE TO FORCE THEMSELVES ON ANY EMPLOYER OR LANDLORD."

On May 2, 1977 (Journal Page 1711) you voted in favor of a bill to prohibit discrimination on the basis of affectional preference in employment, housing, access to education and credit. The terminology "openly advocate their way of life" and "force themselves on any employer or landlord" have nothing to do with the measure and represent Ramstad's now inflammatory language.

8. Charges related to the sales tax on heating fuels.

Here again, a half-truth can be found in the charge you "VOTED AGAINST SALES TAX EXEMPTIONS FOR RESIDENTIAL HEATING FUELS."

Here, Ramstad cites your vote against a May 9, 1977 (Journal Page 1911) Sieloff amendment providing such an exemption, effective July 1, 1978. He fails to point out you voted for a residential heating fuels sales tax exemption (March 23, 1978-Journal Page 5882); and that exemption has been in effect since April 1, 1978. The exemption you supported actually went into effect before the one he criticizes you for opposing.

9. Charges related to tax exemption for military personnel.

Quotes from Ramstad literature include "THE DFL INCUMBENT STATE SENATOR VOTED AGAINST TAX EXEMPTIONS FOR MILITARY PERSONNEL," and that you voted "AGAINST TAX RELIEF FOR OUR MINNESOTA MEN AND WOMEN IN MILITARY SERVICE". Here again, half-truths, the votes cited by Ramstad are Republican amendments to the 1977 and 1978 Tax Bills (May 9, 1977, Sieloff amendment-Page 1930 and March 11, 1978-Page 4657, Ulland amendment). Each of those amendments would have re-

stored the military pay exemptions which were eliminated in the 1977 Omnibus Tax Bill, which you voted in favor of (May 21, 1977-Journal Page 2875).

You did vote to restore the exclusion of \$3,000 for in-state military pay and the next \$2,000 of military pay if earned outside the state (May 21, 1979-Journal Page 3364), and that exclusion is in effect.

10. Charges related to Barrette amendment on sentencing guidelines.

Ramstad's campaign literature charges Senator Staples with being present and not voting on "THE BILL ALLOWING THOSE CONVICTED OF CRIMINAL SEXUAL MISCONDUCT (M.S. 609.343 (a)), BURGLARY (M.S. 609.58 Subd. 2(1) (b)) or KIDNAPPING (M.S. 609.25 Subd. 2(1)), TO GET BY WITHOUT ANY PRISON TERM." Ramstad cites the Barrette amendment to Senator Sikorski's Juvenile Justice Bill-H.F. 1896 as the basis for making the charge.

Ramstad's charge is misleading in many respects. First, the Barrette amendment would have delayed the implementation date of the Minnesota Sentencing Guidelines from May 1, 1980, to May 1, 1981. That is all the amendment did--nothing more. Senator Barrette had hoped that by delaying the implementation date, the Legislature would have an additional year to alter the sentencing guidelines submitted to it by the Minnesota Sentencing Guidelines Commission, which he thought were too lenient on certain types of offenders.

The amendment failed on a 22-36 party line vote and the IR party was quick to charge DFL legislators with being soft on crime.

The IR party's attack on the guidelines has been strewn with false and deceptive statements. A clear example is Ramstad's statement above on the guidelines.

The crimes cited by Ramstad--Criminal Sexual Conduct II - 609.343(a), Burglary - 609.58 Subd. 2(1)(b) and Kidnapping - 609.25 Subd. 2(1) are all severity VI offenses and the guidelines recommend imprisonment upon conviction for a severity level VI offense if the offender has a criminal history score of three points or more.

The criminal history score consists of four measures of prior criminality: (a) the number of prior felony convictions; (b) prior misdemeanor/gross misdemeanor record; (c) prior repetitive felony-type juvenile record; and (d) whether the offender was on probation or parole when an offense was committed. In fact, it is possible that an offender could have a criminal history score of three points resulting from his juvenile record, misdemeanor/gross misdemeanor record and custody status items at the time of his first felony conviction, and if he was convicted of a severity level VI offense, the guidelines would recommend imprisonment.



Another scenario which is possible under the guidelines follows:

Let us assume for the sake of argument that an offender had a criminal history score of zero at the time of his first conviction for a severity level six offense. A first time offender convicted of a severity level six offense would, under the guidelines, receive a stayed sentence of 21 months. As a condition of the stayed sentence, the judge could commit the offender to the county jail or workhouse for up to 12 months and set probation up to 20 years for some severity level six crimes. Should the offender violate a condition of the stayed sentence, the judge may revoke probation and commit the offender to prison for 21 months minus good time. Time spent in jail or the workhouse as a condition of a stayed sentence where the stay is later revoked cannot be used to reduce the sentence imposed.

Ramstad is apparently trying to deceive the voters who, exempt for criminal attorneys, do not work with the Criminal Code. For example, the crime of kidnapping he cites - 609.25 Subd. 2(1) - is kidnapping where the victim is released in a safe place without suffering great bodily harm. Kidnapping where the victim suffers great bodily harm - 609.25 Subd. 2(2) is a severity level VIII offense and the guidelines recommend imprisonment in all cases. Kidnapping where the victim is not released in a safe place - 609.25 Subd. 2(2) - is a severity level VII offense and the guidelines also recommend imprisonment in all cases. In addition, the criminal sexual conduct crime he cites - 609.343 (a) - covers non-forcible, consenting sexual contact when the victim is less than 13 years of age and the offender is more than 36 months older than the victim. Criminal sexual conduct also covers the crimes of forcible sexual penetration (rape) and forcible sexual conduct. The guidelines recommend imprisonment in all cases of forcible sexual penetration and forcible sexual conduct.

I should also point out that there is a mandatory imprisonment sentence of at least three years under 609.346, Subd. 1, for a person convicted of criminal sexual conduct in any degree within 15 years of a prior criminal sexual conduct conviction.

Finally, the guidelines are merely recommendations to the court judges who may depart from the guidelines and impose any penalty authorized by the criminal code if the case involves substantial and compelling aggravating or mitigating factors.

11. Charges related to legislative pay

Legislative pay may be thought of as having two components - salary and per diem. In 1977, the annual salary for legislators was increased from \$8,400 to \$16,500 for 1979, and \$18,500 for 1980 and thereafter. However, session per diem was cut for the 1979 and 1980 sessions from \$48 to \$27 for rural legislators, and from \$44 to \$17 for urban and suburban legislators who do not change

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their place of lodging.

The net effect of the salary and per diem change is shown below:

	<u>Annual Salary</u>	<u>Per Diem</u>	<u>Total Compensation</u>
1977	\$ 8,400	\$5,891	\$14,291
1978	8,400	3,928	12,328
1979	16,500	3,529	20,029
1980	18,500	1,934 (thru 9/30/80)	20,434

Source: Mary Thompson, Senate Fiscal Services Aide