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In this issue:

HOUSE PASSES BONDING BILL

EDUCATION AND TAX PLANS ADVANCE



HF4123-HF4129

Session Weekly

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On the cover: The notebook computer on Rep. Bernie Lieder's desk in the House chamber shows a 19-second delay of the March 22 House proceedings, which are broadcast over the local area network.

—Photo by Laura Phillips

Education spending

Omnibus bill would supply additional funds for early childhood, K-12, and higher education

By **MIKE DELARCO & CHRIS VETTER**

The House moved March 21 to provide \$70 million in new general fund spending for a variety of education initiatives involving students from preschool to post-secondary. The vote was 78-48.

The bill combines early childhood and family education finance proposals with higher education and K-12 spending. But much of the money — \$60.7 million — would go to K-12 spending.

The omnibus bill includes a plan to suspend the state's Profile of Learning initiative and provide local districts with other options to ensure high standards for all students. The plan also seeks to improve Internet access and aid districts in recruiting teachers.

The measure also would shift \$7.4 million in federal Temporary Assistance for Needy Families (TANF) money in the current biennium for a variety of programs, including efforts to help provide child care for those on welfare and those moving off welfare.

The Senate has approved a much larger education spending plan that would provide about \$293 million. The spending bill's fate will be negotiated by a House-Senate conference committee.

Here is a look at highlights of the House bill (HF3800), which is sponsored by Rep. Alice Seagren (R-Bloomington).

Student accountability

An amendment approved on the floor attached the House plan to deal with the Profile of Learning to the omnibus spending measure.

Earlier this month, the House approved a separate bill (HF3618/SF3286*) that would put the much-criticized Profile on hold indefinitely, provide a new option called the North Star Standard, and allow districts more local control in measuring student performance.

By attaching the Profile revamp plan to the omnibus education funding bill, the House has ensured that debate over the Profile of Learning is now likely to occur on two fronts. Lawmakers are hoping not to repeat what happened in 1999, when a conference committee

could not agree on plans to alter the Profile and no changes were made.

A part of the state's Graduation Standards, the Profile was created to shift learning away from textbooks and lectures and move it in the direction of experiments, teamwork, research, and independent projects. Complaints about the Profile began to surface shortly after its inception, however, prompting teachers, students and parents to call for change.

Aid to recruit teachers

A provision in the bill allowing for a special alternative teaching license for out-of-state teachers would help districts fill teacher vacancies caused by early retirement, student enrollment growth, and policies requiring class-size reduction.

The bill would allow instructors who have gained experience in classrooms outside of Minnesota a two-year alternative Minnesota teaching license.

Teacher shortages are not unique to this state, however. Some experts forecast as many as 2 million openings for teachers nationwide.

Loan forgiveness programs included in the education plan are viewed as a way Minnesota can beat other states in capturing new graduates with an eye toward teaching.

The bill also includes loan forgiveness funds to help school districts, especially rural ones, recruit and retain qualified teachers in science, math and other areas.

Vocational support

The bill would add \$11.3 million in secondary vocational aid to the current appropriation

for fiscal year 2001. The money would help to preserve work training programs.

Several high school students testified before the House K-12 Education Finance Committee earlier this month in support of vocational program preservation. When district funding becomes tight, they told members, work training programs are often unfairly identified for cuts.

The omnibus measure would also restore secondary vocational aid for fiscal year 2002. It would keep the aid at the lesser of \$73 per pupil in grades 10 to 12, or 25 percent of the approved program expenditures.

Internet initiatives

The House plan would provide \$10 million in grants to fund high-speed Internet links in schools.

House members, however, said they want to protect children from potentially harmful images that can be found on the Internet.



A House-approved education proposal would spend \$60.7 million for K-12 education, affecting students like the ones in this third-grade classroom at Jackson Elementary School in St. Paul.

The bill would require all public and charter school computers to be equipped with Internet filtering devices that would keep pornographic and other obscene images out of the classroom. Most Internet providers can do so at a minimal charge, said Seagren.

Library computers children have access to would also be covered under the plan.

The bill would set aside funds for telecommunications access grants to districts, and it would establish a task force to examine and recommend minimum technology standards for school districts.



Higher education spending

The bill would provide about \$11.6 million to the Minnesota State Colleges and Universities (MnSCU) system to address unexpected increases in enrollment.

The money — \$5,792,000 in the current fiscal year and \$5,792,000 in fiscal year 2001 — would come from the state's general fund.

A separate portion of the bill would require MnSCU to establish and maintain a database that includes the location, description, and condition of all facilities owned by the system. The same would be required of the University of Minnesota.

The databases would have to be in place for the institutions to be eligible for bond funding to repair existing buildings or construct new ones. The U of M and MnSCU would have until 2003 to assemble the information.

Early childhood & adult programs

Under the bill, additional funds would be devoted to Early Childhood Family Education. A total of \$755,000 would be added to the funding for the program in the second year of the current biennium.

The bill also would revise the formula by which the state provides funds for Adult Basic Education. The program offers academic instruction necessary to earn a high school diploma or its equivalency for people age 16 years and over. Classes are offered through consortia of school districts and public non-profit organizations.

The current funding formula is based on the number of students served, which districts complain can be hard to predict from year to year. The proposed new formula, to be effective in the fiscal year that begins July 1, would consider several factors, including the total population in the area served, the hours of classroom time, and the number of drop outs and people with limited English proficiency in the area.

Supporters say the new formula would provide a more predictable base because it would be tied to population, which is easier to predict than enrollment. And the formula would be tied to factors that indicate need for Adult Basic Education.

The new formula would actually spend about \$500,000 less this biennium than is forecast under the current formula.

In addition, the bill would require Adult Basic Education providers to ask students for their Social Security numbers for economic tracking and program evaluation purposes. The Department of Economic Security would use the numbers to see if graduates begin earning more money after leaving the program.

Continued on page 22

A free ride

Governor sought to end railroad freebies for public officials

Gov. Andrew R. McGill clearly knew it required delicacy to suggest that the Legislature end a corrupt practice without accusing legislators of corruption.

In his 1887 inaugural address, McGill called on lawmakers and other officials to stop taking free passes from railroad companies, but McGill did so carefully.

Lawmakers in that era were accustomed to getting perks from the railroads. In fact, many state officials were unabashed about asking railroad companies for free trips and for special accommodations aboard the trains.

The practice was so commonplace that some officials thought they were supposed to get free passes by virtue of their position in government. And the railroads were generally willing to comply, although they did it grudgingly in some cases.



Gov. Andrew R. McGill

McGill sought to put an end to the situation, but it seems the newly elected Republican didn't want to begin his term by offending the Legislature.

Near the end of a long discussion of railroad-related issues — from taxation of railroad lands to grain storage by the rail companies — McGill brought up the need for cheaper passenger fares.

The size of the state and sparsity of the population demanded affordable transportation to link people to the large cities and public institutions, McGill said. Yet he acknowledged that those same factors made it impossible to have passenger rates as low as in the "thickly settled communities of the East."

The governor noted the progress that had been made toward cheaper fares before he pointed out that more could be done.

"There is, I apprehend, one obstacle in the way which it is in your power to remove," McGill said. "I allude to the practice . . . among railroad companies of issuing free passes."

McGill built his argument around the idea that average citizens were paying more for train tickets because the railroad

companies had to make up for all the freebies they gave to politicians and others in positions of power.

And members of the public were aware that the amount they paid was in part dictated by the number of people who rode for free, McGill said.

In the book *James J. Hill and the Opening of the West* by Albro Martin, several anecdotes describe the situation that prompted McGill's actions. For example, the secretary of state in 1880 sent a letter to railroad owner James J. Hill that plainly listed the names of 21 state officials who were to receive free tickets.

And in 1884, a candidate asked for tickets and told Hill that he would "try to render some service in return."

At some points, the governor's polite and somewhat indirect tone in his inaugural address gave way to blunt criticism of the long-running practice.

"It is a custom which smacks of favoritism on one side and injustice on the other," he said.

But McGill followed those words with an effort to assuage the egos of state officials.

"It may, however, be safely assumed that the influence of free passes on public men is much less than is generally supposed," he said. "(T)he cases where it swerves them from duty are . . . too rare to merit consideration."

The governor's speech made a simple case for legislative action to end the practice. The railroads could not be expected to stop providing free tickets on their own, he argued, because the heavily regulated companies could have met retaliation in some many ways.

McGill concluded his remarks on the subject by calling the railroad giveaways "a public evil" and asking for "suitable legislation to destroy it."

The 1885 Legislature did not heed McGill's suggestion, and some officials continued to request and receive free railroad tickets for years to come.

(N. HEALY)

★ BUSINESS

Electronic pawn records

Pawnbrokers who use computerized tracking of items will be required to use a uniform electronic format, under a new law signed March 23.

Rep. Wes Skoglund (DFL-Mpls), who sponsored the measure in the House, said about 30 communities already ask pawnbrokers to use computerized tracking of items. Skoglund said his measure will make sure the electronic formats are all the same, enabling police access to a uniformed system for checking on possible stolen goods.

"When you pawn an item, a ticket is written both for your protection and so the law enforcement can check records," Skoglund explained.

There are approximately 300,000 transactions at pawn shops each year — far too many for police to check multiple systems or handwritten notes, Skoglund said.

"That's just impossible to track," he said. "It doesn't work if the thief steals in one city and tries to sell in another city."

The law will not require pawnbrokers to use electronic storage of information. However, if electronic tracking is used, it will have to be on the uniform system, under the law.

While only a handful of cities require computerized tracking of pawn items now, Skoglund said he thinks more cities will follow, as they realize it is a better way to catch thieves and return stolen property to the rightful owner.

Finally, the computerized tracking of pawn items could lead to a reduction of thefts, Skoglund said.

"If people think the stuff they steal will get them convicted, they won't steal it," he said.

The measure is effective March 24. Sen. Jane Ranum (DFL-Mpls) carried the legislation in the Senate.

HF3766*/SF3673/CH274

★ CONSUMERS

Limits on auto glass perks

A bill that would limit auto glass rebates to \$35 and redefine what costs insurance companies must pay for glass replacement passed the House on March 22. The vote was 127-0.

"This is the peace treaty in the auto glass war," said Rep. Ken Wolf (R-Burnsville), sponsor of the bill (HF2656).



Lobbyists, protesters, and other citizens voice concerns and mill about outside the door to the House chamber March 22 before the session convened.

Wolf said glass companies, insurance companies, and the state Department of Commerce all agree on the measure.

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 up to \$200, or other incentives to customers.

Wolf offered a successful amendment that inserted Senate language which would establish that insurance companies would pay the market price for glass replacement, as determined by a survey of costs charged in communities around the state, not just in the Twin Cities metropolitan area.

The House bill originally established the costs would be determined by averaging repair costs of three dealers in a county.

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

The new language in the bill would require insurance companies to pay the determined market price based on the survey.

Under the bill, insurance and glass companies would voluntarily donate money to a survey revolving fund. The Department of Commerce would then coordinate the survey of glass costs. There would be no cost to the state for the survey, Wolf said.

Rep. Steve Trimble (DFL-St. Paul) asked what would happen if the companies did not fund the survey. Wolf responded by saying the

Legislature would immediately take the measure up again, because the deal would have been broken.

Rep. John Tuma (R-Northfield) said he supported the bill, but that it only takes care of half of the problem. Currently, insurance companies steer consumers to certain glass companies, Tuma said, rather than telling them they can go to local dealers who might install higher quality glass.

The House narrowly defeated an amendment by Rep. David Tomassoni (DFL-Chisholm) that would have required insurance companies to pass on any savings to customers in the form of lower premiums. The amendment failed on a 64-64 tie.

"It makes all the sense in the world," Tomassoni said.

Wolf said the amendment would have killed the bill.

The measure now awaits the governor's approval.

★ CRIME

Drug change delayed

The prescription painkiller Carisoprodol will not be classified as a controlled substance for at least one more year, under a law signed March 20 by Gov. Jesse Ventura.

This is the third consecutive year the Legislature has delayed the effective date for classifying the painkiller and muscle relaxant. Under the law, Carisoprodol will become a schedule IV controlled substance on Aug. 1, 2001. The previous law would have made the drug a controlled substance on Aug. 1 of this year.

Officials say they needed to delay the action

another year while the U.S. Food and Drug Administration examines the painkiller to determine its effects.

Under Minnesota law, a schedule IV controlled substance is a drug that has a low potential for abuse and it is currently accepted for medical treatment in the United States. However, abuse may lead to physical or psychological dependence.

Doctors can prescribe drugs in schedule II to schedule V, but cannot prescribe drugs in schedule I. Classifying a drug like Carisoprodol as a controlled substance would make it more difficult for doctors to prescribe.

The original law went into effect in 1997. The Legislature has already delayed implementation of the schedule IV classification twice before this year.

Scheduling is done on the state level, which is usually consistent with federal drug regulations. Carisoprodol is not a controlled substance on the federal level.

Rep. Sherry Broecker (R-Little Canada) and Sen. Charles Wiger (DFL-North St. Paul) sponsored the legislation. The law is effective Aug. 1, 2000.

HF2774/SF2485*/CH262

★ EDUCATION

Profile revamp passes House

The House passed a bill March 21 that would allow school districts frustrated with the problems associated with the state's Profile of Learning initiative to implement a new option for school accountability. The vote was 102-27.

The bill would put the much-criticized Profile on hold indefinitely. The measure also would provide a new option called the North Star Standard and allow districts more local control in measuring student performance.

Districts would be able to use either the North Star Standard or tailor teaching to the needs of their students, said Rep. Tony Kielkucki (R-Lester Prairie), who was the chief advocate for the new initiative.

The Profile was created to shift learning away from textbooks and lectures and move it in the direction of experiments, teamwork, research, and independent projects.

Under the Profile, students are required to perform various tasks in core learning areas that have practical applications for life beyond the classroom.

While completion of Profile tasks would no longer be required for student graduation purposes if the bill were to become law, teachers would still be allowed to use tasks found in the Profile as a guide to gauging student understanding, Kielkucki said.

The bill (HF3618/SF3286*), sponsored by Rep. Bob Ness (R-Dassel) was significantly

altered on the House floor March 16, when members voted to attach the North Star Standard provisions to the legislation. After the Kielkucki amendment went on, a vote on passage of the bill was delayed until March 21.

The North Star Standard, Kielkucki said, would ease the Profile's practical skills orientation. It would provide rewritten standards in such basics as science, math, English, and history.

Under the plan, students would have to complete credits in up to 10 learning areas. Teachers would still be able to assign projects designed to test a student's ability to understand and apply subject matter, but such hands-on demonstrations would no longer be a standard requirement.

The House bill still must be reconciled with a Senate version of the legislation that does not include the North Star Standard initiative.

The House later attached its Profile revamp plan to a separate education funding bill (HF3800), which means the debate over the Profile of Learning is now likely to occur on two fronts. (See related story, page 3.)

★ EMPLOYMENT

Training for former farmers

Struggling farmers could qualify sooner for the state's dislocated workers program, under a bill approved March 17 by the House Jobs and Economic Development Finance Committee.

Currently farmers can qualify for the program once they have been unemployed as a result of economic conditions or because of natural disasters.

The bill would expand eligibility to farmers who have experienced a significant reduction in income due to inadequate crop or livestock prices, crop failures, or significant loss in crop yields due to pests, disease, adverse weather, or other natural phenomenon.

Sponsored by Rep. Jim Tunheim (DFL-Kennedy), the bill was sent to the House Rules Committee.

Kay Hegge, the flood and farm recovery coordinator for the Northwest Regional Development Commission, said that the process through which farmers become unemployed differs from other workers. She said farmers don't receive a pink slip and that closing down a farm can take years, due to a variety of legal reasons including tax consequences.

"Last year's state and federal assistance bought time but in some cases it bought false hope," she said.

Hegge said that over the past 14 months more than 200 farmers in her region, which has about 5,500 farmers, quit farming.

Rep. Dan McElroy (R-Burnsville), the



Kay Hegge, the flood and farm recovery coordinator for the Northwest Regional Development Commission, testifies for a bill that would expand eligibility and provide training grants for specified working farmers and dislocated farmers. Hegge spoke during a March 17 hearing of the House Jobs and Economic Development Finance Committee.

committee chair, said that the dislocated workers program is funded by employers and is set up so that those who lay off workers end up paying for their training. He said there is a concern that because farmers haven't been paying into the program, it may not be fair to expand eligibility.

Rep. Steve Trimble (DFL-St. Paul) pointed out that displaced homemakers qualify under federal definitions as dislocated workers and thus precedence has been established that would allow further expansion to the farmers addressed in the bill.

Hegge said Greater Minnesota needs to begin to come up with alternatives for those unable to make it in farming, other than moving out of the area.

"We want to keep people there and people want to stay there," she said.

★ ENVIRONMENT

Banning gasoline additives

A bill that would ban gasoline additives that have caused severe water pollution in some states was passed March 22 by the House. The vote was 129-0.

The bill (HF3292/SF2946*), sponsored by Rep. Dan Dorman (R-Albert Lea), would allow gasoline to contain only trace amounts of methyl tertiary butyl ether (MTBE) and ethyl tertiary butyl ether (ETBE). Both compounds are alternative fuel additives to ethanol.

Currently, those additives are not used in Minnesota's gasoline supply. But as other states ban the chemicals, Dorman said gasoline with those additives could be sent to Minnesota unless it is banned here.

The Senate version of the bill would allow gasoline in Minnesota to contain 0.5 percent of those additives, which can be monitored at gas pumps.

Rep. Margaret Anderson Kelliher (DFL-Mpls) proposed to reduce that threshold so that only 0.1 percent of the compound would be allowed in gasoline in Minnesota. Her amendment was approved.

Dorman supported that change, which had also been approved by the House Environment and Natural Resources Policy Committee, based on recommendations from the Pollution Control Agency and the Weights and Measures Division of the Department of Public Service.

Gasoline is moved through common pipelines throughout the country, so traces of those chemicals can be found in almost all gasoline.

The bill now moves to the Senate.

Underwater lumber recovery

A bill that would allow people to salvage logs from lake and river bottoms was approved March 21 by the House Ways and Means Committee.

Under the bill (HF2559/SF2546*), a person or company that wants to salvage a log that is underwater would apply for a lease through the state Department of Natural Resources. The fee for a lease would be \$500 for Minnesota residents and \$2,500 for those who live outside the state.

Terms of the lease would be negotiable.

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

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

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

The bill, sponsored by Rep. Larry Howes (R-Hackensack), now moves to the House floor.

★ ETHICS

Ethics complaint examined

Members of the House Ethics Committee are considering whether there is probable cause to continue investigating an ethics complaint against Rep. Arlon Lindner (R-Corcoran).

Four DFL House members filed a complaint against Lindner based on comments he made to Rep. Michael Paymar (DFL-St. Paul), during a floor debate Feb. 23 about the House prayer.

In the complaint, Lindner is charged with violating the norms of House behavior, bringing the House into dishonor, and suggesting members of the House should be excluded from proceedings.

Reps. Matt Entenza (DFL-St. Paul), Rob Leighton (DFL-Austin), Ann H. Rest (DFL-New Hope), and Wes Skoglund (DFL-Mpls) signed the complaint.

The committee met March 20 and 21, taking direct testimony and rebuttal to establish whether there was probable cause that the charges are "more probably true than not." A decision has not yet been announced.

If the committee finds there is probable cause, it will schedule another hearing where more testimony and evidence can be brought forward. At that time the committee would then make its recommendation to the full House whether Lindner be reprimanded, censured, or expelled.

Entenza said that he and the other representatives who brought the complaint don't want Lindner to be either censured or

expelled. He said that if Lindner had apologized, they would have dropped the complaint.

During debate Feb. 23, there was an exchange between Paymar and Lindner regarding respect for all the religions represented in the House and how the prayer delivered before each floor session should represent a certain level of religious diversity.

At one point, Lindner responded to Paymar, who is Jewish, by saying, "don't impose your irreligious left views on me." Those are the words the complaining parties objected to.

Lindner's attorney, Rick Morgan of Minneapolis, said the representative meant the term "irreligious left" to be a political term in opposition to the words "religious right."

However, Entenza and others contended that the context of the debate — House prayer — suggested the terms could have been interpreted as a religious attack.

Lindner said he was shocked that a member was being called to answer for words he used in debate. He argued that a seldom-used House rule suggests that a member can never be called to answer for debate unless members object right away.

"Here I am, before you, because I exercised my First Amendment rights in a debate on the House floor," Lindner said. "Actually, I'm charged for what someone thought I said instead of what I actually said."

Lindner has not apologized publicly for his comments.

Several committee members said they were offended by the words Lindner used.

But Rep. Greg Davids (R-Preston) said that doesn't mean he shouldn't be allowed to say them. Davids said he feared that if the committee votes to continue the investigation, the committee will be charged with designating a "speech patrol" for House debate.

"I think what he did was wrong," Davids said. "The day we can't allow ourselves a little leeway on the House floor to speak freely, is the day we can no longer represent the people of Minnesota."

★ GAME & FISH

Permits for disabled hunters

A special hunting permit will be available to people who have a permanent disability, under a new law signed March 20 by Gov. Jesse Ventura.

The permit will allow people with certain medical conditions to use a snowmobile or all-terrain vehicle while hunting in the state's wildlife management areas.

The law will allow the commissioner of natural resources to issue such permits to people who cannot step from a vehicle



Rick Morgan, attorney for Rep. Arlon Lindner, testifies March 20 in front of the House Ethics Committee. The committee was holding a hearing to determine if there is probable cause to support charges that Lindner violated House rules.

without the aid of a wheelchair, crutches, braces, or other means of support.

Permits will also be available to people who have heart or lung conditions and require breathing assistance.

Rep. Tom Hackbarth (R-Cedar) and Sen. Jane Krentz (DFL-May Township) sponsored the legislation. The law is effective Jan. 1, 2001. HF2603/SF2346*/CH265

★ GOVERNMENT

Clarifying access to data

A bill that would clarify state policies for accommodating requests for public data was approved March 16 by the House State Government Finance Committee.

Under the bill (HF2481), sponsored by Rep. Phil Carruthers (DFL-Brooklyn Center), government data that is stored on computer would be included in state law that applies to other types of public documents.

Current law allows people to inspect public data free of charge, but government entities can charge costs for making copies of public documents.

Carruthers said the bill would clarify that those laws, known collectively as the Data Practices Act, should apply to electronically stored data.

The bill also would set up an alternative dispute resolution process for situations where a person has a conflict with a government entity, for example, a disagreement regarding whether certain information is public. It would allow people in those situations to file a complaint with the state Department of Administration instead of going to court.

Rep. Phil Krinkie (R-Shoreview) asked how the bill would affect one of his own requests for public information. He said he had asked the Minnesota Department of Transportation for public documents on the subject of light rail, including e-mails.

But the department responded that his request would cost nearly \$100,000, Krinkie said. He said those costs would include paying staff for several weeks to scan, retrieve, and store the information, plus hardware and software costs of \$51,000.

Carruthers said current law seems to apply to that type of situation, and the bill would clarify that the department would not need to provide copies of the e-mails and other documents, but that the inspection of the data should be free.

The bill now moves to the House Rules Committee.

★ HEALTH

Nursing mother jury duty

A judicial task force will suggest possible changes to jury rules for nursing mothers, under a law signed by Gov. Jesse Ventura on March 23.

The Supreme Court Jury Reform Task Force has been instructed to study the issue and suggest recommendations to accommodate the needs of nursing mothers who are selected for jury duty.

The House approved the Senate language earlier this month. Previously, the House bill would have exempted all nursing mothers from jury duty.

Rep. Tim Pawlenty (R-Eagan) and Sen. Ellen Anderson (DFL-St. Paul) sponsored the new law. HF1865*/SF2094/CH269

Prescription drug discount cards

The House passed a bill March 22 that would prohibit the sale, marketing, promotion, or distribution of cards offering discounts for prescription drugs that fail to meet certain requirements. The vote was 129-0.

The bill (HF2883/SF2579*), sponsored by Rep. Larry Howes (R-Hackensack), would allow an individual or the state attorney general to sue to stop any act and obtain damages any deception may have caused.

The measure is an attempt to protect consumers from promised discounts that are confusing or not backed by insurance policies.

Discounts that are deceptive or that are not authorized by contract with the pharmacies listed on the cards would be in violation if the bill were to become law.

Also, discount cards would have to prominently state that the discounts are not connected to health insurance.

Language in the bill would not apply, however, to vision care, glasses, or contact lenses provided by an optometrist or ophthalmologist.

Discounts promised under contract with the state of Minnesota or a consumer discount card issued by a store for use at that particular store would also be allowed.

Furthermore, a card administered by a health insurer, nonprofit health service plan corporation, or HMO would be exempt under the bill.

The bill was sent to the Senate.

★ HUMAN SERVICES

Safe haven for infants

The House passed a bill March 21 that would provide a safe place for unwanted newborns. The vote was 130-0.

The bill (HF2945), sponsored by Rep. Barb Sykora (R-Excelsior), would allow the mother or a person who has the mother's permission to leave the child at a hospital.

As long as the child is less than 72 hours old and is unharmed, the mother would not face penalties from police or social services agencies.

"Hopefully this bill will take away some of the desperation of that young mother," Sykora said.

Sykora argued on behalf of the House bill over the Senate version.

The House bill would allow hospitals a 24-hour window to report that they have received a newborn, which, Sykora said, would give the mother adequate time to leave the area.

The House bill also does a better job of clarifying that it is not a crime to leave the child at the hospital, Sykora said.

The bill would call for hospitals to ask the mother about her medical history, although they would not be required to answer any questions.

Sykora's bill would allow hospitals to provide a numbered identification bracelet to the mother, to help link the parent to the baby in case reunification is sought later. But possession of such a bracelet would not allow the mother to take custody of the baby on demand.

The bill comes on the heels of some highly publicized cases where young mothers have abandoned their newborn children, including a case where a baby was found in a dumpster.

Sykora said people in desperate circumstances need a better option.

"Sadly enough, it seems like something we need to do today," she said. "This provides that safe place."

Rep. Linda Wejcman (DFL-Mpls) expressed concern about the specifics of language that would require the newborn be unharmed when left at the hospital. She wondered whether the bill would make it possible for a woman to be charged with a crime if she used drugs or alcohol during her pregnancy.

Sykora said that would not be the case. She said it would be difficult to know at the time of the drop off if the child suffered from any drug-related problems.

The New York Times reported earlier this month that Minnesota is among 23 states currently considering legislation to provide drop-off places for unwanted newborns.

In September 1999, Texas became the first state to enact such a measure after a rash of abandonments took place in the Houston area, according to the paper.

Wadena County exemption

A new law will provide a one-time exemption to Wadena County from a truth-in-taxation publishing requirement.

Due to an oversight, the required public notice of the public hearing was not published, House sponsor Rep. Roxann Daggett (R-Frazee) said during a Feb. 22 hearing on the bill.

She said the county's auditor was new to the position. At the same time as preparing for the truth-in-taxation process, the auditor was also involved in administering a special election.

The county did meet its requirement of mailing notices to all taxpayers.

The state Department of Revenue ruled that the county did not substantially comply with state truth-in-taxation laws because of the failure to advertise the public hearing. The ruling would have required the county to use its previous year's levy.

Under the law, the county will be able to use its payable 2000 levy that was adopted at the public hearing.

During a House Taxes Committee hearing of the bill, department officials expressed concern about setting precedence by exempting the county from meeting its requirements.

Assistant Commissioner Jenny Engh said that the department supplies a checklist that clearly lays out each requirement of the truth-in-taxation process.

Daggett said that the mistake was not deliberate, and since the county had met its other notification requirements, the county's taxpayers were sufficiently made aware of the public hearing.

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

The law becomes effective upon local approval.

SF2554*/HF3039/CH258

★ TRANSPORTATION

Spending plan cuts light rail

The House passed a \$425 million transportation spending bill March 21. The bill features \$350 million in spending from the general fund and another \$75 million in Trunk Highway Funds, mostly for road upgrades. The vote was 81-46.

The bill also would require that the state cancel appropriations previously approved for light-rail transit and return the unspent money, estimated to be about \$92 million.

In the past two years, the Legislature has approved a total of \$100 million for the 11-mile Hiawatha light-rail line. Elimination of

HEALTH CARE RALLY



Bloomington resident Bill Blom joins about 300 others in a March 22 rally in the Capitol rotunda seeking a cost of living adjustment for workers in programs that serve people with disabilities. The event was organized by the Minnesota Consortium for Citizens with Disabilities.

the bonding money does not have clear support in the Senate and is opposed by the governor.

The bulk of the funding in the bill would be used for road upgrades. Those road upgrades would be split evenly between the Twin Cities and Greater Minnesota, with \$201 million spent on each area.

The bill (HF2891) is sponsored by Rep. Carol Molnau (R-Chaska). Besides the funding items, the measure includes a study of the freeway ramp meters in the Twin Cities. The meters would be turned off to allow study of the impact on traffic.

Molnau defended the \$400,000 cost, saying her committee wants a thorough independent study that shows complete results of the experiment.

Another provision of the bill would require the Metropolitan Council to complete long-range plan for Metro Mobility, a program that provides transit for seniors and people with disabilities. The study would put Metro Mobility on equal footing with Metro Transit, the city bus system. The Met Council has already prepared a long-range plan for Metro Transit.

The bill also would provide \$450,000 in assistance for outstate communities to establish transit services.

A handful of amendments were attached to the omnibus bill on the House floor, but those provisions did not change the major funding plans.

Molnau offered an amendment that would allow the cities of Shorewood and Minnetonka to opt out of Metro Transit programs in favor of systems operated by the cities. Her amendment passed 70-58.

"Many of us have limited, almost no services," Molnau said.

Rep. Tom Workman (R-Chanhassen), who chairs the House Transportation Policy Committee, said that the tax dollars collected in Shorewood would equate to a \$70 one-way ride into Minneapolis because of the relatively few bus routes and riders in the city.

Rep. Myron Orfield (DFL-Mpls) spoke against the Molnau amendment, saying that poorer communities would not be able to opt out.

"This continues to undermine our public transit system," Orfield said.

An amendment offered by Rep. Steve Trimble (DFL-St. Paul) was also approved. Trimble's amendment would eliminate the public safety motor vehicle surcharge. Trimble said the account now has \$15 million unspent dollars. His amendment would turn the money into grants for rural area ambulance services.

Trimble said the surcharge, which was originally supposed to be a one-time fee, is simply no longer needed.

The House rejected an amendment offered by Rep. Al Juhnke (DFL-Willmar) that would have cut license tab fees and created a multi-modal transportation fund. The idea is similar to a plan supported by Gov. Jesse Ventura.

The proposal also would have placed a constitutional amendment on the November ballot to permanently devote revenue generated from the motor vehicle sales tax into a fund that could be used for light rail, busways, or roads.

"It goes a long way towards addressing the things we need to be looking at this year," said

Correction

The March 17 edition of *Session Weekly* contained an error related to committee testimony by Leslie Davis, president of Earth Protectors. A photo of Davis accompanied a story on transportation funding, and the photo caption incorrectly described Davis' testimony. It should be made clear that Davis spoke March 13 in support of a proposal to cancel the unspent remainder of the state funds for light-rail transit in the Hiawatha Corridor. We regret the error.

Rep. Sharon Marko (DFL-Cottage Grove.)

Marko found fault with the omnibus bill's focus on highway construction.

"The House bill before us doesn't treat transit very well," Marko said. "Where is transit in this bill? We are looking for a long-term fix. If not now, when?"

Molnau opposed the Juhnke amendment, saying the plan did not clarify where road improvement money would be spent.

"There is nothing in this amendment that says Greater Minnesota gets a dime," Molnau said.

Transit revenue debated

The House Taxes Committee considered a bill March 17 that would abolish the property tax levy by the Metropolitan Council for public transit in the Twin Cities area.

The measure would appropriate money from the general fund to replace the levy.

Rep. Dan McElroy (R-Burnsville), who is sponsoring the bill (HF4087), said that the Twin Cities' reliance on property taxes to fund transit is unique.

According to a 1998 Legislative Auditor's report, property taxes provided 43 percent of the

Minneapolis-St. Paul area's transit operating funds, compared with an average of 2 percent in Minnesota's other metropolitan areas.

McElroy said he wants to make sure the provision would be included in the discussion of the governor's proposal to transfer funds from the motor vehicle sales tax into a new multi-modal transportation fund.

Under the bill, the Met Council's authority to levy would end in 2001. The state would then appropriate \$118 million to the council to provide transit services for that year.

The bill would provide a permanent reduction in each municipality's homestead and agricultural credit aid equal to the Met Council's transit levy. The bill also would require the Met Council to provide grants to municipalities that have opted out of the transit system and provide their own transit services.

Rep. Ron Abrams (R-Minnetonka), committee chair and a co-sponsor of the measure, said the bill sets the stage for the next level of debate on transit funding.

He said that debate on transit issues will be limited until the reliance on property taxes is resolved.

McElroy's measure is included in the omnibus tax bill advancing in the House.

Blue lights for collector cars

Collector vehicles would be able to display unique blue lights, under a bill the House passed 123-0 on March 22.

Currently, blue lights are only allowed on road maintenance equipment, snow removal vehicles, emergency vehicles, and motorcycles.

Rep. Tom Workman (R-Chanhassen) is sponsoring the bill (HF3053), which would allow a blue light of one inch in diameter as part of the rear brake lights.

Bill Strusinski of the Minnesota Street Rod Association told the House Transportation Policy Committee last month that many of the collector cars have very tiny rear brake lights and the lights are not as bright as modern brake lights.

Strusinski said collector cars would be safer because the brighter blue light would make the rear brake light more visible.

Dennis Lazenberry of the Minnesota State Patrol said he does not object to this modification, but cautioned that he doesn't want to see more modifications in the future.

The bill now goes to the Senate.



Hard time

35 states provide felony DWI penalties

Felony convictions for multiple drinking and driving offenses are already practiced in 35 states, according to the National Survey of State Laws.

Another 13 states raise drinking and driving offenses to felony-level crimes if a person is injured or killed, if the driving causes damages, or a child is in the car.

None of the states with felony DWI convictions match the "four violations in 10 years" proposal that is moving forward in the Minnesota Legislature, according to the report.

Several states provide for a felony after a third DWI conviction. West Virginia, Illinois, Iowa, Vermont, Arizona, Nevada, and Kansas call for a felony charge for a third offense,

regardless of the time lapsed between offenses.

South Dakota, Alaska, Delaware, and Missouri bring felony charges for an offender's third drunken driving offense within five years. Michigan, Louisiana, and Texas have a felony charge for a third offense in 10 years.

Missouri law specifies that a felony DWI can be expunged after 10 years if no new alcohol-related offenses have occurred during that time.

Oklahoma law calls for a felony on a second offense in a 10-year span. A conviction calls for one to five years in jail and a \$2,500 maximum fine. New York, Idaho, and Indiana also have felony DWI laws for second offenses.

While some states, such as Arkansas and Illinois, send felony DWI convicts to prison, most states with felony DWI laws currently incarcerate the offender in local jails.

Two states — Oregon and Tennessee — never raise drunken driving to a felony.

Currently, Minnesota law provides for a gross misdemeanor conviction for the second and subsequent violations.

A third violation calls for a minimum 30 days in jail or eight hours of community service for each day not served in jail.

State law does provide for a felony when the offense causes substantial body harm or death.

(C. VETTER)

Building plans

House bonding plan lines up with governor's recommendations only on the bottom line

By JON FURE

The House passed a bonding bill March 23 that would spend about the same as Gov. Jesse Ventura's capital investment proposal. The vote was 94-39.

The bill (HF4078), sponsored by Rep. Jim Knoblach (R-St. Cloud), would use slightly less than the governor's recommendation of \$400 million in general obligation bonding.

The governor arrived at the \$400 million figure by taking the average amount of bonding bills over the past 15 years. Some lawmakers have argued that the figure is too low, but Knoblach said that he and other committee members decided to accept the governor's guidelines.

"We think the \$400 million is reasonable," Knoblach said. "Certainly there are many competing needs — there always are — but we're trying to focus on projects where the state has a clear mission and not as much on local projects."

A 1999 law established criteria for evaluating requests for bonding projects. The projects were ranked according to whether they would use state and non-state funding, help fulfill a mission of regional or statewide importance, and be supported by all governing bodies immediately affected by the project.

Projects earned negative marks if they would require additional state funding for operation, expand the state's role into a new policy area, create serious inequities among local jurisdictions, or compete with other local facilities.

Under the House bill, nearly \$526 million would be spent from the sale of bonds for capital investment projects statewide. That amount includes \$32 million that has been cancelled from old bonding projects. The bill would use \$2 million in cash directly from the general fund, \$68.6 million in user-financed bonds, and \$20.6 million from the Trunk Highway Fund, in addition to \$399.9 million in general obligation bonds.

The numbers are similar to the amounts proposed by Gov. Jesse Ventura in his capital budget plan.

Ventura's plan called for \$499 million for capital projects, including \$37 million in cancellations. The governor asked for \$400 million in general obligation bonding, \$1 million directly from the general fund, \$34 million in user-financed bonds, and \$27 million from the Trunk Highway Fund.

Here are some highlights of the House bill.

U of M facilities

Overall spending for higher education would be \$169.9 million under the bill, compared to \$118.3 million under the governor's plan.

For the University of Minnesota, the bill would spend \$2 million to plan and design a new Art Building, which would not be funded under the governor's plan.

Total bonding for the U of M in the House bill would be about \$66.7 million. The governor recommended \$54 million in bonding for the university.

MnSCU construction

Projects in the Minnesota State Colleges and Universities (MnSCU) system would receive \$103.2 million under the bill, compared to \$64.3 million in the governor's plan.

Anoka-Hennepin Technical College would receive \$12.5 million under the House bill for roof repairs; improvements to the heating, ventilating, and air conditioning system; and other necessary repairs.

Initially, the MnSCU board decided to close the campus because it couldn't afford to make the necessary repairs. Ventura's plan did not recommend funding the repairs. The House proposal would keep the campus open.

The bill would provide \$6.9 million for construction of athletic and academic facilities at Minnesota State University, Mankato. The money would be part of the Taylor Center project, which benefited from a \$9.2 million



The Taylor Center athletic facility, now under construction on the campus of Minnesota State University, Mankato, would receive \$6.9 million in the House bonding proposal.

But the House bill would not fund the governor's recommended \$10 million for the Microbial and Plant Genomics building at the U of M campus in St. Paul.

Other projects at U of M campuses in St. Paul, Crookston, and Morris would receive funding under the bill. A total of \$9 million would go to maintenance and repair projects on all U of M campuses, which is \$7 million less than the university requested.

donation from Minnesota Timberwolves owner and Mankato businessman Glen Taylor.

The House bill would match the governor's proposed \$30 million for maintenance and repair projects throughout the MnSCU system. MnSCU requested \$100 million for maintenance and repair, and officials said at least \$56 million would be needed to prevent the system's \$500 million maintenance backlog from growing even larger.

The House bill specifies that maintenance and repair money would pay for several projects that were line-item vetoed by Ventura last year, including a new boiler system for Winona State University, demolition of old homes on property owned by Moorhead State University, and the completion of a heating and air conditioning project at the Hutchinson campus of Ridgewater College.

The House bill would not fund an information technology center at Minneapolis Community and Technical College, which would receive \$11.7 million under the governor's plan.

Other MnSCU campuses that would receive funding under the House bill include Northwest Technical College in Bemidji, St. Cloud State University, Northland Community Technical College in Thief River Falls, Winona State University, and Rochester Community and Technical College.

K-12 and early childhood education

The bill would spend \$51.5 million for K-12 schools and early childhood education facilities. The governor's plan would spend \$34.1 million in those areas.

The bill would spend about \$1.8 million less than the governor's plan for magnet schools in the metropolitan area. Other communities that would receive funding for school projects under the House bill include Caledonia, La Porte, Red Lake, and Cass Lake.

State buildings

The bill would spend a total of \$48.5 million for building and maintenance projects for state agency buildings that are used by state agencies and departments. The governor's plan would spend \$93.4 million for those projects.

One of the governor's top priorities is \$58 million for a new building for the Bureau of Criminal Apprehension. But the House bill would spend only \$28 million to build a laboratory facility.

The bill also would not fund repairs to a building used by the Department of Health on Delaware Street in Minneapolis. Ventura sought \$4.3 million for that project.

A provision in the House bill would provide additional money for maintenance to state buildings or schools. It would allow an organization, such as a state department or a college, to retain money from bonding revenue if the project is completed for less than the expected cost.

Currently, if a project costs less than the amount that is bid, the money is returned to the state. The bill would allow the organization that uses the building to retain that money for asset preservation.



The House bonding bill includes \$28 million for construction of a new Bureau of Criminal Apprehension lab, while continuing to use the existing facility, shown here. The governor had recommended \$58 million to replace the facility.

The bill includes \$150,000 for a World War II memorial on Capitol grounds, a project that was line-item vetoed by Ventura in 1999.

Corrections projects

Spending for correctional facilities in the House bill is nearly the same as Ventura requested. The House bill would spend \$16.7 million, compared to the governor's proposed \$19.5 million.

The Stillwater prison would receive \$1.5 million to make security repairs, including work to replace crumbling sections of the wall around the prison yard.

The proposal also would fund projects for Faribault, Oak Park Heights, Lino Lakes, and Red Wing. The House plan would spend \$3.1 million less than the governor's plan for the Faribault project, which calls for sewer repair at the facility. And the House bill includes a \$2.7 million storm sewer project at Bayport that is not in the governor's plan.

Environment and agriculture

The bill would spend about \$21 million less than the governor's plan for projects related to agriculture, environment, and natural resources.

The governor's plan would spend about \$7.3 million more than the House bill for building projects in state parks and offices for the Department of Natural Resources.

The House bill would include \$7 million for grant programs to help cities clean up brownfields, which is not in the governor's plan. Brownfields are parcels of commercial land that are idle or under-used due to high costs of cleaning up pollution problems.

Wastewater system improvements would receive \$32.6 million, under the House bill. The money would provide matching grants to communities through the Public Facilities Authority, which is part of the Department of Trade and Economic Development.

The Board of Water and Soil Resources would receive \$20 million for the Conservation Reserve Enhancement Program under the House bill. The program is matched by federal funds, and it establishes conservation easements on agriculture land along the Minnesota River, which reduces soil erosion into the river, helps control flooding, and establishes wildlife habitat.

The bill would require the board to determine if it would need additional funding for administrative costs if the Legislature were to appropriate \$20 million in 2001 and 2002, which would fully fund the program. A total of \$140 million in federal matching funds is available through September 2002.

The governor's plan would spend \$25 million for that program, which would be matched by about \$58 million in federal funds.

Transportation improvements

The bill would spend \$44 million for repairs to bridges throughout the state, while the governor's plan would spend \$30 million.

Rail Service Improvement Loans would not receive funding under the governor's plan but would receive \$5 million under the House bill.

The House bill would not fund a proposed \$6.7 million Regional Transportation Management Center. 🐼

A tall order

Welfare changes and other noteworthy measures are included in a thick omnibus bill that would fund a wide array of government programs

The House passed a far-reaching state government spending measure March 20 that would appropriate a net total of \$83.9 million yet this biennium.

However, that money would come from federal funds and designated state spending funds. The bill (HF2699), sponsored by Rep. Kevin Goodno (R-Moorhead), also would produce a net savings of \$27.7 million to the general fund over the course of the 2000-01 biennium.

The House debated the omnibus bill and about 60 proposed amendments for about 12 hours before passing it on an 85-42 vote.

The most significant portions of the bill, which also elicited the most debate, were the health and human services items, including penalties for failing to meet the state's welfare-to-work requirements, a waiting period for abortions, and increased eligibility for a prescription drug program.

The bill also includes spending for agriculture, judiciary, environment, state government, and economic development.

Gov. Jesse Ventura did not submit a supplemental budget for this session. He only made suggestions for emergency and deficiency spending, some of which were included in the bill.

Health, human services spending

The state would actually reduce general fund spending on health and human services for the 2000-01 biennium by \$47.1 million. However, the bill would spend \$90.5 million in federal Temporary Assistance for Needy Families funds over the biennium and \$4.6 million from the Health Care Access fund to pay for provisions.

The bill would devote \$10 million from the general fund for diabetes research at the University of Minnesota. The bill also would fund measures to prevent out-of-wedlock pregnancy and youth at-risk to enter prostitution.

Welfare reform

Welfare recipients could face tougher sanctions if the state finds they have failed to comply with work requirements of the Minnesota Family Investment Program.

All benefits would be cut off if the recipient was out of compliance for a sixth time. However, a hearing and a review of the recipient's case file would be required before case closure could occur.

The House adopted an amendment to the bill that would require a county agency to monitor children in households where benefits have been discontinued. Members were concerned about the well-being of those children.

Prescription drugs

Disabled people under age 65 who are on Medicare would benefit by a provision of the bill aimed at expanding eligibility for enrollment in the state's senior prescription drug program.

The state program provides funds to help pay for prescriptions, which are not covered by the federal Medicare system.

The bill also would make more people eligible to receive help paying for drugs by

doubling the asset limit for inclusion in the program.

Abortion provisions

Women seeking an abortion would have to meet "informed consent" requirements before they could undergo the procedure.

Whether in person or over the phone, the woman would have to receive certain information at least 24 hours before the abortion could be performed, according to the bill.

The measure would require a woman to be given certain information pertaining to the procedure and other options.

Nursing homes

The bill would increase state reimbursement rates for nursing homes, mainly in rural



Trishalla Bell of Minneapolis holds 1-year-old Rosemary Abdul-Salam, right, as her sister, 4-year-old Anna, waits while members of the Welfare Rights Committee meet with House members outside the House chamber during debate on the state government appropriations bill.

Minnesota, that receive lower payments than other homes in the state.

It also would appropriate \$21 million in one-time grants to homes for staff enrichment activities such as retention, recruiting, development and training.

Alternative health care

The omnibus bill would establish an office of unlicensed complementary and alternative health care.

Alternative health care practitioners include people who provide services such as acupuncture, energetic healing, aromatherapy, herbalism, and meditation as a means to alleviate sicknesses.

The bill would eliminate criminal sanctions for practicing alternative health care. The plan would establish an office to regulate the industry by investigating complaints against unlicensed practitioners, dispensing discipline, and serving as a center for information on complementary and alternative health care practices.

Streamlining committees

A plan to establish joint House and Senate standing committees is included in the bill. The idea was proposed this year as an alternative to a unicameral legislature.

The plan, proposed by Rep. Dan McElroy (R-Burnsville), would allow a bill to be heard by a group of lawmakers from both chambers, as opposed to the current system where separate versions of a bill are heard by separate committees at different times in the House and Senate.

Under the proposal, a joint committee would pass one bill that would advance in each chamber. The bill would go back and forth

A raise for the governor

The governor's salary would increase from \$120,303 to \$150,000 per year, and salaries of constitutional officers and other state officials also would be allowed to increase.

Many officials' salaries are based on a percentage of the governor's pay. Some agencies and departments have requested exemptions to the limit, due to the difficulty of finding qualified candidates. The bill would raise the maximum salary for all such positions.

A hold on telecommunications

A program known as Connecting Minnesota would temporarily be stopped under the bill.

The program involves installing a fiber optic cable network and other telecommunication infrastructure throughout the state.

But a recent order from the Federal Communications Commission expressed concerns about possible anti-competitive effects of the program.

The bill would cause the program to cease until those concerns are resolved.

Rep. Matt Entenza (DFL-St. Paul) said the provision could cause the state to breach a contract related to the program. The state has a contract with Universal Communication Networks Inc., and the company has indicated that it would sue for damages if the bill becomes law, Entenza said.

An analysis from the state Department of Finance and the Office of the Attorney General estimates that the state could be liable for damages ranging from \$15 million to \$35 million if a court were to rule against the state.

Abolishing offices

The Office of Technology, the Board of Government Innovation and Cooperation, and the Office of Citizenship and Volunteer Services would be abolished, which would reduce state spending by

\$4.2 million in the current biennium.

The bill also would repeal the governor's authority to abolish or merge departments in the executive branch.

That issue gained notice when Gov. Jesse Ventura decided last year to merge the Public

Safety and Commerce departments, without first consulting the Legislature.

No design-build

The bill would repeal a part of the 1999 omnibus transportation finance law that gave the Department of Transportation an exemption to bidding laws.

That law allowed the light-rail transit project along the Hiawatha Corridor to use a design-build method. The design-build method employs a single contractor for both the design and construction of the project, instead of awarding separate bids for design and construction.

The bill would prohibit the state from using the design-build method for any state construction project, until policies and regulations for that method can be established.

Modifying bleacher laws

The bill would modify a 1999 law that established new safety requirements for all bleachers that are taller than 30 inches. Those requirements would apply only to bleachers standing 55 inches (nearly 5 feet) or higher.

The law requires bleachers to include guardrails or safety nets, and spaces between floorboards, seats, and guardrails cannot exceed four inches.

New bleachers would have to meet those requirements by Aug. 1, 2001. Existing bleachers up to that date would be exempt if the gaps do not exceed nine inches.

The bill would effectively exempt short sets of bleachers that are commonly placed in parks near sports fields, so that local communities and school districts would not be forced to replace them or equip them with safety nets.

Secretary of state funding

The bill would allow the Office of the Secretary of State to keep money it takes in from Uniform Commercial Code transactions.

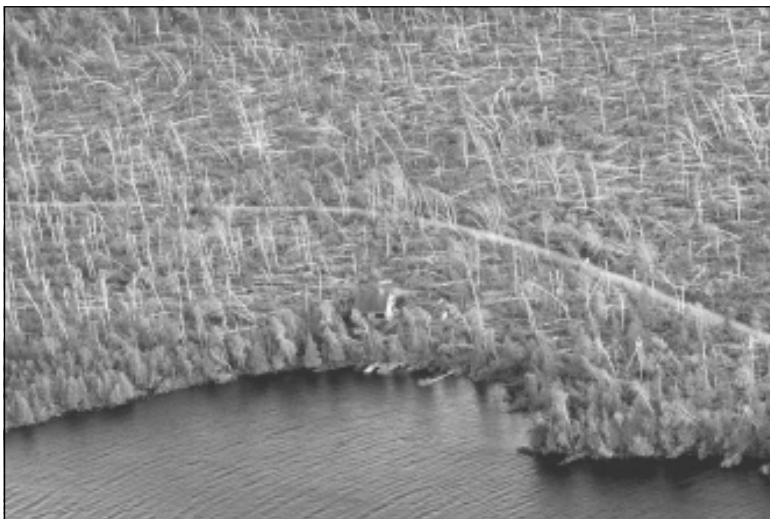
People who file the transactions pay a surcharge, and that money goes to the state's general fund. The surcharge generates about \$2.3 million per year in revenue to the general fund, but the office receives only about two-thirds of that amount for the related costs, according to Secretary of State Mary Kiffmeyer.

Under the bill, the office would be allowed to keep revenue from those transactions, and its general fund budget would be reduced in future biennia.

Environmental spending

A total of \$11.4 million from the general fund would be spent on environment-related provisions, under the bill.

Of that amount, \$5 million would create a new state program similar to the federal Crop Re-



Thousands of acres of trees in the Boundary Waters Canoe Area were blown down during a severe storm in July 1999. The state government appropriations bill includes funding for emergency firefighting in the area, where downed trees have created a fire risk.

Photo courtesy of the University of Minnesota Department of Forest Resources

between the House and Senate, and each chamber could amend the bill until one version is agreed upon.

The plan would reduce the need for conference committees, McElroy said.

serve Program. Farmers would be eligible for grants to set aside cropland for three years. Strips of trees would have to be planted on a small percentage of the land that is set aside, which would provide various environmental benefits.

The bill also would authorize the state to pay \$4 million for costs related to a U.S. Supreme Court decision that upheld the hunting and fishing rights of the Mille Lacs Band of Chippewa Indians and others.

Anticipated costs of \$1.5 million for emergency firefighting expenses in the Boundary Waters Canoe Area is also included in the bill. Thousands of acres of trees were blown down by a storm last summer and those trees now create a fire hazard in the recreation area, officials say.

Appraising state lands

The University of Minnesota, Duluth would conduct an inventory and appraisal of state lands within the Boundary Waters Canoe Area, under a provision that was added to the bill March 20.

The state owns about 100,000 acres of land, known as school trust land, in that area. Most of the land was donated from the federal government when Minnesota became a state.

The state-owned land is located on various parcels and is surrounded by federal land. Revenue from the land, through leases and the sale of logging rights, goes to the state's permanent school fund.

Rep. Tom Rukavina (DFL-Virginia) said the inventory would determine exactly how many acres of land belong to the state and provide other detailed information about the land.

Rukavina said that information would allow the state to negotiate a land exchange with the federal government, so that the state-owned parcels would be separate from the federal land.

Opponents of the measure said the \$200,000 cost of the inventory and appraisal would reduce the amount of money that goes into the permanent school fund. But Rukavina said the inventory would identify more state-owned land, which would increase the amount of money that goes into the school fund.

Judiciary finance

Several crime prevention and judiciary system measures are also included in the bill, but it also reflects more of a cost savings for the overall measure.

The bill includes \$3.8 million for emergency disaster disbursement from damage relating to storms in 1998 and 1999.

The measure would eliminate the Office of the Ombudsman for Corrections as of fiscal year 2001.

It also would hike fees for petty and gross

misdemeanors and would require that juvenile offenders who are turned over to the Department of Corrections must be placed in Minnesota facilities.

Key judiciary spending measures are included in a separate bill (HF2688), known as "Katie's Law" for Katie Poirier because it includes many measures designed to protect the public from sex offenders. That bill, passed by the House earlier, would appropriate \$13.9 in fiscal year 2001 from the general fund and another \$2.3 million from the special revenue fund.

Total spending for the two judiciary measures is \$20 million.

DWI penalties

Included in the bill is the felony DWI measure, which would make a person's fourth conviction for drunken driving within a 10-year span a felony, including possible prison time.

Currently, the maximum penalty for drunken driving is a gross misdemeanor.

Endangering children

Rep. Steve Wenzel (DFL-Little Falls) offered an amendment on the floor that would raise the maximum penalty for people who endanger the health of children. The amendment passed 118-5.

Wenzel referred to the amendment as the "Jessica Swanson legislation," saying the measure would ensure that people who are responsible for the death of a child get reasonable prison sentences. (Swanson, a Cannon Falls girl, was killed by her mother's boyfriend, who got what many considered a light sentence after pleading guilty to child endangerment as part of a plea agreement.)

The measure would raise the maximum penalty for child endangerment from 10 years in prison and a \$10,000 fine to 20 years in prison and a \$20,000 fine. The measure would increase the sentencing guideline, as well, so anyone found guilty would serve at least 40 months in prison.

Auto theft program

The bill would abolish the Auto Theft Prevention Board.

The board, comprised of law enforcement and public safety officials, is required to develop and implement statewide strategies to combat automobile theft.

Currently, the program collects \$1 per year on all auto insurance premiums. That money is then disbursed through grants to local law enforcement agencies to fight auto theft, through more officers, "bait cars," and other methods.

About \$5.7 million in surplus from the board's account would be transferred to the general fund, and any remaining funds would

also go to the general fund.

Rep. Mary Jo McGuire (DFL-Falcon Heights) argued in favor of keeping the program, noting that car thefts have dropped since its inception.

"For the mere price of a cup of coffee, we are seeing auto thefts going down," she said.

Rep. Mike Osskopp (R-Lake City), who offered the proposal as an amendment, said car thefts are likely down because there are more police or because more offenders are now in jail. Osskopp said that if auto thefts climb next year, he would be willing to reinstate the board.

Juvenile offenders

Juvenile offenders would be required to go to the state juvenile facility in Red Wing or a private facility within the state, unless there are safety reasons to transfer the juvenile out of Minnesota.

The bill would require a report stating the reasons for transferring juveniles elsewhere.

Corrections officials say the state is losing revenue because so many juvenile offenders are not staying in state institutions.

To help counties pay for juvenile incarceration and keep more of them in-state, the bill would require the counties to pay only half the per diem costs, instead of the full amount counties currently pay. The Department of Corrections would be responsible for the remaining half of the costs.

Funds for agriculture

The portion of the bill dealing with agriculture would provide funding for farm programs, activities, and research.

The bill would appropriate \$5.8 million through fiscal year 2001, including about \$4.8 million from the general fund.

It also would appropriate \$135,000 to the commissioner of the Department of Agriculture for a grant to develop farm business software to complement existing farm management tools.

The bill would provide new funding for research and demonstration on farm water quality and quantity management. Work would be done on contract sites in Lamberton and Waseca.

Stopping pseudorabies

The bill would provide \$245,000 to the Board of Animal Control to continue vaccinations against pseudorabies, a highly contagious disease that causes respiratory and reproductive problems in swine.

The 1999 Legislature approved \$1.25 million for the vaccination program.

In addition, a resolution asking the state of Iowa to accelerate its program of swine pseu-

dorabies control and eradication was deemed unnecessary and was deleted from the bill March 20 by the House.

Ethanol funding

The bill would provide supplemental funding for the state's ethanol producer payment program by increasing the maximum payment to producers by \$3 million.

Producers that had payments capped at between 12 million and 15 million gallons per year would be given an eligibility of 15 million retroactive to July 1, 1999, under the bill.

Changes to loan programs

An increase in maximum state participation in several farming loan incentive programs would occur under the bill.

Those programs include beginning farmer loans, restructured loans, seller-sponsored loans, and agricultural improvement loans.

The bill also would address changes to rules regarding eligibility in the restructured loan and livestock expansion loan programs.

New funding would be provided by the bill for an agroforestry loan program. The agroforestry loan program would help finance the production of short-rotation wood crops in Minnesota.

A stipulation would require that agroforestry program grants be matched dollar-for-dollar by non-state money.

Program caps expanded

Eligibility caps for some Rural Finance Authority programs would be increased, and an increase in Agriculture Chemical Response and Reimbursement Account funding would be provided for farm sites where clean-up activities are particularly expensive.

The current cap of \$200,000 for a corrective action would be expanded to \$350,000.

Meat inspection

Approximately \$500,000 in additional money would be appropriated by the bill to the commissioner of agriculture for the state's meat inspection program.

Half of the additional money would be reimbursed by the United States Department of Agriculture.

Economic development

The bill would appropriate money for a number of economic development provisions, focussed on technology development and programs to train workers.

As rural areas struggle to keep workers in the area and develop alternatives to a struggling farm economy, the metropolitan area faces the challenge of a developing technology economy and

training workers to meet the changing needs.

McElroy, the chair of the House Jobs and Economic Development Finance Committee, said although the committee didn't have a great deal of funding to work with, several different economic development issues are addressed.

The bill would spend \$283,000 from the general fund and \$500,000 from federal Temporary Assistance for Needy Families funds. Initiatives are also funded from a shift in money saved from the Department of Commerce taking over duties of the Department of Public Safety and the cancellation of a Department of Trade and Economic Development program.

Rural development initiatives

Among the provisions that would assist Greater Minnesota is a \$1.5 million appropriation for catalyst grants to local governments to expand Internet access in rural Minnesota.

The communities eligible for the grants would not typically receive Internet access through existing technology.

The bill also would provide \$750,000 for grants to economic development agencies for labor force assessments that will identify areas where the area's workforce skills and education are being underused.

Penalties for worker deaths

The bill would also increase penalties in cases where a worker dies on the job due in part to company violations of workplace safety laws.

The bill would provide new fines if a serious, willful, or repeated violation of an U.S. Occupational Safety and Health Administration standard causes or contributes to an employee's death. Penalties would range from \$25,000 to \$50,000, depending on the violation.

McElroy said the provision aims to address an inequity in current law where the family of a worker killed on the job receives little compensation. He said even with the proposed increase in fines, those fines go to a state workers' compensation fund and not to the families.

Homeless assistance

The problem of homelessness, identified by the Minnesota Housing Finance Agency as a significant statewide issue, is also addressed in the bill.



The House passed a bill that would provide additional funding for ethanol production at plants like this one in Claremont.

The bill would appropriate \$500,000 to the state's Family Homeless Prevention and Assistance Program. The program provides grants to recipients to assist families, youth, and individuals who are homeless or at the imminent risk of becoming homeless.

No bust for Blackmun

The House voted to remove a provision from the bill that would have commissioned a bust of former U.S. Supreme Court Justice Harry A. Blackmun.

The bust would have been installed on the second floor of the State Capitol opposite the bust of former U.S. Chief Justice Warren Burger.

Only three Minnesotans have served on the U.S. Supreme Court — Blackmun, Burger, and Pierce Butler.

Rep. Tony Kielkucki (R-Lester Prairie), sponsor of the amendment, said that Butler has not been honored in the Capitol and that bills proposing commemorative work are usually heard by the House Governmental Operations and Veterans Affairs Policy Committee, which had not heard this proposal.

Rep. Steve Trimble (DFL-St. Paul) said the amendment had been added during the House Ways and Means Committee's hearing of the bill. He said that he offered the proposal because of Blackmun's historical contributions and because he was a St. Paul native.

The location across from the Burger bust in the Capitol is currently unoccupied, Trimble said, and would seem to be the ideal place to honor Blackmun, who wrote the court's opinion in the Roe v. Wade case.

Trimble said that the Historical Society would not receive a state appropriation for the work but had agreed to complete the project using private funds. 🏛️

Choice cuts

House tax plan would reduce taxes and provide rebates

By DAVID MAEDA

Rebates, permanent tax reductions, and continued agricultural assistance are all part of the omnibus bill approved March 22 by the House Taxes Committee.

The bill (HF4127), sponsored by Rep. Ron Abrams (R-Minnetonka), was sent to the House Ways and Means Committee.

More than \$1.3 billion in tax relief during the current biennium and \$1.7 billion in the next biennium are included in the bill's provisions.

While there is little disagreement that with continuing budget surpluses the time is right for tax cuts, there is some disagreement over where the cuts should come from.

Abrams, the committee's chair, said the bill would provide income and property tax reductions for nearly all Minnesotans, as well as relief for farmers and the state's businesses.

But Rep. Phil Carruthers (DFL-Brooklyn Center) disagreed with the bill's approach.

"I don't think this bill provides the best way, or the fairest way, to provide tax relief for citizens," Carruthers said.

Matt Smith, commissioner of the state Department of Revenue, argued the bill as a whole is not structurally balanced.

Smith said that according to current forecast numbers, the administration believes that spending and tax cut initiatives for the next biennium should not exceed a combined total of \$549 million per year.

"It's inescapable that not everything in the bill will be able to be enacted," Smith said. "In a word, the bill is too big."

But Abrams countered by saying that the past 17 budget forecasts have been wrong and that, using the administration's own structural balance criteria, the tax bill the governor signed into law last year was not balanced.

The current bill would provide an indi-

vidual income tax rate reduction in all three brackets. The middle bracket would receive the largest cut from 7.25 percent to 6.5 percent.

Wayne Cox, the executive director of Minnesota Citizens for Tax Justice, said under the proposal, 60 percent of the state's taxpayers, those with incomes under \$45,000, would receive less than taxpayers in the top one percent in income.

Duane Benson, the executive director of the Minnesota Business Partnership, said that the income tax cuts are important for the state's businesses to attract and retain quality workers.

"The notion of long-term competitiveness,



Matt Smith, commissioner of the state Department of Revenue, told the House Taxes Committee March 21 that its omnibus bill calls for tax cuts that would be too large.

the bill takes a grand step in that direction," Benson said.

A sales tax rebate similar to last year's is also included in the bill. The minimum rebate amount for married couples would be \$129, with a maximum of \$1,860. The minimum for single filers would be \$73, with a maximum amount of \$930.

The proposal differs from last year's rebate in that it would allow those taxpayers with a qualified dependent to increase their rebate amount by either \$20 per dependent or the amount the rebate would increase when the dependent's income is added to the taxpayer's income, whichever is greater.

Abrams said another key component of this year's tax relief plan is a proposed increase in the percentage of earnings used in calculating the working family credit.

The earned income tax credit provides a wage supplement equal to a percentage of the earnings of low-income people. The state's working family credit is also based on a percentage of earnings.

Abrams also pointed to the proposed expansion of the levy basis of the education homestead credit and the education agricultural credit as another key portion of the bill.

Further agricultural aid would be provided in an agricultural assistance program similar to one established last year. Farmers in counties that have been declared by the president as weather-related disaster areas would qualify for assistance equal to \$4 per acre. The maximum payment would be \$5,600. The eligible counties include Kittson, Marshall, Pennington, Polk, Red Lake, and Roseau.


The bill also would provide for compression in class rates for all property classes with a rate over 1 percent. The largest reduction would be for regular or market-value apartments and for commercial/industrial properties. The bill would reduce those rates by 0.4 percent.

Jack Horner, from the Minnesota Multi-Housing Association, said the property tax relief is badly needed and will help address the growing rental housing shortage in the state.

Glenn Dorfman, from the Minnesota Association of Realtors, said the tax relief provided in the bill is necessary and sustainable. He complimented the bill as providing substantial relief this year, saying when it comes to income and property taxes, taxpayers are always told something will be done the next year.

"The revenue forecasts are always conservative," Dorfman said.

Rep. Ann H. Rest (DFL-New Hope) reminded Dorfman that this year's tax bill continues reductions from last year.

"Those who say 'next year will never come' forget that last year ever happened," Rest said. 

Political cover

The current governor isn't the first to receive attention from the national media or to catch criticism for it

By CHRIS VETTER

Gov. Jesse Ventura isn't the only chief executive of Minnesota to have his mug spread across the cover of a national magazine. Nor was he the first whose nationally noted interview sparked some political controversy.

On the Aug. 13, 1973, issue of *Time*, Gov. Wendell Anderson sported a broad smile as he proudly displayed a northern pike he pulled from a Minnesota lake. Dominant on the cover was the headline, "The Good Life in Minnesota."

The 12-page spread in the magazine featured 25 photos, showing Minnesota's glistening lakes, Minneapolis' art centers, and the state's prominent citizens. The issue, then selling for 50 cents, sold out at most area stores within a few hours, according to news reports.

Much of the article read like an advertisement or tourism pamphlet, tempting people to visit the state.

"If the American good life has anywhere survived in some intelligent equilibrium, it may be in Minnesota," the article stated. "Some of the nation's more agreeable qualities are evident there: courtesy and fairness, honesty, a capacity for innovation, hard work, intellectual adventure and responsibility."

The piece opened with a description of children at a lake, calling the scene "a slice of America's Norman Rockwell past." Several Minnesotans were interviewed, proclaiming the state is the best place to live and raise a family.

Along with the praise, the article joked about mosquitoes "half the size of dive bombers" and mentioned the harsh Minnesota winters.

The section concluded with a one-page feature on Anderson, in which the writer suggested the governor could be a vice presidential candidate in 1976. Several local newspaper reports about the *Time* article focused on the prospects of Anderson in Washington.

Heaping praise upon Anderson, the article noted that he had a good camera-presence while campaigning. And it said Anderson possessed "athletic dash and youthful charm that make many of his constituents think of a Midwestern Kennedy."

Minnesota is known for its clean political process, its low high school dropout rate and low crime rate, the article said. The variety of activities offered — from skiing, hunting, or theater productions — make the state an attractive place to live.

Even though it was great press for Minnesota and exposed its tourism industry to *Time*'s 4 million subscribers and 20 million readers in 1973, not all Minnesotans liked the story, according to newspaper accounts.

"Women have condemned the feature for ignoring the state's female notables. Republicans have criticized the story for mentioning only Democrats," wrote the *St. Paul Sun*. "And Democrats have accused *Time* of writing a campaign piece for Anderson and his party associates."

Among the nine politicians mentioned in the article, only one was a Republican — former Gov. Harold Stassen.

The *Minneapolis Tribune* agreed, saying the article focused on only people close to Anderson.

"The article does not mention Attorney General Warren Spannaus, Senate Majority Leader Nicholas Coleman or other DFLers who do not have close relations with the governor," the *Tribune* article said. "Nor does it make more than passing reference to any state Republicans."

The *Minneapolis Tribune* also said, "The magazine cover story that boosted Gov. Wendell Anderson to national prominence was shaped considerably by David Lebedoff, the governor's close friend and political advisor."

The newspaper contended Lebedoff supplied *Time* with a list of people, many of whom were interviewed in the story. One unnamed Demo-

crat quoted in the *Tribune* story said, "The way the governor's people cultivated, fertilized and nurtured (the article) was masterful."

The three "average citizens" quoted in the story all had direct ties to the Anderson administration or to Lebedoff, the *Tribune* wrote. They were all young rising politicians who worked for Anderson during his 1970 campaign.

The *Time* feature inaccurately credited Anderson with creating a legal protection for the St. Croix River, said the *Minneapolis Tribune*. Instead, the newspaper reported, the law actually originated at the federal level, where Sen. Walter Mondale was responsible for the legislation.

But criticism of the article went beyond political matters. Several members of the African-American community said the article perpetuated a culture of racism in U.S. society during the early 1970s.

Gleason Glover of the Minneapolis Urban

League was quoted by the *Time* article as having said the problems of racism and unemployment in the state at that time were "manageable." The article said 1 percent of the state's population was black.

Glover later said the *Time* story omitted part of his sentence, which put some conditions on his statements.

"In general, blacks seem to feel that *Time* Magazine's description of Minnesota was good for the state's national reputation, but rather bad for its black residents," wrote the *St. Paul Sun*.

A St. Paul woman told the *Sun* that the maga-

zine gave the impression that, "Minnesota is a good place if you want to get away from the black folk and so forth."

Anderson continued to be questioned about the feature weeks after it appeared. In a Sept. 9 *Minneapolis Tribune* article that same year, Anderson defended his role in working with the weekly magazine.

"We cooperated 100 percent with *Time*," he said. "To fail to do so would have been unwise and not in the best interests of the people of Minnesota." 🐼



Gov. Wendell Anderson appeared on the cover of *Time* during the summer of 1973, but not without a swirl of controversy.

Photo illustration by Paul Battaglia

Legislative terms to know

amend: the action a legislator takes to change or propose a change in a bill, motion, report, or even another amendment by adding, omitting, or altering language.

bicameral: a legislature containing two houses.

biennium: the two-year period by which the state budget is set and under which the legislative session operates. Money is appropriated for a two-year budget cycle during the odd-numbered years.

bill: a proposal calling for a new law, a change in current law, the repeal of current law, or a constitutional amendment. It consists of a title, enacting clause, and body (text), which is examined and approved by the revisor of statutes.

bill, resolution: a proposal, introduced as a House or Senate file, that urges another governmental body to take or refrain from a certain action. A resolution can also simply express the opinion, sentiments, or intent of a body, or both, if the resolution is a joint one.

Calendar for the Day: a list of bills the House Rules and Legislative Administration Committee has designated for action by the full House. The bills, which are drawn from the General Register, can be amended. After amendments are considered, the bill receives a third reading and a vote of the full body is taken.

caucus: 1) a group of House members or senators who affiliate with the same political party or faction such as the DFL Caucus, the Republican Caucus, the majority caucus, or the minority caucus; 2) a meeting of such a group.

chief author: the main author, or sponsor, of a bill.

companion bills: identical bills introduced in the House and Senate.

concurrence: action in which one body approves or adopts a proposal or action taken by the other house.

conference committee: a group of six or 10 members, with equal numbers from the House and Senate, who are appointed to reach a compromise between the House and Senate versions of a bill.

conference committee report: language of a bill as agreed upon by a conference committee.

Consent Calendar: a list of non-controversial bills that await a vote on the floor of the House or Senate.

enacting clause: the constitutionally required portion of a bill which formally expresses the intent that it become law: "Be it enacted by the Legislature of the state of Minnesota . . ."

engrossment: the current text of a bill or resolution which includes or incorporates all adopted amendments to the title and/or text.

enrollment: a bill that has been passed by both houses and has been put in final form to be presented to the governor for his signature.

final passage: the vote taken on a bill after its third reading, requiring a majority of all elected members of a legislative body for approval.

first reading: the reporting of a bill to the body at the time of its introduction and referral to committee.

Fiscal Calendar: a list of tax or spending bills that await action by the entire House. The chair of the House Ways and Means Committee or House Taxes Committee can call up — via the Fiscal Calendar — any tax or spending bill that has had a second reading. The bill can then be debated, amended, and passed in one day.

floor: after a bill passes through the committee process, it is sent to the "floor" in either the House or Senate, meaning it is placed on any of the various bill lists while awaiting debate by all members.

General Register: a list of bills that have had second readings in the House and await action by the full body. Bills from the General Register are placed on the Calendar for the Day or the Fiscal Calendar for action by the House.

House file: the number assigned to a bill before it is introduced. It is listed at the top of the bill. HF2379, for example.

introduced (n., introduction): the formal presentation of a bill to a body of the Legislature. The bill gets its first reading at this time and is then referred to a committee.

journals: refers to either the Journal of the Senate or the Journal of the House, which are the official records of the respective bodies.

legislative intent: what the Legislature really meant when it approved a specific law.

legislative session: the term session is used loosely and has many different meanings — 1) the two-year period during which the Legislature meets; 2) regular session refers to the annual meetings of the Legislature; 3) daily sessions refer to the times when the House and Senate meet in their respective chambers.

line-item veto: (see veto, line item)

lobbyist: a person acting individually or for an interest group who tries to influence legislation.

majority: the party, either DFL or Republican, that has the most members elected in either the House or the Senate.

minority: the party, either DFL or Republican, that has the fewest members elected in either the House or Senate.

new language: the language in a bill that is added, or proposed to be added, to existing state law. New language in bills is always underlined.

omnibus: a term used to describe large bills, such as tax and appropriations bills, that contain many different proposals.

page: a person employed by the House or Senate to run errands, to assist committees, and to perform a variety of other legislative tasks.

pocket veto: (see veto, pocket)

recommendation: the action a committee takes on a bill. Although in common usage a committee is said to pass a bill, technically, it recommends a bill to pass.

repassage: a final vote on a bill previously passed in another form to include amendments of the other chamber or a conference committee.

repeal: to eliminate a law, or section of a law, by an act of the Legislature.

resolution: (see bill, resolution)

second reading: reporting of a bill to the body, following the adoption of the committee report, that places it on the Consent Calendar or the General Register in the House.

Senate file: the number assigned to a bill before it is introduced. It is listed at the top of the bill. SF1354, for example.

session: 1) the biennial period during which the Legislature meets; 2) regular session, the annual meeting of the Legislature between the

first Tuesday after the first Monday in January and the first Monday after the third Saturday in May; 3) special or extra session, a meeting of the Legislature after the end of 120 legislative days in the biennium or after the date set by law for adjournment; 4) daily session, a meeting of the House or Senate in its chamber. (Note: The House and Senate meet only two days a week during the early part of the session; every day after the session's midpoint.)

sine die: when the Legislature adjourns "without a date certain" in the even-numbered years, the second year of the biennium.

sponsor: a chief author or co-author of a bill.

stricken language: language that is proposed to be eliminated from existing state law. Stricken language in bills is always crossed out.

third reading: the final reporting of a bill to the body before its final passage. No amendments, except amendments to the title, may be offered after the third reading unless unanimous consent is granted.

unicameral: a single body legislature.

unofficial engrossment: amendment by the other house of a bill which has been passed by its house of origin. For example, the House

cannot officially amend a Senate bill, so when the House considers a Senate bill and makes changes, that engrossment is unofficial until the bill returns to the Senate and the Senate adopts the engrossment.

veto: the constitutional power of the governor to refuse to sign a bill, thus preventing it from becoming law unless it is passed again (with a two-thirds majority) by both houses of the Legislature.

veto, line-item: the power or action of the governor, rejecting a portion or portions of an appropriations bill, while approving the rest.

veto, pocket: rejection of a bill by the governor after the Legislature has adjourned sine die, preventing its reconsideration by the Legislature.

yield: to surrender the floor temporarily to another member for the purpose of hearing a question or inquiry. "Mister Speaker, will Rep. Jennings yield to a question?"



Water safety

States move to reduce drunken boating

Since the 1950s, states have been placing limits on driving an automobile under the influence of alcohol, but only in the past few years have lawmakers focused attention on the dangers of drinking while boating.

Most states have passed blood-alcohol concentration limits for boaters and have moved to extend other provisions of drunken driving laws to boating.

Forty-eight states have set a legal blood-alcohol concentration limit of 0.10 or lower for boating and drinking. Florida, Georgia, New York, and Wisconsin set limits at 0.02 or lower — essentially "not a drop" standards — for boaters under the legal drinking age.

The U.S. Coast Guard advocates a 0.08 standard. The Coast Guard says a boat operator with a blood-alcohol concentration above 0.10 is ten times more likely to be killed in a boating accident than a boater with no alcohol in his or her system.

On average more than 800 people a year are killed in boating accidents. Alcohol plays

a major role in over 50 percent of recreational boating fatalities, according to the Coast Guard.

Minnesota has seen its share of alcohol-related boating accidents, including a 1999 tragedy on the St. Croix River that killed five men. Tests found that all of the men were legally drunk when their two powerboats collided in the middle of the night.

However, the U.S. Foundation for Boating Safety reports that 75 percent of alcohol-related boating accidents and injuries do not involve actual collisions. Such things as people falling on deck or overboard and missteps at the dock are a greater threat, according to the foundation.

During 1998, Washington passed a law establishing the offenses of homicide or

assault by watercraft. Several other state laws that year extended implied consent provisions in existing drunken driving laws to boating. Implied consent means that a person who accepts the privilege of operating a vehicle, in this case a boat, automatically gives consent for a test to determine his or her blood-alcohol level.

A Minnesota law passed in 1997 applied the state's DWI laws to operators of boats, snowmobiles, and other off-road vehicles. The laws set the blood-alcohol concentration limit at 0.10 and include an implied consent provision.

The state's penalties for drunken operation of an automobile, boat, or snowmobile are cumulative, meaning a person convicted of boating while drunk who is later picked up for illegal operation of a snowmobile will face penalties associated with a second DWI offense.

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
251	2980	2763*	Fishing season modified.	2/16/00	
252	2634	2411*	Northern Itasca hospital board membership requirements modified.	3/1/00	
253	2521	2320*	Lake Edwards township name change.	3/1/00	
254	76	86*	K-12 education technical changes provided.	3/7/00	
255	2067*	2071	Juvenile offenders modifications.	3/7/00	
256	2722*	2502	Kittson County town dissolution authority.	3/7/00	
257	2535*	2291	Shorewood authorized to elect city council members by wards.	3/13/00	
258	3039	2554*	Wadena County truth in taxation process advertisement requirement penalty exemption.	3/13/00	
259	3338*	2907	Scott County officials duties reorganized.	3/14/00	
260	2749*	2464	Revisor's bill.	3/14/00	
261	2642*	2552	Search firms surety bonding requirements modified.	3/14/00	
262	2774	2485*	Carisoprodol schedule IV controlled substance listing effective date delayed.	3/20/00	
263	2680	2465*	Political party treasurers authorized to sign political contribution refund receipt forms.	3/20/00	
264	3232	2692*	Business corporations and limited liability companies shareholder rights modified.	3/20/00	
265	2603	2346*	Permanently disabled hunters permit privileges modified.	3/20/00	
266	2723*	2528	McLeod County office authority extended.	3/23/00	
267	3236*	3236	Vital record certified copy issuance provisions modified.	3/23/00	
268	979*	2059	Landlords authorized to apportion utility payments among units.	3/23/00	
269	1865*	2094	Nursing mothers needs study by the Supreme Court Jury Reform Task Force required.	3/23/00	
270	2815*	2386	Hennepin County District Court fine proceeds distribution modified.	3/23/00	
271	3064	2776*	St. Louis County nursing home renovation approval deadline extended.	3/23/00	
272	3762	3355*	Port authority electronic funds disbursement authorized.	3/23/00	
273	2927*	2685	Metropolitan Inter-County Association group insurance protection authorized.	3/23/00	
274	3766*	3676	Pawnbrokers computerized records transmission format specified.	3/23/00	
275	2873*	2516	Anoka County department head time requirements clarified.	3/23/00	

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

Monday, March 20

HF4123—Wenzel (DFL)

Taxes

Poultry feed sales and use tax exemption provided.

HF4124—Harder (R)

Taxes

Farm machinery sales and use tax definition modified to include all-terrain vehicles (ATVs).

HF4125—Lenczewski (DFL)

Health & Human Services Finance

Bloomington nursing home moratorium exception authorized.

Tuesday, March 21

HF4126—Schumacher (DFL)

K-12 Education Finance

School district health and safety program revenue eligibility expanded to include pupil and staff safety improvements.

Wednesday, March 22

HF4127—Abrams (R)

Ways & Means

Omnibus tax bill and money appropriated.

Thursday, March 23

HF4128—Larson, D. (DFL)

Taxes

Individual income tax marriage penalty credit expanded.

HF4129—Olson (R)

Environment & Natural Resources Policy

Pollution prevention and water conservation loan program established for specified sewage treatment systems, and money appropriated.

Continued from page 4.

Federal funds for programs


The bill would shift \$7.4 million in federal TANF money for state programs during the current biennium.

A total of \$3.2 million would establish a Minnesota Family Investment Program (MFIP) Social Services Child Care pool to provide child care assistance for welfare participants who are receiving mental health treatment or chemical dependency treatment

as an approved activity in the participant's employment plan or job search support plan. Currently, MFIP, which is the state's welfare reform initiative, does not provide child care for MFIP participants for the amount of time necessary to participate in such treatment. Another sum of nearly \$1.1 million would help to ensure people moving off welfare can get child care through the Basic Sliding Fee program.

The bill calls for another \$1 million in TANF funds for transitional housing and \$1.8

million for an English as a second language and citizenship grants.

Finally, the omnibus measure would designate TANF funding for male responsibility grants, which support programs to teach teens about demands responsibilities of parenthood. Last year, the Legislature allocated \$250,000 in the fiscal year that begins July 1, but the bill would eliminate the general fund spending and pay for the grants through the federal money. 

Frequently called numbers

(Area code 651)

Secretary of the Senate

231 Capitol 296-0271

Voice mail/order bills 296-2343

Chief Clerk of the House

211 Capitol 296-2314

Index, Senate

110 Capitol 296-2887

Index, House

211 Capitol 296-6646

Information, Senate

231 Capitol 296-0504

Information, House

175 State Office Building 296-2146

Committee Hotline, Senate 296-8088

Committee Hotline, House 296-9283

Sergeant at Arms, Senate

Senate Chamber 296-7159/6-1119

Sergeant at Arms, House

45 State Office Building 296-4860

Legislative Reference Library

645 State Office Building 296-3398

Revisor of Statutes

700 State Office Building 296-2868

Governor's Office

130 Capitol 296-3391

Attorney General's Office

102 Capitol 296-6196

Secretary of State's Office

180 State Office Building 296-9208

Capitol Security

B-4 Capitol 296-6741

Emergency

..... 296-2100

TTY, Senate 296-0250

Toll free 1-888-234-1112

TTY, House 296-9896

Toll free 1-800-657-3550

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MONDAY, March 27

11 a.m.

The House meets in session.

TUESDAY, March 28

8 a.m.

Topic Selection Subcommittee/ Legislative Audit Commission

224 State Capitol

Chr. Rep. Dan McElroy

Agenda: Working session to review results of legislative survey and select topics to be presented for consideration by full Legislative Audit Commission.

9 a.m.

The House meets in session.

WEDNESDAY, March 29

9 a.m.

The House meets in session.

2 p.m. or immediately after session

CIVIL LAW

Basement Hearing Room

State Office Building

Chr. Rep. Steve Smith

Agenda: Rules of Civil Procedure; violations, state agencies; informational.

THURSDAY, March 30

9 a.m.

The House meets in session.

FRIDAY, March 31

9 a.m.

The House meets in session.

Reflections

Colorful depictions of Minnesota's flora and fauna abound in the State Capitol building, though the artwork of fishes, popular denizens of the state's rivers and 15,000 lakes, is difficult to catch sight of.

Maybe Capitol architect, Cass Gilbert, and decorator, Elmer Garnsey, were not avid fishermen like the 2.1 million anglers who trek across the state each year to catch what's biting.

Since fishing in Minnesota is such a major phenomenon, it seems unlikely that any designs are not found on the building's walls.

Fishing is so popular that in past years, the Legislature would take a recess so as not to miss the frenzy of the governor's annual fishing opener in early spring. In some years, even Mother's Day had to take a back seat to the thrill of getting a nibble from some unsuspecting walleye or northern on opener weekend.

Even when winters are harsh, true Minnesota fishermen and fisherwomen are not deterred. The hardy souls will check a lake's ice depths until it is strong enough to hold a hut — a simple enclosure that may resemble an outhouse — and when it is time, they drag it out onto the ice by vehicle, or construct one over a favorite spot on the lake.

Inside, they drill a hole in the ice to drop a line and continue their favorite pastime, undeterred by sub-zero weather. Depending on how elaborate the house is, it may contain all the comforts of home including cots and heaters, with four or more ice holes for visiting fishing buddies.

Such an example was made recently for daytime television. Governor Jesse Ventura visited with ABC-TV's "The View" co-host, Lisa Ling on a frozen lake, to pursue the art of ice fishing. Whether or not a fish was actually caught, the "gov" pulled up one over a foot longer than his guest's catch.

While ice-fishing is unique, in winter and summer, fishing lovers attend festivals and contests where they try to catch the largest walleye, bass, trout, or any of 156 fish species in competition that swim the state's lakes and streams. No contestants have recently topped the 17 pound, 8 ounce walleye caught a few years ago.

Yet, avid sportspeople are driven to spend \$1.9 billion on sport fishing to visit the 6,000 fishable lakes and 15,000 miles of stream each year.

While few if any fishes are found in the

Capitol building's motif, a few renditions are seen in the State Office Building. Artist Rep. Doug Peterson (DFL-Madison) has many of his works in his office with others on exhibit around the building.

Rep. Tom Bakk (DFL-Cook) has three large mounted lake trout he caught while ice fishing, while Rep. Sondra Erickson (R-Princeton) has a mounted walleye with an otter in pursuit in her office.

The most impressive fishes in the building hang in the basement cafeteria. They are an 8-foot walleye and three multi-colored species by artist, Anne Nyen.

An 8-foot walleye will never be caught, but Minnesotans may still have difficulty for some time in breaking the record for the largest fish caught — a 94 pound, 4 ounce lake sturgeon from the Kettle River.

Presently for them, this is the "big one that got away."

— LECLAIR GRIER LAMBERT



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

Managing state parks

State parks operated by the Parks and Recreation Division of the	
Department of Natural Resources	66
Operating budget of the Parks and Recreation Division, 1999, in millions	\$24
Revenues from park visitors, as percentage of budget	31
Full- and part-time employees in the Parks and Recreation Division, 1999	785
Percentage of operating budget devoted to salaries	73
Repair costs for state park buildings, 1998, in millions	\$13.7
Total visits to Minnesota state parks, 1998, in millions	8.6
Percentage total visits that were to Fort Snelling State Park (most of any park)	8.1
Percentage of park visitors from Minnesota	80
Year first state park was established in Minnesota (Itasca)	1891
Number of buildings within state parks on the National Register of	
Historic Places	595
Number of historic districts or landmarks	62
Miles of trail in the state park system	1,255
Miles of road in the state park system	332
Percentage of day users of state parks who said their visit exceeded	
expectations or they were completely satisfied, 1998	69
In 1987	72
Percentage of day users of state parks who said their visit could have been	
better or they were completely dissatisfied, 1998	5
In 1987	6
Percentage of day users of state parks who went to the parks for hiking	
(highest of any activity), 1998	57
Number of state parks that have no permanent staff	8
Number of annual park permits sold, 1998	107,785
Number of daily park permits sold, 1998	271,118
Percentage increase of annual park permits sold, 1990-1998	3
Percentage decrease of daily park permits sold, 1990-1998	4.5
Minnesota's rank among 50 states for total acres in state park system, 1998	3

Source: *State Park Management*, Office of the Legislative Auditor, January 2000.

FOR MORE INFORMATION

For general information, call:
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