

The Senate Agriculture, Veterans and Gaming Committee met on Wednesday, March 16, 2005 at 3:00 p.m. in Room 112, Capitol. The following members were present:

Vickerman, Chair  
Skoe, Vice Chair  
Day  
Dille  
Hann  
Johnson, D.E.  
Koering  
Lourey  
Murphy  
Nienow  
Rest  
Solon  
Wergin

Senator Sams was absent.

Senator Vickerman called the meeting to order at 3:12 p.m. and called on Senator Chaudhary for S.F. 569. Senator Chaudhary stated this bill will authorize charitable gambling funds to be utilized by youth and adult safety training and education programs of the Department of Natural Resources.

**Col. Mike Hamm, DNR Enforcement,** testified in support.

**Tom Barrett, Gambling Control Board,** testified in support.

Senator Koering moved S.F. 569 be passed and be re-referred to Crime Prevention and Public Safety Committee. BILL PASSED.

Senator Saxhaug presented S.F. 1288, a bill defining video games. He stated he had a delete everything amendment. Senator Skoe moved SCS1288A-1.

Senator Rest asked what the difference is.

**Gerald Sweeney, Lord, Bissell & Brook, LLP,** stated this game has been removed from the State of Minnesota and they want it reinstated.

**Tom Barrett, Gambling Control Board,** stated this game surfaced at Canterbury Downs and people were making side bets. Gambling Enforcement Division pulled this game from the state.

Senator Lourey suggested deleting the new language on lines 14 and 15 and inserting language that says a prize payout isn't legal.

Senator Skoe incorporated in the delete all amendment on Page 1, lines 14 and 15 – delete the new language and insert **“A video game that simulates horse racing that does not involve a prize payout is not a video game of chance”**

AMENDMENT PASSED.

Senator Wergin moved S.F. 1288, as amended, be passed. BILL PASSED.

Senator Higgins presented S.F. 1580, a bill expanding the definition of shade trees.

**Geir Friisoe, MN Dept. of Agriculture,** stated the Shade Tree Program was initiated in 1974 in response to the increase in Dutch Elm Disease. The enabling legislation provided funds to eligible cities (both metro and outside the metro area) for removing and disposing dead and dying elm trees as well as reforestation efforts. The statute is still active, but funding has not been made available for grants since the early 80's. During the

1977-78 biennium , 24 million of grant funds were distributed to both metro and non-metro municipalities on a 50% cost share basis.

**Kirk Pederson, Rice, Michels & Walther, representing Mpls. Park Board,** stated tree loss in 2004 was the worst in 30 years. Ten thousand trees were cut down in 2004 at a cost of 10 million. The greatest threat is tent caterpillars, army worms and dutch elm.

**Peter McLaughlin, Hennepin County Board,** stated the board supports this legislation.

Senator Dille stated he thought the last six words on Page 2, lines 25 and 26 were unnecessary.

Senator Dille moved on Page 2, line 25, delete “with minimal to residual” and Page 2, line 26, delete “timber value” Amendment Passed.

Senator Rest moved S.F. 1580, as amended, be passed and rereferred to Finance. BILL PASSED.

Senator Ruud presented S.F. 1623, a bill authorizing the placement of a plaque in the court of honor on the capitol grounds.

Senator Murphy moved S.F. 1623, be passed and placed on the Consent Calendar. BILL PASSED.

Senator Rest presented S.F. 1555, the charitable gambling control bill. She moved SCS155A-2. AMENDMENT PASSED.

**Tom Barrett, Gambling Control Board,** testified in support.

Senator Murphy moved on Page 24, delete lines 11 and 12.

Mr. Barrett pointed out that this would affect all raffles.

AMENDMENT PASSED.

Senator Rest moved S.F. 1555, as amended, be recommended to pass and be rereferred to Finance. BILL PASSED.

Senator Koering presented S.F. 1621, a bill allowing for rental of certain facilities at Camp Ripley.

**Col. Denny Shields, National Guard,** stated they believe they have this authority but want it in statute.

Senator Koering moved S.F. 1621, be passed and placed on the Consent Calendar. BILL PASSED.

Senator Koering presented S.F. 1622, a bill changing management of armories and drill halls.

**Col. Denny Shields, National Guard,** testified in support.

Senator Koering moved S.F. 1622 be passed and placed on Consent Calendar. BILL PASSED.

Senator Hann presented S.F. 1624, a bill clarifying statutes pertaining to the accumulation of vacation and sick leave by public officers and employees while on military leave and upon reinstatement in public office or employment.

**Officer Paul Barnes, St. Louis Park Police Department,** see Attachments A, B, and C.

Mr. Barnes stated when he returned in April of 2004 from military service, he contacted the city of St. Louis Park and inquired if he was eligible for vacation and sick time. The city was not convinced so he asked for clarification.

James Cleary from House Research did extensive work on this and stated in a letter dated October 11, 2004 that "on the basis of this information, it appears clear to House Research that Officer Barnes is correct in interpreting Minnesota Statutes, section 192.261 as entitling him, as a public employee of (the state or) a political subdivision to accumulate vacation and sick leave time from the date on which he entered active military service until the date of reinstatement....."

Senator Murphy stated to Mr. Barnes that we respect and value his service and moved that S.F. 1624 be passed, and be rereferred to State and Local Government. BILL PASSED.

Senator Lourey presented S.F. 1566, a bill prohibiting the release, planting, cultivation, harvest and sale of genetically engineered wild rice. She passed out Email she had received from Chip Borkenhagen, Publisher, Evergreen Press/Lake County Journal Magazine, Brainerd, Minnesota. "See Attachment D."

People speaking in favor of the bill were:

Winona LaDuke, Executive Director, White Earth Land Recovery Project; stated markets would be destroyed with genetically engineered wild rice.

John Persell, Director of Water Quality, MN Chippewa Tribe;  
Dennis Olson, Institute for Agriculture and Trade Policy, "See Attachments E & F."  
George Spangler, Professor of Fisheries and Wildlife in Conservation Biology  
University of Minnesota; he stated some have said by rejecting scientific improvement of crops, we are stifling academic freedom.

Those speaking against the bill were:

Beth Nelson, Minnesota Cultivated Wild Rice Council, "See Attachment G." She stated this is not a matter of urgency. They are not developing, nor do they have plans to develop genetically modified wild rice.

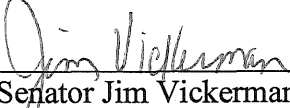
Ron Phillips, Regent Professor, Department of Agronomy, U of M, stated no one at the U is genetically engineering wild rice at this time.


Ray Frost.

Senator Koering moved to lay the bill on the table.

Meeting adjourned at 5:39 p.m.

This meeting was taped.

  
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Senator Jim Vickerman, Chair

  
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by/ Sandi Brown

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**3:00 p.m. Room 112, Capitol**

**AGENDA**

- ✓ S.F. 1288-Saxhaug: Video game definition - *Amended, Passed*  
Gerald Sweeney, Lord, Bissell & Brook, LLP
- ✓ S.F. 1580-Higgins: Shade tree definition. *Amended, Passed, re-ref. to Finance*  
Geir Friisoe, Manager, MN Dept. of Agriculture Plant Protection Section  
Kirk Pederson, Minneapolis Park and Recreation Board
- ✓ S.F. 569-Chaudhary: Natural Resources; lawful gambling change - *Passed, re-ref. to Crime Prevention*  
Bob Meier, DNR Legislative Liaison  
Col. Hamm, DNR Enforcement  
Tom Barrett, Gambling Control Board
- ✓ S.F. 1623-Ruud: Persian Gulf War Plaque *Passed, Consent Calendar*
- S.F. 1555-Rest: Gambling Control Board *Amended, Passed, re-ref. to Finance*  
Tom Barrett, Gambling Control Board
- ✓ S.F. 1621-Koering: Camp Ripley building rentals *Passed, Consent Calendar*
- ✓ S.F. 1622-Koering: Management of armories and drill halls. *Passed, Consent Calendar*
- ✓ S.F. 1624-Hann: Military Affairs; vacation and sick leave benefits. *Passed, referred to State and Local*  
Officer Paul Barnes, St. Louis Park  
Representative Laura Brod
- S.F. 1625-Lourey: Pay grades for retirees called to active duty. *Didn't get to - will reschedule*
- ~~S.F. 1392-Lourey: Sports Themed Tipboards. *pulled from agenda*~~
- S.F. 1566-Lourey: Genetically engineered wild rice prohibition. *Laid on the Table*  
Winona LaDuke, Exec. Dir., White Earth Land Recovery Project  
John Persell, Director of Water Quality for the MN Chippewa Tribe  
Dennis Olson, Institute for Agriculture and Trade Policy  
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Wasn't heard →