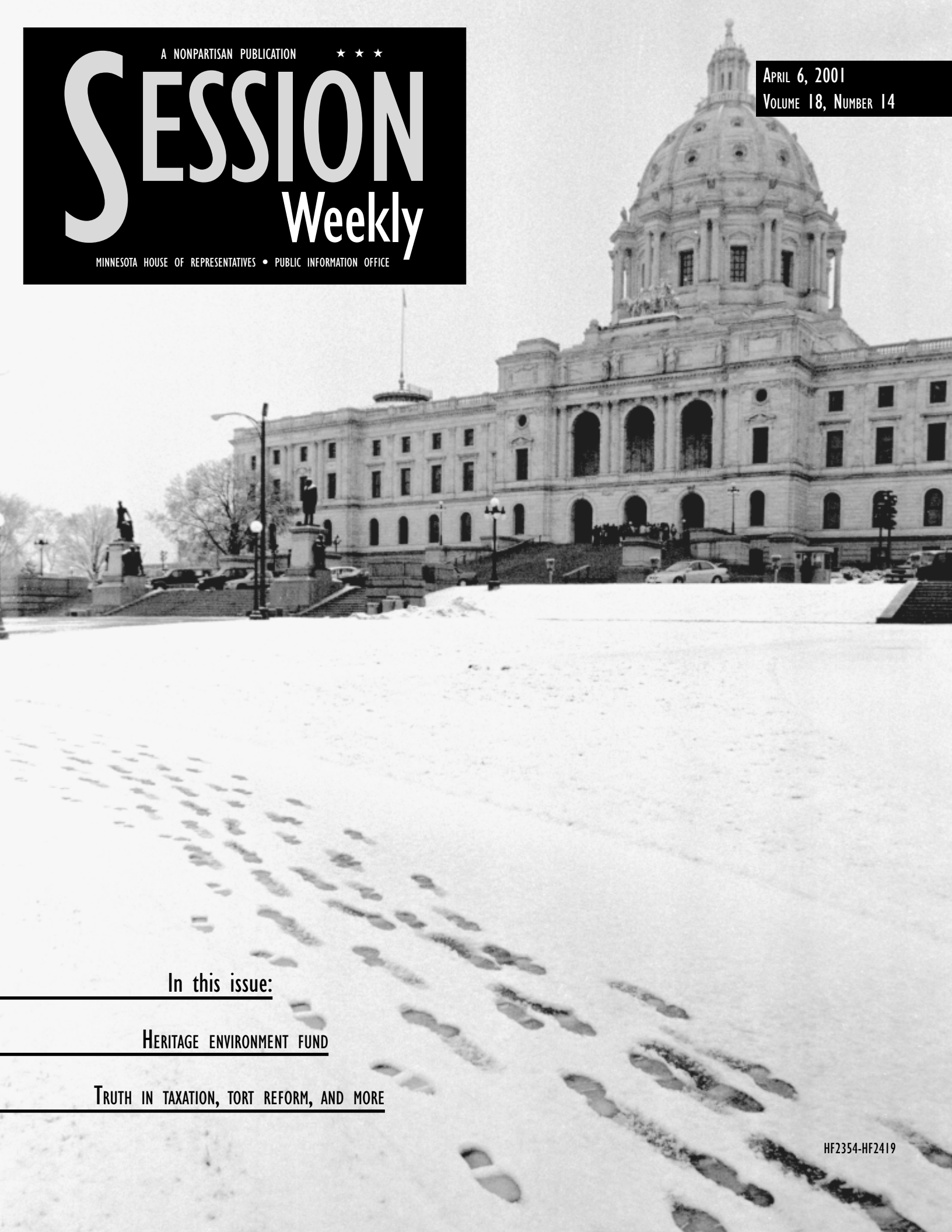


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# SESSION Weekly

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In this issue:

HERITAGE ENVIRONMENT FUND

TRUTH IN TAXATION, TORT REFORM, AND MORE

HF2354-HF2419

# Session Weekly

*Session Weekly* is a nonpartisan publication of the Minnesota House of Representatives Public Information Office. During the 2001-2002 Legislative Session, each issue reports daily House action between Thursdays of each week, lists bill introductions and upcoming committee meeting schedules, and provides other information. The publication is a service of the Minnesota House. No fee.

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On the cover: A brief blanket of snow and slush covered the Capitol lawn early April 2. Marks of the snow disappeared by afternoon when temperatures reached the mid-40s.

—Photo by Sara Kirk

# A rich heritage

Bill proposes a constitutional amendment to establish a permanent natural resource fund from sales tax proceeds

By MARY KAY WATSON

**T**he possibility of long-term funding for natural resources got a high-five from representatives of public and private environmental organizations April 3 at a meeting of the House Environment and Natural Resources Policy Committee.

Rep. Mark Holsten (R-Stillwater) presented the committee with a bill that would ask voters to consider a constitutional amendment to dedicate three-sixteenths of 1 percent of state sales tax revenue for natural resources.

"The environment, though culturally important to us, gets put on the back burner when it comes time for the Legislature to budget," Holsten said.

"To me it's a no-brainer," said Kent Hrbek, former Twins first baseman. "I'm looking at the long run. I want my 9-year-old daughter to understand the outdoors."

HF1671 would place the proposal on the 2002 ballot; if approved by the voters, it would go into effect July 1, 2005.

Holsten estimated the amount raised by this amendment would be in the neighborhood of \$115 million. The proposal would replace current funding from lottery receipts of about \$22 million.

The bill is similar to a proposal from the 2000 legislative session that stalled in the House Ways and Means Committee. At the time, proponents included former Minnesota Vikings Coach Bud Grant.

If the constitutional amendment were passed, the bill and its Senate counterpart sponsored by Sen. Bob Lessard (Ind.-Int'l Falls) would dedicate the funds as follows:

- 45 percent to improve, enhance, or protect fishing and hunting resources;
- 25 percent for state parks and trails;
- 25 percent for metropolitan parks and trails;
- 3 percent for grant-in-aid trails; and
- 2 percent for the Minnesota Zoo, Como Park Zoo and Conservatory, and the Duluth Zoo.



PHOTO BY ANDREW VON BANK

**Former Minnesota Twin and avid outdoorsman Kent Hrbek testifies before the House Environment and Natural Resources Policy Committee April 3 in support of HF1671, a bill that would create a constitutional amendment to dedicate sales tax revenue for the environment.**

The 45 percent set aside for fishing and hunting would be placed in a separate fund, to be called the Heritage Enhancement Fund. This fund would be overseen by the Heritage Enhancement Council, which would decide how money in that fund would be allocated.

The 11-member council would include four legislators, six representatives of hunting and fishing interests, and one citizen appointed by the governor. This is a departure from the way

fish and game funds are currently budgeted, which is the responsibility of the Department of Natural Resources commissioner.

People who testified at the meeting were unanimous in their support of the constitutional amendment. However, there was disagreement over who should oversee the expenditure of the resulting funds.

"The DNR wants nothing more than to support this effort by people who believe earnestly in what they are doing," DNR Commissioner Alan Garber said. "At the same time we believe it is our responsibility to see to it that funds from our citizens are wisely spent."

Frank Schneider, representing Muskies, Inc. and the Bass Federation, thanked Holsten for "having the courage for bringing this to the electorate." While supportive of the funding initiative, Schneider expressed reservations about the oversight committee. "I don't want to see a second DNR," he said.

"Let's first secure the funding, then decide how it shall be overseen," said Harvey Nelson, a retired DNR employee who spoke in support of the bill for the Minnesota Waterfowl Association.

Holsten said the creation of a citizen's council was a way to profit by the expertise of the many outdoors groups that have evolved over the last 20 or 30 years.

"Private groups have access to lands we don't," Holsten said. "This bill will bring some new, different ideas to the table."

HF1671 provides for grants "to improve, enhance, or protect fish and wildlife resources." Those grants could go to fishing and hunting groups, environmental groups, or the DNR. Ninety percent of the money from the Heritage Enhancement Fund must be spent on game and fish projects on public and private lands. Up to 10 percent may be used for administrative expenses, such

as hiring consultants.

Tom Meyers, vice president of the Minnesota Conservation Federation, said his group was enthusiastic about the bill and the opportunities it offers for public-private partnerships.

"The things we do on private land affect public land," Meyers said. "We have an opportunity to do something here that's landmark legislation."

Rep. Margaret Anderson Kelliher

(DFL-Mpls) said she was disappointed that non-game wildlife was not mentioned in the bill.

"I drafted this bill specifically for fish and game habitat, partly because all wildlife will benefit," Holsten said. "If we dedicate these revenues, that would relieve the Environmental Fund and free up a whole lot of money."

While the fish and game groups were the most vocal in their support, representatives of parks, trails, and zoos also spoke in favor of Holsten's bill.

"Last year we had over 29 million visitors to metro parks," said Mary Merrill Anderson, superintendent of the Minneapolis Park and Recreation Board. "We know we have trails that are falling apart and shorelines that are crumbling."

"We need to preserve this park system for our children and grandchildren," she added. "I urge your support of this bill."

Judy Erickson of Minnesota Parks and Trails agreed. "Parks and trails are truly representative of what is best in Minnesota," she said.

Victor Camp, director of the Como Zoo, said the zoos of Minnesota also support the proposal. "Wild places and the wild things that live in them are continually under pressure, and zoos get that message out to people," Camp said. "If we pass this amendment we will be a powerful force for saving those wild places and the wild things that inhabit them."

Rep. Tom Osthoff (DFL-St. Paul) agreed that funding for natural resources was an ongoing problem but said there were other ways to get the money than a constitutional amendment.

"I don't like constitutional amendments and I hate dedicated funds," Osthoff said. "Every time the state dedicates funds, they take money away through the general fund."

Holsten's bill addresses that concern with a provision clarifying that the dedicated fund would not be a substitute for "traditional funding sources" but would be a supplement to them.

"The public is ready for this," said Kevin Auslund, executive director of the Game and Fish Coalition. "Its time has come."

HF1671 was approved and sent to the House Rules Committee. 🐾

### Clarification

A story in the March 30 issue of *Session Weekly* about the Faribault state hospital should have clarified that the hospital was closed in 1998, and the facility now belongs to the state Department of Corrections.



## How high's the water?

### Legislature studies river management after series of '100 year' floods

Every spring, communities along Minnesota's rivers await predictions regarding whether the waters will merely lap along the banks or overflow them and envelop everything within the river's floodplain.

With the high value of property within the floodplains, leaders 35 years ago were concerned that people did not know enough about the risks and costs of flood damage.

When rivers fill the floodplain, hydrologists call it a "100-year" or "regional" flood because they, don't occur frequently. But in the late 1960s, studies showed the recurrence rate of such substantial floods was less than five years.

The 1965 floods will long be remembered in Minnesotans' minds as one of the worst years ever. That year, urban flood damage in the state was estimated at nearly \$40 million, however, total damage was just more than \$70 million. Add in the damage to roads and transportation facilities, and the costs exceeded \$90 million.

Though cities along the Mississippi River bore most of the urban damage — \$23.6 million — the Minnesota River flooding tallied the most overall damage, including agricultural and rural, of more than \$35 million.

Several studies, intended to help better manage waters and prevent extensive damage caused by floods, followed the 1965 flood. The state and the U.S. Army Corps of Engineers were involved.

In 1969, Gov. Harold LeVander submitted a report on flood damage to the Legislature, expressing concern that no effective solution to the problem had been proposed. In his letter, he suggested legislation should be developed and introduced as a result of the findings in the report.

The report encouraged the Legislature to develop a flood management plan and find ways to limit development along floodplain land.

Though the report suggested that cooperative measures from the standpoint of preventing future damage and correcting existing problems would help, it warned flooding will always exist along major rivers.

"Too often the public is unaware that a flood control project, which provides a certain degree of protection from floods in a limited area, is not a project which will eliminate floods," the report states. "People erroneously feel that a flood

control project will provide unlimited protection from all floods.

"Experience in the United States has shown that property values increase greatly in areas of protected flood plain and when unpredicted floods occur in excess of the flood protection limits of a project, the damage and hazards to life and property are often greater than would have occurred if the project had not been constructed."

The 1969 report concluded there were several methods "to keep

man away from flood water." Among them were zoning, subdivision regulations, and building codes.

Main suggestions encouraged government to acquire property within the floodplain through a combination of nego-

tiated purchase, condemnation, or gift.

In addition, the report suggested locating public facilities outside the floodplain to draw private development away.

In response, the 1969 Legislature passed a law that would encourage local units of government to develop flood management plans, working in conjunction with surrounding communities and state planning agencies.

Two years later, a 1971 interim report from a subcommittee on flood control claimed the Legislature provided the right mechanism with the 1969 law, particularly with regard to Minnesota residents' ability to obtain federal flood relief. But the measure required many different local, state, and federal agencies to work together, which was not happening.

"In the judgment of the subcommittee, the flood plain problems of the Minnesota — and other rivers — will not be solved until some degree of harmony can be brought into river management planning by all levels of government with basic direction and policy being provided by the state," the report said.

The report encouraged the state to take a more active role in planning dam systems and other flood mitigation methods, so local communities could have an adequate voice. In addition, the state needed to do a better job educating the local governments about the federal insurance and other resources available.

(M.KIBIGER)



A bridge at Granite Falls during the 1969 flood.

## ★ CONSUMERS

### No chardonnay at the checkout

Rep. Barb Sykora (R-Excelsior) withdrew her bill to allow the sale of wine in grocery stores March 29, an unexpected move after an aggressive lobbying effort. The action effectively killed the legislation for this year.

HF1025 had been approved by the Liquor Subcommittee of the House Commerce, Jobs, and Economic Development Policy Committee but was stopped without a vote by the full committee.

After complimenting Sykora on her professionalism, Committee Chair Rep. Greg Davids (R-Preston) drastically changed his tone, saying he was disgusted with the way liquor lobbyists had harassed and threatened members.

Davids said he used to be a "no vote" on the bill, but now is "a free market" with regard to the proposal.

Making final comments on her bill, Sykora contended that people are stressed for time, and that floral shops, bakeries, and pharmacies, which exist in many grocery stores, still flourish in independent shops.

She maintained her bill was "a responsible proposal." HF1025 would put tight restrictions on the sale of wine in grocery stores of at least 10,000 square feet, including identification checks on every purchase, annual compliance checks, and a theft management program in every store.

Opponents claimed the legislation would increase alcohol availability to youth, would increase drinking in society as a whole, and might harm the business of independent liquor stores.

The bill is technically alive for the biennium and could be reconsidered sometime during 2002.

## ★ CRIME

### Felony DWI costs

The House State Government Finance Committee approved a bill (HF351) authorizing a felony drunken driving penalty April 3 after amending out the only financial implication to the committee's budget.

The bill, sponsored by Rep. Rich Stanek (R-Maple Grove), would create a felony drunken driving penalty for offenders who receive a fourth conviction within 10 years. The bill provides a maximum penalty of up to seven years

in prison and up to a \$14,000 fine, or both.

The bill has now passed through three committees and will be sent to the House Judiciary Finance Committee.

Committee Chair Rep. Philip Krinkie (R-Shoreview) offered the amendment, which would distribute a \$138,000 annual cost to counties for appeal services provided by the Attorney General's office.

The amendment instructs the attorney general to bill the county in which the offense occurred for the cost of its services for felony drunken driving offenses. Payments would be issued from nearly all counties outside the Twin Cities metropolitan area. The Attorney General's office handles felony appeals for most Greater Minnesota counties.

Stanek said he "doesn't feel one way or another" about the amendment.

Rep. Mark Thompson (DFL-New Hope) asked if counties may intentionally "not find" any drunken driving offenses due to a tight budget. Paul Skoggin, representing the state County Attorney's Association, said a county would probably keep the appeal quiet rather than submit it to the Attorney General's office.

Rep. Mike Jaros (DFL-Duluth) said he was opposed to the amendment even though it wouldn't affect his district, because it would be shifting the cost from the state to local governments, therefore increasing the property tax, he said.

"We should try to keep those costs down," Jaros said.

Jaros also wanted to know if there was a "less damaging and less costly way to deal with this."

"The purpose of the legislation is to say (drunken drivers) have had three chances to deal with (law enforcement) and they continue to drive while intoxicated," Stanek said. "We're not looking to lock up people for a long, long time. We want them to know the state of Minnesota is taking this seriously."

### Animal cruelty measure

Responding to what one legislator described as an increase in the number and severity in incidents of unkindness to animals, legislators are bringing forward legislation to increase criminal penalties for those convicted of animal cruelty.

Rep. James T. Clark (R-New Ulm) is sponsoring HF1330 to create increased penalties for repeated or especially severe cruelty to animals. He told an April 3 meeting of the House Crime Prevention Committee that current law provides only for misdemeanor penalties for animal cruelty. The committee approved the measure and referred it to the House Judiciary Finance Committee.

He said 31 other states have created animal



Tessa, a German Shepherd service dog, lies at the feet of her owner, Tom Heintz of the American Council of the Blind of Minnesota, as he testifies for a bill making it a crime to kill or harm animals trained to assist persons with disabilities. His testimony was during a hearing an April 3 meeting of the House Crime Prevention Committee.



cruelty felony penalties and seven others are doing so now.

HF1330 specifies that engaging in torture that results in "substantial bodily harm" is a gross misdemeanor, punishable by up to a year imprisonment and a fine up to \$3,000. A second violation within five years would be a felony, carrying up to a two-year prison sentence and \$5,000 fine.

That same penalty would be imposed for torturing a pet to the point of death or "great bodily harm," defined as "creating a high probability of death, or which causes serious permanent disfigurement, or which causes a permanent or protracted loss or impairment of the function of any bodily member or organ, or other serious bodily harm."

Acting on an initiative by Rep. Scott Wasiluk (DFL-Maplewood), the committee amended HF1330 to create especially severe penalties for cruelty to service animals, such as seeing-eye dogs. Torturing, killing, or causing great bodily harm to a service animal would carry up to a four-year prison term.

Clark said his bill would "direct courts to look at psychological or behavioral counseling," especially for cruel juveniles.

Keith Streff, a humane agent for the Animal Humane Society, said current penalties are ineffective deterrents. "I clean cats out of microwaves, and people just ask me 'What's it going to cost me?'" he said.

The Animal Humane Society wrote a letter of support, citing a "well-documented link between animal abuse and violence towards humans. Early intervention and penalties for violence against animals can often prevent further crimes towards people."

Rep. Dave Bishop (R-Rochester) expressed doubt that increased penalties can prevent undesirable activity. "I have yet to see any evidence that increasing penalties decreases instances (of crime)," he said.

### Grants for crime prevention

A bill that would appropriate \$1 million in the 2002-03 biennium for Asian-American juvenile crime intervention and prevention grants will be considered by the House Judiciary Finance Committee for its omnibus bill.

The bill, sponsored by Rep. Sheldon Johnson (DFL-St. Paul), was heard by the committee April 3.

The intent of the bill, Johnson said, is to allow agencies providing services to Asian-American youth and their families to continue bridging inter-generational gaps that often lead to truancy, gang violence and crime.

Naly Yang from the Women's Association of Hmong and Lao told the committee that many of the people she works with are struggling to



**Naly Yang, with the Women's Association of Hmong and Lao, testifies before the House Judiciary Finance Committee April 3 in support of a bill that would provide grants for Asian-American juvenile crime intervention and prevention.**

be good parents while working long, irregular hours.

Yang said she remembers how strong the influence of the gang world and running away is on young Asian people in the Twin Cities. She said she tries to help her younger cousins who are going through those same things.

"The issues of crime and violence are very real," she said. "It's a very, very easy decision to make."

Yang's organization particularly works with parents to help guide them through the school system and legal system. Sometimes they only need referrals.

David Zander from the Council on Asian Pacific Minnesotans emphasized the need for Asian-born social workers in the state to deal with some of the cultural boundaries. Yang agreed.

"Theories that people apply (as) social workers do not always work on our people," she said.

The state has been providing funding for Southeast Asian nonprofit organizations for many years. For the upcoming biennium, the Department of Public Safety will administer the grants, and therefore the programs fall under the jurisdiction of the Judiciary Finance Committee.

## ★ EDUCATION

### Assistance for advanced classes

Advanced placement and international baccalaureate teachers and students might get a little help from the Legislature.

Since 1992, the state has assisted with teacher training and student testing fees for the programs except during the current biennium. Rep. Alice Seagren (R-Bloomington), sponsor of HF1862, is hoping to regain \$2 million in each year of the 2002-03 biennium.

Seagren is chair of the House K-12 Education Finance Committee, where HF1862 was heard April 4. It will be considered for inclusion in the committee's omnibus bill.

The bill explains the need for both advanced placement and international baccalaureate programs: "These programs, in addition to providing academic rigor, offer sound curricular design, accountability, comprehensive external assessment, feedback to students and teachers, and the opportunity for high school students to compete academically on a global level."

Teacher training for both programs is critical, the bill states. In addition to teachers, the bill has added language to include "other interested educators," which would likely be school administrators.

Marlys Peters-Melius, director of advanced placement programs at the Department of Children, Families and Learning, said administrators were added to interest principals or superintendents in the training so they may be prepared to better inform students who want to take advanced placement courses.

Advanced placement and international baccalaureate teachers, as well as other educators wanting to receive training, must first enroll at a college offering the program and would later be compensated. Support would be available on a first-come, first-served basis, but Peters-Melius said colleges are instructed to hold spaces for beginning teachers and then admit teachers who have already had some training in the area.

### Second committee deadline approaches

With about five weeks left in the 2001 legislative session, members are facing the second of three committee deadlines this week.

All bills must be through policy committees in both the House and Senate by Wednesday, April 11. The Legislature will break for the Easter and Passover holidays from Thursday, April 12 through Monday, April 16. House committees will not meet until after noon Tuesday, April 17 and the House will meet in session at 3 p.m. that day.

The final deadline, when all omnibus finance bills must be approved by committees, is Wednesday, April 25.

## Special education funding requested

The House passed a resolution April 2 urging Congress to fulfill its promise to fund 40 percent of the cost of special education.

Rep. Andrew Westerberg (R-Blaine), sponsor of HF456/SF647\*, told House members that the lack of funding is “hurting our education system,” explaining that Minnesota has to subsidize education funds to afford special education expenses.

“The resolution will go a long way in filling those holes in funding education,” he said.

Federal allocations for special education funding have averaged 13 percent annually for the past few years.

The bill reads: “Over 25 years ago, the federal government required states to provide children with disabilities an appropriate education, and for 25 years, the government has failed to meet its promise to pay 40 percent of the cost.”

“Our intent is to call upon Congress to make good on their promise,” Westerberg said.

The House passed the resolution with a 123-1 vote.

Sen. Ann H. Rest (DFL-New Hope) sponsored the bill in the Senate, where it received a 64-0 vote March 5.

The bill now awaits the governor’s signature.

## Levy clarification

Rep. Len Biernat (DFL-Mpls) is seeking to clarify one of the sources of funding for public schools.

He says many property taxpayers assume a large portion of overall levy, called the general education levy, is set by local school districts, when it is actually set by the state.

Biernat, the sponsor of HF1907, presented the bill April 2 to the House K-12 Education Finance Committee. It was referred to the House Taxes Committee without recommendation.

He said he wants to change the perception of the tax from the “misconception” that local school boards are changing this property tax when the reality is the state sets the levy amounts.

The bill does not raise taxes or change the amount a district can levy, but would create an additional line item on tax forms, indicating the state sets and collects this levy.

On average, the general education levy is about one-half of a person’s education tax dollars. Other education tax dollars are levied and collected by districts. References for the general educational levy would be renamed the statewide school property tax levy.

“It will show that Minnesota has a high percentage of state education funding,” Biernat said.

The way the tax is now set allows the Legislature to avoid accountability, he said. “As long as we have school board’s to blame, we don’t take a close look at our actions.”

## Pesticide manager defeated

Finding several problems with a bill that would create a “school pest management coordinator,” the House Education Policy Committee defeated the measure April 3.

Under HF1529, sponsored by Rep. Kathy Tinglestad (R-Andover), a “point person” at each school would apply or supervise the application of nonrestricted pesticides, and would belong to a registry of coordinators managed by the commissioner of the Department of Agriculture. The coordinator would receive information and instructions for pesticide use.

The Senate companion awaits action of the floor of that body.

The committee first found problems with the bill where it states the school pest management coordinator must be an employee of the school. Paul Liemandt of the Agriculture Department said 75 percent of schools in an informal survey reported they had a person to designate for the task.

But Rep. Marty Seifert (R-Marshall) said he has small schools in his district, including parochial schools, which have few employees. In some cases, volunteers tend to the school’s lawn. He said he knows of two schools that would be out of compliance with law because they couldn’t afford a pest management coordinator.

“I don’t think the bill is as flexible as you want it to be,” Seifert said.

Liemandt said the coordinator could be a principal or someone in charge.

After some discussion, the bill was amended to only require school districts to have a coordinator, hence excluding nonpublic schools.

Rep. Peggy Leppik (R-Golden Valley) offered a successful amendment to delete the registry from the bill to “get rid of some expensive bureaucratic hassle.”

Members then began questioning the need for the bill. Rep. Barb Sykora (R-Excelsior) pointed out a law passed last year requires parent notification when the school uses pesticides.

“This would help schools with the legislation we gave last year,” Tinglestad said.

“This is already in law,” said Rep. Rob Eastlund (R-Isanti) “Why do we need a statute?”

Tinglestad said she carried the bill as a courtesy to the department. “My experience with pesticide issues has concluded,” she joked.

Tinglestad said Rep. Mary Jo McGuire (DFL-Falcon Heights), the only committee member who spoke in favor of the bill, could carry it next year.

## Reading competency

Using a successful pilot program as a model, a bill heard in the House K-12 Education Finance Committee would replicate the reading competency program in schools throughout the state.

Committee Chair Rep. Alice Seagren (R-Bloomington), sponsor of HF1136, said she is impressed with the statistical findings of a St. Croix River Education District model that presented its results to the committee March 30. Using the model, Taylors Falls Elementary School far surpassed its target rate of words correctly read per minute.

“St. Croix wants to spread this training and assessment model to other sites because of the phenomenal success they have had,” Seagren said in an e-mail interview.

HF1136 aims to ensure Minnesota’s children are able to read by the end of the third grade as measured by state testing. It would award \$2 million in grants in each year of the 2002-03 biennium to three districts that could distribute funds to at least 50 sites, a portion of those to have one-fourth of students in kindergarten through third grade eligible for free or reduced-price lunch. The St. Croix district would receive one-half the funds each year.

The bill requires clear goals of grant recipients, who “must reach an agreement with a site on the reading results the site will achieve over a three school year period and on the assistance with reading competency the grant recipient will provide.”

Former Department of Children, Families and Learning Commissioner Bob Wedl, representing the Minnesota Consortium for Evidence in Education, said what needs to change is the instruction process between teachers and students.

Reading competency needs to be measured three times each year, he said, by one-minute “tests” where students read aloud.

Sherryl Johnson, principal of Taylors Falls Elementary School, said these practices do work. The reading competency program measures the same cohort of students instead of different groups.

“We know exactly where our students are,” said Pat Almos, reading specialist at Hinckley Elementary School. She told committee members she can’t imagine going back to the former methods and not having the data they have now.

HF1136 will be considered for possible inclusion in the committee’s omnibus bill.

## Special education spending

Two bills that would appropriate funds for adult basic education (ABE) special needs aid were heard April 4 by the House Family and Early Childhood Education Finance Committee.

ABE provides educational opportunities for adults who lack basic academic skills and need specialized education to help them find and keep employment.

"Many ABE participants would qualify for special education if they were in school," said Carlye Peterson, ABE director for the Minneapolis Public Schools. "These are not supplemental services, they are essential services."

HF2188, sponsored by Rep. Peggy Leppik (R-Golden Valley), would appropriate \$700,000 per year for ABE supplemental service grants.

These grants would be available to nonprofit organizations statewide for services not offered by a district ABE program, such as the training of ABE teachers and volunteers, provision of interpreters, and adapted technology.

"Many of the people who serve our learners are volunteers, and to ask them to pay for their own training could be burdensome," Peterson said.

In previous years, these services were fully supported through federal money. That funding source ended in 2000 and the state picked up the loss, but the allocation was not included in the governor's budget for the coming biennium.

HF2274, sponsored by Rep. Mary Jo McGuire (DFL-Falcon Heights), includes a provision that matches Leppik's bill but McGuire's bill goes further to include an appropriation for \$250,000 per year for ABE special needs aid.

It would also extend telecommunications access grants and provide funding of \$180,000 per year to pay for 60 percent of the costs of general equivalency diploma (GED) tests.

The telecommunications grants would go to make information, courses, and degrees available to more people across the state, especially in Greater Minnesota where access to educational resources is more limited.

The GED testing reimbursement program would make it easier for students to complete the test by paying for a portion of their testing fees.

"Some of us go on to post-secondary education, some even end up in a chair like this," said Rep. Dale Swapinski (DFL-Duluth), referring to his personal experience of obtaining his high school diploma through adult basic education. "These dollars will be well spent."

## EMPLOYMENT



### Nontraditional training

Women trying to get off welfare face the problem that most jobs for which they are qualified pay too little to support them and their children.

Helping women find opportunities in non-traditional, higher paying careers is a goal of Rep. Joe Mullery (DFL-Mpls), sponsor of HF23. His bill was approved by the House Health and Human Services Finance Committee April 4 and will be considered for inclusion in the committee's omnibus bill.

HF23 would appropriate \$1 million for the 2002-03 biennium for grants for nontraditional career assistance training programs.

It would also direct the commissioner of economic security to require those employment and training programs that receive state funds to inform women about careers in the trades and technical occupations.

"These are jobs that pay very well," Mullery said. "They get people into a livable wage situation in just a few months."

Ethel Washington went from welfare to being the first African-American woman in the state to get an electrician's license. Through a similar program to that in Mullery's bill, she

attended Minneapolis Technical College for two years, and received an electrical apprenticeship within one week of graduation.

"I received \$621 a month from AFDC," Washington said. "As an apprentice I took home \$621 a week after taxes. Now, I take home close to \$900."

"I see a significant difference in my life and the lives of my children because of my nontraditional job," she said.

## ENVIRONMENT



### Let sleeping logs lie

A law passed last year that allows the commercial removal of sunken logs from Minnesota lakes has stirred up more than the muck on lake bottoms.

"We have concluded the costs to the public are much higher than the benefits to either the public or the contractor," said Michelle Beeman of the Department of Natural Resources.

A bill that would impose a moratorium on the removal of sunken logs was heard April 3 by the House Environment and Natural Resources Policy Committee.

HF1491, sponsored by Rep. Doug Fuller (R-Bemidji), addresses concerns of the DNR and lake associations that raising century-old logs may cause environmental damage. The bill was approved and sent to the House Environment and Natural Resources Finance Committee.

The bill would do two things. First, it would require the department to cancel contracts already made for log removal and refund the application fee. Second, it would establish a pilot project, to be conducted by the DNR, to study the effects of contaminants that might be released from disturbances to the lake bottom.

The bill would appropriate \$100,000 for the pilot project. Some of the contaminants under study would include mercury, nitrates, PCBs, phosphorous, and blue-green algae. A peer-reviewed report would be due to the Legislature by Jan. 1, 2003.

"We believe the results of the study will prove environmental destruction with long-term negative effects," said Pat Delmore, speaking for the Lake Plantagenet Association.

Beeman said the department would prefer to cut its losses. "Our perspective is to repeal and prohibit," she said.

Craig Waddell, a logging contractor who would be affected by the moratorium, said his tests showed no more turbidity from pulling up a sunken log than from pulling up an anchor.

"I'm astounded that we're discussing this again," Waddell said. "There's 10,000 years of

## PREVENTING GANG MEMBERSHIP



PHOTO BY ANDREW VON BANK

Boys & Girls Club Board Member Wendell Butler testifies before the House Judiciary Finance Committee April 5 in support of a bill that would authorize a pilot project grant for gang prevention and intervention.



history out there. It's the last unexplored area of the state."

Fuller said the questions that have been raised need an answer. "Otherwise every time we go to another lake we'll have to answer these questions all over again," he said.

### Minnesota River State Trail

The House Environment and Natural Resources Policy Committee approved a bill March 29 that would establish a multi-use trail along the Minnesota River Valley from Big Stone Lake State Park to LeSueur where it would connect with the Minnesota Valley Trail.

"This trail has been under discussion since the 1930s," said Geoff Hathaway, from the Minnesota Trails Initiative. "It's time for this legislation to move forward."

HF1073, sponsored by Rep. James T. Clark (R-New Ulm), would appropriate \$1.4 million from the general fund to the commissioner of natural resources to establish the trail. The bill was approved and sent to the House Environment and Natural Resources Finance Committee.

Hathaway said the goal is to connect a series of state parks and wildlife areas along the river under the auspices of the Department of Natural Resources.

The Minnesota Trails Initiative has been working on a segment from Montevideo to Granite Falls. Other groups are working to connect their communities with nearby state parks. The proposed trail would connect these segments.

Work would proceed over a number of years on a section-by-section basis. The total costs are not known at this time. Funding would come from foundation grants as well as state and federal funds.

Supporters of the trail include the McKnight Foundation, the National Audubon Society, the U.S. Fish and Wildlife Service, and the Minnesota Horse Council.

A group of property owners opposed to the bill said they were frustrated because they had not been involved in the planning process. "We are not opposed to a bike trail," said Donna Halvorson. "We are opposed to the route they want to take."

Mark Wegner, comptroller of the Twin Cities and Western Railroad Company in Glencoe, also spoke in opposition to the trail, citing safety and liability concerns.

"I'd be happy to work with the landowners and the railroad," Clark said. "This should be a positive thing for these communities."

## ★ GOVERNMENT

### Census chatter

Minnesota's minority population nearly doubled during the past decade, but the state's percentage of minorities is still far below the national average.

According to the recently released United States Census data, the share of the state's minority population grew from 6.3 percent in 1990 to 11.8 percent in 2000. Nationally, minorities comprise 30.9 percent of the population.

"We're substantially more diverse than in 1990 but substantially less diverse than the rest of the country," State Demographer Tom Gillaspy told the House Redistricting Committee April 3.

Gillaspy said data from those who listed a single race on their census forms indicates that the state's Hispanic population grew by 166 percent. The number of Asians grew by 87 percent, the African-American population by 81 percent, and the number of American Indians by 8 percent.

This census was the first that allowed people to identify themselves as members of multiple races. Gillaspy said 1.7 percent of census participants chose the multiple race category, and the percentage increases for those that selected that category are all higher when compared to the single race category. For example, the number of those saying they are part American Indian increases to 57 percent.

The fastest growing region of the state was the suburban area surrounding Minneapolis

and St. Paul. Cities such as Eden Prairie, Eagan and Woodbury saw large population increases during the 1990s.

Gillaspy said one of the surprises from the census was that Minneapolis, St. Paul, and Duluth all saw population increases. He said most officials had predicted a drop in the number of people in the state's three largest cities. The increase reversed trends of a half-century when Minneapolis hit its population peak in the 1940s, and St. Paul in the 1950s.

Rochester is now the state's fourth largest city, but Gillaspy said part of that growth can be attributed to annexation activity that occurred in the 1990s.

Rep. Erik Paulsen (R-Eden Prairie), the committee chair, said he expects the committee will develop the principles and standards that will be used in drafting the redistricting bill later this month.

### Contract changes

The House Governmental Operations and Veterans Affairs Policy Committee approved a bill April 2 that would clarify what constitutes a conflict of interest in state purchasing contracts.

The bill now goes to the House floor.

HF1379, sponsored by Rep. Philip Krinkie (R-Shoreview), would define an "organizational conflict of interest" when a vendor is unable, or potentially unable, to render impartial assistance or advice to the state because of existing or planned activities or because of existing relationships.

### DRUG DEMONSTRATORS



PHOTO BY TOM OLMSCHIED

Charlotte Fisher of Sauk Rapids, right, wears a top hat with her hands full of money to portray "big drug companies," while Lorraine Schreyer of Bloomington wears a pill bottle during an April 4 rally for affordable prescription drugs in the Capitol Rotunda.

The new definition further clarifies that a conflict would exist when the vendor's objectivity in performing the contract work might otherwise be impaired or when a vendor has an unfair advantage over others vying for the contract.

Kent Allin, an assistant commissioner with the Department of Administration, said the bill partially addresses an issue that arose last fall when the Federal Transit Administration required the Metropolitan Council to re-bid a contract involving the Minneapolis light-rail project. In that case, the selected vendor worked as an interim project manager and may have had an unfair competitive advantage.

The bill would make other changes to the state's purchasing laws, including increasing the threshold amount from \$25,000 to \$50,000 for instances when a state agency is required to go through the formal contracting process. The bill also would increase from \$10,000 to \$75,000 the value of a contract that requires a performance and payment bond from the contractor.

Allin said that 328 out of 2,300 professional technical contracts in 2000 went through the formal bidding process and they would fall under the threshold proposed in the bill. He said likewise 2,015 commodity contracts out of 424,000 would have fallen beneath the \$50,000 amount proposed in the bill.

Rep. Len Biernat (DFL-Mpls) said he was concerned that by allowing more informal contracts to be executed between state agencies and vendors, there was potential for increased instances of conflicts of interest.

Allin said there was a "slight increase" in the chances of misuse of the process but state agencies are currently having a difficult time finding qualified contractors, especially in the information technology sector.

## ★ HEALTH

### Limiting family planning services

The House Health and Human Services Policy Committee voted March 29 to approve a major health measure that will be considered for inclusion in the committee's omnibus bill.

HF1581, sponsored by Committee Chair Rep. Kevin Goodno (R-Moorhead), includes an array of health-care programs and appropriations that legislators have considered this session.

But at this meeting, testifiers and committee members focused on two related provisions: the prohibition of state funding for non-profit organizations that provide family planning, and the exclusion of medical or

contraceptive services from the governor's \$10 million-a-year teenage pregnancy prevention program.

According to the state Department of Health, 32 percent of family planning grants now go to non-profit community clinics. HF1581 would redirect that funding to local governments.

"This takes money away from programs that work and gives it to cities and counties, many of which have no experience in this area," said Rep. Thomas Huntley (DFL-Duluth). "I don't see why we would want to do this."

Arguing his intent was to narrow the focus, Goodno said the original bill had a "shotgun approach," and he preferred to "specifically target certain areas."

Sections of the bill are aimed at health care disparities by making block grants available to community organizations. Money for family planning is specifically excluded.

Rep. Neva Walker (DFL-Mpls) protested these exclusions. "Let the people in the community decide for themselves where to put this money," she said.

"Family planning clinics prevent a large number of teen pregnancies," said Michael Resnick, director of the National Teen Pregnancy Prevention Research Center at the University of Minnesota. "Availability of contraceptives and clinic services do not increase the number of sexual partners or cause an earlier age of first sex."

"I want to know that the values I teach as a parent aren't going to be undermined when some clinic sets up down the street," said Rep. Tim Wilkin (R-Eagan).

"Clinics make every effort to connect young people back with their parents," Resnick said. "If that isn't possible, they connect them with another responsible adult."

"We will pay now or we will pay later," he said. "If we pay later, we will pay much, much more."

## ★ HIGHER EDUCATION

### Aid for grades

Students willing to take challenging courses in high school may be entitled to more financial aid for college, under a plan heard by the House Higher Education Finance Committee April 4.

Rep. Alice Seagren (R-Bloomington) is sponsoring HF2226 as a way to encourage high school students who take advanced placement and international baccalaureate classes to attend a post-secondary institution in Minnesota. It will be considered for inclusion in the committee's omnibus bill.

Her bill creates a new post-secondary grant program that will be funded with a 1 percent allocation of the appropriations for the state grant program. A grant "may be made for a maximum of four years or until the student receives a baccalaureate degree," the bill states.

To be eligible for the funding, a student must attend a four-year college or university following high school graduation. They must also achieve a score of three or higher on five or more advanced placement exams for full-year courses or achieve a score of four or higher on five or more international baccalaureate exams for full-year courses.

Rep. Lyndon Carlson (DFL-Crystal), a former teacher, said sometimes his top students would attend a two-year college initially after high school. He asked if this could be expanded to include those institutions. Seagren said she is open to the idea.

Marlys Peters-Melius, director of advanced placement and international baccalaureate programs at the Department of Children, Families and Learning, said approximately 210 high schools in Minnesota offer advanced placement programs and 11 have international baccalaureate programs, with four or five more expressing an interest. The advanced placement numbers represent about one-half of the state's high schools. She said 7-10 new schools have been added during the past few years, but more students are taking advanced classes.

"Students want this type of rigorous academic experience," said Stu Lade, advanced placement coordinator at Brainerd High School.

Seagren said the bill would help the workforce situation in Minnesota. She said Wisconsin offers a similar program because officials believe students attending college in that state will remain after graduation. She said officials with the Minnesota State Colleges and Universities report that 84 percent of their graduates stay in the state.

Peters said about 80 percent of international baccalaureate students and 60 percent of students taking advanced placement classes stay in Minnesota for college.

No cost was given, as appropriations are yet to be made, but Peters said giving each qualifying student \$1,000 would cost about \$230,000 in year one, increasing to \$1 million annually by year four.

### Math help

Officials with the Minnesota Talented Youth Math Program are used to working with numbers. Now they seek more money from the state.

HF428, sponsored by Rep. Bob Gunther

(R-Fairmont), was held over April 4 for consideration in the House Higher Education Finance Committee's omnibus bill.

Funded by \$40,000 from Minnesota State University, Mankato, the program allows students in south central Minnesota to take math classes at an accelerated rate. The program began in 1983.

The 60 students now in the program spend two hours per week in class and then do five to 10 hours of homework each week. Starting in grade six, students take full Algebra I and II classes in one year, followed by geometry in the second year, and advanced algebra and precalculus in year three. In years four, five, and six students take Calculus I, II, and III for university credit. Less than 1 percent of the student population qualifies for this program.

Program Director Quintin Pettigrew said a classroom of students meet with an instructor in Mankato with interactive television classes set up in Fairmont, Madelia, Blue Earth, or Owatonna, depending on the class.

"We'd like to see the program available in all of rural Minnesota," Pettigrew said. "We want this available to students in Pipestone and International Falls, as well as the Twin Cities and Rochester." Larger metropolitan areas have a similar program funded through the University of Minnesota.

Expansion plans call for interactive television links at 21 sites, which would allow students in more than 100 school districts the opportunity to take part. Districts included in that number are within one hour of the interactive television site.

The bill requests \$250,000 in fiscal year 2002 and \$318,000 in fiscal year 2003 to expand the program statewide. Pettigrew expects 350 to 400 participants once the program is fully implemented.

Richard Rush, president of Minnesota State University, Mankato, said the university will be unable to fund the program in coming years due to its own budget constraints.

Jon Ostrem, deputy to the chancellor for legislation and policy of the Minnesota State Colleges and Universities, said their board has not taken a position on the bill.

"This program would help with workforce development," Gunther said, noting many new jobs in the state will require "lots of math mastery."

If you have Internet access, visit the  
Legislature's web page at:  
<http://www.leg.state.mn.us>

## ★ INDUSTRY

### Taconite plant loan fund

A request for a \$100 million revolving loan fund for taconite plant capital improvements might sound shockingly high. The same could be said for the industry's expenses: \$2 million for a dump truck; \$4 million for hydraulic shovel; and \$6 million to \$7 million for a conveyor.

Rep. Tom Bakk (DFL-Cook) is sponsoring a bill to ease some of the financial strain on Minnesota mining companies. Under HF1736, presented to the House Jobs and Economic Development Finance Committee April 2, mining companies would submit proposals for capital improvements to the Department of Trade and Economic Development. The maximum duration of the loan would be 30 years.

"Banks are not very friendly to people in our industry right now," said Charles William, vice president of Forbes-based EVTAC Mining.

William was referring to the nearly 1,400 steel worker layoffs within the past year, mostly from LTV Steel Mining Co. in Hoyt Lakes, which declared bankruptcy. The entire United States steel industry is under stress, however, due to other countries illegally selling steel in the U.S. below cost, he said.

"A bill of this type sends a strong message to our bankers or lenders that the state of Minnesota is supportive of this industry and willing to take a chance on it," William said.

During 2000, mining companies on the Iron Range spent \$68.5 million on capital products, Bakk noted. Now, parent companies are strapped for cash and can't invest in improvements necessary to provide a good product.

Under the original bill, the loan was interest free. However, Committee Chair Rep. Dan McElroy (R-Burnsville) offered an amendment to charge interest on the loan "at a rate set by the commissioner." McElroy reasoned other business loans managed by the department charge interest, usually at a rate below market. The amendment was approved.

Rep. Dale Walz (R-Brainerd) asked what changes would be needed to make Minnesota's steel companies more competitive with other countries.

The real solution to today's problems, Bakk replied, can only be solved in Washington D.C.

Gov. Jesse Ventura recently signed a resolution to send an official message to President George W. Bush requesting that his administration immediately investigate the illegal sale of steel products in the country.

Bakk hopes the Bush administration will heed the resolution "to make sure we're on a level playing field with the rest of the world."

The bill will be considered for possible inclusion in the committee's omnibus bill.

### Radio requests heard

Public radio stations took their turn testifying about HF218, a bill which proposes to completely cut funding.

Sponsored by Rep. Phil Krinkie (R-Shoreview), chair of the House State Government Finance Committee, HF218 proposes to cut more than \$100 million from the governor's total recommendations for state agencies.

Minnesota's two public radio groups — the Association of Minnesota Public Educational Radio Stations (AMPERS) and Minnesota Public Radio (MPR) — testified to the committee March 29. Both received a recommendation for their base allocation from Gov. Jesse Ventura.

Krinkie asked AMPERS representatives what would happen if they receive none of their \$640,000 base funding request for the 2002-03 biennium. Barry Tilley, a lobbyist for AMPERS, said he doesn't know if some of the association's 13 stations would go off the air, but it would put additional strain on all stations, including some that are already stressed.

All stations, ranging from jazz to classical to college rock, are community-based, non-commercial radio stations. Rep. Jim Rhodes (R-St. Louis Park) said it is the only place to hear some types of music. "It serves a need," he said.

Ventura did not recommend funding the AMPERS request of a \$150,000 biennial increase in their base primarily to cover expenses related to the conversion from analog to digital broadcasting. The association's request for \$174,000 in equipment grants would also contribute to the conversion.

"It's a process of becoming digital, because when the system becomes digital we'll have to be ready," said Maggie Montgomery, president of AMPERS.

Minnesota Public Radio broadcasts news and information that reaches 98 percent of state. Their request to the state only pays for capital expenses; MPR covers operating expenses through donations from approximately 90,000 members.

The \$814,000 base request includes \$614,000 for a generator in St. Paul and \$200,000 for a new tower in Bemidji.

The generator, explained Don Heppelmann, co-chair of the Minnesota State Emergency Communications Committee, is needed for emergency messages for local, national, or international emergencies. There is a federal mandate to receive the signal, he said.

The committee has taken no action on the bill.

## LAW

### ★ Permit measure heads to floor

A bill that would change the way concealed weapons permits are issued and require holders to be certified has made its way to the House floor.

HF1360, sponsored by Rep. Lynda Boudreau (R-Faribault), was approved by the House Judiciary Finance Committee March 29 and by the House Ways and Means Committee April 2.

The bill would require sheriffs in Minnesota to issue a concealed weapon permit to people within 15 days of application as long as they do not fail a background check. In addition, it would require that each permit holder be trained in firearms safety and receive re-certification upon each renewal.

Existing law gives sheriffs and police chiefs discretion regarding whether the applicant actually needs to carry a concealed weapon publicly. Sheriffs would be the sole granting authority for permits under the bill.

The bill also creates a statewide system that keeps track of all the people legally permitted to carry a concealed weapon.

HF1360 provides a \$45 fee for new permit applications, \$35 of which would go to the state. Permits would have to be renewed every three years at a cost of \$15, \$3 of which would go to the state.

Those costs are higher than reflected in the original bill.

In addition, the bill has been amended to grandfather in existing permit holders. They must still re-apply when their permits expire, but Boudreau said they would come in gradually over the course of the first year rather than all at once.

Boudreau said officials anticipate 50,000 permit applications the first year and 20,000 each subsequent year. She said fees would cover the costs of administering the bill, though an up-front appropriation of \$1.6 million is required to begin.

In the Ways and Means hearing, Committee Chair Rep. Dave Bishop (R-Rochester) asked whether sheriffs will be able to conduct accurate background checks, given that there are several thousand criminal records in suspense that do not register in the state system.

"I find that troubling," Boudreau said, "a problem I'm hopeful that we can find a way to correct."

Rep. Margaret Anderson Kelliher (DFL-Mpls) expressed concern whether the bill's fees will cover costs, especially given the fees for other state permits and licenses.

"We ask people to pay more for a fishing license than we are for obtaining a gun

permit," she said. "I'm not sure I'm comfortable going in that direction."

## ★ RECREATION

### Skol Vikings

The House Governmental Operations and Veterans Affairs Policy Committee approved a bill April 4 that would establish a task force to study issues relating to a new football stadium for the Minnesota Vikings and University of Minnesota.

The bill that was approved by a 13-5 vote now goes to the House floor.

HF2241, sponsored by Rep. Doug Stang (R-Cold Spring), would create a 17-member task force composed of six legislators, five members appointed by the governor, two members appointed by the University of Minnesota Board of Regents, two representatives of business interests and two representatives of labor interests.

There would be no state money involved in funding the task force. The task force would issue its report by Oct. 31, 2001 after studying issues related to proposals to construct a new facility.

The committee adopted an amendment offered by Rep. Eric Lipman (R-Lake Elmo) that



Mike Kelly, left, executive vice president of the Minnesota Vikings, testifies April 4 before the House Governmental Operations and Veterans Affairs Policy Committee for a bill that would establish a panel to review proposals and make recommendations for new sports facilities. Richard Pfutzenreuter, associate vice-president of the University of Minnesota's Office of Budget and Finance, sits to his right.

would require at least one member of the task force represent views of those who oppose either a direct state appropriation or tax incentives for a new stadium.

Stang said it was important for the Legislature to be involved from the beginning of the process since ultimately lawmakers are going to have to decide if public money will be spent on a new stadium.

Mike Kelly, executive vice president of the Vikings, said the goal is for the new facility to be flexible enough to accommodate other events such as soccer, high school athletic events, and a national tournament like the NCAA Final Four men's basketball event.

Rep. Philip Krinkie (R-Shoreview) said a new study was not needed because a study commissioned by former Gov. Arne Carlson was done five years ago and every city that eventually has funded a sports stadium began its process with a study.

Krinkie said the study was just the first step in finding a way to come up with public funding for the stadium.

"We all know this study could be conducted by the Vikings without legislative involvement," he said. "This is not just the camel's nose under the tent. This is the camel in the tent."

Krinkie also was critical of the university being involved in the proposal since it has 10 years left on its Metrodome lease.

Rep. Mike Osskopp (R-Lake City) said he has opposed public funding for stadiums in the past but the study would ensure that the Legislature be involved in "every inch of this thing."

"If the bill was proposing even 10 cents of taxpayer funds I'd be leading the charge against it," Osskopp said.

### Mississippi Whitewater Trail

An urban whitewater trail created by the Legislature in 1998 is ready for the next stage of development.

A bill that would provide pre-construction funding for the Mississippi Whitewater Trail was heard by the House Environment and Natural Resources Finance Committee April 2.

HF1269, sponsored by Rep. Phyllis Kahn (DFL-Mpls), would appropriate \$683,000 — about one-half of which would be earmarked to secure federal funding of \$1 million. The bill will be considered for inclusion in the committee's omnibus finance bill.

The trail, to be built below the Stone Arch Bridge in Minneapolis in the lower St. Anthony Falls area, will run through a river channel bordered by a newly created island across from the University of Minnesota steam plant. This channel will be 2,000 feet long and 40 feet wide with a vertical drop of 25 feet.



**Bill Tilton of the Mississippi Whitewater Park Development Corporation uses a drawing April 2 to show members of the House Environment and Natural Resource Finance Committee where the 2,000-foot long, 40-foot wide whitewater channel along the east side of the Mississippi River would be located below the Stone Arch Bridge in Minneapolis.**

The re-creation of a rapids below St. Anthony Falls will be controlled by a headgate so water levels can be adjusted for different activities and levels of skill. The trail will accommodate whitewater rafting, canoeing, and kayaking for people of all skill levels. Plans include the creation of a green space along the trail with walkways, picnic areas, and a fishing pier.

A feasibility study projected an economic impact of \$2 million to \$2.5 million annually.

The overall cost of the trail and surrounding park is estimated to be about \$15 million. Federal funding of \$10 million has already been authorized for the design and construction of the trail under the Water Resources Development Act of 2000.

"This is both a recreational project and a river restoration project," said Bill Tilton, chair of the Mississippi Whitewater Park Development Corporation, a nonprofit organization that has spearheaded the project. "It gives us a chance to get back to the falls."

The park and trail would be managed by the Department of Natural Resources. "This is a new kind of venture for us," said Dennis Asmundson, of the DNR Trails and Waterways Division, speaking in support of the bill.

## ★ TAXES

### Check again

Because the topic is taxes it might be tempting to throw material received in the mail from the Department of Revenue into a drawer. But sometimes that doesn't pay off.

Rep. Dan McElroy (R-Burnsville) said he is sponsoring HF1357 on behalf of a develop-

mentally disadvantaged constituent who received a \$193 property tax refund check from the department and promptly filed it away only to rediscover the check three years later.

Under current law the right to the property tax refund lapses if the check is not cashed within two years after it is issued.

McElroy told the House Taxes Committee Sales and Income Tax Division March 29 that his bill would allow the department to re-issue tax refunds to an individual taxpayer who demonstrates there is reasonable cause to do so.

The bill also would require the department to report to the Department of Commerce any tax refund checks more than one year old that have not been cashed so they can be listed as unclaimed property.

According to the Department of Revenue, 1998 property tax refund checks totaling \$549,000 have yet to be cashed and have thus lapsed. For the 1999 sales tax rebate, checks worth a total of \$458,000 have not been cashed.

Rep. Andy Dawkins (DFL-St. Paul) asked the likelihood of uncashed checks of large amounts still being out there, making the possible cost of the bill unexpectedly expensive.

McElroy said the bill is limited to personal refund checks and does not apply to businesses.

The committee adopted an amendment clarifying the "reasonable cause" standard that would allow the department to re-issue a check. In the original bill, the criteria were based upon "the disability or diminished capacity of the taxpayer, extreme hardship, or other good cause."

The committee took no further action on the bill, but Rep. Elaine Harder (R-Jackson), the division chair, said it would be considered for possible inclusion in the omnibus tax bill.

## High school savings

In the past few weeks, thousands of fans have made their way to St. Paul to watch the many high school athletic tournaments that take place in March. Some might have been surprised at the cost of tickets.

The House Taxes Committee Sales and Income Tax Division heard two bills March 29 that would exempt events sponsored by the Minnesota State High School League from sales tax.

HF960, sponsored by Rep. Bob Milbert (DFL-South St. Paul), and HF1686, sponsored by Rep. William Kuisle (R-Rochester), would expand a current sales tax exemption on regular season games to regional and state tournament athletic and academic competitions.

According to information provided by the high school league, \$491,645 was the amount of sales taxes collected between July 1999 and July 2000. Attendance at those events during the same time period was more than 500,000 people.

Milbert said there was no good reason for differing treatment in current law that exempts regular season games but taxes tournament games.

"This is a very significant and unexpected expense for a family. It is very reasonable of us to remove the discrimination," he said.

Kuisle said he talked with his brother, who is a high school athletic director in Rochester, and said the sales tax exemption would generate enough savings to allow the school to hire an assistant coach.

"The cost is getting almost prohibitive in going to these events," he said.

Although both bills were similar, the Department of Revenue preferred the language of HF1686; therefore, Rep. Elaine Harder (R-Jackson) said it would be considered further for possible inclusion in the omnibus tax bill.

## Preferred rate

Existing state tax law provides that the value of land is based on its "highest and best" use.

The House Taxes Committee heard a bill April 3 that would establish the "Minnesota Environmental Preservation Property Law" that would allow certain property owners to apply for preferential valuation of their land.

Rep. Roxann Daggett (R-Frazee), the sponsor of HF2121, said the bill's provisions were patterned after the state's current Green Acres tax program.

That program allows owners of certain agricultural land to pay property taxes on the land based on agricultural use rather than the commonly higher market value.

Daggett said several property owners in



Otter Tail County received a letter from the county assessor informing them that in determining the value of their property containing lakeshore or river frontage, the influence of that water frontage had to be taken into account.

Previously that frontage had not been considered due to the size and use of the property.

Daggett said the lakeshore involved was more of a slough or swamp and that the body of water could not be used for recreational purposes.

In order to qualify for the lower valuation provided in the bill, the land would have to be homesteaded by the owner, his or her spouse, or a child of the owner. The bill also requires that the property owner has owned the land for at least seven years prior to the application for benefits.

Land that qualifies for the program would have to consist of forestland, woodland, meadowland, slough, or a wasteland. The revenues derived from the property in the previous year could not exceed \$5 per acre and would have to continue to be less than \$5 per acre in each year that the property is enrolled in the program.

Jenny Engh, an assistant commissioner with the Department of Revenue, said the department is concerned about equity issues that could occur because the taxes would be shifted onto other properties within the jurisdiction.

Keith Carlson, a lobbyist for the Metropolitan Inter-County Association, spoke against the bill saying it would provide tax reductions to individuals who own an asset that is rapidly appreciating.

The committee took no action on the bill, but Rep. Ron Abrams (R-Minnetonka), the committee chair, said it would be considered for possible inclusion in the omnibus tax bill.

## ★ TRANSPORTATION

### 'Modernizing' waterways

The full House adopted a non-binding resolution urging Congress to authorize federal funding "for the modernization of waterways" during the April 4 floor session.

Rep. Tom Workman (R-Chanhassen) sponsored the resolution, which neither appropriates money, nor changes state law. It does encourage Congress to spend millions of dollars updating the "Upper Mississippi River System."

Workman emphasized that HF208 has received the support of U.S. Rep. Jim Oberstar (DFL-Chisholm). "(He) believes this should be distributed and passed in all states around the Mississippi River."

Workman explained that one barge can carry the same load as 58 trucks, and that waterway improvements could therefore remove traffic from more expensive highways.

Rep. Phyllis Kahn (DFL-Mpls) offered an amendment that would have included language encouraging Congress to appropriate funds only after "a thorough and completed review of the scientific and economic data regarding the lock and dam system."

Countering assertions by proponents that the matter had been sufficiently studied, Kahn said doubt had been cast upon a U.S. Army Corps of Engineers' study promoting waterway expansion. She said a member of the Corps had been fired after publicly denouncing the study's methodology and that several independent analyses concluded waterway companies had unduly influenced the results. "We want Congress to consider accurate information," she said.

Workman, who chairs the House Transportation Policy Committee, and Rep. Dennis Ozment (R-Rosemount), chair of the House Environment and Natural Resources Policy Committee, each denied having studied alternative strategies for increasing river traffic volume, the ultimate goal of additional expenditure.

### LIVING DONOR



PHOTO BY TOM OLMSCHIED

**Randall Callies of Stillwater tells the House Commerce, Jobs, and Economic Development Policy Committee April 3 how he donated a kidney and strongly urges them to pass a bill requiring employers to give paid leave for organ donation.**

Kahn suggested Congress examine the using better equipment and scheduling as ways the shipping industry could improve its efficiency without requiring increased spending.

Workman accused opponents of trying to forestall waterway expenditure indefinitely with disingenuous calls for study. "I'm not the most fiscally conservative member in the body," retorted Kahn. "But this is like throwing money into the river to see if the problem goes away."

In the Senate, the bill awaits a hearing in the Environment and Natural Resources Committee.

### Railroad quiet zones

Cities and towns may soon have the option of creating railroad "quiet zones" within which locomotives would be forbidden to blow whistles. Rep. Dennis Ozment (R-Rosemount) is sponsoring HF595 to "try to make it clear that local communities can make quiet zones."

He told a March 30 meeting of the House Transportation Policy Committee meeting that some local jurisdictions declined to create such zones out of concern that doing so would violate the law. The committee approved the bill and referred it to the House Transportation Finance Committee.

Also of concern is that quiet zones might require the construction of expensive traffic barriers at railroad intersections with streets. The bill would permit local governments to spend county state-aid and municipal state-aid funds to buy, construct, and install grade crossing signals and barriers on county state-aid highways and municipal state-aid streets.

Brian Sweeney of the Burlington Northern and Santa Fe Railroad endorsed the bill. He explained that forthcoming federal rules would soon require locomotives to sound their horns at every public intersection other than those designated "quiet zones."

Ozment said that decisions about railroad quiet zones under his bill should and would be "between local communities, railroads, and the federal government."

### Lifetime trailer registration

A plan to limit the number of times a person must pay for registering a trailer with the state will be considered for possible inclusion in the House Transportation Finance Committee's omnibus bill.

At the April 2 meeting, committee members evaluated a proposal that would allow owners of trailers weighing 3,000 pounds or less to register them for the life of the vehicle. Currently those trailers must be registered

with the state every two years with the fee based on total gross weight.

Rep. Mary Liz Holberg (R-Lakeville) is sponsoring HF1281, which would provide for a one-time registration tax of \$55 for trailers when registered in the state for the first time.

The bill provides that the tax for a currently registered trailer is \$25 if the owner wishes to register it for the remaining life of the trailer.

If an owner does not want permanent registration, the first biennial tax is \$10 through June 30, 2003. After that, trailers must be issued permanent registration at the first opportunity, at a cost of \$20, according to the bill.

For owners of trailers whose registration does not need to be renewed until after July 1, 2003, the tax would be \$20 and permanent registration must be issued.

The state Department of Transportation estimates that income from trailer registration would exceed \$20 million in the upcoming biennium, more than double the figure that would be collected if lifetime registration were not adopted. Projected revenue under the proposed change would remain greater than revenue under the current system until approximately 2020. In that year, the two trailer registration plans are forecast to generate the same revenue.

Driver and Vehicle Services, a subdivision of the Department of Public Safety, released a statement explaining official support for the bill. "The change will simplify the registration process for owners, provide a more efficient system for collecting taxes, as well as reduce staff time needed to process registrations," it said.

Rep. Henry Kalis (DFL-Wells) predicted that permitting one-time registration could jeopardize long-term registration revenue. "Some states did it, and are sorry," he said.

Committee Chair Rep. Carol Molnau (R-Chaska) reassured Kalis, saying the Legislature could raise registration fees on approximately 800,000 such trailers in Minnesota.

### Shifting left

Drivers on roads with more than one lane in the same direction might soon be required to move left when passing an emergency vehicle parked on the right shoulder.

Rep. William Kuisle (R-Rochester) is sponsoring legislation in memory of Minnesota State Patrol Cpl. Ted Foss, who was killed during a routine traffic stop on Interstate 90 near Lewiston in August 2000. Foss was speaking with the occupants of a minivan he had just pulled over when a semi-tractor trailer slammed into him and the minivan.

At the April 3 meeting of the House Transportation Policy Committee, Kuisle described HF801 as "an attempt to look at a serious situation." The bill was approved and now moves to the House floor.

The bill would also permit drivers on two-lane roads to move into the left lane while passing stopped emergency vehicles. Under existing law, drivers may operate vehicles on the left side of a road only to pass or to avoid a road closure.

"As vehicles get bigger and bigger, it gets harder and harder to see officers along the side of the road," Kuisle said. He added that police officers are especially concerned about drivers unable to see officers around large trucks and sport utility vehicles.

Failing to move over into available lanes would be a petty misdemeanor, punishable by a fine up to \$300. If the same offense

endangers people or property, it would be a misdemeanor punishable by 90 days in jail and up to a \$1,000 fine.

### ALCOHOL MONITORING



PHOTO BY TOM OLMSCHIED

A device that electronically monitors alcohol levels is displayed before the House Crime Prevention Committee April 5 as Stephen Simon, director of the DWI Task Force, testifies for a bill that would fund a study of electronic alcohol monitoring recidivism and conditional release violation rates.

## Minnesota's U.S. Senators

### U.S. Senators

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# Stopping trafficking

Legislators propose grants for local law enforcement to curb the growth of clandestine methamphetamine labs in Minnesota

BY MICHELLE KIBIGER

**W**hen a 12-year-old girl stumbled upon a portable methamphetamine lab in the woods near Baxter a couple summers ago, Rep. Dale Walz (R-Brainerd), the police officer the girl's father called, was thankful that it hadn't been a young child who found it.

A smaller child, Walz testified at the April 3 hearing of the House Judiciary Finance Committee, might have tasted the volatile chemicals, which can kill if ingested.

Walz says that because methamphetamine can be so easily made, labs are popping up across the state and the problem is getting out of hand for law enforcement. He proposed a bill (HF1777) intended to buffer some of the costs local governments incur when they have to take down a meth lab, investigate the case, and prosecute the perpetrator.

"Law enforcement has to get on top of it," Walz said. "The only thing we can do is control it, and the only thing I can think to do is appropriate money to local governments to control it."

However, other members are concerned that by appropriating money for local law enforcement to complete specific types of investigations, such as gang strike forces, narcotics enforcement, and others, the state is merely setting up a series of specialized police forces.

"I guess it's old fashioned to think that the sheriff would have enough money to do all law enforcement," said Rep. Dave Bishop (R-Rochester).

Walz's bill would appropriate \$1.096 million during the 2002-03 biennium in the form of grants to local law enforcement for the purpose of paying costs related to clandestine methamphetamine labs. The money could be used for increased law enforcement or investigation costs and training courses, materials or public awareness campaigns.

According to the bill, the money could not be used to clean up a lab site or dispose of the chemicals seized. In addition, it could not supplant local spending related to labs.

The bill provides that grants be distributed in a balanced manner among rural, suburban, and urban drug task force agencies. Most of the state's counties participate in the statewide narcotics task force.

Statistics show that nationally, law enforcement seized eight times as many labs in 1999 as they did in 1995. In Minnesota, agencies seized 13 labs in 1995, compared to 134 in 2000.

Tim O'Malley, special agent with the Minnesota Bureau of Criminal Apprehension, testified that through March 26, agencies in the state had seized 62 labs, placing them on a track to seize as many as 300 statewide this year.



PHOTO BY ANDREW VON BANK

Duluth Police Chief Scott Lyons testifies before the House Judiciary Finance Committee April 3 in support of a bill that would provide methamphetamine lab law enforcement grants.

O'Malley said methamphetamine manufacturing has progressed gradually from California to the Midwest in recent years. It settled first in Missouri and spread quickly to Kansas, Iowa, Indiana, and Illinois.

It's now spreading north to Minnesota, O'Malley said, because Iowa officials have been successfully curbing behavior with public awareness campaigns and enforcement methods.

As a result, meth "cookers" are moving north.

Recipes are relatively easy to obtain. In fact, step-by-step instructions are available on the Internet. In addition, those who make the drug successfully tend to share their success with others.

Duluth Police Chief Scott Lyons testified that an important part of the bill allows for the money to pay for public awareness campaigns. He said law enforcement needs to inform discount and hardware stores, where many of the ingredients for methamphetamine manufacturing are available, to watch out for people buying large quantities of certain materials.

In addition, law enforcement agencies need to educate the public about what goes into the manufacturing process, in case they stumble upon a lab, like the girl in Walz's district did.

Lyons said there are so many methods — both hot and cold — that a lab can literally pop up anywhere.

"It's like a hotdish," he said. "There isn't one specific way to make methamphetamine."

The costs associated with taking down a clandestine lab are difficult to determine, O'Malley said, because of the variables that exist. He said the clean up alone can cost between \$5,000 and \$6,000 per lab. However, each case requires different levels of investigation, prosecution, and involvement of different government agencies.

Each lab bust requires 40 trained law enforcement officers, O'Malley said. Sometimes they obtain the help of a chemical assessment team from the state to determine what is in the lab, and the damage associated with it. Fire crews often stand by in case of fire or explosion.

If children are involved, the Department of Human Services comes along.

If the lab is self-contained and has not

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# Educating teachers

Licensure programs at three colleges recruit minorities to teach minorities

BY THERESA STAHL

**A**fter a few years of teaching, Roxanne Glawe considered leaving the St. Paul school system — maybe even teaching altogether.

Many of her students needed intensive reading instruction, a high level of consistency in the way they were taught, and teachers who were empathetic and didn't come and go each year. It was a demanding environment that caused many teachers, including Glawe, to burn out.

Then Glawe decided to participate in the Center for Excellence in Urban Teaching, a 20-credit series of classes at Hamline University that aims to increase the number of new minority teachers and help teachers of any background succeed in urban or urban-like classrooms.

Completing the certificate program helped Glawe understand poverty, diverse ethnic groups, and how to make diversity a benefit rather than a problem. She emphasizes that she has higher expectations for her students now, and as a result they perform at a higher level.

Glawe said all teachers who work in an urban environment need some type of training similar to what the center offers.

"It's so frustrating to watch teachers treat kids in ways they shouldn't," she said. "It's young teachers without much experience who get hired in urban settings. We need to make them positive influences and get them to stay in the profession."

Hamline's program, which started in 1998, offers graduate-level courses to new and veteran teachers to help them, like Glawe, become more effective in urban-like settings. Two other programs at colleges in the Twin Cities metropolitan area have similar missions, one at Concordia University-St. Paul and the other at the University of St. Thomas.

A bill (HF1890), sponsored by Rep. Alice Seagren (R-Bloomington), would distribute \$2.7 million to the programs in the 2002-03 biennium: \$500,000 each year for Concordia,

\$450,000 each year for St. Thomas, and \$400,000 each year for Hamline.

"The need for teachers like these is growing all around us," said William Staley, director of Concordia's program. Staley testified April 2 to the House K-12 Education Finance Committee.

Concordia's Southeast Asian Teacher Licensure program, with enrollment at 37 people, has surpassed expectations of its founders, according to preliminary analysis. Ten to 15 graduates are expected each year, and the first seven graduates are teaching in metro-area schools.

Irene Jelacic, principal of Parkway Elementary School in St. Paul, wrote a letter to Seagren in support of the legislation. Nearly 50 percent of Parkway's students are Southeast Asian children, she said. Jelacic hired three new Hmong teachers from Concordia's program in 2000.

"The Concordia students come to us

well-prepared academically, and they are exceptional teaching candidates," she wrote. "They are also wonderful role models for our students."

St. Thomas' Collaborative Urban Educator program places people of color in urban or urban-like public elementary or middle schools, and offers specialized programs in science and math education licensure. Nearly two-thirds of program participants are African-American, one in five is Asian, and one in nine is Hispanic. The program has licensed almost 200 people from under-represented populations.

Marcus Moten is currently student teaching as an intern from the St. Thomas program at Washington Middle School in St. Paul. An African-American man, he said he has been educated in both an all minority, or black, classroom and a predominantly white setting.

"Now with me being in the classroom, I can see that I am having a really different impact on a lot of the students," he wrote to Seagren. "I have noticed that some of the kids who are labeled as 'problems' are following the directions that I am giving them without

Continued on page 22



PHOTO BY ANDREW VON BANK

A bill being considered by the House K-12 Education Finance Committee, would support teaching programs to help new teachers better understand cultural and social differences in urban school settings, like this third-grade classroom at John A. Johnson Achievement Plus Elementary School in St. Paul, being taught by See P. Vang.

# Tort reform

Legislators seek to amend civil case law that some say is unfair to defendants

By JONAS M. WALKER

**A**cting on one of the most contentious and long-standing, yet least commonly understood legal issues, the full House adopted a tort reform measure March 29 by a 68 to 62 vote.

HF369, sponsored by Rep. Dave Bishop (R-Rochester), would modify the system of joint and several liability, which permits courts to hold defendants in civil actions responsible for a greater share of a plaintiff's cost than the proportion of damage for which they are responsible.

Bills such as HF369 are known as "tort reform" because they amend the civil law system used to compensate those injured by the actions of others. A tort is defined as "a private or civil wrong, other than a breach of contract, for which the court will provide a remedy in the form of an action for damages."

Under the House bill, defendants found liable for 40 percent or less of the damages in a civil case would be responsible for only the percentage of the plaintiff's damage that they caused. Current law sets that proportion at 15 percent.

The following scenario demonstrates how the changes in HF369 would affect a civil case.

Three defendants are found 55, 35, and 10 percent at fault, respectively, in damaging a plaintiff.

Current law would allow the court to order both defendants one and two to compensate the plaintiff for up to 100 percent of the damages. Because the third defendant is less than 15 percent at fault, he or she could be held accountable for up to four times their actual liability. In this case, defendant three could be ordered to pay up to 40 percent of damages.

Courts would do this generally when defendants one or two were unable to pay or had inadequate insurance coverage. No more than 100 percent compensation of a plaintiff's actual damage can be awarded. However, plaintiffs are still eligible for additional funds awarded to punish defendants or compensate plaintiffs for pain or emotional distress.

The bill maintains existing law regarding environmental torts, but eliminates a provision preventing government entities from

being ordered to pay more than \$300,000 per person or \$1 million per incident. Joint and several liability is upheld for persons committing intentional wrongs.

Ideally, courts would only order compensation proportional to the amount of each defendant's fault. But given that many defendants are unable to adequately meet the financial demands on their own, for example due to inadequate insurance, courts sometimes

Legislators have struggled to balance the need to reasonably compensate victims with the desire to not unduly burden defendants who may only be marginally at fault.

In Bishop's original version, defendants found less than 50 percent responsible could be held liable for no more than their proportion. Those more than one-half at fault could have been required to pay for all damages.

Rep. Joe Opatz (DFL-St. Cloud) proposed amending that figure to 40 percent during floor debate. He summarized the tension expressed by many legislators. "Do we err on the side of the victim and make a new victim, or do we err on the side of the defendant and fail to make the victim whole?"

Bishop sponsored the same amendment on an identical bill two years ago. He later explained he supports the amendment because he wants to ensure the bill's success. Last year, the House approved the measure but the Senate declined to follow suit.

This year, Sen. John Hottinger (DFL-Mankato) is sponsoring the Senate version, SF629. It has been referred to the Senate Judiciary Committee, which as of April 4 had not taken any action on the matter.

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*"Do we err on the side of the victim and make a new victim, or do we err on the side of the defendant and fail to make the victim whole?"*

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—Rep. Joe Opatz


order other defendants to compensate victims beyond their own proportional fault. This is to prevent injured people from having to pay expenses unfairly incurred to them because of others' negligence.

Critics of joint and several liability point out the unfairness that defendants can be held liable for more than their share of a tort.

Regarding that point, the American Tort Reform Association wrote that "modern joint and several liability can be inequitable because a defendant with only a small percentage of fault can be liable for 100 percent of the plaintiff's damages. Joint and several liability leads to a search for 'deep pockets' and had made governments, large corporations, and other insured entities bear the greatest burdens of liability when their involvement in an injury is minimal."

Bishop's bill has been a target for criticism in part because of the difficulty in predicting its economic impact. He said the Department of Finance was unable to forecast the impact to Minnesota because doing so would require forecasting the number of lawsuits.

Some representatives objected to the bill's failure to be reviewed by any finance committee, arguing that state and local governments could be required to cover costs, which would no longer be born by defendants.

However, the chair of the committee most likely to have an interest, Rep. Kevin Goodno (R-Moorhead) of the House Health and Human Services Finance Committee, opposed both the bill and two attempts to refer it to his committee. "This is bad public policy, but I see no fiscal impact," he said. 



## Tax transformation

Legislators are considering a plan that would allow voters to have a mechanism to vote down property tax increases

By DAVID MAEDA

Some consider 1971 as the year of the “Minnesota Miracle” in which a major reform to the state’s tax system was passed into law.

At the heart of the change was a reduction in the reliance on local property taxes with a corresponding increase in sales and income taxes and increased state funding for education. As a result, the state became the primary revenue collector and local units of government became more reliant on state aid to meet their needs.

Now some lawmakers are revisiting issues of local control and accountability as the state once again considers changes to its tax system.

The House Taxes Committee heard a bill April 4 that would attempt to provide more accountability to local spending decisions by allowing voters to have a direct mechanism to vote down property tax increases.

HF2160, sponsored by Rep. Bob Milbert (DFL-South St. Paul), would allow voters to request a reverse referendum when a county or city adopts a property tax levy that has increased over the certified levy amount for the previous year.

If the referendum were to pass, the previous year’s levy would be certified for the current year.

The bill only applies to counties or cities with a population greater than 500, and requires a petition be signed by a number equal to 5 percent of the votes cast at the previous general election before a referendum would take place.

The bill would also eliminate the requirement for cities and counties with populations less than 500 from holding Truth-in-Taxation hearings and exempt those with populations greater than 500 from holding a hearing if the property tax levy has not increased over its previous year’s levy.

The committee took no action on the bill, but it will be considered for inclusion in the omnibus tax bill.

Information provided that was compiled from state auditor reports shows a 90.8 percent growth in city expenditures from 1985 to 1996. During



PHOTO BY TOM OLMSCHIED

**Rep. Bob Milbert, sponsor of HF2160, presents the bill that would allow voters to have a direct mechanism to vote down property tax increases. The bill was heard in the House Taxes Committee April 4.**

that same period, total state aid to cities increased by 62.5 percent and property taxes grew by 29 percent. The rate of inflation was 39 percent.

County expenditures from 1985 to 1996 increased 68.8 percent, while state aids to counties increased 48.9 percent and property taxes grew by 56.2 percent.

Milbert said that with the removal of levy limits last year local spending increased even more on top of city imposed fees that he said have grown at an alarming rate.

An owner of a water device business, Milbert said inspection fees are disproportionate with the cost of installation. The cost of installing devices such as water heaters and softeners is usually between \$50 to \$115 for a couple hours of work. A residential plumbing permit application from the city of Eagan shows a \$50 permit cost, a 1,000 percent in-

crease from the \$5 it cost 10 years ago.

He said the cost of inspection fees are “grossly unfair” considering it isn’t unusual for the inspections to last a matter of minutes and there is no guarantee to the inspection.

He said municipal fees are one reason that there is a shortage of building of affordable housing in the state.

“The public sector is doing a terrific job of driving up housing costs,” he said.

Rep. Tom Rukavina (DFL-Virginia) said it wasn’t fair to blame local government for spending increases. He said the state too often mandates local spending such as increasing penalties for crimes without weighing costs of the legislation and without providing any more funding.

“We’re part of the problem. A lot of our laws are way too extreme and we’re not being honest about costs,” Rukavina said.

Keith Carlson, representing the Metropolitan Inter-County Association, said the current system already ensures accountability, because county commissioners must answer to voters.

He said a reverse referendum would complicate and delay an already lengthy process. Currently, the county budget and levy adoption process takes place from August through December. A successful petition to force a referendum would stretch the process through January, Carlson said.

He said county auditors already struggle to meet the March 31 deadline to mail tax statements and late mailings can affect the cash flow of local governments.

Kevin Corbid from the Association of Minnesota Counties said that property taxes are used to pay for too many things. He said Minnesota counties are responsible for the costs for child welfare programs and out-of-home health care costs more than any other state.

Corbid said that last year 80 new county commissioners were elected and that fewer are running unopposed—a sign that voters are paying more attention to local spending decisions.

Milbert said the trend towards city council terms being increased from two-year terms to staggered four-year terms, along with the increasing reliance on professional city management staff has also contributed to less accountability when it comes to the costs of local government.

“What do we have to fear about letting people who have to pay taxes the right to vote on increases?” he asked. 🐼

## 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 first year of the biennium, the important thing to remember is that the governor has three days from the time of "presentment" to veto a bill. If the governor

doesn't sign the bill within this time frame, it will become law with or without his signature. (Sundays are not counted in the three-day time limit, but holidays are.)

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 the governor must include a statement listing the reasons for the veto with the returned bill. Here, too, the timetable is within three days after the governor receives the bill.

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](http://www.governor.state.mn.us)). Select the "Legislative Initiatives" link, then click on "Legislative Log 2001."

Key:

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

CH	HF	SF	Description	Signed	Vetoed
Res.1	219	258*	Resolution requesting a ban on the importation of certain steel products.	3/15/01	
1	34	28*	Teacher licensing under current licensure rules.	1/16/01	
2	421*	460	Energy assistance program federal fund expenditure authorized.	2/2/01	
3	213	201*	Physicians assistants infection control continuing education requirements repeal.	2/15/01	
4	181	43*	Adult foster care license capacity age requirement and maximum admissions variances.	2/28/01	
5	817	376*	City contract limit increases.	3/2/01	
6	106*	47	Minnesota agricultural education leadership council replacement members authorized	3/8/01	
7	656*	231	Revisor's Bill.	3/15/01	
8	80*	79	Coon Lake water level control.	3/16/01	
9	393*	155	Ramsey County and St. Paul employees allowed equal competition for county jobs in city-county departments.	3/16/01	
10	357	289*	Alcohol and drug counselors licensing requirements modified.	3/16/01	
11	487	433	Townships health, social, and recreational services contracts amounts increases.	3/21/01	
12	320*	399	Property casualty insurance agents surplus lines insurance procurement authority.	3/29/01	

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

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## Monday, April 2

### HF2354—Olson (R)

#### Education Policy

Teacher contract qualified economic offer labor requirements provided.

### HF2355—Hausman (DFL)

#### Health & Human Services Policy

St. Anthony Park nursing facility moratorium exception provided.

### HF2356—Bakk (DFL)

#### Higher Education Finance

Competitive bidding and prompt payment requirements extended to University of Minnesota.

### HF2357—Mariani (DFL)

#### Higher Education Finance

United family medicine residency program grant provided and money appropriated.

### HF2358—Nornes (R)

#### Transportation Policy

Vehicle registration 60-day exemption for new residents "residence" definition modified.

### HF2359—Stang (R)

#### State Government Finance

State government finance, budget, and highway bond provisions modified, and property tax reform account repealed.

### HF2360—Wasiluk (DFL)

#### Governmental Operations & Veterans Affairs Policy

Public Employees Retirement Plan exclusion provided specified trades employees.

### HF2361—Kubly (DFL)

#### K-12 Education Finance

Independent School District No. 2190, Yellow Medicine, lease levy authorized.

### HF2362—Davids (R)

#### Commerce, Jobs & Economic Development

Resolution memorializing Congress to pass legislation requiring cigarettes that are less likely to start fires.

### HF2363—Gunther (R)

#### Transportation Finance

Previous local bridge replacement and rehabilitation funding usage expanded.

### HF2364—Mulder (R)

#### Education Policy

School start prior to Labor Day authorized for certain school districts.

### HF2365—McElroy (R)

#### Taxes

High technology business investment capital gains tax exemption provided, research and development activities credit refund provided, and money appropriated.

### HF2366—Harder (R)

#### Jobs & Economic Development Finance

Connected communities grants provided and money appropriated.

### HF2367—Ness (R)

#### Agriculture & Rural Development Finance

Agricultural products and production certification program established as permanent program, fees and licensing provisions modified, penalties imposed, and money appropriated.

### HF2368—Kuisle (R)

#### Environment & Natural Resources Finance

Olmsted and Dodge counties solid waste recovery facility grant provided and money appropriated.

### HF2369—Kuisle (R)

#### Environment & Natural Resources Finance

Olmsted and Dodge counties solid waste recovery facility grant provided, bonds issued, and money appropriated.

### HF2370—Wenzel (DFL)

#### K-12 Education Finance

Independent School District No. 482, Little Falls, state aid repayment period extended.

### HF2371—Nornes (R)

#### Higher Education Finance

Independent School District No. 544, Fergus Falls, and Fergus Falls Community College joint grant provided for a tech center, and money appropriated.

### HF2372—Juhnke (DFL)

#### Crime Prevention

Feasibility of placing felony DWI offenders at existing surplus state facilities determined and cost-benefit analysis required.

### HF2373—Hausman (DFL)

#### Health & Human Services Finance

Ramsey County nursing facility rate increase provided.

### HF2374—Rhodes (R)

#### Judiciary Finance

Clergy compensation provided for imparting religious rites or instruction at correctional facilities.

### HF2375—Erhardt (R)

#### Taxes

Deed taxes definition of consideration clarified.

### HF2376—Carlson (DFL)

#### K-12 Education Finance

Truancy reduction activities funding provided.

### HF2377—Pawlenty (R)

#### Higher Education Finance

University of Minnesota Excellence Commission established, report required, and appointments provided.

## Wednesday, April 4,

### HF2378—Paulsen (R)

#### Regulated Industries

Telecommunications access to multiple-resident dwellings provisions clarified.

### HF2379—Kielkucki (R)

#### Environment & Natural Resources Policy

Property owners reimbursed for damage caused by snowmobiles.

### HF2380—Sykora (R)

#### K-12 Education Finance

Reading program grants provided for school district Internet-delivered reading courses.

### HF2381—Stang (R)

#### Higher Education Finance

Medical education funding and endowments increased.

### HF2382—McElroy (R)

#### K-12 Education Finance

Building lease levy use expanded.

### HF2383—Seifert (R)

#### Taxes

School districts required to report lobbying and other expenditures used to support or oppose government-proposed initiatives.

### HF2384—Kalis (DFL)

#### Judiciary Finance

Town road maintenance revolving loan fund established and money appropriated.

### HF2385—Westrom (R)

#### Agriculture & Rural Development Finance

Feedlots; hog feedlots environmental issues study provided and money appropriated.

### HF2386—Solberg (DFL)

#### Health & Human Services Policy

Genealogy researchers authorized to obtain certified copies of birth certificates for specified deceased individuals.

### HF2387—Daggett (R)

#### Taxes

Sebeka Fire Hall construction materials and equipment sales tax exemption provided.

### HF2388—Tuma (R)

#### Health & Human Services Policy

Northfield nursing home moratorium exception provided and money appropriated.

### HF2389—Finseth (R)

#### Agriculture & Rural Development Finance

Agricultural processing revolving loan account established, germ and fiber recovery process funding provided at an existing ethanol facility, bonds authorized, and money appropriated.

### HF2390—Goodno (R)

#### Health & Human Services Policy

Targeted case management services medical assistance coverage provided for services for vulnerable adults and persons with developmental disabilities.

### HF2391—Westrom (R)

#### Environment & Natural Resources Policy

Grant County Church Lake exempted from public access while in use for aquaculture.

### HF2392—Huntley (DFL)

#### Commerce, Jobs & Economic Development

Internet access catalyst grants provided and money appropriated.

**HF2393—Finseth (R)**  
**Environment & Natural Resources Finance**  
Lottery ticket in lieu tax disposition modified, state forest land additions provided, land exchanges specified, and Roseau County consolidated conservation land sale authorized.

**HF2394—Winter (DFL)**  
**Health & Human Services Finance**  
Worthington nursing facility rate increases provided.

**HF2395—Hilty (DFL)**  
**Local Government & Metropolitan Affairs**  
Cromwell emergency medical services special taxing district authorized for Carlton and Aitkin counties, and property tax levies provided.

**HF2396—Skoglund (DFL)**  
**Civil Law**  
Judicial system obsolete references updated and repealed.

**HF2397—Daggett (R)**  
**Taxes**  
Maple syrup added to definition of agricultural products relating to property taxation.

**HF2398—Seifert (R)**  
**Taxes**  
Yellow Medicine County redevelopment tax increment financing district extension authorized.

**HF2399—Wenzel (DFL)**  
**K-12 Education Finance**  
Pupil transportation categorical aid restored and money appropriated.

**HF2400—Rhodes (R)**  
**Local Government & Metropolitan Affairs**  
Affordable housing county and municipal requirements provided and money appropriated.

## Thursday, April 5

**HF2401—Davids (R)**  
**Taxes**  
Ostrander wastewater treatment system construction materials and equipment sales tax exemption provided.

**HF2402—Pugh (DFL)**  
**Governmental Operations & Veterans Affairs Policy**  
State primary election moved from September to June.

**HF2403—Fuller (R)**  
**Local Government & Metropolitan Affairs**  
Alcoholic beverages sales tax paid to counties, revenues dedicated to alcohol abuse-related costs of local governments, and money appropriated.

**HF2404—Abeler (R)**  
**K-12 Education Finance**  
Early graduation and half-time school attendance provided for 12th grade students completing all standards, and general education revenue reallocated to all-day kindergarten.

**HF2405—Hilty (DFL)**  
**Taxes**  
Banning Junction area wastewater collection system construction materials and supplies sales tax exemption provided.

**HF2406—Kubly (DFL)**  
**Taxes**  
Homestead property tax classification provisions expanded relating to family farms.

**HF2407—Ness (R)**  
**K-12 Education Finance**  
Equity revenue definition modified to include small schools factor and money appropriated.

**HF2408—Johnson, R. (DFL)**  
**Taxes**  
Nicollet County courthouse construction materials and equipment sales tax exemption provided and money appropriated.

**HF2409—Krinkie (R)**  
**Taxes**  
Ad valorem taxes on real and personal property prohibited and constitutional amendment proposed.

**HF2410—Dempsey (R)**  
**Health & Human Services Finance**  
Hastings Veterans Home tunnel renovation funding provided, bonds issued, and money appropriated.

**HF2411—Kuisle (R)**  
**Transportation Finance**  
Southeastern Minnesota public safety radio system construction funding provided and money appropriated.

**HF2412—Solberg (DFL)**  
**Judiciary Finance**  
Aitkin County homicide trials and investigations expenses reimbursed and money appropriated.

**HF2413—Boudreau (R)**  
**Health & Human Services Policy**  
Group residential housing monthly rates provided.

**HF2414—Otremba (DFL)**  
**Local Government & Metropolitan Affairs**  
United States Department of Agriculture financing program for cities, counties, and towns fund uses updated to include child care facilities.

**HF2415—Dorman (R)**  
**Taxes**  
General education tax rate reduced, property tax class rates reduced, market value homestead credit provided, and education homestead credit and education agricultural credit eliminated.

**HF2416—Kalis (DFL)**  
**Transportation Finance**  
Minnesota Safety Council traffic safety training and education funding provided and money appropriated.

**HF2417—Abeler (R)**  
**Health & Human Services Finance**  
Minnesota commission serving deaf and hard of hearing people funding provided and money appropriated.

**HF2418—Entenza (DFL)**  
**Health & Human Services Policy**  
Cemetery registration required with health commissioner and money appropriated.


**HF2419—Davnie (DFL)**  
**Commerce, Jobs & Economic Development**  
Housing program funding provided for new and existing programs, programs created, and money appropriated.

## Continued from page 16

contaminated the surrounding area, environmental impact might be relatively minor. However, if chemicals have been dumped down the drain or on land somewhere, or have otherwise escaped, the Pollution Control Agency gets involved.

In addition, the Department of Health might be required to determine whether the home where the lab was can be inhabited or requires further cleanup.

The state expects to get about \$2.6 million during the 2002-03 biennium in federal grants for drug task forces, as well.

Walz's bill will be considered for inclusion in the committee's omnibus bill. 

## Continued from page 17

much argument. They are also doing the work that is being assigned and they seem to enjoy having me around to answer their questions.

"I believe just my presence at the school is helping the kids to realize that there is hope for them in the future to reach their goals as a professional."


John Dunham, an English teacher at Southwest High School in Minneapolis, wrote to Lillian Baker-Kent, executive director of Hamline's program, about what he learned in a class through a licensure program.

"The Real World, Social and Environmental Issues Affecting Urban Learners' (course) gave me useful insight into the backgrounds, poten-

tials, and needs of many of the high school students I teach in Minneapolis," he said.

Hamline's program offers courses such as: Framework for Teaching: Changing Paradigms to a New Way of Thinking, Seeing, and Doing; Literacy and Learning for Urban Students; The Roots of Violence; Linking the Urban Community to the Classroom.

"Because of this class," Dunham said, "my exposure to real life experiences of different cultural groups (in my case, African-American, Latino-Hispanic, and Tibetan students) has proved invaluable."

HF1890 will be considered for inclusion in the committee's omnibus bill. 

Schedule is subject to change.  
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**(651) 224-6548 v/tty**.

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## MONDAY, April 9

7:30 a.m.

### HEALTH & HUMAN SERVICES FINANCE

10 State Office Building  
Chr. Rep. Kevin Goodno

**Agenda:** HF1053 (Abrams) Private health care coverage regulations revised, specified regulatory controls transferred, and managed care plan requirements established.

HF1581 (Goodno) Healthy kids learn endowment fund established, health department provisions and programs modified, and money appropriated.

HF1123 (Mulder) Nonmetropolitan county prepaid medical assistance program capitation rates increased.

HF2373 (Hausman) Ramsey County nursing facility rate increase provided.

HF2394 (Winter) Worthington nursing facility rate increases provided.

HF1658 (Bradley) Long-term care revolving fund and loan forgiveness program created, nursing agency registration required and money appropriated.

**Note:** Meeting will continue after session in 10 State Office Building at the call of the chair.

8:15 a.m.

### CIVIL LAW

500N State Office Building  
Chr. Rep. Steve Smith

**Agenda:** HF1898 (Holberg) Edvest, human rights intake, and automobile insurance financial data classified as nonpublic.

HF1704 (Larson) Bureau of Criminal Apprehension dissemination of certain juvenile data authorized.

HF1100 (Smith) Government Data Practices Act expanded to include metropolitan area towns.

HF490 (Kuisle) County economic development assistance application data designated nonpublic

until approved.

HF830 (Slawik) Ramsey and Washington counties property owner personal information disclosure notice continued.

HF440 (Knoblach) Probate; background investigations provided on guardians and conservators, access to data on maltreatment of vulnerable adults authorized, and court procedures and requirement authorized.

### GOVERNMENTAL OPERATIONS & VETERANS AFFAIRS POLICY

Basement Hearing Room  
State Office Building  
Chr. Rep. Jim Rhodes

**Agenda:** HF1019 (Workman) State contract procedures modified, highway construction and maintenance bids and records posted electronically or over the Internet, seasonal highway weight limitations modified, and clarifying changes provided.

HF1938 (Kahn) Administration Department provisions modified.

HF2201 (Kahn) Bicycle commuting by state agency employees promoted.

### JOBS & ECONOMIC DEVELOPMENT FINANCE

200 State Office Building  
Chr. Rep. Dan McElroy

**Agenda:** *Morning Hearing (8:15-10 a.m.) in Room 200 State Office Building*

HF846 (Clark, K.) HIV/AIDS general education in the workplace funding provided and money appropriated.

HF182 (Paymar) Neighborhood Development Center, Inc., entrepreneur training, operation, and staffing grant provided, and money appropriated.

HF1631 (Mullery) Hennepin County Southeast Asian collaborative transitional employment training project funded and money appropriated.

HF1632 (Mullery) Blind; job assistance training provided for counselors for the blind, and money appropriated.

HF1726 (Sertich) Metropolitan economic development association grants provided and money appropriated.

HF2366 (Harder) Connected communities grants provided and money appropriated.

**Note:** Morning hearing will recess and reconvene in 400N State Office Building at 7 p.m.

*Evening Hearing (7-10 p.m.) in Room 400N State Office Building*

HF1311 (McElroy) Minnesota Money Transmitters Act established.

HF1859 (McElroy) Department of Economic and Workforce Development created; certain duties of the Departments of Trade and Economic Development, Economic Security, and Labor and Industry transferred, and money appropriated.

HF1293 (Davids) Public service commissioner's

remaining duties transferred to commissioner of commerce, light capacity scales inspection provided, unfair cigarette sales act administration transferred to commerce, and money appropriated.

HF1955 (Davids) Insurance producer licensure procedures and qualifications provided and criminal penalty prescribed.

HF1007 (Davids) Gas sales below cost prohibited and enforcement authority provided.

HF2258 (Lindner) Housing finance and development programs consolidated, loan forgiveness time period lengthened, tenant income limits eliminated, project-based rental assistance authorized, aggregation of earnings authorized, and technical changes provided.

HF1589 (Howes) Bid and performance bond thresholds modified for economic development projects.

HF2225 (Nornes) Workers' compensation technical provisions modified, special compensation fund interest revenue deposited in fund, pilot program extended, and penalties paid to Department of Labor and Industry.

HF422 (Seagren) Loan repayment program established to improve recruitment of excellent teachers in science, math, industrial technology, special education and in rural areas, and money appropriated.

HF1259 (Erickson) Fingerhut, Inc., of Mora employees provided extra unemployment benefits.

HF564 (Rhodes) Neighborhood home improvement loan pilot project established and money appropriated.

### TRANSPORTATION FINANCE

5 State Office Building  
Chr. Rep. Carol Molnau

**Agenda:** HF1365 (Dorman) Clean fuel use required in state vehicles, grants provided motor fuel retailers who install pumps to dispense cleaner fuel, and money appropriated.

HF51 (Goodno) DWI; maximum blood alcohol level lowered for impairment offenses involving driving motor vehicles, recreational vehicles or watercraft, hunting, handling explosives, or operating military vehicles.

HF1921 (Workman) Bus transit study authorized and bus transit way within part of the southwest light rail transit corridor prohibited.

HF595 (Ozment) Railroads; local governments authorized to establish quiet zones regulating or prohibiting locomotive warning devices.

HF2309 (Kuisle) Trunk highway project construction considerations clarified.

HF429 (Bakk) State agencies authorized to allow commercial wireless equipment on state-owned property, and money appropriated.



10:15 a.m.

## **ENVIRONMENT & NATURAL RESOURCES FINANCE**

10 State Office Building

Chr. Rep. Mark Holsten

**Agenda:** HF1761 (Holsten) Stream protection and improvement loan program grant funding provided and money appropriated.

HF1073 (Clark, J.) Minnesota river trail established and money appropriated.

HF691 (Hackbarth) Motor vehicle transfer fee eliminated.

HF2191 (Ozment) Local road wetland replacement funding provided and money appropriated.

HF1612 (Kelliher) Water appropriation permit provisions modified and fees established.

## **HIGHER EDUCATION FINANCE**

300S State Office Building

Chr. Rep. Peggy Leppik

**Agenda:** HF2377 (Pawlenty) University of Minnesota excellence commission established, report required, and appointments provided.

HF2371 (Nornes) Independent School District No. 544, Fergus Falls, and Fergus Falls Community College joint grant provided for a tech center, and money appropriated.

HF2290 (Opatz) MnSCU facilities acquisition provisions and prior St. Cloud State University capital improvements funding source modified. Witnesses: Laura King, Chief Financial Officer, MnSCU; Roy Saigo, President, St. Cloud State University; Kurt Kalm, Chair, St. Cloud State Foundation Board.

## **K-12 EDUCATION FINANCE**

5 State Office Building

Chr. Rep. Alice Seagren

**Agenda:** HF2376 (Carlson) Relating to education finance; promoting school success through enhanced pupil attendance; providing funding for truancy reduction activities.

HF1887 (Abeler) Relating to special education; establishing regional centers on autism-related disorders.

HF2041 (Cassell) Relating to education; appropriating money for the commission on national and community service for the service learning program.

HF2382 (McElroy) Relating to education; expanding the use of the building lease levy.

HF2235 (Bakk) Relating to education; appropriating money for Independent School District No. 696, Ely, for a transitional transportation grant.

HF2361 (Kubly) Relating to education; authorizing a lease levy for Independent School District No. 2190, Yellow Medicine East.

HF731 (Pugh) Relating to education finance; increasing the funding for debt service equalization aid; lowering the property tax levy for new school buildings; appropriating money.

HF2012 (Bernardy) Relating to education finance; increasing the state commitment to the debt service equalization aid program; lowering the initial local levy; fixing the equalizing factor to the average

statewide tax base; appropriating money.

HF1079 (Slawik) Relating to education finance; providing for a grant to school district No. 6067, Tri-District; authorizing state bonds; appropriating money.

HF951 (Slawik) Relating to education; increasing equity revenue.

## **Property Tax Division/TAXES**

200 State Office Building

Chr. Rep. Ron Erhardt

**Agenda:** HF1402 (Erhardt) Homestead, agricultural, and seasonal recreational property exempted from general education tax; property tax class rates reduced; homestead credit program established, school district levy computation modified, and money appropriated.

HF2330 (Howes) Property tax payment by commissioner of natural resources required in counties having a reduced tax base due to acreage in state ownership.

HF2295 (Mullery) Tax court jurisdiction provided in specified Hennepin County property tax cases.

HF2397 (Daggett) Maple syrup added to definition of agricultural products relating to property taxation.

## **Sales and Income Tax Division/TAXES**

500N State Office Building

Chr. Rep. Elaine Harder

**Agenda:** HF2237 (Bernardy) Expands the dependent care credit on individual income taxes. HF377 (Harder) Extends credit for taxes paid to other states to taxes of German Lander.

HF2308 (Kuisse) Exempts purchases for certain road projects from sales and use taxes.

HF2346 (Daggett) Provides an individual income tax subtraction for health insurance premiums.

HF2261 (Daggett) Exempts certain sales to benefit certain charitable organizations from the sales and use tax; provides that certain employer distributions to persons who have made payroll or retirement deductions for combined charitable organizations are not lotteries.

HF2387 (Daggett) Exempts the purchase of construction materials and equipment used in constructing a fire hall in the city of Sebeka from sales and use taxes.

HF2176 (Milbert) Clarifies the taxation of certain nonmixed municipal solid waste disposed of in a landfill.

HF2234 (Erhardt) Increases the maximum long-term care insurance credit, reduces the lifetime benefit requirement, and extends the credit to employers.

12:30 p.m.

## **FAMILY & EARLY CHILDHOOD EDUCATION FINANCE**

5 State Office Building

Chr. Rep. Barb Sykora

**Agenda:** New Life Academy student presentation. HF680 (Rhodes) Relating to appropriations; Children, Families and Learning; appropriating money for a grant to provide transitional housing services.

HF2336 (Harder) Relating to family and early childhood education; modifying child care assistance employment eligibility.

HF2229 (Bernardy) Relating to education; early childhood; modifying the definition of child; establishing a pool of up to 2 percent of the annual appropriation to provide assistance to children age 14.

HF206 (Opatz) Relating to education; appropriating money for an after-school educational enhancement pilot program for low-income youth in the St. Cloud area.

HF2265 (Skoe) Relating to libraries; providing a grant for the Fosston Public Library accessibility project; appropriating money.

## **LOCAL GOVERNMENT & METROPOLITAN AFFAIRS**

200 State Office Building

Chr. Rep. Jerry Dempsey

**Agenda:** Not in final agenda order.

HF2214 (Mares) Major league professional baseball stadium financed, private funding required, interest-free loans and temporary tax-free zone provided, site selection commission created, disposition of the Metrodome provided, and money appropriated.

HF1952 (Rhodes) Affordable housing requirements authorized in subdivision regulations, regulatory relief required to housing developers who voluntarily meet affordability thresholds, and money appropriated.

HF1146 (Ozment) Salt distribution stockpiles design, construction, and use requirements established.

HF2403 (Fuller) Alcoholic beverages sales tax paid to counties, revenues dedicated to alcohol abuse-related costs of local governments, and money appropriated.

Other business.

**Note:** The committee may hear other bills on Monday; watch electronic and paper bulletins. If there are bills not heard by 2:15 p.m., the meeting will recess and reconvene in 500N State Office Building after session, at the call of the chair.

## **REGULATED INDUSTRIES**

10 State Office Building

Chr. Rep. Ken Wolf

**Agenda:** HF1817 (Workman) Utility facilities regulation modified in railroad rights-of-way.

HFXXXX (Paulsen) Multiple dwelling unit complexes television services providers access rights clarification.

And other bills to be announced.

**After Local Government meeting, at the call of the chair**

## **Subcommittee on Metropolitan Council and Agencies/LOCAL GOVERNMENT & METROPOLITAN AFFAIRS**

500N State Office Building

Chr. Rep. Mark Buesgens

**Agenda:** To be announced.

3 p.m.

## THE HOUSE MEETS IN SESSION.

### TUESDAY, April 10

8 a.m.

#### \*\*\*NOTE TIME AND ROOM\*\*\*

##### TRANSPORTATION POLICY

10 State Office Building

Chr. Rep. Tom Workman

**Agenda:** HF1054 (Johnson); SF257 (Day) I-394 "sanelanes" use by single-occupant vehicles study and report required, and money appropriated.

HF852 (Howes) Motor vehicle filing fees modified and clarifying changes provided.

HF1728 (Workman); SF1986 (Kelly, R.C.) Transit assistance fund expenditures restriction; motor vehicle sales tax revenues allocation modification, constitutional amendment.

HF362 (Westrom); SF326 (Vickerman) Diesel fuel minimum biodiesel fuel content specified.

8:15 a.m.

##### EDUCATION POLICY

200 State Office Building

Chr. Rep. Harry Mares

**Agenda:** HF1015 (Mares) Family, early childhood, and K-12 education programs administrative and funding provision modifications.

##### HEALTH & HUMAN SERVICES POLICY

#### \*\*\*NOTE ROOM\*\*\*

5 State Office Building

Chr. Rep. Fran Bradley

**Agenda:** HF702 (Goodno) Local intervention grants for self-sufficiency formula modified.

HF918 (Ottremba) Alzheimer's Disease care facilities patient disclosures required, and money appropriated.

HF919 (Dawkins) Civil commitment definitions and procedures modified, patient rights specified, coverage and cost of care provided, voluntary consent procedures expanded, and court records sealed.

HF2345 (Abeler) Oral language interpreter services coverage required of health plans.

More bills may be added.

**Note:** If necessary, this meeting will continue past the normal meeting time of 10 a.m. and go no later than 12 noon.

##### JUDICIARY FINANCE

Basement Hearing Room

State Office Building

Chr. Rep. Rich Stanek

**Agenda:** HF351 (Stanek) DWI; felony level driving while impaired offense established.

10:15 a.m.

##### CRIME PREVENTION

Basement Hearing Room

State Office Building

Chr. Rep. John Tuma

**Agenda:** HF2122/SF1711 (Leppik) Crime of counterfeit drivers license and identification cards and materials.

HF1289/SF1274 (Dawkins) Prostitution crimes aggressive initiative; increased criminal penalties; money appropriated.

HF1908/SF1297 (McGuire) Gunshot wound reporting requirement modified.

HF2291/SF1727 (Skoglund) Implementing an automated crime victim notification system.

**Note:** Additional bills may be added.

##### ENVIRONMENT & NATURAL RESOURCES POLICY

10 State Office Building

Chr. Rep. Dennis Ozment

**Agenda:** HF110 (Wagenius) Water quality standards risk evaluation and report required.

HF2306 (Jennings) Wastewater and drinking water funding requests coordinated and rulemaking authorized.

SF266/HF371 (Workman) Aggregate resource protection and development included in local government land use comprehensive plans.

HF877 (Bakk) Specified solid waste transfer station project repayment obligations waived.

HF1782 (Ottremba) Long Prairie River declared a canoe and boating route.

##### STATE GOVERNMENT FINANCE

300N State Office Building

Chr. Rep. Philip Krinkie

**Agenda:** HF218 (Krinkie) State Government Finance Bill. Section 12, Subd. 8, proposed budget for Department of Administration's Office of Technology.

HF260 (Stanek) Criminal justice information system improvements provided including fingerprinting, collection of aliases, and suspense file reporting, and money appropriated.

Additional bills may be added.

**Note:** Additional meetings may be scheduled outside of the committee's regularly scheduled meeting time.

##### TAXES

200 State Office Building

Chr. Rep. Ron Abrams

**Agenda:** HF2127 (Pawlenty) Creates the Biomedical Innovation and Commercialization Initiative; provides a tax credit.

HF192 (Goodno) Authorizes special taxing districts for emergency medical services.

HF1806 (Knoblach) Allows St. Cloud, Sartell, Sauk Rapids, Waite Park, St. Joseph, and St. Augusta to impose a local sales and use tax to fund certain projects.

\*HF1451 (Larson) Minneapolis-St. Paul International Airport expansion impact provided, airport mitigation planning authorized and airport impact zones established, mitigation fund created, and money appropriated.

\*This bill will be heard for informational purposes only.

**Note:** If the agenda is not completed, it will be continued at 3 p.m. in 200 State Office Building.

12:30 p.m.

##### AGRICULTURE & RURAL DEVELOPMENT FINANCE

10 State Office Building

Chr. Rep. Bob Ness

**Agenda:** To be announced.

##### CAPITAL INVESTMENT

5 State Office Building

Chr. Rep. Jim Knoblach

**Agenda:** To be announced.

##### COMMERCE, JOBS & ECONOMIC DEVELOPMENT

200 State Office Building

Chr. Rep. Greg Davids

**Agenda:** HF1821 (Kuisle) Relating to commerce; allowing licensing exemption for certain sales of horse trailers and temporary sales of recreational vehicles.

HF322 (Rhodes) Relating to health; modifying the Minnesota Utilization Review Act.

HF1953 (Rhodes) Relating to housing; streamlining the residential development process; authorizing the state building official to have final interpretive authority of the State Building Code; authorizing the construction codes advisory council to establish a technical advisory group; requiring a report; establishing the State Building Code as the building standard for the state of Minnesota; authorizing municipalities to require developers to include affordable housing; modifying the requirements for adoption or amendment of zoning ordinances.

HF2362 (Davids) A resolution memorializing Congress to pass legislation requiring cigarettes that are less likely to start fires.

Other bills may be added.

2:30 p.m.

##### REDISTRICTING

500S State Office Building

Chr. Rep. Erik Paulsen

**Agenda:** Testimony on the Minneapolis and St. Paul Latino community.

##### Salary and Budget Subcommittee/ Legislative Coordinating Commission

400N State Office Building

Chr. Sen. Roger Moe

**Agenda:** Review/approve recommendations regarding compensation evaluation. Review/approve biennial budget proposal. Other business as approved by the chair.

**Immediately following the Salary and Budget Subcommittee meeting (approximately 3:15 p.m.)**

## **Legislative Coordinating Commission**

400N State Office Building

Chr. Rep. Steve Sviggum

**Agenda:** Report from the Subcommittee on Salary and Budget regarding adoption of compensation evaluation recommendations. Report from the Subcommittee on Salary and Budget regarding biennial budget proposal. Other business as approved by the chair.

**3 p.m.**

## **LOCAL GOVERNMENT & METROPOLITAN AFFAIRS**

500S State Office Building

Chr. Rep. Jerry Dempsey

**Agenda:** To be announced.

**After Local Government meeting, at the call of the chair**

## **Subcommittee on Metropolitan Council and Agencies/LOCAL GOVERNMENT & METROPOLITAN AFFAIRS**

500S State Office Building

Chr. Rep. Mark Buesgens

**Agenda:** To be announced.

**4 p.m.**

## **\*\*\*NOTE TIME AND LOCATION\*\*\***

## **JOBS & ECONOMIC DEVELOPMENT FINANCE**

5 State Office Building

Chr. Rep. Dan McElroy

**Agenda:** HF2298 (Clark, K.) Opportunities industrialization center programs funding provided and money appropriated.

HF2320 (Knoblach) Job training program grants made available to employers who hire qualified low-income graduates of nonprofit job training programs.

HF739 (Osskopp) Grand Excursion 2004 planning and promotion funded, and money appropriated.

HF675 (Swenson) West Newton reimbursed for costs of St. George community wastewater treatment system, and money appropriated.

HF932 (Swenson) Regional sludge management demonstration project appropriated money.

HF700 (Lieder) Ada 1997 flood recovery work bond interest reimbursement grant provided and money appropriated.

HF721 (Larson) Richfield redevelopment grants provided and money appropriated.

HF2011 (Dawkins) Urban Indian housing program funding provided and money appropriated.

HF2306 (Jennings) Wastewater and drinking water funding requests coordinated and rulemaking authorized.

HF2338 (Osthoff) St. Paul Port Authority customized job training funding provided and money appropriated.

HF1930 (Rukavina) Northeast Minnesota economic protection trust expenditures limited.

## **WEDNESDAY, April 11**

**7:30 a.m.**

## **HEALTH & HUMAN SERVICES FINANCE**

10 State Office Building

Chr. Rep. Kevin Goodno

**Agenda:** HF1303 (Boudreau) Commissioner of Human Services authorized to collect drug rebates, medical assistance provisions modified, demonstration project for family services established, and MinnesotaCare coverage extended to Indian health service facilities.

HF812 (Bradley) Suicide prevention goals, programs, duties and studies required; mental illness transition plans established; provider payment adjusted; mental health services and treatment coverage requirements provided; and money appropriated.

HF1531 (Bradley) Young adult transitional services provided, community-based mental health services for adults increased, and adult rehabilitative and crisis stabilization provider qualifications and established.

**8:15 a.m.**

## **GOVERNMENTAL OPERATIONS & VETERANS AFFAIRS POLICY**

Basement Hearing Room

State Office Building

Chr. Rep. Jim Rhodes

**Agenda:** To be announced.

## **JOBS & ECONOMIC DEVELOPMENT FINANCE**

200 State Office Building

Chr. Rep. Dan McElroy

**Agenda:** HF1725 (Gunther) WomenVenture business development programming grants provided and money appropriated.

HF1270 (Entenza) Currency exchanges, real estate brokers, real property appraisers, residential contractors, and collection agencies continuing education, fees, costs, duties, rights and recovery fund amounts regulated.

HF1789 (Lindner) Employment support services for persons with mental illness grants provided and money appropriated.

HF1799 (Sertich) Centers for independent living grants provided and money appropriated.

HF1872 (Marquart) Vocational rehabilitation facilities grant procedures technical changes provided.

HF1834 (Marquart) Breckenridge and East Grand Forks grants provided to reimburse temporary financing in anticipation of FEMA financing for 1997 flood recovery projects and money appropriated.

## **TRANSPORTATION FINANCE**

5 State Office Building

Chr. Rep. Carol Molnau

**Agenda:** HF1306 (Howes) Minnesota Conservation Corps program and decorative forest products provisions modified, sustainable forest resources provisions repeal delayed, study required, civil penalties imposed, and money appropriated.

HF9 (Ruth) Motor vehicle sales tax revenue dedicated to highway user tax distribution fund, and constitutional amendment proposed.

HF1286 (Ruth) Traffic flow improvements funded to eliminate bottlenecks in metro area, at-risk interregional corridors outside metro area improved, annual reports required, and money appropriated.

HF1965 (Vandever) Greater Minnesota interregional corridor improvements, metropolitan area bottlenecks, and transit advantages funding provided, and money appropriated.

HF1944 (Holberg) Light rail; special taxing districts created to finance operating costs of light rail transit.

HF1498 (Larson) Minneapolis and Richfield Highway No. 62 construction and reconstruction delayed and report required.

**10:15 a.m.**

## **CIVIL LAW**

Basement Hearing Room

State Office Building

Chr. Rep. Steve Smith

**Agenda:** HF1169 (Dorman) Employer safety committee requirements modified and penalty limits for violations increased.

HF205 (Nornes) Gas theft from motor fuel retail business civil remedies provided.

HF1145 (Boudreau) Veterinary medicine cease and desist orders authorized.

HF661 (Stang) Accountancy act of 2001 established, rulemaking authorized, and penalties imposed.

HF2244 (Abrams) State funding of trial courts provided in unfunded judicial districts.

HF1256 (Holberg) Best interests of the child factors clarified relating to custody proceedings.

**Note:** Any unfinished business will be conducted at 5 p.m. in 500S State Office Building.

## **ENVIRONMENT & NATURAL RESOURCES FINANCE**

10 State Office Building

Chr. Rep. Mark Holsten

**Agenda:** HF94 (Haas) Fish and game law gross overlimit violations criminal penalties established, and restitution values determined.

HF1591 (Ozment) Aquatic restoration grants authorized, administrative penalty orders provided for commercial aquatic activity, decoy regulations and turtle licensing modified, conservation law enforcement provided, and penalties prescribed.

**Note:** If agenda is not completed, the committee will reconvene after session in the Basement Hearing Room, State Office Building.

## **HIGHER EDUCATION FINANCE**

300S State Office Building

Chr. Rep. Peggy Leppik

**Agenda:** HF2241 (Stang) Stadium review commission established to evaluate sports stadium construction proposals.

## K-12 EDUCATION FINANCE

5 State Office Building

Chr. Rep. Alice Seagren

**Agenda:** To be announced.

## TAXES

200 State Office Building

Chr. Rep. Ron Abrams

**Agenda:** HF2158 (Abrams) Met Council Transit funding.

HFXXXX (McElroy) Abolishes the property tax levy for transit.

HF697 (Holsten) Provides a class rate reduction for certain property bordering public waters.

HF2339 (McElroy) Exempts current value of utility generation personal property from the general education levy; reduces the class rate on utility generation personal property; exempts certain new increased capacity and increased efficiency utility personal property from property tax; requires the PUC to adjust utility rates for reduced utility property taxes; establishes an electric utility generation attached machinery personal property tax replacement trust fund; provides for a rebate if an electric generation facility shuts down; authorizes issuance of bonds; provides a state guarantee on certain local bonds; appropriates money.

HFXXXX (McElroy) Provides that certain personal property of an electric utility is exempt from taxation; provides state aid payments to replace the revenue loss by local governments; provides a state guarantee for certain bonds; appropriates money.

12:30 p.m.

## AGRICULTURE POLICY

10 State Office Building

Chr. Rep. Tim Finseth

**Agenda:** HF1763 (Olson) Relating to drainage by transferring a public drainage system to a public water management authority.

## FAMILY & EARLY CHILDHOOD

### EDUCATION FINANCE

5 State Office Building

Chr. Rep. Barb Sykora

**Agenda:** To be announced.

## LOCAL GOVERNMENT & METROPOLITAN AFFAIRS

200 State Office Building

Chr. Rep. Jerry Dempsey

**Agenda:** To be announced.

**Note:** The committee will reconvene in 200 State Office Building after session at the call of the chair.

3 p.m.

## THE HOUSE MEETS IN SESSION.

## THURSDAY, April 12

No committee hearings scheduled.

## FRIDAY, April 13

House offices closed.

# Reflections

The art of teaching is too often taken for granted. If not for teachers like Socrates, Plato, St. Thomas Aquinas, and Leonardo da Vinci, the creation of ideas and imparting them would still be in the Dark Ages of disbelief.

Of the 134 legislators in the House, 20 list their occupation as teacher or educator. While all become “teachers” to the general public by the end of session, lawmakers begin as students who must learn as they debate and decide what should become law.

Laws are the outcome of what lawmakers have learned through instruction, study, and commitments to voters. Not unusual are many legislators who on occasion initiate “teaching the class” during a House session to educate or clarify issues for their peers. Among them are: Reps. Alice Seagren (R-Bloomington), Carlos Mariani (DFL-St. Paul), Dave Bishop (R-Rochester), and Mary Murphy (DFL-Hermantown).

Others include Reps. Harry Mares (R-White Bear Lake), Peggy Leppik (R-Golden Valley), Lyndon Carlson (DFL-Crystal), and Leslie Schumacher (DFL-Princeton).

Teachers — whether by profession or duty — are the very core and foundation of all society. Good teachers are passionate, caring, objective, fair, dedicated, and committed to imparting true and universal knowledge — not the propaganda of what they think truth should be.

Most teachers are unique idealists who are strongly dedicated to sharing and improving the knowledge of others. For example, New York teacher Ruth Morgan, through her own stamina and drive, got an entire senior class of near dropouts from the inner city to attend college.

Another example is House page Robert Cook’s professor of culture and mythology who had such a manic demeanor and passion for his job that he garnered strong writing skills and a love for the written word from most of the 22 students and a few slackers in the class.

Page coordinator Andrew Padula, who speaks Japanese, dedicated time in Japan to teaching English and grammar. Meanwhile, Susan Moore, reading coordinator at Rosemount Middle School, gets seventh and eighth-graders committed to noteworthy topics of importance to a larger world around them. Likewise, Kate North at Black Hawk Middle School in Eagan is devoted

to energizing creativity in her art students and others.

One of Minnesota’s first teachers, Harriet Bishop, came from Vermont in 1847 to educate Kaposia Indian youth and others in South St. Paul.

A long-time teacher of note, retired 83-year-old Ruth Bethel of Miami, Fla., nurtured thousands of wary students to lead fruitful lives.

Furthermore, today, Joyce Burnham of Pelican Rapids High School, gives speech students opportunities to learn more about lesser known women of Minnesota.

Many teachers are volunteers — like House staff members Edward Burdick and Patrick Duffy Murphy who teach the legislative process to new members and interns, or the father of a House staffer who taught his daughter to play golf, and another who gives free piano lessons.

Good and honest teachers are noble. They are to be held in high esteem and commended for their devotion and dedication to society.

—LECLAIR GRIER LAMBERT

Photo courtesy of the Minnesota Historical Society



A group of teachers poses for the camera circa 1900.

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

### Local government lobbyist expenditures

Amount of dollars spent in 1999 by local governments in direct and indirect lobbying, .....	4,101,192
Increase over 1998, as percent .....	13.9
Dollars spent in 1998, in millions .....	\$3.6
Number of cities that directly employed staff and/or contracted with professional lobbyists, in 1999 .....	28
Amount they spent .....	\$1,038,130
Largest amount (Minneapolis) .....	\$213,501
Second largest (Richfield) .....	\$191,919
Number of counties that directly employed staff and/or contracted with professional lobbyists, 1999 .....	12
Amount they spent .....	\$907,960
Largest amount (Hennepin) .....	\$324,728
Number of school districts that directly employed staff and/or contracted with professional lobbyists, 1999 .....	10
Amount they spent .....	\$372,697
Number of metropolitan agencies that directly employed staff and/or contract with professional lobbyists, 1999 .....	4
Amount they spent .....	\$320,548
Largest amount (Metropolitan Airports Commission) .....	\$148,573
Amount paid in 1999 by local governments to associations that represented their interests .....	\$6,015,709
Numbers in 1998 respectively .....	\$5,488,216
Portion of the 1999 dollars spent on lobbying activities, as percent .....	24
In 1998 .....	24
Number of local units of government who relied entirely on their employees to represent them at the Legislature .....	7
Number that relied on contract lobbyists .....	41
Number that had both .....	6
Amount spent in 1999 on lobbying expenditures by associations representing local governments, in millions .....	\$1.8
Percent funded through dues of association members .....	77.8
Most dollars spent by a local government organization lobbying in 1999 (League of Minnesota Cities) .....	\$216,599
Second (Metropolitan Inter-County Association) .....	\$160,482
Third (Minnesota School Boards Association) .....	\$145,247

Source: 1999 Local Government Lobbying Expenditures report, Office of the State Auditor, March 2001.

### FOR MORE INFORMATION

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