

C152.12 C152.5 MINNESOTA

Prosecutors hope to debut '05 law for sex crimes

ABOUT THE LAW

A 2005 state law provides for life in prison without parole for the most extreme sex offenses. To warrant the sentence, sex crimes must contain at least one of these "heinous elements" for repeat offenders or two elements for first-time offenders.

- Torture
- Great bodily harm
- Mutilation
- Multiple victims
- Multiple perpetrators
- Being armed or leading the victim to believe one is armed
- Moving the victim from one location to another and not releasing the victim in a safe place
- Putting the victim "in a situation likely to cause the complainant severe ongoing mental, emotional or psychological harm, or causes the complainant's death."

— Associated Press

Life-without-parole provision reflects crackdown after Dru Sjodin's murder

BY MARTIGA LOHN

Associated Press
PIONEER PRESS DEC 9 07

For the first time in modern Minnesota history, two men accused of sex crimes could end up sentenced to prison until they die.

Prosecutors in Dakota and Ramsey counties are preparing to use a 2005 law aimed at using the state's most severe punishment — life with no chance of parole — for the most violent and extreme sex offenders. Minnesota has never before allowed such a sentence for sex offenders who didn't kill their victims.

Lawmakers around the country have ratcheted up penalties for sex crimes in recent years. In Minnesota, the 2003 rape and murder of college student Dru Sjodin by a convicted sex offender rallied lawmakers who wanted to put dangerous sexual predators behind bars for good.

But once the publicity dies down, the swift and severe punishment promised by those laws doesn't always materialize. More than two years after Minnesota extended its harshest penalty to sex crimes, the Associated Press found only two pending prosecutions that seek to use it.

"We see it pretty commonly nationwide — lots of attention, lots of chest pounding and proud rhetoric from the politicians ... but a much more complicated story as these laws go into effect," said Douglas Berman, a sentencing expert at Ohio State University.

For example, in Florida, one of the toughest states for sex offenders, predators who have sex with children routinely get life in prison without parole. But for lesser charges of molestation, a newer state law requiring 25 years to life is used mainly as a bargaining tool, said Dennis

Nicewander, an assistant state attorney.

A Missouri law requires life in prison without parole for child rapists who use force, but Brian Keedy, who heads the state's Office of Prosecution Services, said he didn't know of any prosecutions under that law. The law doesn't cover statutory rape cases, where a predator grooms a victim and doesn't have to use force.

Minnesota law allows life without parole for sex crimes with "heinous elements" such as torture, mutilation, multiple victims or "extreme inhumane conditions" that could lead to "severe ongoing mental, emotional or psychological harm." (First-time offenders aren't eligible unless their crimes involve two such factors.)

Prosecutors say few cases fit the law, and proving all the necessary elements of a crime to a jury can be difficult. Some said

they also weigh whether to put victims through a trial when they could still send a perpetrator away for a long time in a plea deal.

Dakota County Attorney James Backstrom says he has settled for pleas in other cases, but he's pursuing life without parole for Robert Orran Bollett, 43, a repeat sex offender charged with molesting two boys. Multiple victims is one factor listed in the law.

In Ramsey County, prosecutors want life without parole for Gari Lamont Stewart, 26, who faces an attempted murder charge and other charges in the assault of a St. Paul couple in June.

(over)

TWO CASES WILL TEST MINNESOTA LAW

Two cases in Ramsey and Dakota counties could result in the first use of a 2005 law punishing the most extreme sex offenders with life in prison without possibility of parole, the state's toughest penalty. Details of the cases:

Gari Lamont Stewart

■ Stewart, 26, of Robbinsdale, was indicted by a grand jury on six counts, including first-degree criminal sexual conduct. According to the criminal complaint, he surprised a couple sleeping in a St. Paul apartment, tried to suffocate the man, stabbed him, raped the woman twice, set fire to the apartment and then forced the woman to withdraw cash from an ATM and rent him a car.



■ Ramsey County prosecutors aim to prove three "heinous elements" to get the life-without-parole sentence: torture, use of a dangerous weapon and exposing the victim to "extreme inhumane conditions."

■ Stewart has no record as a sex offender. State court records show earlier convictions for aggravated robbery, burglary and assault.

Robert Orran Bollett

■ Bollett, 43, of Hayward, Wis., was indicted by a Dakota County grand jury on six counts of criminal sexual conduct for sexual contact with a boy younger than 13 and another boy younger than 16.

■ A guilty finding on two of the counts — alleging that



the sexual contact involved more than one victim — could result in a sentence of life

without parole. Conviction on the other counts would carry prison terms of life with the possibility of release. The trial is set for January.

■ Bollett was convicted of criminal sexual conduct in 1988 and 1994. Both cases involved underage victims.

Stewart has no previous record as a sex offender, but a criminal complaint says he woke the couple in their apartment, tried to suffocate and stab the man, raped the woman twice, set the apartment on fire and then forced the woman to withdraw money from a cash machine. She was eventually dropped off at a hospital.

"This ultimate penalty was carved out for a very specific kind of offender, and, fortunately, they are rare," said Ramsey County Attorney Susan Gaertner.

Stewart's grandmother, Diana Stewart, said she hopes for a plea deal. The possibility of her grandson being locked up for the rest of his life hasn't sunk in.

"I really can't fathom the idea that that should even happen," she said. "I can't even imagine that that could happen."

A woman who answered the phone at a number listed for Bollett declined to comment.

Prosecutors in other Minnesota counties said they would use the law's life-without-parole provision if they get a solid case that fits the description.

"In the right case, as the system shakes out, we will," said Paul Scoggin, managing attorney for violent crimes in the Hennepin County attorney's office.

State Rep. Kurt Zellers, R-Maple Grove, who pushed the crackdown on sex crimes, said tougher punishments might have driven some sexual predators from Minnesota.

He hopes the state won't see another case like Sjodin's slaying.

"The fact that we haven't had one of those cases, I'm very glad," Zellers said. "I hope that the law had something to do with it."



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Looking for answers

BY STAFF , [SESSION DAILY](#)

Eight legislative subpoenas were handed out and ready for House Commerce and Labor Committee execution largely as a sign of frustration over problems surrounding the Wakota Bridge project.

The subpoenas are directed at the Department of Transportation, its commissioner, Lt. Gov. Carol Molnau, and the construction company and consultants involved with the bridge that stands half-complete in the southeast suburbs. They come after at least three months of department delays in handing over documents requested by the committee.

"I didn't want it to come to this, but they have failed or refused to disclose information that we have requested," said Rep. Joe Atkins (DFL-Inver Grove Heights), the committee chairman.

The bridge problems were before the committee largely because of contract issues, some labor-related problems and the economic effect the delay is having on business, said Atkins, who represents the bridge's neighboring district.

Construction began in 2002, with completion planned for 2007. But work was halted temporarily in September 2004 when stress cracks were found. Once corrected, the westbound side of the structure was completed.

Molnau, however, canceled the eastbound part of the construction contract because the state could not reach an agreement with the contractor. Bids for the eastbound track are expected to be let in January, with project completion slated for 2011.

In May, the committee began asking for documentation from the department by July 31, but members feel they have been stonewalled and there is bipartisan frustration with MnDOT.

"This isn't a tap on the shoulder, but a punch in the chest, to forcefully move things forward," said Rep. Kurt Zellers (R-Maple Grove).

MnDOT officials said the department was working to fulfill the request, but then the Interstate 35W bridge collapsed and the department has since been inundated with other data practice requests. Four or five people have been working full-time to meet all the requests.

Although Rep. Leon Lillie (DFL-North St. Paul) withdrew his motion to have the committee issue the subpoenas, Atkins warned that the threat is real. The department and the construction companies now have until Nov. 5 to comply with the committee's information request.

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House vote creates Capitol drama

STAR TRIBUNE MAY 25 '07



dennis anderson columnist

- Disparate groups and legislators cut a deal on dividing almost \$300 million annually to benefit the environment, parks and the arts, but lawmakers didn't get to the bill.

By 8:30 Saturday night, John Schroers didn't think the House would vote on the dedicated-funding bill. "They're going to do it to us again," he said. "Last year it was the House Republicans. This year, the DFL."

Schroers, of Shakopee, had long been a supporter at the Capitol of a proposed constitutional amendment to benefit fish and wildlife habitat. His preference was for 1/8 of 1 percent for fish and wildlife habitat only; nothing for parks, water or the arts. But the bill the Senate passed earlier in the session would raise about \$300 million annually, with parks, clean water and the arts benefiting, as well as fish and wildlife. A realist, Schroers knew if dedicated funding was to pass this year, it would favor all the parties.

Outside the House chamber, Schroers watched as Rep. David Dill, DFL-Crane Lake, returned after a recess. This was about 9:30 Saturday night, and Dill, along with Rep. Tony Cornish, R-Good Thunder, milled about for a few minutes. Both said dedicated funding was a tough vote for them, but both said they would support it.

"My constituents are split," said Cornish, a retired Department of Natural Resources conservation officer. "But if this is going to be an outdoors legacy, and my grandkids ask me years from now whether I supported it, I want to say I did."

The House was gavelled to order. To Schroers' relief, House File 2285 — the dedicated-funding bill — soon was called

up. By now, retired state Sen. Bob Lessard of International Falls, an originator of the dedicated-funding idea in the Legislature, Ryan Heiniger, the Minnesota Ducks Unlimited conservation program director, and others representing fish and wildlife joined Schroers in the House gallery. John Curry of the Campaign for Conservation, an umbrella group, and representatives of various environmental organizations also were on hand, as was Larry Redmond, lobbyist for Minnesota Citizens for the Arts.

Together but apart, these factions were made one by circumstance. The alliance between the hook-and-bullet crowd and the "greens," as environmentalists sometimes are called, at times was uneasy, and not just because they tended to view the world differently. They also often looked and acted differently, and served different constituencies. Ditto for the relationship between these groups and Redmond and the arts crowd. But no one — not Schroers, not anyone — doubted the political power of arts supporters. Loopy as tying arts with outdoors might be, it wasn't going to be undone. And now this handful of disparate factions inched forward on their gallery seats, wondering how quickly their dedicated-funding bill would get a vote — or if it would get a vote. Only then could a compromise be forged with the Senate bill.

"The rumor is the Republicans are going to offer 50 amendments, maybe more,

to drag it out," Garry Leaf said. Leaf is a founder and "volunteer insurgent" for Sportsmenforchange.org.

Majority Leader Tony Sertich, DFL-Chisholm, carried the House dedicated-funding bill, and began its discussion by offering a minor amendment, which was approved. Then Rep. Tom Hackbarth, R-Cedar, opened a Republican amendment floodgate that included not just his proposal (defeated 85-47), but one by Rep. Kurt Zellers, R-Maple Grove, and Rep. Brad Finstad, R-Comfrey, among others.

A high-ranking Republican earlier had said House Republicans planned in effect to filibuster the dedicated-funding bill — with hopes of at least delaying its passage. That tip now seemed prophetic, as midnight came and went, then 1 a.m. and 2 a.m. Finally, just before 2:30, the last amendment was offered. And defeated.

Then Sertich's bill, which would place a constitutional amendment proposal on the 2008 statewide ballot asking for an increase of 3/8 of 1 percent of the sales tax to benefit fish and wildlife habitat, parks and trails, clean water and the arts, was put to a vote.

Split this year 85-49 in favor of the DFL, the House passed Sertich's bill 86-46. Thirty-one Republicans voted against it, and 15 DFLers.

Soon, lights in the House chamber dimmed. Next would come a House-Senate conference committee. But it would be about 9:30 p.m. Monday before it reached an agreement. Even then, John Schroers wasn't convinced dedicated funding would be approved. This session. Or ever.

Coming Sunday: Did Republican stonewalling doom the conference committee report to a "no vote" in the House? Or did the DFL mismanage its time in the session's final hours?

REPUBLICAN EAGLE WEEKEND

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Former speaker settles into new role

By Mike Longaecker
mlongaecker@wctrib.com

ST. PAUL — It's a different way of life for Rep. Steve Sviggum.

For 14 years, the Kenyon Republican was a pillar of political power in the Minnesota House, serving as minority leader, then speaker.

Then came November, when the elections left Minnesota Republicans stripped of clout in all but the governor's office.

Sviggum, 55, emerged from the fallout, but returned to the Capitol as a political mortal.

The Kenyon Republican is not aglow over his political existence the past few months, but said he is accepting it.

"It's hard," Sviggum said. "Would I much rather be speaker and setting the agenda? Yes."

Watching someone else — namely, Minneapolis Democrat Margaret Anderson Kelliher — at the helm of the House "leaves a bit of a hollow spot in your heart and in your stomach," Sviggum said.

But the veteran lawmaker said he's stifled himself when the urge arises to say, "I would have done it 'this way.'"

"I've tried very hard to not be just one to criticize," Sviggum said. "I've tried to do it with some degree of grace."

His status has left some wondering how much longer he will stay in politics after 28 years in the Legislature.

Daniel Hofrenning, an associate professor of political science at St. Olaf College — Sviggum's alma mater — said the former speaker "has gone up the ranks about as high as someone can go."

Still, Hofrenning speculated, "I don't see him getting out of politics."

Sen. Tom Saxhaug, DFL-Grand Rapids, attended St. Olaf at the same time as Sviggum. Having watched

Sviggum's rise to power, Saxhaug said he doubts the former speaker will fade into the shadows.

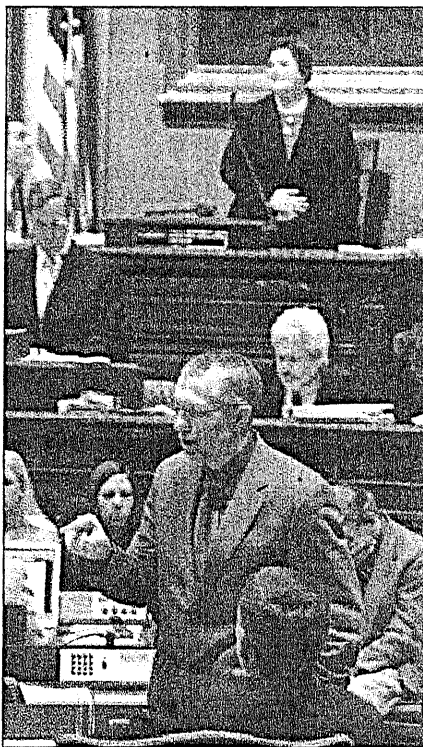
"He's not dead," Saxhaug said. "He's not going back to the farm."

Sviggum, who recently was tapped for a senior fellow post at the University of Minnesota's Humphrey Institute, said he has yet to make up his mind.

He pledged to fulfill the remainder of his term, which expires in 2008. Beyond that, Sviggum said he is "not closing any doors."

The former math teacher, who at one time considered running for governor, said one option could be going back to the farm he operates with his brothers. Or it could mean staying in the political game.

Sviggum/ Page A2



Tribune photo by Mike Longaecker

Rep. Steve Sviggum, foreground, talks with fellow legislators on the House floor. The Kenyon Republican has served in the Legislature for 28 years.

"I am not ambitiously seeking to run for another office," he said.



(Over)

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"We're probably both in a holding pattern," said Johnson, who legislators elected a University of Minnesota regent after he lost his re-election bid last November. "I can't tell you either one of us is done with politics." Johnson first met Sviggum during graduate studies at St. Olaf. He recalled Sviggum as a 165-pound football player who "hit really hard."

"He took that same virtue into his political life," Johnson said.

But the two Norwegian Lutherans from southeastern Minnesota took divergent paths through life, Johnson said. While Johnson broke from the Republican Party in 2000 to become a Democrat, he said was puzzled that Sviggum has become more conservative during his stay in office.

"That's not the culture or religious upbringing that we were exposed to," Johnson said of Sviggum's conservative leaning. "I figured it must be political."

Johnson worked closely with Sviggum during legislative budget negotiations along with Gov. Tim Pawlenty and former House Minority Leader Matt Entenza.

Entenza, a St. Paul DFLer, said he "would not be surprised if (Sviggum) went to help the Pawlenty administration" after 2008.

Some, including Rep. Tom Rukavina, DFL-Virginia, wonder why Sviggum wasn't offered a job in Pawlenty's cabinet after the Republican governor was re-elected.

Rukavina said that before the session started, he told Sviggum that he believed the former speaker deserved a cabinet post.

"I think Tim Pawlenty owes a lot to Steve Sviggum," Rukavina said, adding that he hugged Sviggum — a far cry from the verbal battles the two men

have held in public — during the meeting. "I'm absolutely surprised he hasn't given him a job in that administration."

Sviggum shrugged off the notion.

"Tim is my best friend," he said. "At this time, the governor needs my voice in the legislative process."

However, if congressional district lines allowed, Sviggum said, he would challenge U.S. Rep. Tim Walz, a Democrat, for a congressional seat in 2008. Sviggum's Kenyon farm was in southern Minnesota's 1st Congressional District for years until 2000 redistricting efforts

put him in U.S. Rep. John Kline's 2nd district.

Rep. Kurt Zellers, R-Maple Grove, isn't complaining that Sviggum is still a legislator. Zellers sits next to Sviggum in the House chambers, which is "literally like having state history sitting next to you," the Devils Lake, N.D., native said, calling Sviggum a mentor.

Zellers described Sviggum as a legendary recruiter of Republican candidates who has a knack for door-to-door politicking.

Entenza said Sviggum "has to have the hardest work ethic that I've seen as a politician," and noted that he modeled Democratic recruitment efforts off Sviggum's blueprint.

There are benefits of what's amounted to a new political life, Sviggum said.

He relishes the opportunity to carry bills and speak on the House floor.

"I've tried to keep a very, very positive attitude and look at the opportunities and the hopes — rather than what no longer exists," Sviggum said.

As speaker, his duties called on him to recruit Republicans from across the state. That responsibility has shrunken, Sviggum said, as have the lines of eager lobbyists that once formed outside his office.

"It's not what I wanted," Sviggum said of his new free time, "but it's not a bad thing."

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Former speaker Sviggum settles into new role

By Mike Longaecker
State Capitol Bureau

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The former math teacher, who at one time considered running for governor, said one option could be going back to the farm he operates with his brothers. Or it could mean staying in the political game.

For now, he's playing it cautiously.

"I am not ambitiously seeking to run for another office," he said.

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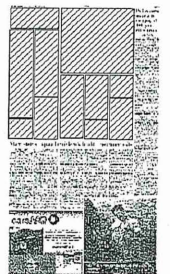
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Like Johnson, Saxhaug remembers the football-playing Sviggum, but recalled another

nuance from college days.

The former speaker kept a chicken in his dorm room, Saxhaug said.

True, said Sviggum. The chicken was taken by his roommate from a biology class where Sviggum said the chicken would have met its maker.

Sviggum, who tutors students at a St. Paul church, said he has been treated "very well, very respectfully" by Democrats. He also rejected suspicions that he's become a sniping target.

"I don't believe the Democrats are trying to get back at the former Republican speaker," he said.

Mike Longaecker works for Forum Communications Co., which owns the Bemidji Pioneer.

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Long debate ends with more school money

State Capitol Bureau staff

ST. PAUL — Schools would receive state aid increases and more full-day kindergarten programs could be offered under an education plan the Minnesota House passed early Thursday as it works to complete its budget bills before the week's end.

After a nine-hour debate, representatives voted 119-13 for the package boosting school spending by nearly \$940 million. The bill covering early childhood programs and K-12 classrooms spends almost \$14 billion over the two-year budget period beginning July 1. All schools would receive 3 percent annual increases in their per-pupil state aid, along with other funding hikes.

House K-12 education Chairwoman Mindy Greiling, DFL-Roseville, said her committee considered education proposals by Gov. Tim Pawlenty, a Republican who demands that schools have more accountability.

The bill spends more than Pawlenty's education proposal and the measure senators passed. The House and Senate bills rely on tax increases Pawlenty opposes.

The House proposal provides \$95 million to expand all-day, every-day kindergarten, increases special education funding by \$100 million and includes \$125 million in property tax relief.

Rural Democrats and

Republicans helped defeat an attempt to repeal Minnesota's post-Labor Day school year start mandate, which is important to the state's tourism industry.

Freshman Rep. Marsha Swails, a high school teacher, said she will be proud to return to her classroom after helping to pass the measure.

"I think that we are on the right track with this bill," Swails, DFL-Woodbury, said, citing the kindergarten aid and funding for programs serving academically gifted students.

Puck stops here

The House floor turned into a game as rough as hockey during debate on providing money to the United States Hockey Hall of Fame.

Rep. Tom Rukavina included a provision in his economic development bill to add a 25-cent surcharge on every Division I college hockey ticket sold in the state. That did not set well with many Republicans.

"It is a bad idea for the 'state of hockey,'" added Rep. Kurt Zellers, R-Maple Grove.

Rukavina, DFL-Virginia, said the Iron Range has done a lot for the state and Republicans should not begrudge it a relatively little money.

"I don't think a quarter is going to break anybody," he added.

Before the economic development bill was passed 92-39, House Majority Leader Tony Sertich, a fellow Iron Ranger, removed the surcharge and instead received support for giving the Eveleth museum

\$120,000 from \$25 million from the 21st Century Minerals Fund.

IRRB changes

Rep. Tom Rukavina, DFL-Virginia, succeeded in removing three citizens from the Iron Range Resources Board Thursday in his economic development bill.

Rep. Steve Sviggum, R-Kenyon, unsuccessfully tried to amend the bill to keep citizens on the board. That leaves 10 Northland legislators as board members.

"Let's not just make it king Rukavina," Sviggum pleaded. "Don't take the citizens off this good-old-boys' board."

Rukavina said Iron Range residents must like what their legislators do: "Most of us get 75 or 80 percent of the vote every time we run, so they must like what we are doing."

Rights OK'd

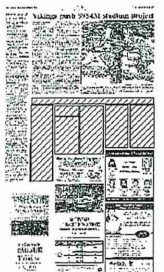
The House passed a meat packer bill of rights in its economic development funding bill.

Republicans fought the measure, but failed to get the bill of rights dropped.

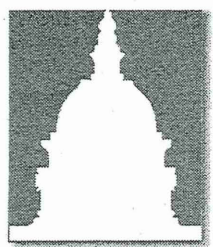
"I've been convinced this is basically a solution in search of a problem," Rep. Doug Magnus, R-Magnus, said.

Meat packing employees would have the right to adequate facilities, including restrooms, and be given proper breaks. A state ombudsman would be hired to deal with meat packer issues.

POLITICAL BRIEFS



CAPITOL NOTEBOOK



McIntosh joining Franken

Jess McIntosh last Friday resigned as DFL communications director to join Al Franken's U.S. Senate campaign. She plans

to join the Franken campaign in early April and will serve as press secretary.

Nick Kimball, the DFL's deputy communications director, will serve as acting communications director during a national search to replace McIntosh.



Al Franken

Franken, a DFLer and comedian, is challenging GOP U.S. Sen. Norm Coleman in 2008.

Strange bedfellows

In a rare instance of comity, Rep. Kurt Zellers, R-Maple Grove, praised Rep. Tom Rukavina, DFL-Virginia, last Tuesday during a House Taxes Committee meeting.



Kurt Zellers

Zellers, a suburban conservative, acknowledged he frequently disagrees with the firebrand Iron Ranger Rukavina.

ina. But Zellers voiced support for Rukavina's proposed income tax credit for volunteer firefighters. Zellers said the tax assistance for volunteer firefighters crosses partisan and geographic lines.



Tom Rukavina

Thus responded Rukavina: "I know your side of the aisle hates to love me. But you do."

The Forum

32B

Plan backs more school money

State Capitol Bureau

ST. PAUL - Schools would receive state aid increases and more full-day kindergarten programs could be offered under an education plan the Minnesota House passed early Thursday as it works to complete its budget bills before the week's end.

After a nine-hour debate, representatives voted 119-13 for the package boosting school spending by nearly \$940 million. The bill covering early childhood programs and K-12 classrooms spends almost \$14 billion over the two-year budget period beginning July 1. All schools would receive 3 percent annual increases in their per-pupil state aid, along with other funding hikes.

House K-12 education Chairwoman Mindy Greiling, DFL-Roseville, said her committee considered education proposals by Gov. Tim Pawlenty, a Republican who wants more school accountability.

The bill spends more than Pawlenty's education proposal and the measure senators passed. The House and Senate

MINNESOTA LEGISLATURE



bills rely on tax increases opposed by Pawlenty.

The House proposal provides \$95 million to expand all-day, every-day kindergarten, increases special education funding by \$100 million and gives \$125 million in property tax relief.

Rural Democrats and Republicans helped defeat an attempt to repeal Minnesota's post-Labor Day school year start mandate, which is important to the state's tourism industry.

Freshman Rep. Marsha Swails, a high school teacher, said she will be proud to return to her classroom after helping to pass the measure.

"I think that we are on the right track with this bill," said Swails, DFL-Woodbury, citing the kindergarten aid and funding for programs serving academically gifted students.

Puck stops here

The House floor turned into a game as rough as hockey

during debate on providing money to the United States Hockey Hall of Fame.

Rep. Tom Rukavina put a provision in his economic development bill to add a 25-cent surcharge on every Division I college hockey ticket sold in the state. That did not sit well with many Republicans.

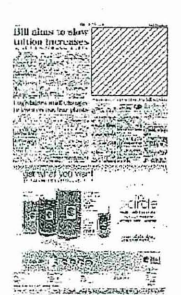
"It is a bad idea for the state of hockey," added Rep. Kurt Zellers, R-Maple Grove.

Rukavina, DFL-Virginia, said the Iron Range has done a lot for the state.

"I don't think a quarter is going to break anybody," he added.

Before the economic development bill passed 92-39, House Majority Leader Tony Sertich, a fellow Iron Ranger, removed the surcharge and received support for giving the Eveleth museum \$120,000 from \$25 million in the 21st Century Minerals Fund.

Reporters Scott Wente, Don Davis and Mike Longaecker work in the State Capitol Bureau for Forum Communications Co., which owns The Forum. The Bureau's reporters can be reached at (651) 290-0707



In the past, first-term legislators were rarely seen and never heard. Times have changed. This session, a big class of Capitol newcomers is shaking things up in St. Paul.

STAR TRIBUNE MAR 26 '07
By PATRICIA LOPEZ
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By all accounts, the rookie legislative class of 2007 is a brash, determined lot: outspoken and not very much inclined to wait its turn.

Propelled by the power of numbers — first-termers make up a fourth of the House and more than a fourth of the Senate — some of the new members have risen to prominence with breathtaking speed, and the whole state may feel the effects.

In the House, many of the freshmen, who are mostly DFLers, have been unabashed advocates of tax increases tied to causes that their constituents hold dear — K-12 funding, more road and transit projects, health care programs and relief from property taxes.

✓ DFL Rep. Ken Tschumper, a dairy farmer from La Crescent, is typical of the newcomers.

'I'M NOT GOING TO WASTE TIME BEING QUIET'

Freshman DFL Rep. Ken Tschumper, a dairy farmer from La Crescent

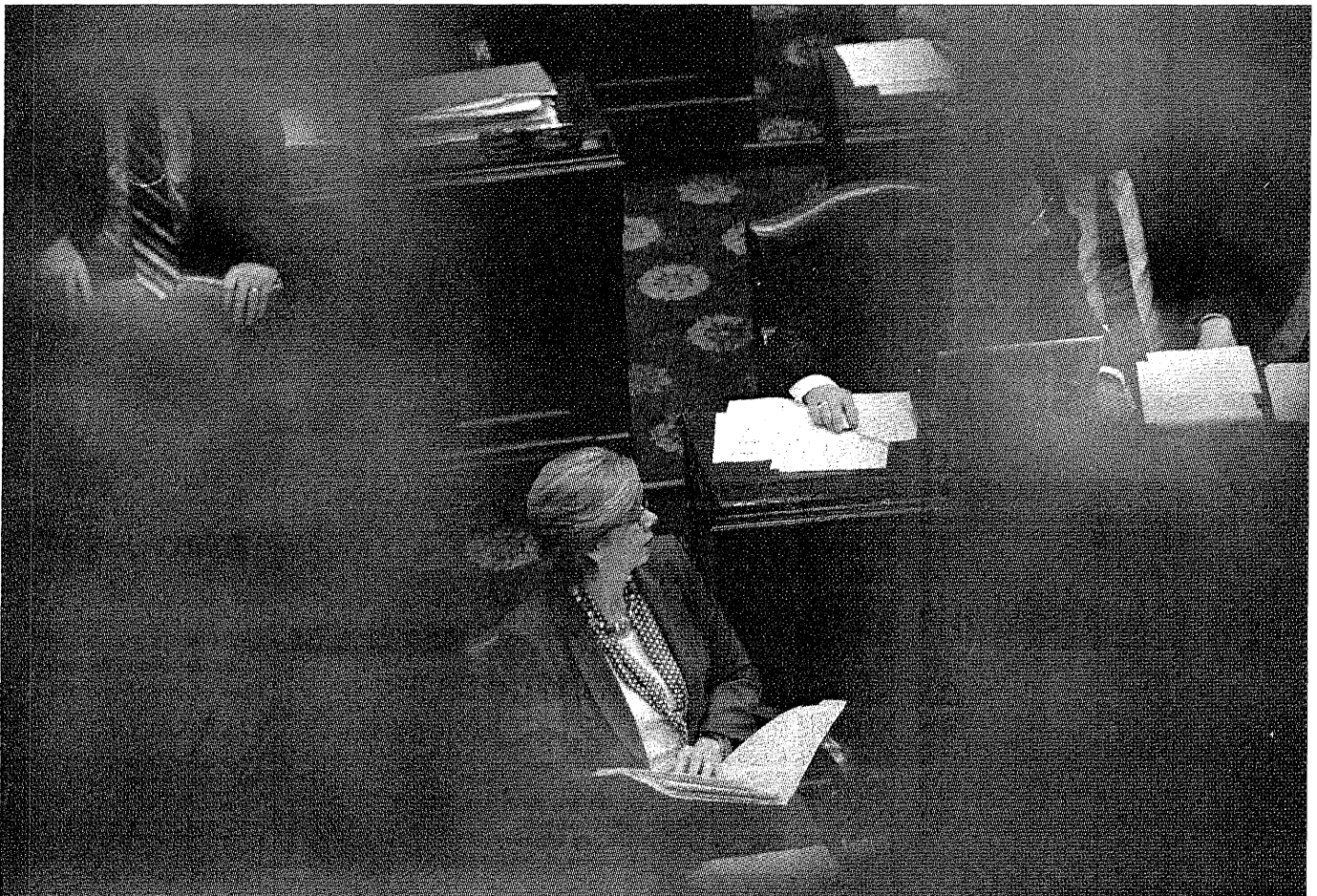
"I'm 57 years old," said Tschumper, whose big, chapped hands attest to the fact that he still milks his cows on the weekends. "This is not a career-builder move for me. I plan on serving a few terms and going back to my farm. I'm not going to waste time being quiet."

Tschumper won election by 52 votes, the smallest victory margin of any legislator, but said that's not going to stop him from speaking his mind.

"We feel we're the cutting edge of the current political attitude in this state," he said of his first-term DFL classmates.

Their ranks include teachers and business owners, nonprofit directors, a mental health nurse, a Stanford-educated economist, a chemist and a tile-setter.

Freshmen continues: DFL leaders purposely gave more power to newcomers. **B5** ▶



✓ State Sen. Sharon Erickson Ropes, a first-time legislator who is taking a lead on health-care issues, listened to Majority Leader Sen. Larry Pogemiller of Minneapolis address the Senate. Newcomers "weren't sent here to take a back seat and play it safe," said Erickson Ropes, a DFLer from Winona.

(over)

Newest legislators aren't wasting time 'being quiet'

◀ FRESHMEN FROM B1

Republicans, bitterly opposed to what they see as a tax-and-spend spree, have been able to do little to stem the new tide.

In the Senate, Majority Leader Larry Pogemiller, DFL-Minneapolis, said leaders have made a conscious decision to turn over more power to the newcomers.

The result has been like a stiff breeze blowing through the fusty halls of the Senate.

Out in front of veterans

It was rookie Sen. Sandy Kummel, DFL-White Bear Lake, a former school board member, who persuaded Pogemiller to devote the bulk of the Senate's funding to special education, touching off a battle with the House that has yet to be resolved.

When Sen. Kathy Sheran, a specialty nurse from Mankato arrived, she knew she wanted to be involved in the statewide smoking ban. When she was asked to be the chief sponsor, she said, "I was stunned."

Two established DFL senators — Scott Dibble of Minneapolis and Ron Latz of St. Louis Park — had deferred to Sheran. All involved decided that her outstate background and nursing experience trumped their seniority.

In a recent committee hearing, Sheran proved as adroit as any old-timer, holding her own against a roomful of veteran lobbyists. When Pat Mancini, owner of a popular St. Paul restaurant and legislative hangout, showed up to testify, accompanied by Jim Farrell, a former legislator who lobbies for the liquor industry, Sheran stayed at the witness table, forcing the pair to sit on either side of her, practically touching elbows, while they spoke against her bill.

The daughter of former state Supreme Court Justice Robert Sheran, she sat as straight and impassive as, well, a judge.

"I felt it was important to maintain a presence," she said later. "I'm representing all the people affected by secondhand smoke. If my opponents are going to talk against my proposal, I'm going to be right there."

After the room had cleared, Dibble came up to her. "Good job," he said quietly to a beam-



Sen. Sharon Erickson Ropes talked with fellow DFL Sen. Kathy Salzman on their way to the Minnesota Senate floor at the state Capitol.

KYNDELL HARKNESS • kharkness@startribune.com

ing Sheran.

"We have talented newcomers," Pogemiller said, "and they're being given a chance to pick up the ball."

C. Scott Cooper, a longtime gay-rights advocate, said the new crew is among the boldest he's seen.

"This is the first time I've ever seen freshmen running this far out in front of senior members," Cooper said. "Especially on the tax issue. They're just not afraid. Not of senior legislators, not of opposing lobbyists, not of anyone. They know they can either raise taxes and get something done or not raise taxes and get very little done. It looks like they've decided they can get reelected on the first [strategy] but not on the second."

Creative tension

A former Navy officer, nurse and state PTA president, Sen. Sharon Erickson Ropes, DFL-Winona, is accustomed to a certain level of authority. "We weren't sent here to take a back seat and play it safe," she said. "I didn't come here to get reelected."

Erickson Ropes and Sheran

have already generated "some, let's say, creative tension" on health issues, said Pogemiller, who is trying to accommodate the two strong-willed nurses on his team, along with longtime matriarch on health care, Sen. Linda Berglin, DFL-Minneapolis.

"Sen. Berglin's forgotten more on health care than most of us will ever know," Pogemiller said, "but these are people who come with serious life experience. It's fine, I like creative tension."

Sen. John Marty, DFL-Roseville, marvels at the changed dynamic, and what it could mean for the state. A 21-year veteran of the Legislature, Marty recalls that when he started, "Freshmen weren't even allowed to serve on appropriations committees, let alone help lead them."

The change is a good one, he said, because under the seniority system, junior legislators had to wait so long to achieve positions of power that by the time they'd reached them, "they'd had the passion bled right out of them," Marty said.

Republicans view the situation a little more judicious-

ly. They see a zeal — misguided though they believe it is — similar to what their mega-class of 2003 demonstrated. That's when Rep. Kurt Zellers, R-Maple Grove, was one of the fresh-faced newcomers. Now on his third term, Zellers said he's not exactly an old hand. "I'm only 37," he said. "I do still get to say 'only, right?'"

Still, he remembers a very different ethic under veteran House Speaker Steve Sviggum, R-Kenyon. "You were paired with a mentor right away," Zellers said. "Mine told me to 'find the bathroom, sit down, shut up and listen.' When Zellers finally got to carry a bill, it was tailored for his district — a dozen liquor licenses for the Shoppes at Maple Grove com-

plex. "You didn't get a lot of glory, but you didn't get yourself in a lot of trouble before you knew what you were doing, either."

When newbies are installed as vice chairs of some of the body's most powerful committees, Zellers said, "that's a political calculation."

Rep. Marsha Swails, DFL-Woodbury, vice chairwoman of Ways and Means, and Rep. Sandy Wollschlager, DFL-Cannon Falls, vice chairwoman of Taxes, both of whom replaced Republicans, are "impressive," Zellers said.

"But they're in swing districts. Leadership knows we're coming after them in the next election. They're protecting them."

Patricia Lopez • 651-222-1288

Transportation bill calls for Hummer-load of new taxes

STAR TRIBUNE APR 11 '07

MY VIEW

REP. KURT ZELLERS



The Minnesota House met recently to vote on the transportation bill. I wanted to give the voters in

our area some of the highlights and lowlights of this massive tax increase that will surely be vetoed by Gov. Tim Pawlenty.

If this bill became law, the new taxes and fees included would be an increase of \$885 million per year on the Minnesota taxpayer. This is roughly a \$550 tax increase for the average Minnesota family every year. The taxes and fees included in this bill: a 10 cent gas tax increase; a "wheelage tax" on every car once a year by your county; an increase in the price of license tabs; a seven-county, metro-only sales tax increase; a metro-only tax on new cars; a new statewide sales tax for transportation; and a dedicated sales tax on leased cars.

While I fully believe that we need to improve our transportation systems in Minnesota, there were two main reasons I could not, with a clear conscience, vote for this massive, multi-pronged tax increase. First, because it would mean the average Minnesota family would have to pay an additional \$550 a year in new taxes. That's simply not fair when local, state and federal governments are already taking way too much out of the pockets of our working families. Second, and most importantly, this bill did not include Gov. Pawlenty's bonding proposal that would finally provide the funding to finish Hwy. 610 and fix the "Devil's Triangle" at County Road 81 and Hwy. 169.

There are other reasons as well. The 50 percent increase in the gas tax alone would be an enormous burden for many of the residents in our area who travel downtown or across the metro to their jobs, as well as any sector of the business community that involves route sales or is dependent upon trucks to deliver their products; they would see an increase in the cost to get a product to market. And how will they pay for these new costs? They will pass these costs along to us, the consumers.

Increases in sales tax on new cars in the metro area would mean that new car buyers would shop in Hudson, Wis., Fargo, N.D., or Sioux Falls, S.D., for their new vehicles. Why would we want to drive an already price-conscious consumer to another state? I think we should keep the buyers here, so that we can collect the taxes we are already imposing.

There are other reasons for not raising these oppressive taxes and fees, but for me it comes down to the simple fact that we have a budget surplus of more than \$2 billion and a current budget of \$34 billion. There is more than enough money in our state's budget to fix our road and bridge needs.

Instead of spending the time to pass a bill which everyone knows will be vetoed, we should have worked on a bill both sides can agree on. I look forward to the future, to working across party lines to craft a bill that will benefit all Minnesotans and make their commutes shorter and safer.

Rep. Kurt Zellers, a Republican, represents House District 32B, which includes eastern Maple Grove and Osseo.

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Rukavina bill requires American-made flags

By Don Davis
State Capitol Bureau

ST. PAUL — Rep. Tom Rukavina walked through the crowd during a Sept. 11, 2001, memorial service and noticed most of the flags were made in China, Pakistan or someplace else other than the United States.

"If anything should be made in the United States, it should be the American flag," he said.

So began the Virginia DFLer's quest to require all American flags sold in Minnesota to be made in this country. And 2007 could be the year he wins.

"I'm positive it is going to pass," he said Tuesday, moments after the Minnesota House Commerce and Labor Committee overwhelmingly passed his proposal.

Under a Republican-con-

trolled House, Rukavina's dream was shot down time after time. Even Republicans on the committee backed his bill Tuesday, although there were questions.

For instance, Rukavina's bill requires that novelties with a flag image sold in the state be made in America. That may go too far, according to Rep. Dean Simpson, R-New York Mills.

"I don't think there is anything wrong with what you are trying to do on the flag part," said Simpson, who has voted against the bill in the past.

Questions remain to be answered before Rukavina's bill reaches a full House vote. For instance, Rep. Sarah Anderson, R-Plymouth, wanted to know if it will cost the state anything to enforce the law. Rep. Erik

Paulsen, R-Eden Prairie, wondered if the bill would ban flag sales at garage sales.

Rep. Kurt Zellers, R-Maple Grove, said he fears that flags would not be as readily available if foreign-made ones are banned.

Other states have considered similar bills, but none has passed.

Americans paid \$47 million for flags in the wake of 2001's terrorist attacks, with \$38 million going to China, Rukavina said. However, he added, there are plenty of American flag makers that can fill the demand.

Don Davis works for Forum Communications Co., which owns the Bemidji Pioneer.

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Proposed tax credits, deductions could amount to millions in spending

Flurry of tax credits: Enjoy now, pay later?

• Minnesotans could get millions back if the credits pass — but it would cost millions in spending, too.
STAR TRIBUNE MAR 18 '07
By PATRICIA LOPEZ • plopez@startribune.com

There's more than one way to spend money at the Capitol. Now an array of targeted tax credits — many millions of dollars worth — are being introduced in the legislative session to offset everything from the costs of telecommuting to family museum memberships.

Whether you restore a historic house, adopt a child, plant a tree, volunteer in a classroom, start a small business or apply for U.S. citizenship, legislators are proposing a tax credit for you. Of the nearly 60 proposals so far — and more are on the way — just the major ones would cost the state \$500 million in 2008-09 — half the amount of revenue available for spending.

DFLers and Republicans alike are in on the tax credit frenzy. Even House Minority Leader Marty Seifert, R-Marshall, who once proposed eliminating Sunday breakfast for prisoners to save money, has a tax credit in the hopper. He's teamed up with Assistant Senate Majority Leader Tarryl Clark, DFL-St. Cloud, for a \$1.7 million annual adoption credit.

Taxes continues: Credits, deductions always popular among legislators. **A11**

TAXES FROM A1

But House Taxes Chairwoman Ann Lenczewski, DFL-Bloomington, takes a dim view of what she considers a disturbing trend. "It's a back-door way of spending money, and in most cases, it's not a good thing," she said. "It's bad tax policy."

The credits, she warned, also would add "pages and pages" to the Minnesota income tax form if passed and could undermine Minnesotans' sense of fairness in the tax system if they saw a flurry of givebacks to certain groups.

High price tag

Some of the credits are quite large: \$123 million or more a year for classroom volunteers, \$24 million for volunteer firefighters and ambulance drivers, \$48 million to help small businesses purchase new technology. The classroom volunteer proposal yielded this week-crack from Rep. Ron Erhardt, R-Edina: "What's the volunteer part, then?"

But legislators on both sides defend the tax-credit practice even as they concede it has flaws. "The trucking industry would like to be greener and reduce their emissions," said Rep. Melissa Hortman, DFL-Brooklyn Park, sponsor of a tax credit that would help truckers buy equipment to reduce idling pollutants. "They're asking for a little help."

While a tax credit might not be the best way, she said, "I'll be fighting for it."

So, too, will Rep. Kurt Zellers, R-Maple Grove, push his provision to exempt public employee and teacher pensions from state income taxes. That deduction alone would reduce the state's revenue by \$67 million in 2009 and about \$70 million per year after that.

Hortman said some of the proposals may border on the improbable, but no more so than in previous years.

"I would say there were just as many nutball bills when the Republicans were in control," she said.

Not a means for spending

What's not always clear, said House Majority Leader Tony Sertich, DFL-Chisolm, is that as enticing as tax credits may seem, "It's all spending. That sounds counterintuitive, but it is."

That's because the state revenue forecast has already projected the amount of money the state will get from taxes. When a tax credit or exemption lowers that amount, the state must count it as spending.

Sertich would not handicap any of the proposed tax credits' chances for passage, saying only that House leadership will let the taxes committee decide which ones make the cut.

A tough-minded, fiscal moderate, Lenczewski said she plans to set the bar high.

"I'm not going to let folks turn the tax committee into another appropriations committee," she said. "There's a lot of pent-up desire here on both sides and not a lot of money. I get that. But this is not the way we're going to do spending."

And that includes even Gov. Tim Pawlenty's proposal to exempt military pensions from the state income tax — a move that would cost the state \$78 million during the 2008-09 budget period.

"If we want to appropriate money to help veterans, that's fine," Lenczewski said. "Let it compete with all the other spending, but don't change the tax code to do it."

Clark, of St. Cloud, said the Senate will be far pickier about which tax credits it passes. The Senate tax committee, she said,

« THERE'S A LOT OF PENT-UP DESIRE HERE ON BOTH SIDES AND NOT A LOT OF MONEY. »

Ann Lenczewski, House Taxes chairwoman

"will use most of its resources for broad-based property tax relief."
Brian McClung, Pawlenty's spokesman, said that credits and deductions were "always popular" among legislators, but said this year's batch "may be nearing a record."
Proper use can be good strategy, he said, "but there's no way many of the tax credit ideas introduced this year will

survive the session."
Deputy House Minority Leader Drew Emmer, R-DeLano, said he would prefer across-the-board tax cuts, but "I'd rather see the money go out as tax credits than as more spending."
Patricia Lopez • 651-222-1288



- #### A SAMPLER OF TAX-CREDIT PROPOSALS
- **Volunteer ambulance attendants and firefighters tax credit:** \$1,500 per person. Estimated 2008-'09 cost: \$29 million
 - **Tree planting tax credit:** 25 percent of the cost up to \$25 per tree, \$50 per homestead. Estimated 2008-'09 cost: \$3.2 million
 - **Citizenship expenses tax credit:** 100 percent of qualified expenses. Estimated 2008-'09 cost: \$8.4 million
 - **Volunteering tax credit:** \$10-per-hour, \$2,400 maximum, for volunteering at a child's school or day care center. Estimated 2008-'09 cost: \$110 million
 - **Preschool expenses tax credit:** Up to \$1,625 per child in pre-kindergarten expenses and museum memberships. Estimated 2008-'09 cost: \$21 million
 - **Small business investment and new technology tax credit:** Up to 25 percent of the first \$100,000. Estimated 2008-'09 cost: \$94.3 million

32B

M110 Bills on predatory lending advance in House, Senate

● The proposals would require that a lender determine that a borrower has the "reasonable ability" to repay.

By Pat Doyle
pdoyle@startribune.com

As concerns mount nationwide about defaults on home mortgages, legislators advanced proposals Tuesday requiring lenders to determine that a borrower has "a reasonable ability" to make payments.

The House Commerce and Labor Committee approved two bills intended to crack down on so-called predatory lending. A Senate committee passed two similar bills later Tuesday evening.

The approval came after Minnesota Attorney General Lorie Swanson testified that the measures would prohibit lenders from "lending without any regard for a person's ability to repay the loan."

Lenders would need to take into account a borrower's income and other financial resources as verified by tax returns, payroll receipts or bank records before approving loans.

Another provision would make it a felony to disregard a person's inability to make payments on a home mortgage.

The measures apply to mortgage brokers, not state or national banks or credit unions. Opponents of predatory lending

say that state banks and credit unions already have adequate curbs against bad loans and that states have little ability to regulate federal banks.

The House committee voted to pass the bills on to the Public Safety and Civil Justice Committee after hearing testimony from Kevin Brown, 47, of Hastings, who talked of losing his house in what he described as a predatory lending scheme.

"Things went wrong right off the bat," Brown said, telling of losing his house temporarily several years ago after pledging it for a home equity loan. He said he got the house back after appealing to former Attorney General Mike Hatch.

After his testimony, Brown said he saw the House bills as resolving disputes between lenders and borrowers more quickly and stiffening penalties for bad lenders.

One of the House bills advanced Tuesday also would require lenders to disclose more expenses defined as lender fees, including third-party expenses. But Wade Abed, president of the Minnesota Association of Mortgage Brokers, said the provision would unfairly penalize brokers who "have no control over third-party fees."

In the Senate Commerce and Consumer Protection Committee, legislators objected to defining the extra expenses as lender fees, saying that would make it more difficult to turn a profit on smaller loans and thus make such loans less likely.

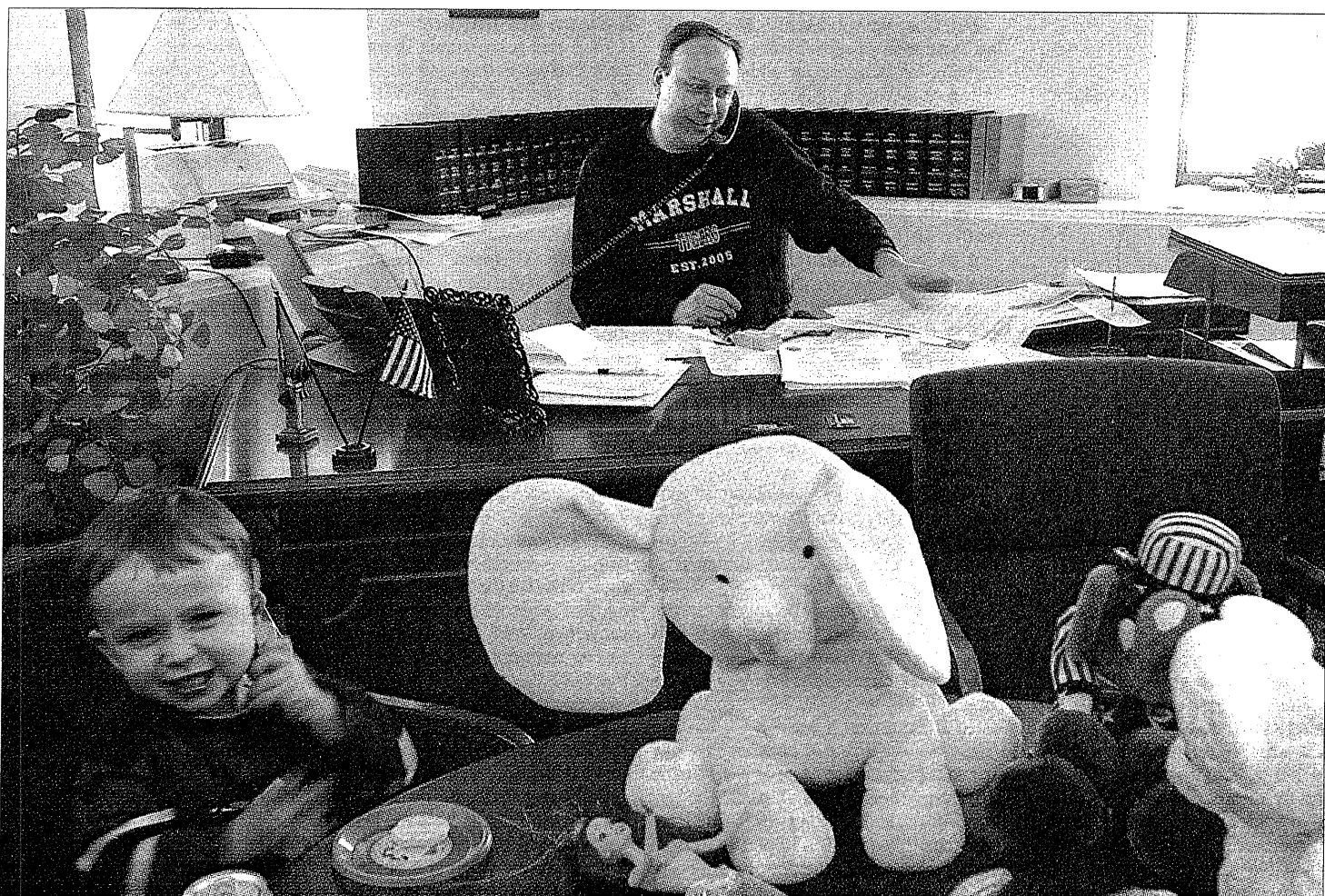
That committee sent one bill on predatory lending to the Senate floor and another to the Judiciary Committee.

Keenan Raverty, president of the Mortgage Association of Minnesota, said predatory-lending problems involve a minority of "greedy scoundrels and criminals" in the lending business.

Rep. Kurt Zellers, R-Maple Grove, asked proponents of the bill why existing laws against consumer fraud aren't adequate to deal with wayward lenders. A Legal Aid lawyer replied that the practices outlawed in the proposals are not covered under the consumer fraud law.

One bill that advanced in the House would prohibit lenders from refinancing when the deal does not benefit the borrower, "considering all of the circumstances." Another requires disclosure of tax and insurance costs on loans that do not itemize those payments as escrow.

House Minority Leader Marty Seifert has attracted attention and controversy with his "Seifertisms" — pithy phrases he lobs in his role as defiant conservative standard-bearer.



JOEY MCLEISTER • jmcleister@startribune.com

Two-year-old Braxton Seifert talked on a toy cell phone as his dad, House Minority Leader Marty Seifert, worked a real phone in his office. The senior Seifert, a Republican from Marshall, has a reputation for outspokenness and for prolonging debates. But, he says, "I'm actually a little surprised that I'm quoted as much as I am."

He's never at a loss for words

STAR TRIBUNE MAR 11 '07

By DANE SMITH • rdsmith@startribune.com

Whenever rookie Minority Leader Marty Seifert begins a news conference or rises from his desk to once again prolong debate on the House floor, listeners cock their ears for another of his homespun conservative sound bites, which he proudly owns up to as "Seifertisms."

College students are hoping for "a Hail Mary pass to help them pay for college," he said this session while lashing out at recent buyouts of fired University of Minnesota coaches, as the U was "providing millions of dollars to get rid of coaches that failed to do their jobs."

"I refuse to be the monkey for the organ grinder of big government," he declared on another occasion. "If that is what it means to be a good Republican, I'm turning in my little red hat and my little cup."

As Republicans in Minnesota come to grips with defeat and the reality of large DFL majorities in the House and

Senate, Seifert (pronounced SIGH-fert), at the relatively young age of 34, is emerging as almost the last unapologetic conservative stalwart. While Republican Gov. Tim Pawlenty and Senate Minority Leader David Senjem project a more cooperative and conciliatory tone, Seifert still spouts fighting words.

His tactics lately have included pro-

longing debates for hours on the House floor and taking aim at perceived DFL misdeeds ranging from excessive expense allowance increases to a proliferation of committees to, of course, proposing too many tax increases.

Seifert continues: Some of his more quotable moments this session. **B4 ▶**

« I REFUSE TO BE THE MONKEY FOR THE ORGAN GRINDER OF BIG GOVERNMENT. IF THAT IS WHAT IT MEANS TO BE A GOOD REPUBLICAN, I'M TURNING IN MY LITTLE RED HAT AND MY LITTLE CUP. »

Rep. Marty Seifert

(Back)

32B

He's never at a loss for words

◀ SEIFERT FROM B1

Seifert said he accepts his role as a somewhat lonely voice in the wilderness and doesn't fault Pawlenty and Senjem for the compromising tack they are taking.

"I've tried to model myself on [former House Speaker Steve] Sviggum and I am trying to be positive, too," Seifert said last week in his office, decorated with small-town and rural paintings and photographs, reflecting his southwestern Minnesota upbringing. "And I'm actually a little surprised that I'm quoted as much as I am.

"The governor gets a rap from some conservatives for triangulating with liberals and DFLers too much, but the reality is that the governor is being as practical as he can in the environment he is in."

DFLers acknowledge that they personally like the extroverted Seifert and appreciate his sense of humor. And some say they understand the tactics as part of the groundwork for a comeback effort in 2008, when only the House and not the Senate is up for reelection.

"I get that it's about critiquing and complaining, but he's all about throwing bombs rather than working on solutions," said Seifert's principal foil in the House, Majority Leader Tony Sertich, DFL-Chisholm, also in his early 30s.

To illustrate the futility of Seifert's tactics and even the lack of solid Republican support for them, DFLers have

kept book on seven occasions since the session began when Seifert has led his caucus in lengthy debates that ended in lopsided votes — with many or most Republicans actually joining the majority.

"He ties us up when we ought to be doing committee work and a lot of time is really being wasted," said colleague Rep. Frank Hornstein, DFL-Minneapolis. But Hornstein gives credit to Seifert for working with and meeting regularly with House Speaker Margaret Anderson Kelliher. And Hornstein said he really is impressed by Seifert's gift for creative phrase-making.

"I asked him once how he found the time to come up with so many of these," Hornstein said. "He told me it was a long three-hour drive to Marshall."

German roots, hard work

Seifert grew up the youngest of six boys on a hog farm in Sundown Township, near Redwood Falls. He is descended from German and Belgian immigrants who arrived in Minnesota as early as 1871.

Seifert's father had only an eighth-grade education, and the family income was modest and still is. His wife, Traci, works full time to help support their family. The couple have two children, Brittany, 4, and Braxton, 2.

Seifert describes his formative environment as a "normal, nuclear family" that put particularly strong value on hard work.

"He was kind of a shy young guy when he started working for us," said Spencer Braken, owner of the Dari King, a 42-year-old drive-in restaurant in Redwood Falls, and who hired Seifert as a freshman in high school. Seifert blossomed in the people-oriented business, Braken said, "and he'd know all the answers on 'Jeopardy' about politics. He was a very smart, educated young man."

The work habits persist. Seifert often gets to the Capitol at 6:30 a.m., works late and gets by on less than six hours of sleep.

A devout conservative Catholic who says he has missed Sunday mass just once in the past 10 years, Seifert attended parochial elementary school. But he graduated from a public high school and got his bachelor's degree from a public college, Southwest State University. He's employed at Southwest State as an admissions counselor when he isn't in session.

Hard-line, anti-tax, anti-government conservatives with that kind of debt to public institutions sometimes come under fire from liberals for hypocrisy, but Seifert said he sees no inconsistency.

"I've never really been hostile to public education and it kills me to see the tuition increases we've had in recent years," said Seifert, who has issued a call for a flat-out freeze on tuition for state colleges and universities. "And I don't think my rhetoric is as anti-government as some libertarians'. I'm not saying we should shut down the schools and sell the roads."

Seifert has built a reputa-

tion, however, for picking easy populist targets such as immigrants, welfare recipients and prisoners. He has proposed denying desserts and a third meal on weekends to prison inmates, preventing welfare recipients from buying cigarettes and alcohol with their benefits, and several proposals that promote English and discourage the use of Spanish.

Critics have suggested that Seifert is mean-spirited and provincial. Seifert acknowledges that he runs afoul of "political correctness" and that he sometimes might be "too plain-spoken for my own good."

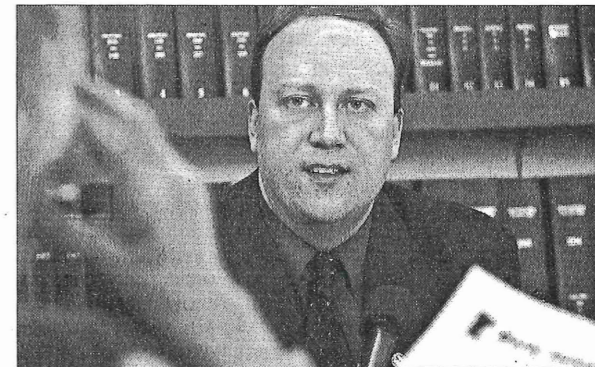
Some of Seifert's colleagues say they already can see him maturing and holding his tongue more often. Rep. Bob Gunther, R-Fairmont, who rooms with Seifert in a downtown St. Paul apartment during the session, said Seifert is "a little less impulsive, thinks things through and asks second opinions."

Rep. Kurt Zellers, R-Maple Grove, said he thinks Seifert is "not just a flame-thrower and is far more strategic and analytical than people give him credit for."

Zellers said he supported Seifert for minority leader over Rep. Erik Paulsen of Eden Prairie, who was favored by many other suburban members, because Seifert "can bring us back to the majority the quickest."

Seifert said he does have sympathy, given his modest background for disadvantaged folks and knows about the plight of migrant workers.

"I do care about trying to help people, but it's also about common sense," he said. "The average person doesn't want their welfare taxes to pay for cigarettes and alcohol."



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Seifert, pictured speaking with a reporter, said he doesn't think his rhetoric is "as anti-government as some libertarians'. I'm not saying we should shut down the schools and sell the roads."

'SEIFERTISMS' QUOTABLE MOMENTS FROM THE MINORITY LEADER

On his preference to reduce prison meals and restore funding for the Meals on Wheels program:

« IT LOOKS LIKE FOR THE MEALS ON WHEELS PEOPLE TO GET FED PROPERLY, THEY'LL HAVE TO GO OUT AND BEAT UP SOMEONE WITH A PIPE AND GO TO PRISON. »

On the spirit of cooperation at the Capitol:

« THE HONEYMOON BETWEEN GOV. PAWLENTY AND SEN. POGEMILLER WILL MAKE BRITNEY SPEARS' FIRST MARRIAGE LOOK LIKE A LONG-TERM RELATIONSHIP. »

On DFLers being in charge:

« SENDING DEMOCRATS INTO THE STATE TREASURY DURING A BUDGET SESSION IS LIKE UNLEASHING BILL CLINTON AT A FLORIDA SPRING BREAK PARTY — THERE'S JUST TOO MANY OPPORTUNITIES TO DO THE WRONG THING. »

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MINNESOTA

Cell phone bill may run out of time PIONEER PRESS MAR 23 '07

Time is shaping up to be a critical obstacle to a bill that would increase fines for drivers who use a cell phone while committing another traffic violation.

Although the bill cleared its second House committee Thursday, the committee chairman on its next scheduled stop said he doubts he'll hold a hearing this year because of a crush of legislation. Rep. Joe Mullery, DFL-Minneapolis, said action on the bill could spill into next year.

The proposal by Rep. Frank Hornstein, DFL-Minneapolis, has won the support of two House committees, including the House Public Safety Finance Division on Thursday. Hornstein isn't ready to give up for the year.

"We're two-for-two in committee — we'll keep this thing going," he said.

Under the plan, the fine for a moving violation would double if a phone was being used at the time. The minimum surcharge would be \$25. There are exceptions for emergency calls.

Sponsors say it's a softer approach than an all-out cell phone ban, but opponents say the fines are excessive and the policy intrusive.

"This is a little too much Big Brother," said Rep. Kurt Zellars, R-Maple Grove.

Minnesota already prohibits cell phone use by drivers younger than 18.

— Associated Press

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MINNESOTA HOUSE OF REPRESENTATIVES

DFL leaders sign off on tax hike

Bill seeks 9 percent rate for top earners

BY BILL SALISBURY
PIONEER PRESS, APR 24 '07

Democratic leaders on the Minnesota House Tax Committee on Monday put in writing their plan to increase income taxes on top earners to provide property tax relief for homeowners.

House Tax Committee Chairwoman Ann Lenczewski, DFL-Bloomington, said the Democratic-Farmer-Labor majority's bill would make the state's tax system fairer by lowering regressive property taxes and requiring the wealthy to pay a larger share of the tax burden.

The bill would create a new top income tax rate of 9 percent for married couples filing joint returns who earn more than \$400,000 a year and for single taxpayers with incomes above \$226,000. The current top rate is 7.85 percent.

"About 80 percent of the burden would fall on Minnesotans that earn over \$1 million a year," Lenczewski said.

But they won't be paying higher taxes any time soon. Her bill is unlikely to become law. Republican Gov. Tim Pawlenty has pledged to veto any income tax increase, and Lenczewski said she believes him.

She predicted Pawlenty will agree to find some other revenue source to pay for property tax relief but said the amount of relief may be scaled back.

DFL lawmakers could decide to abandon their proposed income tax increases in a House-Senate conference committee, she said, instead of sending Pawlenty a bill they know he will veto and then writing a new tax bill.

"I am very confident that the governor and the Senate and the House will work things out," she said.

"I'm not playing games or gotcha," she added, referring to the apparently futile attempt to increase income taxes on the affluent. Both houses have a responsibility to try to advance what they believe are the best taxing policies, even if the governor opposes them, she said.

She predicted her committee will pass the bill Wednesday and that the full House will approve it Friday, Saturday or Monday. Then House and Senate tax negotiators would try to resolve their differences before sending a bill to the governor.

The House's income tax plan would raise an estimated \$453 million over the next two years. That revenue would be used to cut property taxes for 90 percent of Minnesota home-

owners, Lenczewski said.

The bill would provide state-paid refunds to homeowners whose property taxes exceed 2 percent of their household income. The refunds would range from \$250 to \$2,500. Households with annual incomes up to \$150,000 would be eligible for the reimbursement.

Renters earning up to \$60,000 a year would be eligible for refunds of as much as \$1,500.

"The property tax relief and reform in here is historic," said Rep. Paul Marquart, DFL-Dilworth, chief architect of the property tax provisions in the bill. It links the refunds to the "ability to pay" to a far greater extent than previous tax-aid programs.

"With a \$1 billion
(state) surplus,
why anyone wants
to raise taxes now
is beyond me."

Rep. Kurt Zellers,
R-Maple Grove

Lenczewski said property tax relief is the House DFL majority's top priority for this session. She asserted raising income taxes on the relatively wealthy would make the state's tax system fairer. Under current law, top earners pay a smaller percentage in state and local taxes than low- and middle-income taxpayers, according to a state Revenue Department report.

Republicans argued the tax increase is unnecessary and would be counterproductive. "With a \$1 billion (state) surplus, why anyone wants to raise taxes now is beyond me," said Rep. Kurt Zellers, R-Maple Grove.

The House bill does not provide tax subsidies to expand the Mall of America in Bloomington and the Thomson West legal publishing complex in Eagan. The Senate bill provides tax breaks to both projects.

"The House has a history of being harder on corporate subsidies than the Senate," Lenczewski said.

The House bill would, however, authorize Eagan to create a tax-increment financing district that could divert property taxes from the Thomson West expansion to pay for streets, parking, sewer, water and other improvements on the site.

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