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In this issue:

WOLF BILL PASSES &

THE HISTORY OF FIREARMS LAWS

HF4147-HF4153

Session Weekly

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To subscribe, contact:
Minnesota House of Representatives
Public Information Office
175 State Office Building
St. Paul, MN 55155-1298
(651) 296-2146 or
1-800-657-3550
TTY (651) 296-9896

Director
LeClair G. Lambert

Editor/Assistant Director
Nick Healy

Assistant Editor
Michelle Kibiger

Art & Production Coordinator
Paul Battaglia

Writers
Mike DeLarco, Jon Fure,
David Maeda, Chris Vetter

Chief Photographer
Tom Olmscheid

Photographers
Laura Phillips, Andrew Von Bank

Office Manager
Nicole Wood

Staff Assistants
Christy Novak, Laurel Waldoch

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On the cover: Sunlight streams through the windows in the Capitol dome.

—Photo by Tom Olmscheid

Wolf plan passes

Wolf management compromise moves through House, despite sharp criticism, and awaits action by the Senate and governor.

By JON FURE

Since 1974, the gray wolf, or timber wolf, has been protected under the federal Endangered Species Act. The House passed a bill April 11 that would remove some of those protections. The vote was 78-53.

The increasing number of wolves in the state, especially in northern Minnesota, has caused state and federal officials to consider removing the wolf from the list of Endangered and Threatened Wildlife and Plants.

Under the bill (HF1415), a state plan for managing the wolf population would be established, which is required before the wolf can be removed from that list.

Wisconsin, and Michigan in the lower 48 states. The species also inhabits Canadian provinces and parts of Alaska.

Under the bill produced by a House-Senate conference committee, a person could shoot a wolf in defense of a human life. Guard animals could be used to repel or destroy wolves to protect livestock, domestic animals, or pets.

People could "harass" a wolf that they actu-

a University of Minnesota extension agent.

The bill would also modify current law that allows the state Department of Agriculture to compensate a livestock owner for an animal that is destroyed by a wolf, if the claim is validated by a conservation officer or extension agent. Under the bill, the current maximum of \$750 per animal would be removed, and the compensation amount would be based on "fair market value."

No hunting season for wolves would be allowed for five years after the wolf is removed from the list. But the bill would allow the commissioner of the DNR to prescribe open seasons after five years and restrictions for taking wolves after receiving comments from the public.

The bill would prohibit a person from releasing a wolf-dog hybrid. A person would need a permit from the DNR to release a captive gray wolf.

Those provisions would apply to the entire state.

For other provisions, the bill would divide the state into two zones.

Zone A would be the northeast corner of the state, which would start from the northern part of Pine County and would include parts of several counties up to the Canadian border. Zone A also would include much of the northern part of the state, including parts of counties near the state's western border (Roseau, Marshall, Pennington, Red Lake, and Polk counties).

In Zone B, which would cover all of the remaining parts of the state, including the Twin Cities area, all of the southern and western parts of the state, and parts of central Minnesota, the commissioner of the DNR could establish an area where a person who is certified as a predator controller could trap and kill wolves.

Trapping would not be allowed in Zone A, which would provide the wolf with more protection in forest areas, its primary habitat area.

The area for trapping would be limited to a one-mile radius of a site where a wolf attack has been verified in Zone B. The controller could trap wolves in that area for only 60 days.

Violating the laws related to killing wolves would be a gross misdemeanor, under the bill.

Rep. Alice Hausman (DFL-St. Paul), who sat on the House and Senate conference committee that adopted the compromise, said she has received complaints about the different requirements for Zone B.

Other parts of the bill state that a person may shoot a gray wolf "when the gray wolf is



The wolf management plan passed by the House would allow the killing of wolves that threaten livestock or human life. Shown here is one of the wolves at that International Wolf Center in Ely on the prowl. The center promotes public education about the wolf and the predator's behavior.

Rep. Tim Finseth (R-Angus), sponsor of the bill, said the plan reflects a compromise of many different groups and that no group is completely happy with the bill.

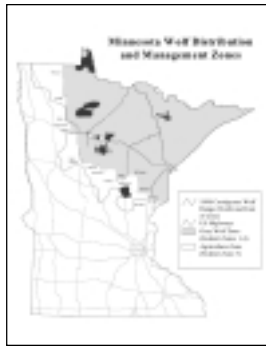
Farmers who have had livestock killed by wolves would favor more leniency in hunting or trapping wolves, whereas some other groups say those proposals under the bill are too lenient.

The gray wolf lives primarily in Minnesota,

ally see within 500 yards of people, buildings, livestock, or domestic animals to discourage wolves from getting too close to homes or farms.

But the bill would make it illegal to lure, track, or search for a wolf with the intent of injuring or harassing the animal.

Any incident where a wolf is killed would have to be reported within 48 hours to the Department of Natural Resources (DNR) or



A map of the two proposed wolf management zones. Zone A is shaded darker.

posing an immediate threat” to people or livestock, for example. But that specific phrase is not used in provisions related to Zone B.

Rep. Phyllis Kahn (DFL-Mpls) said that the bill should include the “immediate threat” language for Zone B, otherwise the bill would allow someone to go into a den and kill wolf pups.

But Finseth disagreed, saying that Kahn’s example would still be against the law.

“You can’t just go out and arbitrarily take a wolf,” Finseth said. “If you go into a den and club the pups, you would be breaking the law and you would be prosecuted.”

Finseth also said that the federal government’s plan for the recovery of the wolf population states that Zone B is “not suitable for wolves and should be eliminated by any legal means.” The bill would provide more protection for wolves than that federal plan, he said.

“Only 10 percent of the wolf population is in this zone, and according to the federal plan, those wolves shouldn’t be there,” he said.

Rep. Mark Holsten (R-Stillwater) said that the practices that led to the near-extinction of wolves were poisoning, shooting wolves from small airplanes, and destroying dens with dynamite — all of which would still be illegal under the bill.

In 1997, the state’s Legislative Commission on Minnesota Resources (LCMR), funded a project for a citizen’s roundtable to develop recommendations for a wolf management plan. The roundtable included people with various interests, such as livestock producers, residents from different parts of the state, and representatives of conservation groups like the Sierra Club and the Isaak Walton League.

The original version of the bill was introduced in the 1999 Legislative Session. The Senate sponsor is Sen. Gary Laidig (R-Stillwater).

Each chamber amended the bill, and it was approved by the House in 1999, but it was not passed by the full Senate until earlier this year.

A House and Senate conference committee further modified the bill. The bill now goes to the Senate, where it could be passed or returned to the conference committee. 🐾



Famous family

The Lindberghs left their mark in Minnesota and elsewhere

In April 1922, Charles Lindbergh took his first airplane ride. Just five years later, he would make the first trans-Atlantic solo flight from New York to Paris and become Minnesota’s aviation hero.

News accounts of the famous flight portrayed Lindbergh as a bit of a naive farmboy from the Midwest.

But the 25-year-old from Little Falls was not the first Lindbergh to make a mark in the world. In fact, he descended from a long line of political activists, among them a U.S. congressman.

Lindbergh’s father, Charles A. Lindbergh, Sr., was elected to Congress in 1906. Young Charles spent many winters in Washington, D.C., and would return home for the mild, pleasant summers of central Minnesota.

Nevertheless, those days out East prepared him for the limelight, while his Minnesota home and the political roots of his Swedish-American ancestors kept him grounded, despite his high-flying aspirations.

Lindbergh’s grandfather Ola Mansson, who took the name August Lindbergh when he immigrated to the United States, was elected to one of the houses of Swedish parliament in 1847. He represented the farmers in his district for 11 years.

Historical accounts say Mansson was rather progressive for the times, advocating government investment in transportation infrastructure, fewer trade restrictions, and increased rights in Sweden for Jews and women.

Accounts also tout his gift for public speaking, quick wit, and ability to think on his feet.

The family came to Minnesota by ship, rail, and then steamboat in 1860. They settled near Melrose and farmed.

August Lindbergh would again serve in public office as clerk of the Melrose school district for 21 years, town clerk for Melrose for 18 years, a justice of the peace for 16 years, and postmaster for 10 years.

It was in that environment that Charles Augustus Lindbergh, the aviator’s father, was raised. Though interest in his studies was questionable in his younger years, “C.A.” attended law school at the University of Michigan.

He obtained his law degree in 1883. C.A. Lindbergh returned to Minnesota and set up his law practice in Little Falls, then a growing community of about 5,000 people.

He married a local woman, Mary LaFond, who died two years after their marriage. C.A. Lindbergh remarried Evangeline Land, who had also attended the University of Michigan, receiving a degree in chemistry. Such an achievement was rare for women of the times.

Young Charles was born in 1902 and grew up on the farm just outside of town. While the boy laid in the cornfields daydreaming of flight, his father was making a name for himself politically.

C.A. Lindbergh associated himself with the emerging progressive wing of the Republican Party, which at the time was pushing for more government regulation of banking and business.

He served five terms in Congress, from 1907 to 1917. During that time, he also wrote three books on the banking industry and the economy.

He was probably best known for his opposition to U.S. involvement in World War I. He disagreed with allowing financial interests to drive U.S. war policy. And his political success would falter because of these views.

In 1918, C.A. Lindbergh ran for the Republican Party nomination for governor against incumbent J.A.A. Burnquist. He was endorsed by the Nonpartisan League, a group comprised primarily of farmers pushing for certain reforms. The group supported candidates for office regardless of party affiliation.

During the primary campaign, Burnquist and others used Lindbergh’s progressive and anti-war stances against him, calling him a German sympathizer and socialist.

As a result, rallies often turned violent, including one in Martin County in south-central Minnesota, where Lindbergh was actually thrown in jail.

He was defeated in the primary. He unsuccessfully ran for U.S. Senate in 1923 and was in the midst of another gubernatorial bid in 1924 when he died — three years before his son’s historic flight.

(M. KIBIGER)

★ **AGRICULTURE****Feedlot rules revisited**

The House passed an amended version of a bill April 13 that would ease a set of new feedlot rules developed by the Minnesota Pollution Control Agency (PCA). The vote was 72-58.

The measure (HF3692*/SF3443) takes into account public testimony opposing new rules for permitting animal feedlots. It would give specific instructions to the agency on how the rules should be amended before their final adoption.

The bill also would prohibit the PCA from imposing additional conditions as part of a feedlot permit after the proposed rules are finally adopted. The measure is sponsored by Rep. William Kuisle (R-Rochester).

State livestock operations would be allowed to grow, and regulation by the agency would be limited, under the bill.

Agency officials want farmers to prevent the flow of animal waste from lots into rivers and streams. The agency is also concerned about air pollution caused by feedlots.

Currently, the PCA's new plan would put limits on hydrogen sulfide gas found in manure and require that manure spills on roads be treated as serious problems. Sloppy handling of manure could result in fines if revised agency rules, as they stand now, go into effect.

The commissioner of the Department of Agriculture would be required under the bill to work with the University of Minnesota to develop educational and training programs addressing manure applicator concerns, including water quality protection and the development of manure management plans.

If violations are found, the bill would require that they be brought up to par in a timely manner.

A feedlot operator with less than 300 animal units, however, would not be required by the bill to spend more than \$3,000 to upgrade a lot unless cost-share money totaling at least 75 percent of the cost is available.

Livestock production facilities would be exempt by the bill from state ambient air quality standards while manure is being removed from the site, and up to seven days following the transfer.

The bill also would require the PCA to remove several provisions from its proposed rules and allow the agency to submit a report

to the commissioner of the Department of Finance if it is unable to accomplish timely response to feedlot permit applications.

The bill now goes to the Senate.

★ **BUSINESS****Sales of funeral services**

The House passed a bill April 6 that would regulate solicitation and sale of funeral goods. The vote was 130-0.

The bill (HF2713/SF2686*), sponsored by Rep. Ann H. Rest (DFL-New Hope), would prohibit solicitation at a hospital, gravesite, nursing home, or wake without the solicitor having been specifically requested to do so.

It also would prohibit an individual from peddling goods and services to any person whose death is impending, or to a individual responsible for funeral arrangements of a deceased person within 10 days of that individual's death. Again, however, such acts would be permitted, under the bill, if either the deceased or a relative had made arrangements to discuss funeral and burial plans before the death.

In cases when the deceased handled his or her own arrangements in advance, the bill would require that the funeral provider

produce a copy of agreement documents and give the copy to the person who is in charge of the remains. A copy of the arrangements would be required to change hands no later than 24 hours after first contact between the provider and the individual controlling the remains.

Provisions that would establish requirements for such funeral arrangements and allow someone making advance burial arrangements to cancel those plans are also contained in the bill.

Rest's bill now goes to a House-Senate conference committee.

Language pertaining to a potential financial impact of the measure was incorporated into the omnibus state government spending bill (HF2699) in March. The provision would appropriate \$90,000 in fiscal year 2001 for the purpose of responding to public complaints about funeral goods and services solicitation.

Economic loss doctrine replaced

The state's existing economic loss doctrine will be repealed and replaced by a new provision, under a law signed April 11 by Gov. Jesse Ventura.

The law will limit commercial parties to legal solutions under the Uniform Commercial Code. The code provides a shorter statute of limitations.

A TEST OF WILLS

House conferees Reps. Bob Ness, *left*, and Tony Kielucki debate with Senate conferees, Sens. Larry Pogemiller and Linda Sheid, over differences in Profile of Learning measures during the April 10 conference committee discussions of the omnibus education bill.

"This bill clarifies the law on who can sue and when they can sue," said Majority Leader Tim Pawlenty (R-Eagan), who sponsored the legislation in the House.

The law will apply to claims where a buyer is dissatisfied with a seller's product, usually when the product is damaged, but no injuries have occurred, Pawlenty said. If an injury occurred, a person could sue under tort laws, Pawlenty said.

The law is the result of an agreement between several interest groups that met during the past year to hammer out the compromise. The provision is seen as an improvement to the previous law, which passed during a special session in 1998. That legislation was prompted by concerns over a case involving Marvin Windows, a Warroad-based company.

The bill is not retroactive, and would have no effect on pending litigation. The law takes effect Aug. 1, 2000.

Sen. Don Betzold (DFL-Fridley) sponsored the measure in the Senate.

HF1267/SF1126*/CH358

★ CONSUMERS

Auto glass rebate limit

Auto glass rebates will be limited to \$35 and insurance companies will no longer be required to pay "any reasonable cost" for glass replacement, under a law signed April 6 by Gov. Jesse Ventura.

The law will require insurance companies to pay an average cost for windshield replacement.

"Windshield costs are out of control in this state," said House sponsor Rep. Ken Wolf (R-Burnsville) during earlier debate on the House floor. "Hopefully, this will bring prices back to a reasonable range."

The average cost will be determined by an annual study, funded voluntarily through insurance and glass companies. If the companies don't voluntarily contribute, they will have violated the law and the Legislature will revisit the issue next year, Wolf said.

The Department of Commerce will coordinate the study. The study is likely to cost \$35,000 a year, he said. There is expected to be no cost to the state.

The law has support from glass and insurance companies and the Department of Commerce, Wolf said.

According to an insurance company study last year, Minnesota's auto glass replacement costs are 69 percent higher than the national average and are the highest in the nation. Many Minnesota auto glass dealers offer boxes of steaks, rebates of \$200 to customers, or other costly incentives to lure customers.

VE-TOWED



Jason Bosley, driver for Chief's Towing, leans against his truck during a demonstration held April 13 by towing companies who oppose a bill that would have allowed people to retrieve personal property from their car after it was towed. The bill aimed to clarify existing law which states that a lien can be obtained against vehicles (not the property inside) whose owners have not paid fees for towing and storage. It was vetoed April 13 by the governor.

Wolf said the most important part of the law is it will no longer require insurance companies to pay "all reasonable costs" for window replacement. The state Court of Appeals ruled earlier this year that "reasonable costs" included any freebies or incentives offered by glass companies.

Wolf acknowledged that not all problems related to auto glass costs are solved with this legislation. He still has concerns about insurance companies steering consumers to certain glassmakers, even though consumers can legally obtain glass from any firm. Wolf said he hopes the new law will allow commerce officials more time to focus on steering issues.

Sen. Dallas Sams (DFL-Staples) sponsored the Senate version.

The \$35 maximum rebate provision took effect April 7, while the average-cost provisions and mandated study will take effect Aug. 1, 2000.

HF2656*/SF3441/CH342

★ CRIME

Felony DWI advances

A bill that would increase penalties for repeated drinking and driving offenses passed the House on April 12. The vote was 115-17.

The bill (HF2995/SF2677*) would make it a felony for a person to accumulate four drinking and driving convictions in a 10-year span.

Violators would face up to seven years in prison and a \$14,000 fine. The minimum penalty would be 180 days in jail.

The felony DWI measure was attached to an otherwise noncontroversial bill created to clarify and reorganize existing DWI statutes. The bill is sponsored by Rep. Doug Fuller (R-Bemidji).

Backed by Rep. Rich Stanek (R-Maple Grove), the felony DWI measures were already passed by the House as part of a massive omnibus government spending bill now tied up in a House-Senate conference committee.

Concerned about constitutional challenges, legislators are pulling policy provisions out of that omnibus bill (HF2699) and attaching them to other legislative vehicles.

Stanek said his DWI plan is necessary because the current law — a gross misdemeanor for repeat offenders, whether they have committed two or 12 offenses — does not deter chronic drunken drivers.

"Drunken driving ruins lives and tears families apart," Stanek said.

Last year, 273 Minnesotans died in alcohol-related vehicle accidents, he added.

Several legislators spoke against the felony DWI amendment, saying there is no funding mechanism in place to pay for potentially higher prison and jail costs.

"I'm opposed to this amendment for the simple reason we don't pay for it," said Rep. Rob Leighton (DFL-Austin).

"Be honest and be up-front on what the costs are," said Rep. Loren Solberg (DFL-Bovey).

Rep. Tim Mahoney (DFL-St. Paul) noted that one report said the bill would add 1,100 people to Minnesota jails and prisons, based

on the number of drunken driving offenders with four or more offenses last year. Mahoney said the state may have to build another prison to house only DWI offenders.

Stanek said there is some funding for the measure in the omnibus state government appropriations bill, where the felony DWI measures had been approved earlier.

Under Stanek's plan, once a person is found guilty of a felony DWI offense, that person would always be classified as a felon on further DWI charges, regardless of the time passed between offenses, Stanek said.

A felony DWI charge would be dubbed a first-degree offense, under the bill. The bill classifies second-, third-, and fourth-degree drunken driving charges based on aggravated factors involved in the offense. A second-degree offense would have two factors; a third-degree DWI would have one additional factor.

The factors would include prior impaired-driving offenses in the past 15 years, an alcohol concentration higher than 0.20 at the time of the offense, and driving impaired with children under age 16 in the vehicle.

The bill now returns to the Senate.

Penalties for false IDs

A bill that would increase penalties for minors who attempt to use false identification cards to purchase alcohol passed the House on April 10. The vote was 84-48.

The bill, sponsored by Rep. Peggy Leppik (R-Golden Valley), would increase the penalty on a second offense for fraudulently attempting to purchase alcohol from a misdemeanor to a gross misdemeanor.

The bill (HF2655/SF2845*) also would allow the alcohol distributor — from a liquor store clerk to a bouncer at a nightclub — to confiscate identification cards that appear to be false.

"The intent is to create a meaningful deterrent to using false IDs," Leppik said. "To many people, it is worth the risk because the consequences are few."

Leppik's plan would require the confiscated license to be turned over to the police or to the card owner within 48 hours. The Senate bill would require confiscated identification to be given directly to the police within 24 hours.

The Senate bill also includes a provision on truancy that is not in the House version.

Rep. Steve Dehler (R-St. Joseph) said the bill is necessary because of the increased access to false identification cards available on the Internet.

Dehler offered a successful amendment that would reduce the penalty for clerks who sell tobacco to minors if the clerk accidentally misreads the identification presented. The

penalty, currently a gross misdemeanor, would become a petty misdemeanor on the first two offenses.

Rep. Tom Rukavina (DFL-Virginia) then offered an amendment that would lower the penalty for clerks who sell alcohol to underage people when the clerk similarly misreads an identification card. The penalty would be reduced from a gross misdemeanor to a misdemeanor. That amendment passed 68-64.

A gross misdemeanor conviction carries a maximum penalty of one year imprisonment and a \$3,000 fine. A misdemeanor conviction carries a maximum penalty of 90 days in jail and a \$700 fine.

The bill now heads to a House-Senate conference committee.

Fleeing the police

A person who fails to halt a car when signaled by police to stop could be charged with fleeing an officer, under a bill the House passed on April 10. The vote was 128-1.

The definition of a law enforcement official also would include an agent at a federally recognized American Indian reservation, under the bill.

Rep. Steve Smith (R-Mound) is sponsoring the bill (HF3825/SF3338*), which would add language to the definition of fleeing an officer in a vehicle. Refusal to stop a car would be added to the definition of fleeing, which already states that a person is fleeing if the driver increases speed or extinguishes the headlights.

Under the bill, tribal police forces would not be forced to carry unlimited annual liability insurance. Currently, cities in Minnesota have unlimited annual insurance through the League of Minnesota Cities, Smith said. The force must have insurance with an annual cap of three times the amount of a single occurrence, which is \$3 million, Smith said.

The bill comes from a court case where the judge dismissed a drunken driving case because the tribal force that arrested the driver did not have the unlimited annual liability insurance required by statute, Smith said.

"Let them arrest drunk drivers and not let (the drivers) get off because the officers don't have enough insurance," Smith said during floor debate.

The bill now heads to the governor's desk.

Protecting kids from pimps

Penalties would expand laws targeting people who solicit teens to become prostitutes, under a bill the House passed April 12. The vote was 131-0.

Sponsored by Rep. Karen Clark (DFL-Mpls), the bill (HF2830) aims to curb

solicitors, commonly called pimps, from enticing young children, both boys and girls, into prostitution.

Current law makes it a felony to solicit a person under age 16 to become a prostitute. The maximum penalty is 20 years in prison. The bill would raise the age portion, making it a 20-year felony to solicit anyone under age 18.

"It didn't make sense to have pimps have more severe sentences for soliciting teens under age 15 than when they are under age 18," Clark said.

Clark explained that the bill stems from seeing the rise in teenage prostitution in her neighborhood. She noted that the average age a child enters prostitution is 14.

"Pimps are there, soliciting particularly young girls," Clark said.

Increasing the age from 16 to 18 means more pimps will go to prison, Clark said. Currently, a pimp who solicits a 16- or 17-year-old person into prostitution only receives presumptive probation, she said.

"They don't even go to jail now," Clark said.

Many prostitutes do not testify against the pimps now because they are fearful that person will be back on the street quickly.

"They are scared to report it," Clark said.

The bill now heads to the Senate.

Falsely reporting stolen checks

Falsely claiming that blank checks or debit cards have been stolen will be a misdemeanor under a law Gov. Jesse Ventura signed April 10.

The law, sponsored in the House by Rep. Rich Stanek (R-Maple Grove), will create a misdemeanor when someone falsely tells his or her financial institution the items are missing or stolen.

"This is not going after people who mistakenly overdraft their accounts," Stanek said recently. "This is for people who intentionally and criminally defraud banks and businesses by writing out a number of bad checks."

There is no cost to the bill, he added.

The law would cover scenarios where individuals write several bad checks and then report to the bank that those checks were stolen.

Sen. Dave Johnson (DFL-Bloomington) sponsored the legislation in the Senate. The law takes effect Aug. 1, 2000.

HF2751/SF3455*/CH354

Treating sex offenders

Predatory sex offenders may wind up back in correctional facilities instead of staying in treatment programs, under a law signed April 11 by Gov. Jesse Ventura.

The measure, sponsored in the House by Rep. Mary Liz Holberg (R-Lakeville), will send

offenders back to prison if they refuse to participate in treatment.

"The taxpayers assume that when they go to a treatment facility, they are trying to get better," Holberg said. "That's not necessarily the case."

The law creates an incentive for offenders to participate, she said, because they will otherwise head to a less attractive prison setting.

The sex offender will no longer be able to plead his or her case to a special review board, under the law.

The cost of keeping an offender in treatment is three times the cost of correctional facilities, Holberg said.

"If they can't make progress, why should we, as taxpayers, continue to support their treatment costs?" Holberg said.

Predatory sex offenders have committed aggravated and repeated offenses, as well as sex offenses while committing such crimes as murder, manslaughter, or robbery.

About 15 predatory offenders are committed each year in the state, and none have ever been released, Holberg said. The law requires a study examining sex offender policy and management.

Sen. Allan Spear (DFL-Mpls) sponsored the Senate version.

The law is effective April 12, 2000.

HF3457/SF2858*/CH359

★ ENVIRONMENT

Permission for mosquito spraying

A new law signed April 6 by Gov. Jesse Ventura will require the Metropolitan Mosquito Control District to get the approval of the commissioner of the Department of Natural Resources before spraying state lands.

State law already allowed a landowner to refuse to allow Mosquito Control to spray his or her land with insecticides. Effective April 7, 2000, the new law gives the DNR that same right with regard to state parks, wildlife management areas, or other publicly owned lands.

Rep. Dennis Ozment (R-Rosemount), chair of the House Environment and Natural Resources Policy Committee, sponsored the measure because Mosquito Control sprayed chemicals at Fort Snelling State Park in July 1999 despite objections from the department.

Ozment said the DNR should have jurisdiction over the decision to spray chemicals in wildlife management areas because the department has the expertise in the chemicals' effects on vegetation, water quality, wildlife habitat, and related issues.

He also said that current law gives the Department of Health authority over the DNR or land owners to authorize spraying for

PICTURE PERFECT



John Schooners, legislative coordinator for Minnesota Outdoors Heritage Alliance from Shakopee, videotapes an April 12 rally in the Capitol rotunda as House Speaker Steve Sviggum addresses the group. The event was organized to gather support for a proposed constitutional amendment to dedicate part of the state sales tax to increase funding for the environment and state parks.

mosquitoes that are known to carry diseases.

The Senate sponsor of the measure was Sen. Bob Lessard (DFL-Int'l Falls).

HF3134*/SF2857/CH339

Underwater lumber recovery

Logs that have been submerged on lake and river bottoms can be salvaged under a new law that was signed April 6 by Gov. Jesse Ventura.

Effective April 7, 2000, the new law will allow a person or company wanting to salvage logs from underwater to apply for a lease through the state Department of Natural Resources.

The fee for a lease will be \$500 for Minnesota residents and \$2,500 for those who live outside the state. Terms of a lease are negotiable.

Logs can be salvaged only if they are submerged at depths of 20 feet or more. A lease will require that precautions be taken to avoid disturbing the bottom of the lake or river.

Also, the person or company with a lease will have to notify the Minnesota Historical Society if they find a historical artifact, such as a sled that was used to carry logs across a frozen lake.

The state also will receive 25 percent of the money from the sale of the logs, based on the weighted average selling price.

Some of the proceeds from the leases will go to the state's general fund, and some will go to the game and fish fund. If the lake or river is on school trust fund lands, the money

will go into the permanent school fund.

The measure was sponsored by Rep. Larry Howes (R-Hackensack) and Sen. Dan Stevens (R-Mora).

HF2559/SF2546*/CH337

★ GAMBLING

Card counting devices prohibited

Gamblers are prohibited from using devices that can count cards or analyze strategy under a law signed April 6 by Gov. Jesse Ventura. Usage of such devices is now considered a felony.

Sponsored in the House by Rep. Mike Osskopp (R-Lake City), the law, effective April 7, 2000, establishes several new felonies.

Attempting to open or enter a device to remove money, chips, or tokens will bring a felony charge.

Similarly, someone who intentionally uses counterfeit chips or tokens also could be charged with a felony, and an employee of the gambling licensee who cheats, as defined by the law, could be charged with a felony.

"There are professional cheats that travel across the state using these devices," Osskopp said.

The law was needed because a card club will open this month at Canterbury Park in Shakopee, Osskopp said.

"There is nothing in law to regulate it," he said.

Indian casinos are exempt from this law

because the state does not have jurisdiction to enforce the measure. The law is modeled after gambling laws in Nevada and New Jersey, Osskopp added.

The law also makes it a felony to manufacture, sell, or distribute cards, tokens, or dice used to violate these gambling provisions. Another portion of the law makes it a felony to instruct someone else to violate the law.

The law also expands the list of places where charitable gambling halls can legally make contributions. The amendment would allow gambling facilities to contribute to community arts organizations.

Currently, contributions can be made to public and private educational institutions, scholarships, churches, natural resources projects, such as trail upgrades or recreational and community facilities.

Sen. Charles Wiger (DFL-North St. Paul) sponsored the Senate version.

HF3571/SF2828*/CH336

★ GAME & FISH

Lifetime licenses

Lifetime licenses for hunting and fishing will be available under a new law signed April 6.

Under the measure, sponsored by Rep. Mark Holsten (R-Stillwater) and Sen. Bob Lessard (DFL-Int'l Falls), people who want to hunt and fish will have the option to buy either a lifetime license or the traditional annual license.

The licenses are scheduled to be available March 1, 2001, for Minnesota residents and March 1, 2002, for non-residents.

Fees for lifetime licenses are based on four groups: ages 3 and under, ages 4 to 15, ages 16 to 50, and ages 51 and older.

Lifetime fishing licenses for Minnesota residents in those age groups will cost \$227, \$300, \$383, and \$203 respectively. People who purchase that license will still need to purchase annual stamps if they want to fish for salmon or trout. Lifetime fishing licenses will also be available for non-residents at higher prices.

Lifetime small-game hunting licenses for residents will cost \$217, \$290, \$363, and \$213 for the same age groups. Those will also be available to non-residents at a higher price.

Lifetime deer hunting licenses for residents will cost \$337, \$450, \$573, and \$383 respectively.

The law also will allow lifetime sporting licenses for residents that would cover fishing and small-game hunting. Such licenses will cost \$357, \$480, \$613, and \$413 respectively.

Lifetime deer hunting or sporting licenses will not be available for non-residents.

Revenue from the licenses will establish a

lifetime fish and wildlife trust fund. Money in that fund will be invested by the state Board of Investment, and it will pay for projects that currently are funded by revenue from annual hunting and fishing licenses.

Other provisions of the bill make permanent a law that was set to be repealed this year.

That law allows people in five Minnesota counties to obtain two deer hunting licenses — one license to use a firearm and one to use a bow and arrow — and to take one deer with each license. The five counties are Kittson, Lake of the Woods, Marshall, Pennington, and Roseau.

The law took effect April 7, 2000.

HF3510*/SF3378/CH341

Angling for a fee hike

Hunting and fishing license fees would see across-the-board increases, under a bill the House passed April 13. The vote was 87-44.

Revenue from licenses and from fines that are generated by enforcement of state laws goes into the state's game and fish fund. That fund also contains money from the federal government, which is allotted according to the size of the state and the number of people who buy hunting and fishing licenses.

License fee increases would vary, but the primary increase is \$3 per license.

Fiscal analysts project that the game and fish fund will face a deficit in fiscal year 2003 because revenues are not increasing at the same rate as expenses.

The bill (HF3046), sponsored by Rep. Mark Holsten (R-Stillwater), would help resolve that problem.

The bill would require the license fee increases to be effective only with a matching appropriation from the state's general fund. Holsten said that only makes sense because the game and fish fund pays for projects that provide a general benefit to all state residents, not just to those who hunt and fish.

Those projects include improving water quality in lakes, rivers, and streams; stocking fish and enhancing aquatic vegetation; and increasing public water access.

The game and fish fund pays for some of the Department of Natural Resources' administrative costs. The bill would effectively replace part of the game and fish fund's allocation to the administrative costs with the general fund appropriation.

Under Holsten's proposal, \$2 of revenue from the fee increase would be matched by \$1 from the general fund. The fee increases are projected to raise about \$3.1 million in revenue for the 2002-03 biennium, and the general fund match would be slightly more than \$1.5 million.

The bill would also prohibit the DNR from using the extra money to increase its permanent staff levels in the divisions of fish and enforcement beyond their 1994 levels.

Also under the bill, \$500,000 from the general fund would go toward the DNR's walleye stocking program.

The bill now goes to the Senate.

★ GOVERNMENT

Bleacher safety changes

A bill that would modify safety requirements for bleachers, such as those at sports facilities or local parks, is on its way to the governor's desk.

The House passed the bill (HF2846/SF3272*) April 11. The vote was 93-39.

New safety requirements for bleachers were signed into law last year, but Gov. Jesse Ventura line-item vetoed \$100,000 that would have helped communities and school districts pay the costs of complying with the new standards.

Rep. Fran Bradley (R-Rochester), sponsor of the bill, said he is concerned about bleacher safety but that the 1999 law will force schools and other organizations to pay for costly upgrades. This bill, he said, would ease the financial burden of those who have to comply with the 1999 law.

That law requires bleachers to have gaps between seats, floorboards, and guardrails that do not exceed 4 inches. The previous standard was 9 inches. Bleachers that do not meet the 4-inch requirement and are taller than 30 inches need to be replaced or safety nets must be installed by Jan. 1, 2001, under the law.

Bradley's bill would make those requirements apply only to bleachers that are at least 55 inches tall, which he said would exempt common bleachers that are only about five tiers high. The bill also would extend the time of compliance to Jan. 1, 2002.

The bill had earlier been modified by the House so that the requirements would apply to bleachers taller than 30 inches. But a House-Senate conference committee removed that provision.

Rep. Steve Smith (R-Mound), sponsor of the 1999 law, said the House should send the bill back to the conference committee in hopes of upholding the 30-inch standard. But the House voted to accept the conference committee report.

Smith had sponsored the 1999 measure in response to a fatal accident. Six-year-old Toby Lee of Mound died in January 1999 after falling from a set of bleachers while attending a hockey game at a Hutchinson arena. Smith said Toby fell through a 13-inch gap in those bleachers.

Bradley said his version of the bill still would require the worst sets of bleachers to be fixed. He also said that no accidents have been reported where someone has fallen through a 9-inch gap.

Alternative bidding process

The state would be able to purchase some items through a "reverse auction" process under a bill that is on its way to the governor's desk.

The House passed the bill (HF3495/SF2972*) April 12. The vote was 129-2.

Rep. Bruce Anderson (R-Buffalo Township), sponsor of the bill, said vendors would compete to sell office supplies or other such items that the state currently buys through a bidding process.

The term "reverse auction" refers to a process where sellers compete to offer the lowest price, instead of a normal auction where buyers compete to offer the highest price.

Under the bill, the state would request proposals for a purchase, and each vendor would submit an open proposal via the Internet. Vendors could then adjust their proposals to compete with each other to offer the lowest price.

The process would not be used for construction projects or other types of purchases that are regulated by other laws.

Typically, the state uses the traditional bidding process, which involves receiving closed bids from a number of vendors and picking the lowest one.

When the bill was heard in the House

Governmental Operations and Veterans Affairs Policy Committee, Anderson said the open process has been used successfully in other states to purchase large quantities of salt for roads, aluminum for license plates, or other types of purchases.

★ HEALTH

Training for care providers

Foster and respite care providers will have to meet training standards to care for children dependent on certain medical devices to live, under a law signed April 6 by Gov. Jesse Ventura.

The law is an attempt to decrease the chance that a child left in the company of a foster care provider could suffer harm due to a provider's inexperience or lack of training with special equipment critical to the life and care of the child.

Care providers will be required to have training or experience with a child's medical equipment before being allowed to care for the child.

Agencies that place children in homes, even if it's only on a temporary basis, will be required to ensure that the care provider has the necessary training before being entrusted with the child's care.

The legislation was brought forward with the help of Sharon Morrissey and husband Don Baierl of St. Paul, whose infant daughter died in 1997 because a care provider didn't know precisely how to operate the child's health equipment.

The Department of Human Services will be required to develop the training form. Officials expect little, if any, fiscal impact to the department.

Rep. Carlos Mariani (DFL-St. Paul) and Sen. Sandra Pappas (DFL-St. Paul) sponsored the measure, which is effective Aug. 1, 2000.

HF3342/SF3025*/CH338

Prompt payment of claims

Health insurance companies will be required to promptly pay clean claims by health care providers and facilities under a law signed April 10 by Gov. Jesse Ventura.

Third-party administrators also will be subject to payment requirements, but the new law will not pertain to services provided by pharmacists.

A "clean claim" is defined as a claim that has no defect or impropriety, including any lack of required documentation or any circumstance that prevents timely payment.

Health plan companies and third-party administrators will be required to pay or deny a clean claim within 30 days of receiving the claim. Claims not paid in that time will be subject to an interest payment of 1.5 percent of the claim per month.

The company providing the health plan or the third-party administrator would be responsible for paying the interest — not the insured party.

Late claim payments will not be subject to an interest payment if the payment is delayed so that the company can review potentially fraudulent or abusive billing practices, however.

Furthermore, the commissioner of the Department of Health will be prohibited from assessing a financial administrative penalty against a health plan company that violates the law.

The new law takes effect Jan. 1, 2001.

Rep. Darlene Luther (DFL-Brooklyn Park) and Sen. Don Samuelson (DFL-Brainerd) sponsored the legislation.

HF2643/SF2767*/CH349

★ HUMAN SERVICES

Protection for newborns

A bill that would provide a "safe place" for desperate mothers to leave unwanted newborns now awaits Gov. Jesse Ventura's consideration.

The bill, returned from conference committee and passed by the House April 12, would allow a mother (or a person of her consent) to leave an unharmed newborn at a hospital emergency room up to 72 hours following the child's birth without facing prosecution.

The hospital would be required to accept

BONDING TESTIMONY



JoAnn Frost, *right*, listens as her daughter Kim, who has cerebral palsy, testifies before the conference committee considering the House and Senate bonding provisions in favor of bonding for the Specialty Care Unit at Gillette Children's Hospital in St. Paul. Kim is a cheerleader at Roosevelt Middle School in Blaine and waved her pom-pom as she told committee members that she would try out and hopes to be a cheerleader at Blaine High School.

the child and notify a local welfare agency within 24 hours of the departure of the person delivering the baby.

Rep. Barb Sykora (R-Excelsior), sponsor of the bill (HF2945/SF2615*), said allowing a person to leave a child at a place where it will not be harmed without the fear of being prosecuted has the potential to save lives.

Under current Minnesota law, a mother who willfully neglects a newborn when considered to be reasonably able to care for the infant can be charged with a gross misdemeanor.

This measure would allow the individual delivering the unwanted newborn to exit the building without providing identification. The hospital would be allowed to ask questions about the medical history of the mother or newborn, but the person leaving the baby would not be required to provide any information.

A newborn left behind would be considered an abandoned child. According to the bill, the child must not have any obvious injuries or illness in order for the hospital to accept it.

A hospital or employee of the hospital receiving the child would be considered immune from any civil liability that could potentially result, under the bill, if the act of receiving the newborn is done in good faith.

Furthermore, a social service agency taking custody of the child would not be required to later reunite the child with its parents or search for relatives of the child as a placement option.

Paying for audiology services

A law amending state medical assistance reimbursement requirements for audiology and related services was signed April 10 by Gov. Jesse Ventura.

The law will require that the state reimburse speech-language pathology and audiology services provided by a person issued a temporary registration at the same rate as services performed by a registered pathologist or audiologist.

To receive the same reimbursement rate, temporarily licensed professionals will have to undergo the appropriate supervision and monitoring requirements provided in existing state law.

A speech-language pathologist is a professional who is licensed by the state, and qualified by training and experience, to diagnose and treat speech and language problems.

Audiologists are trained professionals who specialize in working with individuals with hearing problems. Audiologists identify, treat, and help prevent hearing loss for people of all ages.

The new law will take effect Aug. 1, 2000.

Rep. Richard Mulder (R-Ivanhoe) and Sen. Dallas Sams (DFL-Staples) sponsored the legislation.

HF2477/SF2499*/CH347

LAW



No public defenders for youths

Public defenders will not be appointed to child protection cases if the juvenile is younger than 10, under a law Gov. Jesse Ventura signed April 10.

Rep. Dave Bishop (R-Rochester) was House sponsor of the measure, which creates a uniform system statewide that dictates when a public defender should be brought in to represent a child. A juvenile age 10 or older can obtain a public defender, but not a child under age 10.

"Infants don't need separate legal council, and it's a waste of money," Bishop said. "Some attorneys are being hired to represent a 2-year-old. That doesn't need to be done."

The law originates from the state Board of Public Defenders. In a recent letter, State Public Defender John Stuart explained that the law pertains only to child protection or services cases, not to juvenile delinquency cases.

Stuart said some courts never appoint attorneys unless the child is at least 12 years old, while other courts always appoint a lawyer for young children.

"The age of 10 was chosen as the cutoff because children under the age of 10 cannot be charged with juvenile delinquency, but may be dealt with in a children in need of protection or services proceeding," Stuart wrote.

Sen. Allan Spear (DFL-Mpls) sponsored the Senate version. The law takes effect Aug. 1, 2000.

HF3119/SF2725*/CH357

Legal actions against brewers

The House approved a bill April 10 that would clarify existing law regarding legal actions between beer brewers and wholesalers.

The bill (HF1947/SF1618*) would allow wholesalers to sue a brewer who is violating the state laws regarding that industry in either state or federal court.

The measure passed on a 128-0 vote.

The bill would give wholesalers the right to a trial by jury against brewers, and it would provide that the right to bring action may not be waived except at the time the suit is filed.

The state's beer brewers and wholesalers laws include provisions prohibiting brewers from inducing or coercing wholesalers into accepting delivery of any alcoholic beverage

or any other commodity which wasn't ordered by the wholesaler.

The laws also establish the right of free association between all brewers and wholesalers. Brewers cannot collaborate to fix somehow artificially elevate prices.

The measure, sponsored by Rep. Loren Jennings (DFL-Harris), now goes to the governor.

SAFETY



Paintball gun measure fails

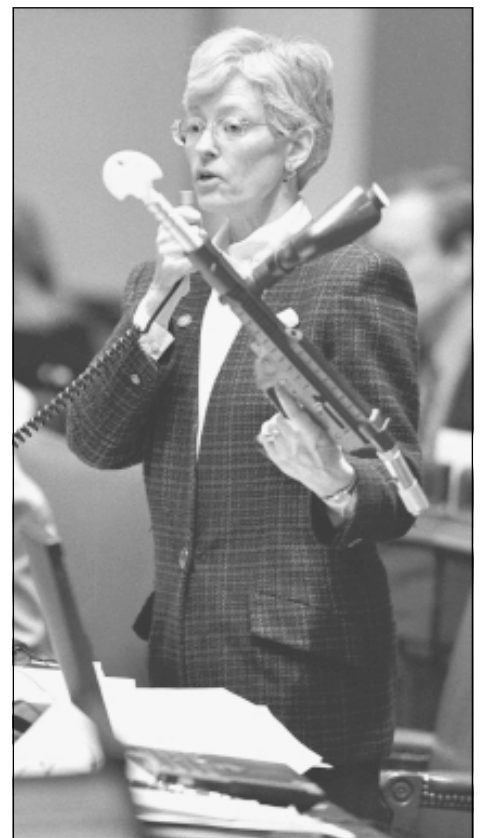
The House defeated a bill that would have prohibited a person from selling or renting a paintball gun to a person under the age of 18 without written consent from a parent or legal guardian. The bill failed on a 72-57 vote.

Rep. Peggy Leppik (R-Golden Valley), sponsor of the bill (HF3041/SF2417*), described it as a "parent's right to know" measure.

"Parents have the right to know when their children are going out to buy or rent one of these paintball guns," she said.

Leppik cited a study by ophthalmologists showing that the guns are the leading cause of eye injuries to boys under the age of 18.

The bill also would have prohibited the discharge or possession of a paintball gun on or



Rep. Peggy Leppik holds a paintball gun during April 11 floor debate about a bill that would have regulated sales of such guns to minors. The bill was defeated.

in public school grounds and buildings.

Rep. Chris Gerlach (R-Apple Valley) called the measure a “note from mom bill.” Gerlach said that the bill was unnecessary because the paintball gun industry is already beginning to regulate itself by requiring users to wear facial protection and to sign consent forms.

Rep. Steve Dehler (R-St. Joseph) said that many children’s activities, from playing sports to playing on playground equipment, can be dangerous, too, and safety should remain a matter of parental concern, not a legislative responsibility.

Rep. Dan Larson (DFL-Bloomington) said the bill offered a reasonable solution to a problem. He said that despite wearing facial protection he had been injured on the top of the head while participating in a paintball gun game.

Leppik said the bill would clarify the state’s current laws regarding whether retailers can sell the paintball guns to minors without parental consent. She said the bill would have established a law for paintball guns similar to current laws regulating BB guns.

The measure had already passed the Senate.

Protection from bloodborne diseases

Gov. Jesse Ventura signed a law April 10 aimed at reducing occupational exposures to bloodborne diseases through sharps injuries.

The law will require employers to comply with federal Occupational Safety and Health Administration (OSHA) regulations on bloodborne pathogens.

It will also require that employers review written exposure control plans annually and document in the plan consideration of appropriate engineering controls that are designed to eliminate or minimize exposure.

Sharps are needles and other medical devices used in testing. They are often used to draw blood and therefore carry the most risk for exposure to diseases carried through the blood.

The new law will require that a company establish a safety committee to make recommendations for using the best methods to limit injury. The law also requires that a person representing employees most likely to use or encounter a device creating exposure to bloodborne pathogens will be appointed to the committee.

Finally, an employer will be required to establish internal procedures to document the route of exposure and circumstances under which an exposure incident took place. The law spells out how information must be documented, as well. It should include the procedure being performed when the incident took

place and the protective equipment or clothing used at the time of the exposure incident.

Rep. Dennis Ozment (R-Rosemount) and Sen. Linda Higgins (DFL-Mpls) sponsored the legislation. The law takes effect June 10, 2000.

HF2639/SF2397*/CH351

Help in identifying bicycles

Identifying stolen bicycles would be made easier under a measure the House passed April 10. The vote was 68-64.

The proposal (HF2489), sponsored by Rep. Wes Skoglund (DFL-Mpls), would allow municipalities selling impounded bicycles to require purchasers to register the bikes with the state Department of Public Safety or with a deputy registrar appointed by the department.

Currently, owners can voluntarily register their bicycles with the state to help prevent theft and increase chances of recovery when a bike is stolen. The registration also assists in accident victim identification.

The cost to register a bicycle is \$9 for a three-year period with a \$1 filing fee.

According to the department, over \$1.5 million dollars worth of bicycles are stolen each year in the state.

The bill awaits action on the Senate floor.

★ TRANSPORTATION

Left-lane bill passed

Drivers in the left lane would be asked to move to the right when possible but would not be required to change lanes, under a conference committee bill that won final passage April 13 in the House. The vote was 95-33.

The bill (HF3091/SF2484*) now heads to the governor’s desk.

Sponsored by Rep. David Tomassoni (DFL-Chisholm), the bill would require the placement of signs every 50 miles along freeways reminding drivers to move to the right lane after passing.

“This bill is aimed at people who park in the left-hand lane and never move over,” Tomassoni said. “We’re just trying to get people to be more courteous.”

Tomassoni said the revised language — which asks drivers to move to the right “to the extent it is practical” rather than requiring a move — eliminates legislators’ concerns about making the action a crime.

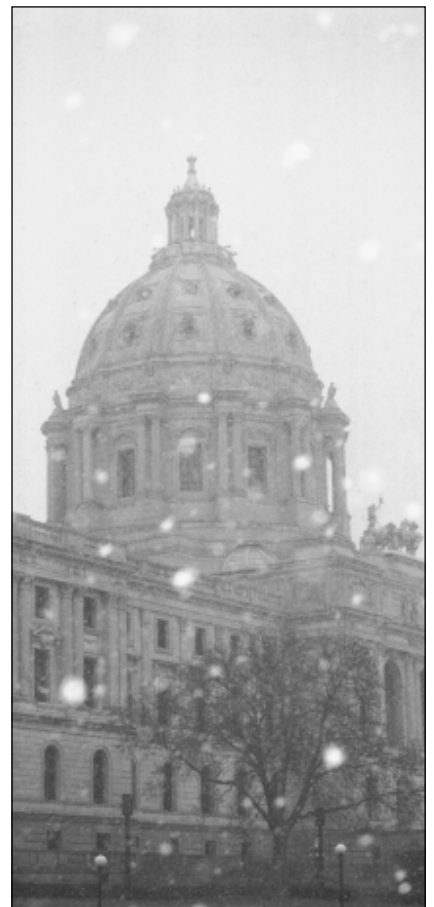
Originally, the bill included a petty misdemeanor penalty for people who would not move to the right lane. In addition, the earlier version of the bill also made a violation of the law a primary offense, meaning law enforcement could stop a driver for not moving to the right lane.

Tomassoni has said throughout the session that his goal was to obtain signs asking people to move out of the left lane and that he was not pushing for the petty misdemeanor language.

The signs would state, “Move to the right after passing.” The signs would not state, “It’s the law,” which was called for in previous versions of the bill.

Senate Minority Leader Dick Day (R-Owatonna) is sponsoring the Senate version.

SNOW DAY



A brief but heavy snowfall with temperatures in the 30s shattered visions of spring April 12, but one day later the snow had disappeared and temperatures approached 60 degrees.

Mandatory minimums

State laws set minimum penalties for a list of crimes, some of them strange and seemingly outdated

By CHRIS VETTER

If a company wants to manufacture soda pop in Minnesota, it better obtain a license from the state. If it gets caught manufacturing soft drinks without the permit, the owners face a minimum sentence of a \$25 fine or 30 days in jail.

Or, if you perform chiropractics without a license, beware the consequences. Don't even use terms or letters that describe yourself as a doctor of chiropractics. The minimum penalty for this gross misdemeanor is \$1,000 or 30 days in jail.

Minnesota has a wide range of mandatory minimum sentences in its statutes, for offenses from drinking and driving to illegal drug possession.

Minnesotans may know about minimum sentences for gun crimes, criminal sexual conduct offenses, or other violent crimes, but few

For instance, one law says that no attorney or anyone working for the attorney can solicit a person to hire the attorney. The mandatory minimum penalty is \$50. The law took effect in 1929 and was only altered once to make language gender neutral.

The law is meant to deter attorneys from catching people at vulnerable moments, according to annotated Minnesota statutes.

"The practice of 'ambulance chasing' is a violation of ethics of legal profession, branding those who indulge in it with professional infamy," the document states.

Until 1995, Minnesota had a law that prohibited working on the Sabbath. The minimum fine was \$1.

A law, passed in 1923 regarding traveling carnivals, states that the event must not contain lewd or obscene material or feature any gambling concessions. The mandatory penalty is a minimum of \$50

conservation laws faces a minimum penalty of a \$10 fine or 10 days in jail.

State law forbids secret societies, and a violation carries a mandatory \$2 fine.

One mandatory penalty involving banking not only sets up the minimum fine of \$700 or a year in jail — it explicitly requires the jail time to be served in the Stillwater prison.

In more recent times, the Minnesota Legislature has passed laws with mandatory minimum sentences for a variety of criminal offenses.

If a person is convicted of certain drug or gun crimes, the judge must impose the minimum sentence, whether it is 60 days in jail or five years in prison. The judge has no leeway in determining the *minimum* jail time in these cases.

Minnesota began to push for more mandatory minimum penalties for violent crime about 1980, when the Legislature approved minimum sentences for persons who commit crimes with guns, according to the House Research report.


Nationally, drug offenders are the hardest hit under mandatory minimum laws, according to a legislative report. A mid-1990s study shows that 90 percent of the defendants sentenced under statutes with mandatory minimum provisions were convicted for drug offenses.

Critics of mandatory sentences say such provisions lock up too many low-level offenders and do not catch major drug traffickers. Another concern is "sentencing cliffs," which occur when a small dispute in the facts of a case leads to a large difference in sentences.

For instance, a drug offender who had the minimum amount of drugs in possession to reach a felony-level crime faces the mandatory minimum penalty. If that person had slightly less of a substance in his or her possession, there would be no mandatory sentence.

Other experts say that mandatory minimum penalties do not deter crime.

"The weight of the evidence clearly shows that enactment of mandatory penalties has either no demonstrable marginal deterrent effects or short-term effects that rapidly waste away," wrote University of Minnesota law professor Michael Tonry in a criminal justice journal.

Proponents of the mandatory minimums say it is better to have certain people, such as repeat sex offenders, sent to prison for a long time. 



Judge R. Joseph Quinn presides over a hearing in Anoka County District Court.

may realize the history of mandatory penalties stretches across the 20th century.

Many of the mandatory penalties predate the 1963 criminal code that implemented maximum penalties, according to a report from the non-partisan House Research Department.

State law books contain a variety of mandatory minimum penalties, some of them now appearing strange and outdated.

or 30 days in the workhouse.

That law has not been altered since its passage 77 years ago.

Some of the state's mandatory sentences pertain to food handling. One law says a fine of \$50 or 60 days in jail will be imposed on a person selling veal from calves that were less than four weeks old.

A person violating the state's wildflower

Gunfight at the Capitol

Firearms laws have become a frequent subject of legislative debate in recent years

By **BRENDA VAN DYCK**

It wasn't until the last 25 years that Minnesota began creating laws to control guns. Most laws that govern gun possession and use are federal laws.

Up until 1975, the only laws regulating firearms in Minnesota were those dealing with the safe use of firearms for hunting; other regulations existed in local ordinance.

But in 1975, the Minnesota Legislature took its first major stab at gun control. The Legislature passed a bill that regulated the possession of handguns and required people to obtain a permit to carry a handgun in a public place.

The law prohibited certain people from possessing handguns, including: people under 18, except if they have had firearms training or are supervised while using a gun; people convicted of a violent crime, unless 10 years have passed since the expiration of sentence; and people who have drug, alcohol, or mental problems.

To carry a handgun, eligible people have to apply for a permit with their local chief of police or county sheriff, who must then check for criminal records, histories, or warrant information. Applicants must prove they have a personal safety or occupational hazard in order to carry a handgun. Carrying a handgun without this permit is a gross misdemeanor.

Under the law, handguns can be transported in a motor vehicle, snowmobile, or boat only if they are unloaded and stored in a closed and fastened case.

The 1975 law also outlawed the sale and manufacture of Saturday night specials, cheap guns made of material having a melting point of less than 1,000 degrees Fahrenheit. The melting point is an indication of the "flimsiness" of the gun — the lower the melting point, the cheaper the gun.

The Legislature acted again in 1977 when it passed a law that imposed a seven-day waiting period on the purchase of handguns from federally licensed dealers. During that seven-

day period, law enforcement officials check the applicant's background for any conditions that prohibit a person from possessing a handgun under the 1975 law.

The background check is good for one year, so people can buy more than one gun after the initial application has been approved. The law excludes unlicensed dealers and antique gun collectors. More importantly, it excludes "private transfers," that is, sales by people who don't trade in guns for a living.

The Legislature also passed a law prohibiting the possession, ownership, and operation of short-barreled shotguns (i.e., "sawed-off" shotguns), except by the military, law enforcement, or prison officials. The law also excludes those possessing these shotguns as collectors' items.

In 1985, the Legislature passed the Uniform Handgun Control Law, which took away local governments' authority to regulate ownership and possession of firearms and ammunition more strictly than state laws.

Earlier in the decade, both the Minneapolis and St. Paul city councils had passed ordinances that required people to obtain permits to carry loaded, concealed weapons in those cities. Local ordinances also regulated the transportation of firearms and required liability insurance.

Those in favor of the law complained that strict local ordinances meant they could be breaking the law when they came to Minneapolis or St. Paul, but were in compliance with state law when they left the city limits.

Legislative gun debate in 1988 centered on a proposed "right to bear arms" state constitutional amendment.



Handguns that were seized by law enforcement agencies and are in the Firearms Lab.

The amendment, backed by the National Rifle Association, among others, would have asked voters to amend the constitution by adding these words: "The right of a citizen to keep and bear arms for the defense and security of the person, family or home, or for lawful hunting, recreation or marksmanship training shall not be abridged."

At the time, 42 states, through their constitutions, guaranteed their citizens' right to bear arms. The gun lobby said the amendment was necessary to prevent the Legislature from banning gun ownership in the future.

The proposed amendment was narrowly defeated in the Senate Judiciary and the House Rules committees. Legislators expressed concern about the amendment's effect on the state's existing gun laws.

Opponents of the amendment said the proposal was not necessary because no one was proposing to ban gun ownership. They warned that it could be used in court to challenge the state's existing restrictions on the purchase and carrying of guns.

In 1989, legislators tried, and failed, to ban military-style assault weapons. Bills were introduced in the House and Senate that would have prohibited the sale and ownership, possession or operation of semi-automatic military assault weapons. Law enforcement officials and antique collectors would have been exempt. The law also would have



re displayed at the Minnesota Bureau of Criminal Apprehension on a wall in the

required existing owners of assault weapons to register.

The legislation was prompted by the January 1989 murder of five children in Stockton, Calif., who were shot by a man who had purchased an AK-47 assault rifle in Oregon. Similar legislation had been introduced in U.S. Congress at the time, as well.

St. Paul and Minneapolis sought to reverse the 1985 uniform gun control law and gain back the authority to enact gun control ordinances tougher than state laws.

One bill introduced in 1993 would have allowed cities in the seven-county metropolitan area to control assault weapons, large ammunition clips, the possession of guns by

for handgun purchases. This provision was enacted instead of a provision to ban military-style assault weapons. The final bill also included a ban on conversion kits that would make semi-automatic weapons fire like machine guns.

The law made it a crime to carry a rifle or shotgun in a public place. It is also a crime to keep a loaded weapon in a place where children would have access to it.

The Legislature made it a felony to bring a gun to school or on a school bus. Students bringing guns to school will lose their driver's license privileges until age 18.

In addition, teachers and school officials were given immunity from civil and criminal liability if they intervene with armed students to protect others from harm.

sponsored a bill that would have banned the guns in the Twin Cities metropolitan area. Spear's bill also required metropolitan gun dealers, under federal jurisdiction, to be licensed by the state.

During a Senate debate, Spear removed the ban on assault weapons in order to win approval for state licensing of Twin Cities gun dealers. But he removed the bill from consideration after a "right to bear arms" amendment was added to it.

The 1994 Legislature did approve a number of provisions aimed at federally licensed gun dealers and at private sales of guns, which had been exempt from background check requirements.

Under the law, felony penalties are doubled for those supplying guns to minors or to anyone whom the gun dealers know will use the gun to commit a crime. It became a gross misdemeanor to provide a handgun or assault weapon to anyone the supplier knows is ineligible to receive one.

Gun suppliers can be held criminally and civilly liable for gun crimes committed by those ineligible to own firearms. And for private, unlicensed dealers, it is a gross misdemeanor for the seller if an ineligible buyer uses the firearm in a crime within a year of obtaining it from the dealer.

In 1996, the Legislature passed a law that would require stalkers and those violating protection orders to surrender their handguns for three years. In addition, if such offenders use a gun while violating a protection order or stalking, they can be barred from owning a gun for the rest of their lives. (The same prohibition applies to those convicted of domestic abuse under a law enacted in 1992.)

The 1996 Legislature also toughened penalties for gun law violations, including penalties for felons illegally possessing firearms. Under those regulations, an adult who negligently stores a loaded firearm that winds up in the hands of someone under 18 is guilty of a gross misdemeanor.

A provision to make it easier for Minnesotans to obtain a permit to carry a concealed weapon was dropped in conference committee that year. Similar measures have been introduced in subsequent years, but have never made it into law.

Brenda van Dyck is the editor/publications manager for the nonpartisan House Research Department.

Until 1975, the only laws regulating firearms in Minnesota were those dealing with the safe use of firearms for hunting; other regulations existed in local ordinance.

The Minnesota Senate Judiciary Committee passed the Senate's version of the bill, but the House Judiciary Committee voted to study the issue rather than pass the House's version of the bill, thereby killing it for the remainder of the year.

The Legislature took up gun control issues again in 1993. Numerous provisions were considered, and many of those provisions became law.

Under the 1993 measure, people wanting to buy military-style assault weapons have to undergo background checks and a seven-day waiting period, the same as what's required

minors, and the possession of loaded weapons in public places.

Gun advocates were against this effort because they said it would make gun control laws in the state too complicated with individual cities having different ordinances from state law. They pushed for uniformity in gun control laws. Instead of enacting this provision, the Legislature gave cities the authority to regulate the location of gun shops through zoning.

Legislators tried again to ban assault weapons in 1994. Targeting trouble with guns in urban areas, Sen. Allan Spear (DFL-Mpls)

Head of the class

14-year public education supporter leaves House for a more private life, but will remain active in local school and community issues

By MIKE DE LARCO

Known by her House colleagues as a passionate supporter of public education, Rep. Alice Johnson (DFL-Spring Lake Park) has carried out duties as a legislator with an ear for public well-being and an eye for what is fair and sensible.

Soon, however, Johnson will embark on a new chapter in her life. Having chosen not to run for re-election in the fall, she will bid the House farewell at the end of session following 14 years of attending to the needs and concerns of her constituents.

Johnson said recently that she'll miss the excitement "Capitol life" provides, but quickly affirmed that her decision to step down is met with no regrets.

"I just feel it's the right time for me to leave; it's a time to embark on a new stretch of my life," she said.

Aside from her work on education, Johnson will be remembered for her successful push to exempt newer-model vehicles from state emissions testing in 1995. The idea for the bill, Johnson said, surfaced out of discussion with a

few constituents who disputed the need for the testing on new cars.

In 1999, the Legislature took Johnson's measure a step further and voted to do away with the emissions program altogether, citing problems of cost effectiveness.

Johnson's hard work in pushing for changes in emissions testing, say her colleagues, perhaps best exemplifies the thorough approach she's taken to issues before her.

"I think the Legislature will definitely miss her," said Rep. David Tomassoni (DFL-Chisholm). "Alice, time and again, has been able to bring the common sense aspect of law-making into focus."

Johnson, 59, first took office in 1987, and it didn't take long for her to settle in. She had served as both a legislative assistant for 13 years and a member of the Spring Lake Park City Council before her election to the House.

"I probably was the most informed freshman elected that year," Johnson said with a grin.

The knowledge she brought to the position became quite valuable to others new to the Legis-

lature, most notably former Rep. Richard Jefferson. Johnson and Jefferson became fast friends and eventually married last year.

"Richard had been my best friend during our time together in the Legislature and

shortly after his wife passed away we started to look at each other in a new light," Johnson said.

Johnson's work at the Legislature always kept her busy, leaving some to marvel how she had any free time for herself. She served as chair of the Sales and Income Tax Division of the House Taxes Committee in 1997 and 1998 and was chair of the House K-12 Education Finance Division in 1995 and 1996.

In addition, Johnson studied at Harvard University when not in session to pursue a master's degree from the John F. Kennedy School of Government. After years of study, she obtained her degree in 1996.

Johnson's strong push in the House to better public education left some believing early on that Johnson, at one point, had to have been a classroom teacher. Not so, Johnson says.

"I do, however, believe that education is where the state's future lies," she said.

Tomassoni said it was a pleasure to serve with Johnson on the education finance panel.

"Her sense of humor will also be missed," he said.

Between them, Jefferson and Johnson have nine children. Johnson said community and family activities keep them very busy. She plans to take a year off before taking on any new job.

In addition, she won't quit going to local school board meetings and other community activities in Spring Lake Park, which she has actively attended for many years.

Johnson offered this advice to future legislators: "Don't be afraid to ask questions and raise issues. Chances are that someone else shares your concern." 🐼



STEPPING DOWN

Rep. Alice Johnson

DFL

District 48B – Spring Lake Park

Terms: 7

Career notes: A leader on education issues, Johnson served as chair of the K-12 Finance Division in 1995 and 1996. She later spent two years as chair of the Sales and Income Tax Division.

Taking the next step

After five terms, Orfield leaves House to run for Senate seat

By JON FURE

Rep. Myron Orfield (DFL-Mpls) may be leaving the House this session after serving 10 years, but he's not leaving the political arena. Orfield will be running for the Senate seat that is held by Sen. Allan Spear (DFL-Mpls), who is retiring.

Though he's moving on, Orfield, 38, said it has been a privilege to serve in the House, and running for the Senate would be a new challenge.

"The House is a very open and democratic institution," he said. "Everyone gets to speak, and you learn about different people in the state. It teaches you about the basic elements of human nature with a lot of adrenaline. You get a lot of experience about life in a big hurry."

Orfield is an adjunct professor at the University of Minnesota Law School, where he teaches students about criminal procedure and legislative process. He also works with the Metropolitan Area Research Corporation.

Before he was elected to the House in 1990, Orfield had worked for one of his mentors, former Minneapolis Mayor Don Fraser.

Orfield said he was also influenced by members of his own family. When he was growing up, his older brothers and sisters were active in the civil rights movement, and many family discussions revolved around those kinds of issues.

"We talked more about public issues than politics around the dinner table," he said.

Orfield has lived in southwest Minneapolis most of his life, and many of his siblings, parents, and other extended family members still live in that area. He said he is the fourth generation of his family to live in the district, and his son is the fifth.

The only times he has lived outside of Minneapolis were when he earned his law degree from the University of Chicago and when he studied American history at Princeton University.

Orfield said his biggest accomplishments in the House have been related to regional government issues, such as affordable housing and land-use planning. He and other lawmakers from the Minneapolis and St. Paul and inner-ring suburbs formed a coalition, which he said improved the school-equity formula and helped

pass many bills regarding affordable housing and tax sharing.

His book, *Metropolitica*, published in 1997, advocates widespread use of such coalitions, saying it's the only way to properly conduct

regional and urban planning. The book suggests such coalitions help make the region more prosperous and stable.

The book, which is just one of many regional planning concepts Orfield advocates, led to an appearance on the television program "Nightline" that same year.

Orfield sponsored the Metropolitan Reorganization Act of 1994, which brought the Metropolitan Transit Commission, the Regional Transit Board, and the Metropolitan Waste Control Commission under the jurisdiction of the Metropolitan Council. He also helped develop the Livable Communities Act of 1995, which is designed to avoid having poverty and crime concentrated in certain areas.

"It's a question of fairness between cities and older suburbs versus newer suburbs," he said. "And most cities agree — really only the most affluent suburbs are opposed to affordable housing and tax sharing."

"An argument can be made that it's in everyone's best interest, but I haven't persuaded everyone yet," he said.

Also in 1997, Orfield sponsored a bill that would have made Met Council board members elected instead of appointed, but it was vetoed by Gov. Arne Carlson.



STEPPING DOWN

Rep. Myron Orfield
DFL
District 60B – Minneapolis
Terms: 5

Career notes: Orfield's chief accomplishments in the House have been related to regional government issues, such as affordable housing and land-use planning.

2000 Minnesota House Membership by Seniority

14th term

Anderson, Irv (DFL)*
Carlson, Lyndon R. (DFL)
Kahn, Phyllis (DFL)
Wenzel, Stephen G. (DFL)

13th term

Kalis, Henry J. (DFL)
Osthoff, Tom (DFL)

12th term

Jaros, Mike (DFL)*
Murphy, Mary (DFL)
Skoglund, Wes (DFL)*

11th term

Greenfield, Lee (DFL)
Sviggum, Steve (R)

10th term

Clark, Karen (DFL)

9th term

Bishop, Dave (R)
Solberg, Loren A. (DFL)
Tunheim, Jim (DFL)

8th term

Jennings, Loren Geo (DFL)
Lieder, Bernie L. (DFL)
Ozment, Dennis (R)
Rest, Ann H. (DFL)

7th term

Carruthers, Phil (DFL)
Dawkins, Andy (DFL)
Dorn, John (DFL)
Johnson, Alice M. (DFL)
Milbert, Bob (DFL)
Pelowski Jr., Gene (DFL)
Rukavina, Tom (DFL)
Trimble, Steve (DFL)
Wagenius, Jean (DFL)
Winter, Ted (DFL)

6th term

Abrams, Ron (R)
Hasskamp, Kris (DFL)
Hausman, Alice (DFL)
McGuire, Mary Jo (DFL)
Pugh, Thomas W. (DFL)

5th term

Davids, Gregory M. (R)
Erhardt, Ron (R)

Goodno, Kevin (R)
Krinkie, Philip (R)
Leppik, Peggy (R)
Mariani, Carlos (DFL)
Orfield, Myron (DFL)
Peterson, Doug (DFL)
Smith, Steve (R)
Wejcman, Linda (DFL)

4th term

Dehler, Steve (R)
Dempsey, Jerry (R)
Finseth, Tim (R)
Greiling, Mindy (DFL)
Holsten, Mark William (R)
Huntley, Thomas (DFL)
Lindner, Arlon (R)
Luther, Darlene (DFL)
McCollum, Betty (DFL)
Molnau, Carol L. (R)
Ness, Robert "Bob" (R)
Olson, Mark (R)
Opatz, Joe (DFL)
Pawlenty, Tim (R)
Rhodes, Jim (R)
Seagren, Alice (R)
Tomassoni, David J. (DFL)
Van Dellen, Henry Todd (R)
Wolf, Ken (R)
Workman, Tom (R)

3rd term

Anderson, Bruce (R)
Bakk, Thomas (Tom) (DFL)
Boudreau, Lynda (R)
Bradley, Fran (R)
Broecker, Sherry (R)
Daggett, Roxann (R)
Entenza, Matt (DFL)
Gunther, Bob (R)
Haas, Bill (R)
Harder, Elaine (R)
Knoblach, Jim (R)
Larsen, Peg (R)
Leighton, Rob (DFL)
Mares, Harry (R)
Marko, Sharon (DFL)
McElroy, Dan (R)
Mulder, Richard (R)
Osskopp, Mike (R)
Paulsen, Erik (R)
Rostberg, Jim (R)
Schumacher, Leslie J. (DFL)

Stanek, Rich (R)
Swenson, Howard (R)
Sykora, Barb (R)
Tuma, John (R)

2nd term

Biernat, Len (DFL)
Chaudhary, Satveer (DFL)
Clark, James T. (R)
Erickson, Sondra (R)
Folliard, Betty (DFL)
Hackbarth, Tom (R)*
Hilty, Bill (DFL)
Juhnke, Al (DFL)
Kielkucki, Tony (R)
Koskinen, Luanne (DFL)
Kubly, Gary W. (DFL)
Kuisle, William (R)
Mullery, Joe (DFL)
Nornes, Bud (R)
Otremba, Mary Ellen (DFL)
Paymar, Michael (DFL)
Reuter, Doug (Ind.)
Rifenberg, Michelle (R)
Seifert, Marty (R)
Stang, Doug (R)
Tingelstad, Kathy (R)
Vandever, Ray (R)
Westfall, Robert L. (Bob) (R)
Westrom, Torrey (R)

1st term

Abeler, Jim (R)
Buesgens, Mark (R)
Cassell, George (R)
Dorman, Dan (R)
Fuller, Doug (R)
Gerlach, Chris (R)
Gleason, Mark S. (DFL)
Gray, Gregory (DFL)
Haake, Barb (R)
Holberg, Mary Liz (R)
Howes, Larry (R)
Kelliher, Margaret Anderson (DFL)
Larson, Dan (DFL)
Lenczewski, Ann (DFL)
Mahoney, Tim (DFL)
Seifert, Jim (R)
Skoe, Rod (DFL)
Storm, Julie (R)
Swapinski, Dale (DFL)
Westerberg, Andrew (R)
Wilkin, Tim (R)

* non-consecutive terms
House members serve two-year terms.

Congress

Minnesota's Representation in Washington, D.C.

U.S. Senators

Senator

Rod Grams (R)

257 Dirksen Senate
Office Building
Washington, D.C. 20510
(202) 224-3244
Fax: (202) 228-0956

2013 Second Ave. N.
Anoka, MN 55303
(763) 427-5921
Fax: (763) 427-8872

E-mail: mail_grams@grams.
senate.gov
Web site: http://
www.senate.gov/~grams

Senator

Paul Wellstone (DFL)

136 Hart Senate Office Building
Washington, D.C. 20510
(202) 224-5641
Fax: (202) 224-8438

Suite 100 North
2550 University Ave. W.
St. Paul, MN 55114
(651) 645-0323
Fax: (651) 645-0704

417 W. Litchfield Ave.
Willmar, MN 56201
(320) 231-0001
Fax: (320) 231-0006

P.O. Box 281
105 S. Second Ave.
Virginia, MN 55792
(218) 741-1074
Fax: (218) 741-8544

E-mail:
senator@wellstone.senate.gov
Web site: http://www.senate.gov/
~wellstone

U.S. Representatives

First District

Gil Gutknecht (R)

425 Cannon House
Office Building
Washington, D.C. 20515
(202) 225-2472
Fax: (202) 225-3246

Suite 108
1530 Greenview Drive S.W.
Rochester, MN 55902
(507) 252-9841
1-800-862-8632
Fax: (507) 252-9915

E-mail: gil@mail.house.gov
Web site: http://www.house.gov/
gutknecht/

Second District

David Minge (DFL)

1415 Longworth House
Office Building
Washington, D.C. 20515
(202) 225-2331
Fax: (202) 226-0836

542 First St. S.
Montevideo, MN 56265
(320) 269-9311
Fax: (320) 269-8651

205 E. Fourth St.
Chaska, MN 55318
(952) 448-6567
1-800-453-9392
Fax: (952) 448-6930

938 Fourth Ave.
P.O. Box 367
Windom, MN 56101
(507) 831-0115
Fax: (507) 831-0118

Web e-mail: www.house.gov
writerep/
Web site: http://www.house.gov/
minge/

Third District

Jim Ramstad (R)

103 Cannon House
Office Building
Washington, D.C. 20515
(202) 225-2871
Fax: (202) 225-6351

8120 Penn Ave. S.
Suite 152
Bloomington, MN 55431
(952) 881-4600
Fax: (952) 881-1943

E-mail: mn03@mail.house.gov
Web site: http://www.house.gov/
ramstad/

Fourth District

Bruce F. Vento (DFL)

2413 Rayburn House
Office Building
Washington, D.C. 20515-2304
(202) 225-6631
Fax: (202) 225-1968

111 E. Kellogg Boulevard
Suite 215
St. Paul, MN 55101
(651) 224-4503
Fax: (651) 224-0575

E-mail: vento@mail.house.gov
Web site: http://www.house.gov/
vento/

Fifth District

Martin Olav Sabo (DFL)

2336 Rayburn House
Office Building
Washington, D.C. 20515
(202) 225-4755
Fax: (202) 225-4886

286 Commerce at the Crossings
250 Second Ave. S.
Minneapolis, MN 55401
(612) 664-8000
Fax: (612) 664-8004

E-mail:
martin.sabo@mail.house.gov
Web site: http://www.house.gov/
sabo/

Sixth District

William P. Luther (DFL)

117 Cannon House
Office Building
Washington, D.C. 20515
(202) 225-2271
Fax: (202) 225-3368

Suite 150
1811 Weir Drive
Woodbury, MN 55125
(651) 730-4949
Fax: (651) 730-0507

E-mail:
bill.luther@mail.house.gov
Web site: http://www.house.gov/
luther/

Seventh District

Collin Peterson (DFL)

2159 Rayburn House
Office Building
Washington, D.C. 20515
(202) 225-2165
Fax: (202) 225-1593

Minn. Wheat Growers Bldg.
2603 Wheat Drive
Red Lake Falls, MN 56750
(218) 253-4356
Fax: (218) 253-4373

Suite 107
714 Lake Ave.
Detroit Lakes, MN 56501
(218) 847-5056
Fax: (218) 847-5109

110 Second St. S.
Suite 112
Waite Park, MN 56387
(320) 259-0559
Fax: (320) 259-0413

E-mail:
tocollin.peterson@mail.house.gov
Web site: http://www.house.gov/
collinpeterson/

Eighth District

James L. Oberstar (DFL)

2365 Rayburn House
Office Building
Washington, D.C. 20515
(202) 225-6211
Fax: (202) 225-0699

231 Federal Building
Duluth, MN 55802
(218) 727-7474
Fax: (218) 727-8270

Chisholm City Hall
316 Lake St.
Chisholm, MN 55719
(218) 254-5761
Fax: (218) 254-5132

Brainerd City Hall
501 Laurel St.
Brainerd, MN 56401
(218) 828-4400
Fax: (218) 828-1412

13065 Orono Parkway
Elk River, MN 55330
(763) 241-0188
Fax: (763) 241-0233

E-mail:
Access to e-mail through Web site.
Web site: http://
www.house.gov/oberstar/

Tracking new laws, vetoes

Once a bill has passed both the House and Senate in identical form, it's ready to be sent to the governor for consideration. The governor, who has several options when considering a bill, can:

- sign the bill and it will become law;
- veto the bill;
- line-item veto individual items within an appropriations bill;
- or do nothing, which can have two different effects. The timing of these actions is as important as the actions themselves.

In the second year of the biennium (even-numbered years), a bill passed by the Legislature and presented to the governor before the final three days of the session will become law unless the governor vetoes it by returning it to the Legislature within three days. The governor normally signs the bills and files them with the secretary of state, but his signature is not required.

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

Only on appropriations bills can the governor exercise the line-item veto authority. This option allows the governor to eliminate the appropriation items to which he or she objects. As with all vetoes (save pocket vetoes) the governor must include a statement listing the reasons for the veto with the returned bill. Here, too, the timetable is either 14 days after adjournment for bills

passed during the final three days of the session, or within three days after the governor receives the bill at any other time.

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

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

This information is also available on the governor's Web site (www.governor.state.mn.us). Select the "It's a New Day" link, then click on "The Legislative Log."

Key:

CH=Chapter; HF=House File; SF=Senate File

CH	HF	SF	Description	Signed	Vetoed
345	2803*	3119	Court reporters allowed to organize under the Public Employment Labor Relations Act.	4/10/00	
346	2969	2803*	Certified public accountant licensing requirements modified.	4/10/00	
347	3477	2499*	Speech language pathology and audiology services medical assistance clarified.	4/10/00	
348	2761	3379*	Omnibus tax-forfeited land bill.	4/10/00	
349	2643	2767*	Health plan companies and third party administrators clean health or home care services claims.	4/10/00	
350	2974	3203*	Insurance uniform accounting principles codification.	4/10/00	
351	2639	2397*	Employees bloodborne pathogens exposure reduction procedures.	4/10/00	
352	3584	3354*	Manufactured homes limited dealer license requirements clarified.	4/10/00	
353	3052	2850*	Itasca County medical assistance prepayment demonstration project participation extended.	4/10/00	
354	2751	3455*	Stolen or fraudulent checks provisions modifications.	4/10/00	
355	3347	2989*	Administrative law and workers' compensation judges conduct regulated.	4/10/00	
356	3795	3478*	Rochester firefighter probationary period rules modified.	4/10/00	
357	3119	2725*	Public defenders and court-appointed counsel minors juvenile court representation restriction.	4/10/00	
358	1267	1126*	Civil actions economic loss doctrine clarification.	4/11/00	
359	3457	2858*	Civilly committed sexual psychopaths or sexually dangerous persons transfer procedure.	4/11/00	
360	3202	2789*	Coroner compensation provisions clarified.	4/11/00	
361	947	1038*	Occupational therapist and assistant licensing requirements established.	4/11/00	
362	3208	2723*	Trust and probate provisions modified.	4/11/00	
363	3626	3428*	Psychologist supervisory and disciplinary requirements modified.	4/11/00	
364	3537	3198*	Nursing facilities closure plans and savings reallocation process established.	4/11/00	
365	3952	3533*	Claims against the state payments provided.	4/11/00	
366	3303	3566*	Criminal penalty for failure to remit motor vehicle sales taxes.	4/13/00	
367	3756	3423*	Holocaust Victims Insurance Relief Act established.	4/13/00	
368	3331*	2980	Prevention of domestic violence and sexual assault interagency task force created.	4/13/00	

*The legislative bill marked with an asterisk denotes the file submitted to the governor.

CH	HF	SF	Description	Signed	Vetoed
369	1326*	1130	Community social services limited liability provided.	4/13/00	
370	3576*	3361	Solid waste and wastewater treatment facilities reporting requirements modified.	4/13/00	
371	3109*	3699	Uniform electronic transactions act adopted.	4/13/00	
372	3517	2742*	Expedited child support hearing notice to remove filing period modified	4/13/00	
373	3613	3307*	Recreational vehicles personal injury claims.	4/13/00	
374	2807	2514*	Yellow perch limit rulemaking authority restricted.	4/13/00	
375	2613	2949*	Big Woods heritage forest established.	4/13/00	
376	3520	3290*	Environmental response and liability agreement grants provided.	4/13/00	
377	3950	3154*	Criminal and juvenile justice database access authorized for criminal defense purposes.	4/13/00	
378	2707	3348*	Organization sponsored potluck event requirements modified.	4/13/00	
379	3903	2987*	Cooperative income financing and distribution provisions modified.	4/13/00	
380	2822	2547*	Capitol area site selected for installation of Minnesota firefighters memorial.	4/13/00	
381	2888*	2573	Canoe and boating route marking authorized on a portion of the Chippewa River.	4/13/00	
382	1493	83*	Wetland regulation simplified and consolidated.	4/13/00	
383	262	76*	DWI motor vehicle forfeiture proceedings requirements modified.		4/13/00
384	3195	3701*	State designer selection board membership modified.	4/13/00	
385	3174	3195*	Dairy product adulteration penalties modified.	4/13/00	
386	3082	3150*	Higher education facilities bonding authority increased.	4/13/00	
387	2981	2848*	Public Employment Labor Relations Act supervisory or confidential employees list expanded.	4/13/00	
388	3566	3291*	Towed motor vehicles lien provisions clarified.		4/13/00
389	562	619*	Collection agencies regulated.	4/13/00	



Digital ballots

States tinker with voting on the Internet

The continuing decline in voter turnout nationwide has caused some state officials to look at ways to make voting more convenient. With the proliferation of the Internet into our everyday culture, the day of online voting may be just around the corner.

Indeed with a presidential election looming in the fall, several states — including, Alaska, Arizona, California, and Washington — have taken the first election-related steps down the super information highway.

Last month, Arizona Democrats were allowed to cast their ballots via the Internet. Voters were given the choice of voting online for a four-day period prior to the state's primary. Voters could also cast their ballots via mail or in the traditional polling place.

Close to 40,000 of the total 87,000 ballots cast were done via the Internet. Voter participation for the primary was up from 12,844 in the 1996 primary.

In January, Alaskan voters could cast their ballots online in the state's non-binding presidential straw poll. Only 35 out of a total of 4,000 votes cast came over the Internet.

The use of digital signatures and other technological identification measures are helping ease concerns over the security of online voting.

In order to vote online, Arizona voters had to pre-register. All registered voters were then mailed a certificate by the secretary of state with a personal identification number.

Upon going to a Web site to cast their ballots voters were prompted for that identification number along other personal authentication information which compared the voter information with the secretary of state's records.

Non-security related issues might be more troublesome to address. The Voting Integrity Project, based out of Arlington, Virginia, filed a lawsuit prior to the Arizona primary seeking to stop the use of Internet voting arguing that it discriminated against low income and minority voters with less access to the Internet than more affluent voters. A judge failed to stop the election but the case is still before the court.

(D. MAEDA)

Tuesday, April 11

HF4147—Sviggum (R)

Rules & Legislative Administration
Unicameral legislature provided, and constitutional amendment proposed.

HF4148—Lenczewski (DFL)

Environment & Natural Resources Policy
Lower Minnesota River Basin Watershed protection and improvement studied, and money appropriated.

Wednesday, April 12

HF4149—Gleason (DFL)

Rules & Legislative Administration
Equality of rights for men and women provided, and constitutional amendment proposed.

Thursday, April 13

HF4150—Seifert, M. (R)

Environment & Natural Resources Policy
Beverage container deposit program studied.

HF4151—Dempsey (R)

Taxes
Utility generation personal property tax refund, new utility personal property tax exemption, and local optional fees authorized; and rate adjustments required.

HF4152—Peterson (DFL)

Commerce
Energy independence task force created, alternative and renewable energy sources developed to reach specified goals, and annual reports required.

HF4153—Abeler (R)

Taxes
County fair sales tax retention by county agricultural societies authorized for facilities improvements.



Unintended consequences

Fuel additive used to reduce air pollution poses threat to water resources

This year the Minnesota Legislature became one of many to consider banning the use of the oxygenating additive methyl tertiary butyl ether (MTBE) in gasoline.

MTBE, which is an oxygenate added to fuel in many states, is intended to help the environment by lowering pollution emissions into the air. But research shows the additive is responsible for several ground and water contaminations, including municipal wells as nearby as Alvord and Ida Grove, Iowa.

Minnesota's legislators are not alone in their concern over the effects of MTBE usage in gasoline. Recent developments in other states are driving a national reconsideration of using MTBE as an oxygenate in fuel.

California Gov. Gray Davis issued an executive order in March 1999 to phase out

MTBE from the California gasoline supply by December 31, 2002. His decision was supported by a state-funded research project by the University of California that indicated that the air pollution benefits of using MTBE could be obtained in other ways.

Twenty-three states have established regulatory guidelines or standards for MTBE contamination in groundwater or drinking water.

Experts say eight ounces of the additive can contaminate five million gallons of drinking water. Spillage from a car accident could threaten an entire aquifer.

More than 40 percent of the U.S. population lives in areas where MTBE is used. At current growth rates of MTBE use, this figure could be as high as 80 percent within a few years.

About 10 billion pounds of MTBE are produced annually, making MTBE one of the largest volume chemicals produced in the United States. MTBE is produced from isobutylene, a byproduct in the gasoline refining process, and methanol, a byproduct of natural gas refining.

Water contaminated by MTBE has a bitter taste and detectable odor. Research has shown it causes tumors in rats.

Minnesota requires all gasoline sold in the state to contain an oxygenate. Ethanol is the oxygenate used here, and MTBE is not in gasoline sold in the state.

Many want to pass a law to keep it that way. A bill (HF3292/SF2946*) now being discussed by a House-Senate conference committee would ban the additive in Minnesota.

(M. DE LARCO)

MONDAY, April 17

9 a.m.

The House meets in session.

1 p.m.

TENTATIVE

Conference Committee

HF4127/SF2657

Omnibus tax bill

15 State Capitol

Chrs. Rep. Ron Abrams, Sen. Doug Johnson

2 p.m.

Conference Committee

HF3505/SF3092

Commerce Department Enforcement Bill; managing general agents, securities broker-dealers, investment advisors, contractor recovery

fund, collection agencies, and notarial act provisions modified.

500N State Office Building

Chrs. Rep. Greg Davids, Sen. Edward Oliver

TUESDAY, April 18

2 p.m.

COMMERCE

Basement Hearing Room

State Office Building

Chr. Rep. Greg Davids

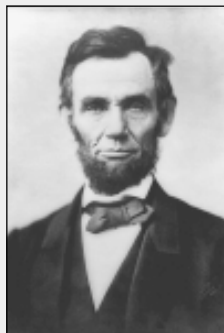
Agenda: HF3492 (Entenza) Telecommunications consumer privacy act adopted.

Other bills to be announced.

WEDNESDAY, April 19 - FRIDAY, April 21

No meetings have been announced.

Reflections



April 14 marks the night 135 years ago, when Lincoln was shot while enjoying a play in the Washington, D.C., Ford's Theater. He died the next morning, April 15, 1865, at 7:22 a.m.

But Minnesota's many connections to Abraham Lincoln likely are unknown by many of the state's residents.

One of the last individuals to have a personal conversation with him was his secretarial assistant, Edward D. Neill, the founder of Macalester College, St. Paul's public schools, and a founding member of the Minnesota Historical Society.

On the morning of April 14, Mrs. Lincoln asked Neill if complimentary tickets had been received from the theater. They had not, so he sent a messenger to get box seats for that evening's performance. Later, Neill spoke to the president about some routine military officer's commission.

Earlier, Neill observed the president meeting with Gen. Ulysses S. Grant and the cabinet to hear Grant's description of Gen. Robert E. Lee's surrender at Appomattox, five days sooner.

Almost to the hour of Lincoln's death four years before, on April 15, 1861, Minnesota's Aaron Greenwald and six others from Anoka were the first in the nation to volunteer for the Union Army. They were part of the 1,000 men offered by Gov. Alexander Ramsey to Lincoln for the fight against the southern states.

When Lincoln made his Gettysburg

Address at the dedication of the cemetery in November 1863, he spoke for the thousands who died there — including 232 of 262 members of the First Minnesota Volunteer Regiment — “that these dead shall not have died in vain.”

The regiment's entire color guard was lost. The U.S. flag they carried now hangs in the Capitol rotunda, tattered and torn. Next to it is the original broken staff, attached by a leather strap to a broken pole that carried the Confederate flag.

During Lincoln's time in public office in Illinois and Washington, he had many contacts with Minnesota. Among them was John W. North, who helped to organize the state's Republican Party. North also constructed the American House in Northfield — Carlton College's first building. Lincoln also knew Minnesota's ninth governor, L. J. Hubbard, and others.

The Italian nobleman, Frances Vivaldi,

was appointed as the U.S. consul in Argentina and Brazil. Vivaldi lived in Long Prairie, became a priest, got married, deserted his wife, and became a priest again.

Another Minnesotan, Gen. James Shields was a U.S. senator. Originally from Illinois, he once challenged Lincoln to a duel for some little-known reason. Their plan to fight with battle sabers was aborted. Shields' statue as a Civil War hero now stands in the Capitol.

Other connections are the Golden Horses above the Capitol entrance, sculpted by Daniel Chester French. French also created the Lincoln Memorial in Washington. And Lincoln's portrait by St. Paul artist, Edward V. Brewer hangs in the House chamber.

Lincoln County in southwestern Minnesota and Lincoln townships across the state are just some of Minnesota's honors to the fallen president. The state was the first to make his birthday a legal holiday in 1895.

Edward Neill aptly noted that Abraham Lincoln “was a patriot who had the welfare of his country close to his heart.”

With malice toward none, with charity toward all.

—LECLAIR GRIER LAMBERT

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MINNESOTA HOUSE OF REPRESENTATIVES
PUBLIC INFORMATION OFFICE
175 STATE OFFICE BUILDING
ST. PAUL, MINNESOTA 55155-1298

SPEAKER OF THE HOUSE: STEVE SVIGGUM
MAJORITY LEADER: TIM PAWLENTY
MINORITY LEADER: THOMAS W. PUGH

MINNESOTA INDEX

On the road

Miles of street and roadway in Minnesota, 1998	130,613
Number of vehicle miles traveled, 1998, in billions	46.9
Number of registered vehicles, in millions	3.77
Number of licensed drivers, in millions	3.49
Percentage of Minnesotans surveyed in 1999 who were very satisfied or somewhat satisfied with the time it takes to travel places	81
Percentage of Minnesotans who drive alone to work	85
Car/van pool to work, as percent	7
Take the bus to work, as percent	3
Percentage of Minnesotans who travel up to 10 miles to work, one-way	56.3
Between 0 and 1 mile to work, one-way	11.2
Between 30 and 120 miles to work, one-way	12
Percentage of Minnesotans who travel 10 minutes to work, one-way	14.1
15 minutes	13.3
20 minutes	13.2
30 minutes or more	24
Miles of congested roadway in the Twin Cities metropolitan area freeway system, morning rush-hour, 1998	123
Percentage of roadway in the Twin Cities	25
Afternoon rush-hour congestion, in miles	115
Morning congestion, 1993, in miles	91
Afternoon congestion, 1993, in miles	88
Speed traffic must be moving below to be considered congested, in miles per hour	45
Number of congested miles on Interstate 35W (north and south), morning rush-hour (most of any freeway), 1998	24.5
In 1997	11
Congested miles on Interstate 494 (north and south), 1998, morning rush hour	23
In 1997	12.5
Number of congested miles on Interstate 94 (east and west), 1998, afternoon rush-hour (most of any freeway)	22.5
In 1997	14
Congested miles on Interstate 494 (north and south), 1998, afternoon rush hour	19.5
In 1997	14

Sources: 1999 Minnesota State Survey: Results and Technical Report, Minnesota Center for Survey Research, University of Minnesota, January 2000; Metropolitan Freeway System Congestion Summary Report, Minnesota Department of Transportation, September 1999; and General Transportation Facts, Minnesota Department of Transportation, November 1998.

FOR MORE INFORMATION

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