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In this issue:

ENERGY PLAN ON THE MOVE

FOOT AND MOUTH DISEASE, .08 LIMIT, AND MORE

HF2454-HF2478

Session Weekly

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On the cover: The Capitol and street rod owner Jerry Hefferman of White Bear Lake are reflected in the chromed headlight of his 1933 Dodge. The Minnesota Street Rod Association displayed several collector cars April 17 to promote the hobby of street-rodding.

—Photo by Tom Olmscheid

Powering up

After considering four major energy-restructuring bills, two now emerge as House plans for the session

BY MARY KAY WATSON

After watching California's lights flicker and dim, the Legislature is looking hard at state energy policy this year for the first time in a long while.

"Minnesota is six to 10 years from facing an energy shortage," said Rep. Loren Geo Jennings (DFL-Harris), sponsor of HF1323. "There's no disagreement on that fact."

Of the four major energy proposals before the House this session, two remain viable: HF1323 and HF659. Both bills were considered April 18 by the House Environment and Natural Resources Finance Committee.

Jennings' bill and HF659, sponsored by Rep. Ken Wolf (R-Burnsville), are the financial and policy portions, respectively, of the energy proposal for this session. Structured to promote the goals of energy reliability and security, the two bills are meant to complement one another.

Wolf's bill, called the Minnesota Energy Security and Reliability Act, has been through several incarnations since it was first introduced in February.

"It's fair to say we like this bill a little less each time we see it, and today is no exception," said Bill Grant of the Izaak Walton League and spokesperson for "People Organized for Workers, the Environment and Ratepayers," a group that formulated one of the original four bills.

Wolf, chair of the House Regulated Industries Committee, came close to agreeing: "It's changed so much I can hardly keep up with it."

The newest version of HF659 scales back the powers of the independent reliability administrator to provide technical assistance to the Department of Commerce, the Public

Utilities Commission (PUC) and the Legislative Electric Energy Task Force. Originally this administrator, dubbed the "energy czar," would be responsible to oversee the state's energy system.

"I'm a little concerned that we're going to sail a bill out of here that has no crew on board," commented Rep. Margaret Anderson Kelliher (DFL-Mpls).

Wolf said the change was necessary to eliminate any fiscal impact. He assured Kelliher there are people in the agencies that currently work on energy and would be working on the implementation of this act, should it pass.

"What you're saying is there's no fiscal cost, but the cost to taxpayers could be dramatic because we're not taking the conservation route," said Rep. Jean Wagenius (DFL-Mpls). "Is this a fantasy ship or a sinking ship?"

The goal of eliminating fiscal impacts from HF659 also prompted the following changes:

- Elimination of the original provision extending Environmental Quality Board (EQB) jurisdiction over the routing of 100 to 200 kilovolt transmission lines;
- Repeal of the current Conservation Investment Program (CIP) and placing all utilities into a new conservation program;

- Requiring a triennial audit, instead of pre-approval, for public utilities;
- Extending CIP exemption eligibility to 10 megawatt customers; and
- Elimination of the need for the commissioner's approval of utilities' integrated resource plans.

Finally, HF659 made some changes to bring the House bill closer to the Senate version, involving the following: siting and routing of transmission lines; distributing power generation around the state; joint ventures involving utility companies and organizations; and the overall state transportation plan.

"There's been a steady chipping away of our provisions," Grant said. "We're almost back to the status quo."

Wolf said the intent of the current version of the bill is "neither to exclude nor favor any type of energy product."

Jennings' bill would have a fiscal impact; however, its magnitude has not yet been determined. HF1323 would provide for "electric generation parks" and establish a funding source to provide incentives for the construction of new energy generation facilities.

Energy parks are a new approach for Minnesota's power generation infrastructure. This bill would provide for the establishment of designated sites for the construction of multiple facilities for the generation of electrical power. An existing power facility could also be designated as an electric generation park.

"People want to know where electric generators are going to be built," Jennings said.

The bill would give the Environmental Quality Board the authority to approve the siting of electric generation parks and the Public Utilities Commission the authority to grant certificates of need for these parks.

HF1323 would provide for the Minnesota Energy Reliability Trust Fund to be established by the commissioner of commerce, the chair of the PUC, and the director of state planning. The fund would be managed by the



Black Dog Power Plant in Burnsville.

FILE PHOTO BY TOM OLMSCHIED

independent reliability administrator.

The trust fund would be fed by an energy surcharge that would cost Minnesota consumers \$0.00017 per kilowatt-hour of electricity and \$0.003 per thousand cubic feet of natural gas, or about \$1.50 per year for a typical residence.

If the surcharge raised \$10 million in a fiscal year, the surcharge would be discontinued until the fund fell below \$4 million, when the PUC would begin collecting the fee again in the next fiscal year. There is also a provision that would allow an increase in the surcharge if needed to provide an incentive for electrical generation plants. The fund limit would be \$50 million.

Money in the trust fund would be designated for several uses.

First, it would provide "generation construction credits" to companies for using renewable energy or emerging technologies, such as wind generators. It could also go to utility companies for increasing the efficiency of, and reducing emissions from, existing power plants.

Finally, the trust fund would provide funding for the administration of a Center for Energy Security to be established at the Humphrey Institute for Public Affairs at the University of Minnesota. The center's purpose would be to research and identify emerging energy issues and act as an advisor to state agencies and legislators.

In addition to the creation of the energy trust fund, HF1323 would provide two other financial incentives for the building of new facilities that meet requirements: tax increment financing and exemption from personal property taxes.

John Reinhardt, a Minneapolis resident, protested that the bill was "outrageous" and would give taxpayer money to for-profit utility companies. "This is corporate welfare at its most obvious and most obnoxious," Reinhardt said.

Jennings disagreed. "Our system needs a major upgrading," he said. If you want the lights to stay on, you're going to build generation and you're going to build wires."

HF1323 was approved and sent to the House Taxes Committee. HF659 was still under consideration of the committee at the time this issue of *Session Weekly* went to press. 🐼

Correction

A story in the April 13 issue of *Session Weekly* discussing a bill that would change the way concealed weapons permits are granted discussed an amendment by Rep. Jim Abeler (R-Anoka) that would require permit holders to notify school officials if they are carrying a weapon on school property.

The story misstated that the permit holder would not have to get the permission of the school principal in order to carry the weapon. That permission would be required.

We regret the error.

IT'S A FACT



Who's the Boss?

Order of gubernatorial succession was set in 1961 law

In a nation of laws, executive succession assumes the importance of royal lineage in monarchies. The very specter of ambiguity or illegitimacy in the ascension and maintenance of rightful authority can frighten citizens and worry allies.

Here in the Land of 10,000 Lakes, the governor's constitutional responsibilities are broad and often require action within a short time period. Dispatch and decisiveness are essential. For example, the governor has only 72 hours to sign a bill after it is passed by the Legislature in odd-numbered years. In case of insurrection or invasion, the governor is the commander-in-chief of the state's military forces.

The framers of the Minnesota Constitution sought to ensure the continuity of government by stipulating that the lieutenant governor would assume the duties of governor "in case vacancy occurs from any cause whatever in the office of governor." The constitution delegates to the Legislature the responsibility for creating an order of succession beyond lieutenant governor. It did so in 1961.

Therefore, today if for some reason Gov. Jesse Ventura were to relinquish power, Lt. Gov. Mae Schunk would assume the duties of office, as prescribed by the state constitution. But for her to do so, the state must be sure that Ventura is truly unable to discharge the powers of his office.

The Legislature decided in 1961 that the lieutenant governor may take over under three circumstances, not including impeachment or resignation. The first two are obvious: the governor dies or voluntarily transmits a written message to the speaker of the House or president of the Senate declaring his or her own inability to govern.

The third mechanism allows the chief justice of the Minnesota Supreme Court, the lieutenant governor, the governor's

chief of staff, his or her personal physician, and a cabinet member to declare the governor unable to discharge constitutional powers and duties.

Ventura's Chief of Staff Steven Bosacker declined in a telephone interview to detail the Ventura administration's procedures for ensuring the continuity of government. But Bosacker did say, "Not too many officials travel on one plane." He added that his office keeps close track of when and where state officials travel.

Under state law, were Schunk unable to assume the powers of office, the erstwhile



When Gov. Wendell Anderson was appointed U.S. senator after Sen. Hubert Humphrey died in 1976, Lt. Gov. Rudy Perpich, left became governor and President of the Minnesota Senate Alec Olson became lieutenant governor. The two are pictured here upon Olson's election as Senate president.

lieutenant governor yields to the President of the Senate, currently Sen. Don Samuelson (DFL-Brainerd). Were he unable to carry out gubernatorial duties, Speaker of the House Steve Sviggum (R-Kenyon) would undertake executive authority.

After exhausting legislative leadership, the 1961 law sets forth the line of succession for gubernatorial duties as

follows: the secretary of state, state auditor, state treasurer, and finally the attorney general, all of whom are directly elected. Unlike federal law regarding presidential succession, which passes to appointed cabinet members, Minnesota law does not specify succession beyond these officials.

To resume their duties, governors need only write a statement declaring that the period of temporary inability has ended and duly notify the President of the Senate and Speaker of the House.

The state pecking order was dramatically invoked when Gov. Wendell Anderson was appointed U.S. senator following the death of Sen. Hubert Humphrey in 1976. Lt. Gov. Rudy Perpich became governor, and President of the Minnesota Senate Alec Olson became lieutenant governor.

(J.M. WALKER)

★ AGRICULTURE

Finance bill approved

The House Agriculture and Rural Development Finance Committee unanimously approved the omnibus agriculture spending bill April 19.

HF1266, sponsored by Committee Chair Rep. Bob Ness (R-Dassel) would appropriate \$67 million from the general fund during the 2002-03 biennium.

The bill goes now to the House Ways and Means Committee, which must approve it before the bill reaches the House floor. It is scheduled to appear before the committee April 24.

Of the allocated funds, \$24 million would go to the Dairy Development and Profitability Enhancement Program to assist state farmers in modernizing procedures and equipment.

About \$18 million would support agricultural trade marketing programs, and \$3.4 million would help farmers clean up feedlots in violation of environmental regulations. Other expenditures fund the Agricultural Utilization Research Institute, a state-funded institute helping add value to existing products.

In another significant appropriation, the bill would allow ethanol producers to be reimbursed beyond the original 10-year limit. That appropriation is considered "open," meaning it is available for reimbursements whenever producers demonstrate they have produced ethanol.

The committee adopted an amendment, proposed by Rep. Al Juhnke (DFL-Willmar), requiring that a \$230,000 appropriation to the Duluth Seaway Port Authority be used to directly assist shippers, producers, and agricultural cooperatives. That appropriation has been in place since 1963.

Rep. Mike Osskopp (R-Lake City) successfully proposed an amendment that would delete a section of law requiring haulers of heavy commodities to keep records of their movements for 30 days. The committee adopted the amendment to, in the words of one representative, "send a strong message in support of agriculture."

Osskopp said state law enforcement agents follow trucks overfilled with agricultural products and fine them after reading through legally

mandated records that suggest the hauler may have committed the same violation in the past.

He noted dairy producers were being fined for violating weight restrictions on rural roads. "I've lived all over the place, and I've never lived in a state with such an adversarial relationship with agriculture," he said.

Maj. Gene Halverson of the State Patrol objected, saying that existing law is the only mechanism for enforcing weight restrictions on township roads. Weight restriction violations contribute to road degradation, he explained. He added that all money from fees goes directly to road improvement efforts.

★ CRIME

Notifying victims

A bill that would require the state to develop an automated program for notifying victims whether a perpetrator is in or out of jail or prison might be included in the omnibus judiciary finance bill.

On April 17, the House Judiciary Finance Committee heard the bill (HF2291), sponsored by Rep. Wes Skoglund (DFL-Mpls).

The bill, estimated to cost about \$1 million during the 2002-03 biennium, would require the Crime Victim Services Center in the state Department of Public Safety to design and implement a program that would cover state and local correctional facilities and courts statewide.

"The point of this is to give almost real-time data," Skoglund told the committee. "Where it really matters is domestic abuse cases."

The system would be available to victims 24 hours a day, seven days a week, Skoglund said. He gave the scenario of a person hearing a noise in the night, becoming afraid, and needing to have the peace of mind of knowing that someone who may have perpetrated a crime against them is still behind bars.

Skoglund said the information needs to be available at all hours, and should not necessarily require someone to speak with a real person.

Anna Sochocky from the department testified the only way victims can currently find out if someone is still incarcerated is to check the Department of Corrections Web site. However, that service does not include those in local correctional facilities.

BELAFONTE APPEARS

PHOTO BY TOM OLMSCHIED

Entertainer and civil rights activist Harry Belafonte speaks in the Capitol Rotunda April 17 in support of a bill that would allocate funding for pre-design and planning of a new Roy Wilkins center in St. Paul. A portrait of Wilkins, the longtime head of the NAACP, was on display as Belafonte spoke. The appropriation will be considered for inclusion in the House Jobs and Economic Development Finance Committee's omnibus bill.

"You're reaching thousands and thousands more victims" with HF2291, she said.

A fiscal note for the bill estimates start-up costs at \$576,000. However, federal funding, under the Victims of Crime Act, would be available for the plan.

Maria Alderink from the center testified that officials are concerned that the new service not take money away from the regional service centers that receive money for victims statewide. (The primary function of the Crime Victims Services Center is to disseminate millions of dollars in grants to local centers throughout the state each year.)

Rep. Rich Stanek (R-Maple Grove), chair of the committee and co-sponsor of the bill, asked if the center could absorb the costs. Alderink said in order to avoid having an impact on programs around the state, the project would be developed much more slowly. In its current form, the bill requires the department to report its plan of implementation to the Legislature by Jan. 15, 2002.

Child abuse clarification

Offenses defined by other states and other jurisdictions to constitute child abuse might be added to Minnesota's list of such offenses, if they are similar to abuse as defined by Minnesota law, under a measure passed by the House.

The full body adopted HF953, sponsored by Rep. Doug Fuller (R-Bemidji), during its April 18 session. The vote was 131-0.

In addition to other states, the bill would permit Minnesota courts to consider acts of child abuse as defined by the District of Columbia, tribal lands, and the United States at the federal level in determining whether a child is in need of protective services.

Current Minnesota child protection laws say a child is considered to be in need of protection or services if he or she resides with, or will live with, a perpetrator of child abuse. Minnesota law defines child abuse in terms of violation of state law if the act involves a child, such as assault or criminal sexual conduct with a child.

A companion bill in the Senate (SF1265), sponsored by Sen. Tony Kinkel (DFL-Park Rapids) is awaiting floor action.

General corrections provisions

The House passed a housekeeping bill for the Department of Corrections during its April 18 session. The vote was 131-0.

However, there are several provisions worth noting that created lively debate among members on the House floor.

Rep. Dave Bishop (R-Rochester), the sponsor of HF1261, said the bill would, among other changes, require correctional facilities to make regular reports on the recidivism of inmates.

Bishop has been outspoken in the past regarding the need to measure the effectiveness of programming, particularly with regard to drug offenses. Reporting on recidivism can help achieve that goal.

Although the bill is estimated to have no fiscal impact on state or local governments, Rep. Loren Solberg (DFL-Bovey) raised a concern that schools and other institutions caring for juvenile offenders might find the new requirements unduly onerous. Solberg, a teacher, made repeated reference to children who are wards of the court that "end up in my classroom," therefore requiring information from schools to be part of recidivism reports.

Bishop invited Solberg's input on the bill's future progress. After passing the House, the bill's Senate version must pass that body before being presented to Gov. Jesse Ventura.

The bill also requires the Department of Corrections to perform background checks on people having direct contact with patients or inmates. HF1261 would also allow the agency to charge an employee, contractor, or volunteer who engages in "penetrative sex" with an inmate with third degree sexual assault.

It specifies that consent on the part of the inmate is not a defense. Bishop told the House Crime Prevention Committee March 22 that predatory guards can victimize vulnerable inmates. He suggested that the new penalties will improve the professionalism of prison guards and other employees endowed with the power to restrain their fellow citizens.

Responding to criticism levied by several representatives whose counties maintain detainment facilities, Bishop said the bill would not affect county-funded correctional facilities.

Rep. John Tuma (R-Northfield) offered an amendment establishing an oversight board that ensures state agencies purchase furniture produced in prison. Bishop agreed to the amendment, calling the board "useful."

CriMNet system funding

A bill that would advance a state plan to integrate criminal justice information statewide received a significant indication that it will advance to the House floor from its sponsor and the chair of the committee in which it now resides.

"There is no doubt in my mind that House File 260 will be in the omnibus judiciary finance bill," Committee Chair Rep. Rich Stanek

(R-Maple Grove) told the House Judiciary Finance Committee April 18.

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

HF260 allocates \$41.5 million during the 2002-03 biennium to several state agencies for the purpose of continuing the implementation of the CriMNet plan. Currently, the state does not have a single, integrated system for collecting, storing or disseminating criminal justice information.

In an effort to better track people in the criminal justice system, the Legislature and several judicial branch agencies have explored the option of developing such a system. A policy group convened in 2000, chaired by Public Safety Commissioner Charlie Weaver, recommended spending \$41.5 million to link all the pieces together and provide significant matching grants to local communities.

Officials have testified that the major roadblock to successful implementation of the program involves how agencies input data at the local level.

The bill would provide funding for the biennium as follows:

- \$20 million to continue development of the Supreme Court Information System re-engineering project;
- \$11 million for local grants to plan for and implement the CriMNet system;
- \$4 million to development the basic implementation infrastructure;
- \$3 million to solve the suspense file (criminal records that do not match fingerprints) problem with the Bureau of Criminal Apprehension;
- \$2 million to manage and staff the models and standards for building the project; and
- \$1.5 million to continue developing the statewide systems through the Department of Corrections and to provide for local government implementation requests.

At the April 18 hearing, Weaver compared the provisions in the bill to those recommended by Gov. Jesse Ventura. His budget includes \$27 million for the program.

The most significant difference is in the money allocated for local grants. The governor's budget allocates only \$3 million for that purpose. Weaver indicated about \$4 million in federal funds also available for the program that may be used for grants.

Weaver emphasized whatever amount the Legislature provides for local grants would be helpful.

"I don't want you to think with \$8 million we won't make any progress, because we will," Weaver said.

In 2000, legislators provided for matching grants to help local communities fund implementation of the program. Weaver suggested there might be several communities in the state that would not be able to provide matching funds and the members should make room for that possibility.

The committee amended the bill to remove a provision inserted by the House State Government Finance Committee referring to how the CrimNet system should interact with other state computer systems. Language in the bill required the project be integrated with existing information and communication technology networks.

David Fisher, commissioner of the state Department of Administration, said the amendment resulted from a philosophy the department should not spend large amounts of state money on a plan that would affect only one facet of government, specifically the criminal justice system in this case.

However, Fisher said he did not bring forth the original amendment and the department did not have an official position on it.

★ EDUCATION

Pledge participation

After a long, arduous debate on the House floor, the body passed a measure to require students in public and charter schools to recite the Pledge of Allegiance at least once a week.

"It would restore some regular patriotic activities in our schools," said Rep. George Cassell (R-Alexandria), sponsor of HF915, during the April 18 floor session.

Rep. Harry Mares (R-White Bear Lake) said many Americans let days go by not thinking about the fact that they live in freedom. He told members the bill is "to remember those (soldiers) who never returned home to marry their sweethearts ... play with their children ... pursue their dreams."

However, claiming the bill may cheapen the principles for which veterans served, Rep. Alice Hausman (DFL-St. Paul) said she was voting in opposition. "Should our children be free to honor their country or should they be ordered by the state?"

HF915 gives school boards the authority to waive the requirement but says they must adopt a local policy regarding the Pledge of Allegiance. Students and teachers who object to the recitation would have the option to be excused from participating.

Much of the discussion regarded a provision that would have also required students in nonpublic schools to be subject to the provision.



John L. O'Neill Jr. of VFW Post 6845 in St. Paul watches from the gallery as the House passes a bill April 18 that would require recitation of the Pledge of Allegiance in public schools.

"We should make it mandatory in all schools for all school children," said Rep. Joe Opatz (DFL-St. Cloud), who sponsored the amendment.

But members spoke against enforcing policies for private schools. "When you tell private schools what to do you're going against what I fought for," said Rep. Dennis Ozment (R-Rosemount), a war veteran.

The provision did not pass.

By a 116-13 vote, members adopted an amendment by Rep. Bruce Anderson (R-Buffalo Township) that would require fifth grade students to learn "proper etiquette toward, correct display of, and respect for the flag, and in patriotic exercises."

HF915 passed with a 126-6 vote. The Senate version of the bill (SF303), sponsored by Sen. Bob Kierlin (R-Winona), is awaiting action in a Senate committee.

Staying within the budget

A bill to ensure school districts do not promise employee salaries it cannot afford has been amended to reduce the time and possible uncertainty of making fiscal projections.

Rep. Mark Buesgens (R-Jordan), sponsor of HF1470, stated no objection to an amendment that would lessen the time in which school districts must project general fund revenue and expenditures from four years to three. The rest of the bill remains unchanged.

The amendment was offered by Reps. Jeff Johnson (R-Plymouth) and George Cassell (R-Alexandria) at the second hearing of the bill during the April 18 meeting of the House K-12 Education Finance Committee.

Cassell said the change makes the bill "more workable and realistic."

Committee members had expressed concerns about school boards making financial projections before they know how much money they have, which is usually at the July 1 start of the fiscal year.

"Three years is better, but I still think we're asking school boards to take a shot in the dark," said Rep. Matt Entenza (DFL-St. Paul).

Jan Alswager, a lobbyist for Education Minnesota, agreed, saying districts do not know projected costs for three or four years out.

She also expressed concern that teachers already are paid "far below" other workers in the area, and salaries would decrease under the bill.

"We won't be able to attract teachers if the bill is implemented," she said.

HF1470 will be considered for inclusion in the committee's omnibus bill.

Final committee deadline

Legislators will meet the final deadline for bills to advance from House and Senate committees this week.

All omnibus finance bills must be passed from House and Senate committees by midnight **Wednesday, April 25**. If a bill fails to advance, it is likely that it will not be considered by the full House during 2001.

However, there are two exceptions to this deadline. Bills may advance from the taxes or rules committees in either body.

★ EMPLOYMENT

References, background checks

The full House narrowly passed a provision April 18 intended to encourage employers to share complete job histories with other employers looking to hire their previous employees.

During floor debate on SF1047, a bill relating to greater background checks for apartment managers, Rep. Jim Knoblach (R-St. Cloud) made a motion inserting the contents of HF415. Knoblach is that bill's sponsor.

The full measure passed on a 69-64 vote.

SF1047, sponsored by Reps. Peggy Leppik (R-Golden Valley) and Luanne Koskinen (DFL-Coon Rapids), builds on a law that requires background checks for apartment managers within the past five years. The new bill increases that to 10 years, because of a case in Leppik's district.

Koskinen stood to object to Knoblach's amendment, saying it had nothing to do with the bill.

"The law that we're dealing with was enacted as a result of the murder of my daughter," said Koskinen, whose daughter Kari was murdered in 1994. Her apartment manager was accused of the crime. "I find it extremely offensive from a personal standpoint."

House Minority Leader Tom Pugh (DFL-South St. Paul) agreed, saying that allowing the Knoblach amendment would set a bad precedent to House rules. He said if members wanted to vote on the issue in Knoblach's bill, they could simply bring it up on that day's calendar, where it was awaiting action by the body.

Nevertheless, the amendment was added. It allows past employers to provide job information, including evaluations from an employee's file, to potential employers.

According to Knoblach, Minnesota employers refrain from passing along all but the most basic information. Although existing law allows them to provide objective employment information, many businesses convey only dates of employment and official job title of previous employees, fearing lawsuits from previous employees denied jobs elsewhere.

During the debate, Knoblach said the intent is to give employers more freedom to be honest about an employee's record without fear of legal reprisal. Additionally, workplace safety and efficiency may be compromised by workers who would not have been hired if previous employers had shared information about poor job performance.

The bill's new language provides statutory immunity to employers providing reference information regarding former employees. Employers will not be held liable for damages

unless the provided information is false, the employer knew or should have known it is false and acted maliciously in sharing it, and the prospective employer actually relied on the information in declining to offer employment.

Furthermore, employees must demonstrate those conditions "by clear and convincing evidence," a standard critics say is too high.

Rep. Wes Skoglund (DFL-Mpls) questioned a provision in Knoblach's amendment requiring employers who choose to provide information to supply the employee with a copy of the information, particularly when the two may not have parted on good terms.

"Why in the world do we want to put another human being in that position?" Skoglund asked.

Knoblach said employers have the choice of providing the information and that portion is intended to protect the public.

"If they're going to discuss that information, it's only fair that (employees) be made aware," Knoblach said.

The Senate version of Knoblach's bill has not received a committee hearing. The Leppik/Koskinen bill, including Knoblach's amendment, was laid on the table by the Senate April 19.

HOUSING ADVOCATE



PHOTO BY TOM OLMSCHIED

Lisa Graphenteer from the Central Minnesota Housing Partnership testifies April 18 regarding the House Jobs and Economic Development Finance Committee's omnibus bill.

★ ENVIRONMENT

Forest management appropriations

The House Environment and Natural Resources Finance Committee considered a bill April 17 that would appropriate \$7.9 million for forest management to the commissioner of natural resources for the next biennium. It will be considered for inclusion in the committee's omnibus finance bill.

"House File 1235 is the most important bill for Minnesota's loggers, mills, and forest-dependent rural economy that you will consider this year," said Ray Killmer, president of the Minnesota Timber Producers Association.

Responding in part to requests from people in the timber and wood products industries, Rep. Mark Holsten (R-Stillwater), sponsor of HF1235, established firm guidelines as to how the money could be spent.

The appropriations would be divided among the following: tree planting, field services, timber sales, commercial and noncommercial thinning, forest inventory, and implementation of the Sustainable Forest Resources Act. A section of the bill would prohibit the commissioner from "reprogramming the appropriations for other purposes."

Testifiers for the bill were most concerned about the shortage of foresters in field services and timber sales.

"Right now the DNR does not have enough staff to implement their own forest management plans," Killmer said.

Bob Tomlinson, director of the Division of Forestry, admitted they were "sitting on" 23 vacancies in the division, which he said have "accrued through attrition" over the past three or four years.

That shortage in field personnel, according to industry spokespersons, has resulted in a decline in timber harvesting of 200,000 cords below the department's plans.

"By filling these positions the state would capture the revenue it has been losing by not meeting allowable timber sales," said Bob Olson, an employee of UPM-Kymmene who was speaking on behalf of the Wood Fiber Council.

Testifiers were also unanimous in their support of continued funding of the Forest Resources Council, which would receive the largest appropriation, \$2.3 million, for implementation of the Sustainable Forest Resources Act.

The Legislature passed this act in 1995 to "ensure the sustainable management, use and protection of the state's forest resources to achieve the state's economic, environmental and social goals."

The council, composed of citizens who

represent a broad spectrum of interests, established the guidelines for timber harvesting and forest management.

"Minnesota and Minnesota's loggers have been leaders in sustainable forestry practices and logging," Killmer said. "This program is the most important way that we do this."

Local forestry grants

The House Environment and Natural Resources Finance Committee heard a bill April 17 that would provide matching grants to local communities for forestry health, assessment, and planting. HF1031 will be considered for inclusion in the committee's omnibus finance bill.

Rep. Tom Hackbarth (R-Cedar), sponsor of HF1031, said it was originally a part of the proposal from the Legislative Commission on Minnesota Resources (LCMR) but didn't make it into that bill.

Hackbarth's bill would direct \$500,000 a year for the next biennium to combat forest diseases, with at least \$310,000 per year going to programs that attack oak wilt.

"It is easier, cheaper and far more rewarding to keep mature, healthy trees than to cut them down and replace them with something younger and less attractive," said Mark Stennes from the Minnesota Society of Arboriculture.

Oak wilt is "indigenous to Minnesota, manageable, and destructive if it gets out of hand," Stennes said. It spreads through root systems within a stand of trees and can be stopped by cutting the roots or by the use of chemicals. At this time, oak wilt is localized mostly in the southern one-third of the state, he said.

HF1031 would also provide grants totaling \$300,000 a year during the next two years for community forestry assessments and tree planting, at least one-half of which must go for the assessments.

This would be similar to the Minnesota ReLeaf Program, according to Mark Schnobrich, city forester for Hutchinson. His city has been the recipient of ReLeaf grants that have made it a healthier and more beautiful place, said Schnobrich. He said they could not have afforded the investment required to reforest their city without the grants.

GAMBLING



Card club expansion canned

The House voted down a bill April 18 that would have allowed an expansion to the number of tables and the betting limit at the card club in Canterbury Park.

The measure failed by a 96-37 vote.

Rep. Mike Osskopp (R-Lake City), the sponsor of HF894, said the card club has been a success and has greatly helped renew live horse racing at the track.

The 1999 Legislature authorized the card club at the park. The club has been in operation since the spring of 2000.

Osskopp said the card club has expressed a desire to hold a tournament and would like to increase the number of tables. Under current law, the club is limited to 50 tables.

There is now a two-hour wait at each table, Osskopp said. The bill would remove the Legislature from the process of determining the amount of tables allowed and give that authority to the state's racing commission officials who are at the facility every day.

The bill also would increase the bet limit allowed from the current \$30 maximum to \$60.

After the bill was defeated, Rep. Steve Dehler (R-St. Joseph) made a successful motion to reconsider the bill and return it to the General Register.

GOVERNMENT



Representing all African-Americans

A bill passed by the House April 18 reflects the changing nature of Minnesota's African-American community. The vote total was 130-0.

SF142, sponsored in the House by Rep. Neva Walker (DFL-Mpls), would expand the size of the Council on Black Minnesotans from its current 11 members to 13.

Under the measure, the additional seats would be to be filled by one person whose ethnic heritage is from West Africa, and one member whose ethnic heritage is from East Africa.

The council was established in 1980 to advise the governor and Legislature on issues facing African-Americans in the state. The council is also charged with recommending changes to laws to help address those issues.

Walker said the number of people emigrating from Africa to Minnesota is increasing. By requiring representatives from West Africa and East Africa to serve on the council, she said, the body would be able to better address issues crucial to those communities.

The bill was passed by the Senate Feb. 5. It now awaits the governor's signature.

Airport commission matters

The Legislature would have a say in who serves on the Metropolitan Airports Commission under a measure passed by the House April 18.

HF1236, sponsored by Rep. Jim Rhodes (R-St. Louis Park), passed by a 129-0 vote.

The commission is responsible for the day-to-day operation of airport facilities in the state. It consists of eight members representing the Twin Cities metropolitan area and four members from Greater Minnesota. The governor appoints those 12 members along with the chair of the board. The mayors of Minneapolis and St. Paul also serve on the commission.

Under the bill, the Senate and House would give advice and consent to the governor's appointments similar to the process used in the appointment of members who serve on the state's Campaign Finance and Public Disclosure Board.

Rep. Dan McElroy (R-Burnsville) offered a successful amendment clarifying that the appointment of the commission chair would only require advice and consent of the Legislature for the initial appointment.

McElroy said that while board members serve four-year terms, the chair's appointment does not have a limited term and thus the amendment clarifies that the Legislature need only give its advice and consent for the original appointment.

INDUSTRY



Better programming sought

The House approved a bill requesting television networks to reduce the amount of violent and sexually explicit material in their programming April 18. It passed by a 120-4 count.

Sponsored by Rep. Tony Kielkucki (R-Lester Prairie), HF118 encourages the networks "to produce television material that promotes wholesome family values." The pronouncement calls for the secretary of state to prepare certified copies of the resolution and transmit them to the presidents of television networks in the United States.

"According to the National Coalition on Television Violence, by age 18, the average young person has seen over 200,000 acts of violence and over 8,000 murders on television," Kielkucki said. "This does not address the issue of free speech. We are only asking them to reduce (sex and violence)."

Two amendments to the bill were also approved.

Rep. Lyndon Carlson (DFL-Crystal) requested that the term "the family" be changed to "all families." He said some people may perceive "the family" as a traditional family, while the new terminology would include cases such as where there is a single parent or a child's legal guardian is another relative.

Rep. Mark Olson (R-Big Lake) brought up a federal children's television violence measure proposed in the U.S. Senate in 1993. Noting that at the time network executives said

legislation was not necessary because they would do an effective job of notifying viewers when programming contains sex or violence, Olson said, "It has not been done."

He said the act was initiated in Minnesota and introduced in the Senate by former U.S. Sen. Dave Durenberger.

Olson's amendment simply added language that referenced the hearing. It also added the "Speaker and Clerk of the United States House of Representatives and the President and Secretary of the United States Senate" as resolution recipients.

A companion bill in the Senate, SF0054, has been referred to the Agriculture, General Legislation and Veterans Affairs Committee.

★ INSURANCE

Amending unemployment laws

A bill that would change certain provisions for unemployment insurance in Minnesota passed the House April 18. The vote was 130-0.

Though the bill deals primarily with technical changes, there are a few significant adjustments, including providing that American Indian tribes be treated similarly to public employers in the state, as required by federal law.

Rep. Ken Wolf (R-Burnsville) sponsors HF655.

Specifically, the bill would allow public employers to switch between paying unemployment taxes and reimbursing the system directly. The bill would make the same option available for American Indian tribes.

The bill would also allow unemployed people to backdate their applications for benefits in some situations, Wolf said. For example, he said, many people don't apply for unemployment benefits until one week after they were unemployed. The unemployment program also requires them to wait a week after applying before they can receive benefits, thereby creating a two-week lag. Wolf said the bill would allow them to backdate their application to the day they became unemployed so they could take advantage of the extra week of benefits.

Another provision allows someone to receive unemployment benefits if they quit because of domestic abuse. According to existing law, a person who quits is otherwise disqualified from receiving unemployment benefits.

The bill would further provide that anyone applying for benefits who does not provide all the required information to the Department of Economic Security, which currently administers unemployment benefits, would not be eligible for benefits.

HOCKEY TALK



PHOTO BY ANDREW VON BANK

The Bloomington Jefferson High School state champion girls hockey team, along with Rep. Alice Seagren, right, take part in a congratulatory visit with Gov. Jesse Ventura in his State Capitol reception room April 18.

HF655 awaits action in the Senate. Its Senate companion (SF1277) is sponsored by Sen. Dennis Frederickson (R-New Ulm).

★ LOCAL GOVERNMENT

Gun ranges not nuisances

Shooting ranges could not be shut down as nuisances under a measure passed by the House April 18 on a 99-34 vote.

Sponsored by Rep. Tom Hackbarth (R-Cedar), HF209 would prohibit local governments from closing shooting ranges that are in compliance with existing law even if the range is found not to conform to a new ordinance.

Hackbarth said some local units of government are using nuisance laws as an excuse to shut down shooting ranges. He said the ranges are an important part of the state, teaching safe practices and "children to shoot properly."

Rep. Wes Skoglund (DFL-Mpls) offered an unsuccessful amendment that would have limited the scope of the bill to noise violations and would have allowed local units of government to close ranges that violate other ordinances such as storing broken-down cars on the property.

"(This bill) gives rights to shooting ranges that no one else has," Skoglund said.

Hackbarth said he opposed the amendment because he was trying to get at the issue of those governments that are inappropriately using nuisance laws to shut down the businesses.

Skoglund said by allowing exemptions to all

nuisance laws and ordinances, a shooting range owner could theoretically open a pornographic operation on the premises and the government would be unable to do anything about it.

Another concern, Skoglund said, was that the bill not only requires local government to pay fair market value when closing a range but then to further compensate the owner for a new site.

Rep. Bill Haas (R-Champlin) said shooting ranges must obtain a permit before opening and if they violate the permit the business would be subject to review.

Haas said the bill provides necessary protection for owners of shooting ranges who are facing people moving in next to their operation knowing what the business is, and then complaining to government after they purchase or build their new homes.

Appoint or elect?

After approving two bills that would permit specific counties to make certain elected positions appointed, the House voted down a measure that would have expanded the option to counties statewide.

HF1340, sponsored by Rep. Bruce Anderson (R-Buffalo Township), would allow Wright County to appoint its county recorder. The bill was passed by a 114-18 vote.

HF2036, sponsored by Rep. Jerry Dempsey (R-Hastings), would permit Goodhue County to appoint its auditor-treasurer and recorder. That measure was passed by a 111-21 vote.

But SF510, sponsored by Rep. Larry Howes (R-Walker), which would allow county boards to change the method of appointing the

auditor, treasurer, recorder and auditor-treasurer positions, was defeated by a 104-27 vote.

Currently county boards can propose changing the positions from elected to appointed by putting a referendum question before county voters. The bill would remove the referendum requirement and allow the change to take place if approved by an 80 percent vote of the board.

The decision could then be overturned by a reverse referendum.

Rep. Loren Solberg (DFL-Bovey) said he thought it was a better policy for counties to continue to come to the Legislature on a “one on one” basis to explain their reasons for wanting to change the positions from elected to appointed positions. Solberg said that specific local cases can often be made for the change, but in general it was more important to continue to allow people to vote for those offices.

Rep. Dave Bishop (R-Rochester) said that while there was value in having people serve in those positions who didn’t always do what the county board told them to do, with the shrinking population of many Minnesota counties, it is now more important for the county board to have the ability to put the most qualified people in the technical positions.

Rep. Henry Kalis (DFL-Wells) spoke against the bill saying the positions benefit from having people serve who possess political skills as well as technical qualifications.

“A democracy is not perfect. It gives each individual an opportunity to have a voice in what takes place,” Kalis said.

Rep. Tom Osthoff (DFL-St. Paul) said the appointed positions would streamline county government and ultimately save taxpayers money.

After the measure failed, Rep. Marty Seifert (R-Marshall) made a successful motion to have the bill reconsidered and placed on the General Register. Seifert said Howes had told him he would limit the scope of the measure to just two counties, Cass and Hubbard.

The Senate passed the bill March 5 by a 45-19 vote.

★ TRANSPORTATION

The great plate debate

A plan to offer “choose life” license plates, which would funnel money to groups supporting pregnant women who commit to placing their babies up for adoption instead of having an abortion, has reached its final committee destination.

HF2193, sponsored by Rep. Ray Vandever (R-Forest Lake), will be considered for inclusion in the House Transportation Finance Committee’s omnibus bill.

The committee voted down a motion to send the bill separately to the House Ways and Means Committee during an April 18 meeting. The Ways and Means Committee must approve all spending bills after they are compiled and approved by the finance committees.

HF2193 would establish an “adoption support account” funded by drivers who choose to contribute \$25 to the account in addition to a \$10 plate fee on top of paying all taxes and fees on the vehicle.

The adoption support account money would be granted to counties, which would then be bound to donate money to groups vowing to spend at least 70 percent of the money on “the material needs” of pregnant women and infants awaiting adoption. The groups could spend the remainder on adoption counseling, training, or advertising, but not for capital expenditure or administrative and legal expenses.

Under the bill, counties would be barred from granting funds to groups at all involved in, or associated with, abortion activities including counseling for, or referral to, abortion clinics, abortion services, or “pro-abortion advertising.”

Responding to criticism that the bill makes the state act as a collection agency for private groups, Vandever said the state already offers plates for five private Christian colleges and therefore the proposed plates would not deviate from existing state practice.

Committee Chair Rep. Carol Molnau (R-Chaska) told the committee she favors the intended support for adoption but considers the license plates “bad public policy.” She pointed out, for example, that the state should expect to devote a one-quarter to one-third full-time equivalent employee to administer the new fund and county grant process.

Rail concerns

The House Transportation Finance Committee is considering a measure that would forbid the state Department of Transportation from spending state funds to study light or commuter rail transit unless the funds are appropriated in a law that identifies the specific route to be studied.

HF624, sponsored by Rep. Alice Seagren (R-Bloomington), would also hold true for state monies expended by the Metropolitan Council.

She said the department’s existing procedures do not sufficiently give notice to residents that a rail project is being considered. As such, residents and landowners are given insufficient opportunity to mount resistance to or influence such projects.

For example, Bloomington resident Paul McCullough said that although he owns

property along the proposed Dan Patch Commuter Rail Line, he learned of the proposal only incidentally as he noticed it “buried in the *Minneapolis Star Tribune*. I opened the newspaper, and there it was.”

The committee heard the bill April 18 and will consider it for possible inclusion in its omnibus finance bill.

An amendment proposed by Seagren would also require MnDOT to purchase all real estate within 100 feet of the Dan Patch Commuter Rail Line right-of-way.

The line is proposed to run between Northfield and Minneapolis, a trip of about 40 miles. It would run along existing Canadian Pacific Railway tracks.

McCullough described his town of residence as “a nice place to live and raise a family.” He said the line would jeopardize property value, increase noise, and create unacceptable safety concerns for residents along the line. He also emphasized that the line lacks local support.

The bill would further require that any track used for the Dan Patch line be upgraded to the safety standards of new track. Seagren explained that renovated or improved track normally need not legally incorporate the highest standards of safety.

Bus safety law signed

Gov. Jesse Ventura signed a law April 13 that could prevent some sex offenders from driving school buses.

Sponsored by Rep. Carol Molnau (R-Chaska), the new law bars those convicted of certain sex offenses — illegal use of minors in sexual performance, possession of pornography containing minors, or dissemination or display of harmful material to minors — from driving school buses.

The law takes effect June 1 and applies to offenses committed on, or after, that date. Existing law regarding licensed bus drivers bars any felon or anyone convicted of the following crimes: a drug offense, driving a school bus while intoxicated, indecent exposure, or other forms of child abuse.

The new law follows testimony by Chaska Police Chief Scott Knight that sexual offenders have acquired permission to drive school buses after concealing their identity.

The Senate version was sponsored by Sen. Claire Robling (R-Prior Lake).

HF57*/SF27/CH25

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

Battle over the bottle

Previous legislatures have tried to lower the legal blood-alcohol limit, but now money is at stake

BY BRENDA VAN DYCK

Lowering the blood alcohol content level for drunken driving is a recurring issue at the Legislature, only now there is more incentive to do so — in fact, millions of incentives in the form of federal highway dollars.

With the federal government's adoption of a national 0.08 percent blood alcohol concentration last year, states are required to lower their limits to that level by 2004. If not, they'll lose millions of dollars in federal highway funding.

Proposals to lower the legal limit from 0.10 percent to 0.08 percent have been considered by the Legislature since 1997, but have never become law. And this year, despite the monetary incentives to lower the standard, bills lowering Minnesota's blood alcohol concentration to 0.08 percent have died in House and Senate committees.

Legislation dealing with drunken driving goes back nearly a century. Minnesota first outlawed drunken driving in 1911, but it wasn't until nearly 45 years later that it implemented a standard of impairment.

Many states started implementing alcohol concentration limits of 0.15 percent, following the recommendations of the American Medical Association. This was a "presumptive limit," which presumed the level at which a person was impaired by alcohol, but that presumption could be rebutted with contrary evidence.

In 1939, Indiana was the first state to implement a presumptive limit of 0.15 percent. Minnesota followed suit, but not until 1955.

Minnesota's limit meant that anyone with a blood alcohol concentration under 0.05 percent was presumed to be unimpaired. Evidence of blood alcohol concentrations between 0.05 percent and 0.15 percent could be used to show that the person driving was impaired, but that evidence could be contested. Blood alcohol levels of 0.15 percent or more could be used as *prima facie* evidence (or evidence that stands on its own as proof) that the person was impaired by alcohol.

With growing evidence of a connection between alcohol concentration and crash risk, and improved technology to measure blood alcohol concentration, many states began lowering their limits in the 1960s and 1970s. Minnesota lowered its standard to 0.10 percent in 1967.

The state switched to a "per se" limit in 1971. That limit made it a crime to drive with an alcohol concentration of 0.10 percent or more, regardless of evidence of impairment.

In 1989, bills to lower the blood alcohol concentration to 0.05 percent were introduced in both bodies of the Legislature, but didn't go anywhere.

A more serious push was made in 1997. The House approved a bill that lowered the blood alcohol concentration to 0.08 percent and lowered the limit to 0.04 percent for drivers under age 19. In the Senate's version, the lower 0.08 percent standard only applied to repeat offenders and there were no provisions for underage drinkers.

The 0.08 percent standard was stripped out in conference committee. The final version of the bill included harsher penalties for repeat drunken drivers and the lower standard for drunken drivers under age 19, but was vetoed by Gov. Arne Carlson, who said the underage provision placed an undue burden on youth.

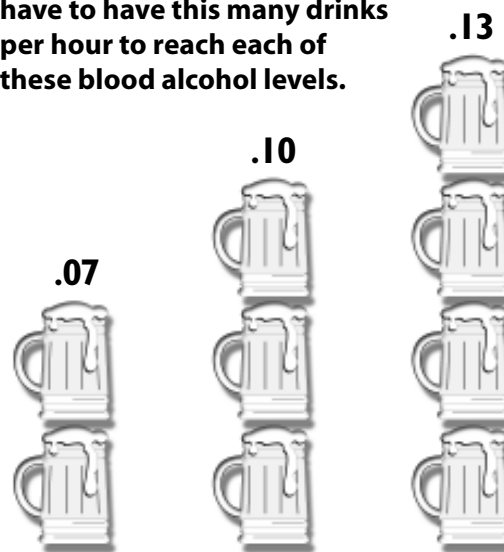
In a one-day special session that June, the Legislature approved a drunken driving bill that had stiffer penalties for repeat offenders, those driving with a blood alcohol level at least twice the legal limit, and those driving snowmobiles. The youth provision was stripped out, and Carlson subsequently signed the bill.

Also in 1997, President Clinton voiced his support for



Under proposals in both the House and Senate, drivers with as those pictured here. Those proposals have died in comm

A 140-pound woman would have to have this many drinks per hour to reach each of these blood alcohol levels.



Subtract .01% for each 40 minutes of drinking.
One drink is 1.25 oz. of 80 proof liquor, 12 oz. of beer, or 5 oz. of table wine.

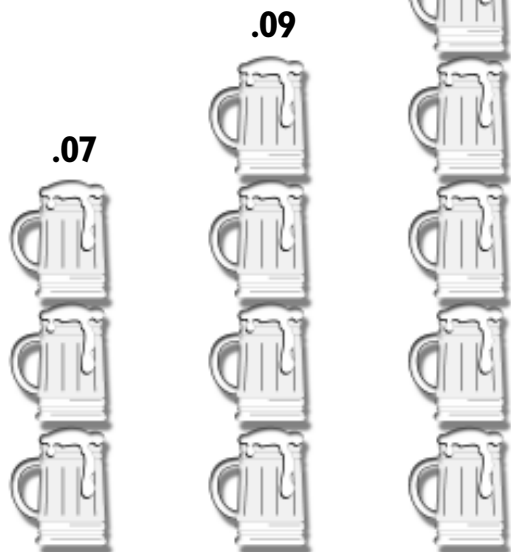
Source: National Clearinghouse for Alcohol and Drug Information.



PHOTO BY TOM OLMSCHIED

a .08 percent alcohol concentration would be considered drunken drivers and subject to field sobriety tests such as the walk-and-turn and one-leg stand tests.

A 160-pound man would have to have this many drinks per hour to reach each of these blood alcohol levels.



Subtract .01% for each 40 minutes of drinking.
One drink is 1.25 oz. of 80 proof liquor, 12 oz. of beer, or 5 oz. of table wine.

a national blood alcohol concentration limit of 0.08 percent.

Efforts to lower the limit in Minnesota continued in 1998 when the House approved a lower limit of 0.08 percent, and the Senate again lowered the limit for repeat offenders. The lower limit provision was again stripped out in conference committee.

On a national level, the U.S. Senate passed a national standard of 0.08 percent in 1998, while the U.S. House committee kept a similar proposal from reaching the House floor.

In Minnesota, bills lowering the blood alcohol limit were again heard in House and Senate committees during the 1999 session, but the House's version didn't make it out of the House Transportation Finance Committee.

Last year, as part of a larger

transportation funding bill, Congress established a national standard of 0.08 percent. States must subsequently lower their levels to that number by 2004, or they'll lose 2 percent of federal highway construction funding in 2004. The penalty increases to 8 percent (2 percent each year) if the level isn't lowered by 2007.

States that adopt the 0.08 percent standard by 2007 will have full funding restored and will be reimbursed for lost funds. If the state doesn't pass a 0.08 percent limit, Minnesota stands to lose \$61.5 million during the next six years.


In addition, there is approximately \$500 million in incentives for qualifying states to share for either highway safety or highway construction projects. Those incentives began at \$55 million in 1998 and increase annually to \$110 million in 2003. Incentives available to Minnesota from now until federal fiscal year 2004 equal about \$9 million.

Currently 19 states, (Alabama, California, Florida, Hawaii, Idaho, Illinois, Kansas, Kentucky, Maine, New Hampshire, New Mexico, North Carolina, Oregon, Rhode Island, Texas, Utah, Vermont, Virginia, and Washington), Puerto Rico, and the District of Columbia have adopted a *per se* standard of 0.08 percent. All other states have the *per se* limit of 0.10 percent, with the exception of Massachusetts, which has a presumptive limit of 0.08 percent.

Advocates for a lower standard, including Mothers Against Drunk Driving, say a lower legal limit for intoxication will reduce the number of deaths caused by drunken drivers. Opponents cite concerns about targeting social drinkers and the extra law enforcement costs for local governments.

The amount of alcohol it takes to reach 0.08 percent blood alcohol concentration depends on a number of factors, such as gender, body weight, how recently one ate, the duration of drinking, and individual metabolic rates.

According to the National Highway Traffic Safety Administration, on average, it would take a 170-pound man consuming four drinks on an empty stomach in one hour to reach the 0.08 percent level; for a 137-pound woman, it would take three drinks.

A woman drinking an equal amount of alcohol in the same period of time as a man of an equivalent weight may have a higher blood alcohol level than that man. 

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

Proper planning

Leaders prepare in case an outbreak of Foot and Mouth Disease were to occur in Minnesota

By **JONAS M. WALKER**

In the wake of viral outbreaks that have provoked alarm in the rural United Kingdom, shaken consumer confidence in meat products, and paralyzed some sectors of trade between Europe and the United States, lawmakers gathered April 18 to review the country's ability to prevent a Foot and Mouth Disease outbreak and the state's preparedness to respond should one occur in Minnesota.

State and federal officials told the House Agriculture Policy Committee that additional legislation might be necessary to effectively prevent the spread of the disease should it reach Minnesota.

"I want to know what ground zero would look like," said Rep. Doug Peterson (DFL-Madison).

Although no legislation was proposed, legislators suggested that increased state authority to quickly enact quarantines or compensate farmers for culled herds could be necessary.

Foot and Mouth Disease is a highly contagious viral infection afflicting hoofed animals such as cows, pigs, goats, and deer. There are

at least seven strains of the disease which humans can carry but do not catch.

Infected animals transmit the virus in every form of bodily excretion. The virus can also be spread in people's shoes or on other clothing, in human nostrils, in animal products, and even by wind. It is believed one outbreak in France was caused by wind-borne pathogens carried over the English Channel.

Foot and Mouth Disease incubates for one to five days before becoming evident in infected animals. In an average diseased farm, 95 percent of hoofed animals will catch the virus. Although fewer than 1 percent of adult animals die as a result of the disease it proves fatal for about one-half of young animals.

Infected animals suffer swollen lesions on hooves, in mouths, and on udders. Suffering from oral pain, animals stop eating and therefore slow their own growth or milk production.

The disease is tremendously destructive because it yields a decline in agricultural production as it slows animal growth, and results in smaller adult animals. Combined with its viru-

lent communicability, the disease's resultant decline in individual animal productivity can prove devastating for an agricultural economy.

Mike Starkey, an agriculture chemical information and certification consultant with the state Agriculture Department, said the only effective way of stopping an outbreak is to aggressively quarantine animals, people, and equipment that might have come into even incidental contact with the virus. All animals must be slaughtered and burned, buried, or otherwise completely destroyed.

Of particular concern to committee members were reimbursements to farmers whose animals are destroyed. Commissioner of Agriculture Gene Hugoson suggested farmers check their insurance policies to determine whether such an outbreak is covered.

However, even if insurance policies and government assistance completely indemnify farmers from loss, Hugoson and others emphasized the loss of future potential earnings is especially worrisome. For example, complete herds of rare cattle could be wiped out, obliterating generations of human work and investment. Furthermore, appraising the true value of animals that fall sick can also be very difficult.

Since February the United Kingdom has destroyed more than one million animals on 1,300 farms. Despite their efforts, the disease has spread to other European countries. Meanwhile, the United Kingdom has instituted a wide-ranging quarantine on infected areas, which has proved economically adverse and politically explosive.

The current European outbreak is especially worrisome to American officials because that region has been considered disease-free for some time. Likewise, the United States has been free of the disease since 1929.

But Tom Hagerty, a veterinarian with the state Board of Animal Health, said Americans should not assume their agriculture industry is immune from outbreaks. He said increased international trade and fast transcontinental travel compromise the traditional boon that North America is physically isolated from most countries unable to eradicate Foot and Mouth Disease.

Hugoson said there "is a real possibility that (an) outbreak (of the disease) could occur here." He emphasized the best way to address the threat is prevention.

According to Hugoson, the federal government has banned animals and animal products



PHOTO BY TOM OLMSCHIED

Minnesota officials are taking steps to prepare should the highly contagious Foot and Mouth Disease make its way to the United States and as far as Minnesota. The virus affects hoofed animals, such as cows, pigs, goats, and deer.

Continued on page 23

Rudy and Lola unveiled

Perpich family and other proponents preserved portrait of governor and first lady together, now hanging in the Capitol

BY DAVID MAEDA

Each of Minnesota's governors has an official portrait painted, usually upon their exit from office.

It's a solitary exercise, typically featuring Minnesota's chief executive alone in his office, in his district, or some other place close to his heart and his administration.

In his original portrait, Gov. Rudy Perpich is pictured in front of an open pit mine on the Iron Range. But because he was the only governor to serve nonconsecutive terms, he requested another.

Officials were left to determine if a governor could have two portraits. But even more controversial was that he wanted his wife in the portrait with him.

On June 27, 2000, Perpich and his wife Lola received an historic honor. On the day that would have been his 72nd birthday, Perpich's second portrait with his wife was officially unveiled in the State Capitol.

As Lola and her daughter, Mary Sue, cut down the rope holding up the cloth to unveil the former governor's new official portrait, a gathering of family, friends and former colleagues affably applauded.

It was the first time in Minnesota history that the first lady of the state is portrayed along with her husband in the official portrait.

Speaking on behalf of the family, Rudy Perpich Jr. said that his father, who passed away in 1995, would have been extremely proud.

"It was my father's dearest wish that my mother be included in the portrait," he said. "I asked my mother to speak, but (she said) it's such an emotional day that if she spoke she'd start to cry."

The oil painting by Minneapolis artist Mark Balma shows the couple in the governor's reception area, the elegant room the couple refurbished as part of their Capitol restoration project. Lola is seated next to a standing, smiling Rudy. Balma's painting uses a style reminiscent of Renaissance painters — a simple mathematical structure featuring layered textures that emphasize clarity, balance and perspective.

Perpich Jr. said that his father's smile in the portrait is a reminder of the look he would get whenever he was told one of his pet projects, such as the Mall of America, the National Sports Center in Blaine or the state arts high school, could not be done.

Perpich served twice, from 1976-79 and from 1983-91. After his first term he chose a portrait, painted by Jerome Fortune Ryan, that depicted him standing in front of an open-pit mine. The scene honored the Iron Range, Perpich's home region.

At the end of his second term Perpich requested another portrait in the Capitol. Because he was the only person to serve nonconsecutive terms as governor, there was some question about the state's policy regarding the gubernatorial portraits hanging in the Capitol.

To further add to the controversy, the portrait that Perpich wanted displayed was actually a photograph of he and his wife taken in the governor's residence.

The photograph was enlarged to the size of the other governor portraits, and enhanced with acrylics to simulate the look of an oil painting. It not only would have been the first nontraditionally painted portrait, but it also would have been the first portrait to portray both a governor and the first lady.

With his request denied Perpich bought space on a University Avenue billboard near the Capitol. It showed the portrait of he and his wife, with the message, "They won't let us in the Capitol, so 'hi' from here."

In 1997 the Legislature passed a bill that

appropriated \$5,000 for a new oil portrait of the photograph. Gov. Arne Carlson vetoed that item from a larger state government appropriations bill.

The Legislature also directed the Capitol Area Architectural and Planning Board to provide a report developing standards for the content, construction, and materials used for the official portrait of a governor. Further, the Legislature specified the board should "give particular attention to the question of whether the governor's spouse should be included in the official portrait of a future governor."

After studying the policies of other states, the board recommended that the official portrait "shall contain only a single subject, that of the governor," and that the portrait should be of painted quality, not a photograph.



PHOTO BY TOM OLMSCHEID

Rudy Perpich Jr., at podium, his mother Lola, second from left, and sister Susan, left, take part in the unveiling of a portrait of Gov. Rudy Perpich and Lola Perpich on June 27, 2000. The portrait replaced one that featured the former governor in front of an open pit iron mine.

The board also recommended that each governor be honored with a single portrait — similar to the United States Capitol where there hangs only one portrait of Grover Cleveland, the only person to serve two non-consecutive terms as president,

In 1998 Rep. Tom Rukavina (DFL-Virginia) again sponsored a bill that authorized allowing the new portrait depicting the first couple as the official portrait, but required the use of private funds for the painting.

Continued on page 23

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). 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	
Res.2	670	647*	Resolution memorializing the President and Congress to fund 40 percent of special education costs.	4/6/01	
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 permanent 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 City of 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	
13	1016	509*	City and county obligations payment by electronic transfer or credit card authorized.	4/6/01	
14	368	63*	Stearns County Highway 55 bridge designated as Old St. Anne's pass.	4/6/01	
15	243	346*	Trusts; uniform principal and income act modified, and antilapse law clarified.	4/6/01	
16	556*	756	Federal law enforcement officers authorized to exercise arrest powers in MN under specified circumstances.	4/9/01	
17	416	400*	Hokah authorized to vacate roads if necessary due to extensive damage.	4/9/01	
18	1046	991*	Notifies schools of student possession of drug paraphernalia.	4/11/01	
19	172	9*	Authorizes cities to provide housing assistance for volunteer firefighters or ambulance personnel.	4/11/01	
20	64	971*	Repeals law prohibiting itinerant carnivals.	4/11/01	
21	394	327*	Repealing statutes concerning castrating animals running at large in a town.	4/11/01	
22	466	972*	Repeals law prohibiting endurance contests.	4/11/01	
23	252	570*	Repeals obsolete rules.	4/11/01	
24	37	480*	Repeals obsolete traffic regulations.	4/13/01	
25	57*	27	Certain crimes against children named disqualifying offenses for school bus drivers' licenses.	4/13/01	

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

CH	HF	SF	Description	Signed	Vetoed
26	245	225*	Allows licensed peace officers to determine necessity of patient restraints.	4/13/01	
27	790	702*	Modifies requirements for the Bluffland trail system.	4/13/01	
28	1951	1204*	Regulates the use of HIV and bloodborne pathogen tests.	4/13/01	
29	994	883*	Establishes hospital waiver or variance request procedure.	4/13/01	
30	47*	39	Unemployment benefits to certain LTV employees extended.	4/11/01	

LATE ACTION ***

Time trial

House sends odd-numbered year session bill back to committee

The House considered, and then re-referred, a bill April 19 that would have limited the odd-numbered year sessions to 30 days.

HF2205, sponsored by House Majority Leader Tim Pawlenty (R-Eagan), would require the Legislature to do the bulk of its budgeting work during even-numbered years. The plan would have taken effect in 2005.

"In 1973 the voters of the state of Minnesota passed a constitutional amendment to allow, but not require, the Minnesota Legislature to meet every year," Pawlenty said. "Since then the Legislature has chosen to meet every year."

Rep. Dave Bishop (R-Rochester) made a

motion to re-refer the bill to the House Ways and Means Committee, which he chairs.

"This is a budget item and budgeting is the responsibility of the Ways and Means Committee," Bishop said. He also expressed concerns about the constitutionality of a bill that might affect the Legislature's ability to produce a balanced budget each biennium.

Pawlenty said the bill deals strictly with policy and did not carry with it any implicit fiscal impact.

Bishop said he would give the bill a hearing, but that he opposed its very concept.

"This so-called reform implies that we need it. This Legislature functions better than any

Legislature in the country," he said.

Rep. Irv Anderson (DFL-Int'l Falls) said he was concerned about the constitutionality issues the bill raised. He said the bill should be referred to the Ways and Means Committee and was critical that a similar bill (HF25) he sponsored did not receive a hearing.

Pawlenty said his original bill was very different from HF25 and during the House Governmental Operations and Veterans Affairs Policy Committee hearing of HF2205, his bill was amended to be more similar to Anderson's bill.

Rep. Mark Olson (R-Big Lake) spoke against the re-referral. He said he was not convinced that the budgeting and constitutionality arguments were valid.

"This bill has very significant and positive ramifications for this (legislative) process," Olson said. "This is good reform."

The motion to re-refer the bill to Ways and Means was adopted by a 71-61 vote.

(D. MAEDA)

Where to find information

House Public Information Office

175 State Office Building
(651) 296-2146 or 1-800-657-3550

The House Public Information Office is a nonpartisan office that provides committee meetings schedules; legislator information; and publications, including the *Session Weekly* news magazine, educational brochures for all ages, and member directories. All information is available at no charge.

Most of what this office publishes can be viewed on the Legislature's World Wide Web page. To connect, point your web browser at:

<http://www.leg.state.mn.us>

Chief Clerk's Office

211 State Capitol (651) 296-2314

The Chief Clerk's Office provides copies of bills at no charge, all agendas for House sessions, and the Journal of the House.

House Index Department

211 State Capitol (651) 296-6646

The House Index Department, a part of the Chief Clerk's Office, has a computerized index available for public use. House Index lists bills by committee, topic, author, file number, and other categories. The office can also give you the current status of legislation.

Minnesota State Government

Constitutional Offices

Governor

130 State Capitol
75 Constitution Ave., St. Paul 55155 296-3391
Jesse Ventura
Steven Bosacker - Chief of Staff 296-3391

Lieutenant Governor

130 State Capitol
75 Constitution Ave., St. Paul 55155 296-3391
Mae Schunk

Attorney General

102 State Capitol
75 Constitution Ave., St. Paul 55155 296-6196
Mike Hatch 297-4272
Alan Gilbert - Chief Deputy 296-6196

Secretary of State

180 State Office Building
100 Constitution Ave.,
St. Paul 55155 296-2803
Mary Kiffmeyer 296-2079
Bob Schroeder -
Deputy Secretary of State 296-2309

State Auditor

Suite 400
525 Park St., St. Paul 55103 296-2551
Judith H. Dutcher 296-2524
Deno S. Howard - Legal Counsel 297-3673

State Treasurer

303 Administration Building
50 Sherburne Ave., St. Paul 55155 296-7091
Carol Johnson 296-7091
John M. Manahan -
Deputy State Treasurer 296-7091

Supreme Court & Court of Appeals

Supreme Court

Minnesota Judicial Center
25 Constitution Ave.,
St. Paul 55155-1500 297-7650
Kathleen A. Blatz - Chief Justice 296-3380

Justices

Paul H. Anderson 296-3314
Russell A. Anderson 296-2484
James H. Gilbert 297-5454
Joan Ericksen Lancaster 296-2285
Alan C. Page 296-6615

Edward C. Stringer 296-4033

Court of Appeals

Minnesota Judicial Center
25 Constitution Ave.,
St. Paul 55155-1500 297-1000
Edward J. Toussaint Jr. -
Chief Judge 297-1006

Judges

Roland C. Amundson 297-1005
G. Barry Anderson 297-1007
Gary L. Crippen 297-1003
Sam Hanson 297-7676
Jill Flaskamp Halbrooks 297-1002
James C. Harten 297-1011
Thomas J. Kalitowski 297-3530
Roger M. Klaphake 297-1026
Harriet Lansing 297-1010
Randolph W. Peterson 297-7807
R. A. Randall 297-1004
Robert H. Schumacher 297-1009
Terri Stoneburner 297-1008
Gordon Shumaker 297-1068
Bruce D. Willis 297-1001

State Departments and other major agencies

Administration

200 Administration Building
50 Sherburne Ave., St. Paul 55155 296-6013
David Fisher - Commissioner 296-1424

Agriculture

Agriculture Building
90 W. Plato Blvd., St. Paul 55107 297-2200
Gene Hugoson - Commissioner 297-3219

Children, Families & Learning

1500 Highway 36 W.,
Roseville 55113 582-8200
Christine Jax - Commissioner 582-8204

Commerce

85 7th Place East, Suite 500,
St. Paul 55101 296-4026
Jim Bernstein - Commissioner 296-6025

Corrections

Suite 200
1450 Energy Park Drive,
St. Paul 55108 642-0200
Sheryl Ramstad Hvass -
Commissioner 642-0282

Economic Security

390 N. Robert St., St. Paul 55101 296-3644
Earl Wilson - Commissioner 296-3711

Employee Relations

Second Floor, Centennial Office Building
658 Cedar St., St. Paul 55155 297-1184
Julien Carter - Commissioner 296-3095

Finance

400 Centennial Office Building
658 Cedar St., St. Paul 55155 296-5900
Pam Wheelock - Commissioner 297-7881

Health

The Golden Rule Building, Suite 400
85 Seventh Place E., St. Paul 55101 ... 215-5800
Jan Malcolm - Commissioner 296-8401

Housing Finance Agency

400 Sibley, Suite 300,
St. Paul 55101 296-7608
Katherine G. Hadley -
Commissioner 296-5738

Human Rights

Suite 700
Army Corps of Engineers Center
190 E. Fifth St., St. Paul 55101 296-5663
Janeen Rosas - Commissioner 296-5665

Human Services

Human Services Building
444 Lafayette Road,
St. Paul 55155-3815 296-6117
Michael O'Keefe - Commissioner 296-2701

Labor & Industry

443 Lafayette Road, St. Paul 55155 ... 296-6107
Gretchen Maglich - Commissioner .. 296-2342

Military Affairs

Fourth Floor, Veterans Service Building
20 W. 12th St., St. Paul 55155-2098 282-4662
Maj. Gen. Eugene R. Andreotti -
Adjutant General 282-4666

Minnesota Planning

Third Floor, Centennial Office Building
658 Cedar St., St. Paul 55155 296-3985
Dean Barkley - Director 297-2325

Natural Resources

500 Lafayette Road,
St. Paul 55155-4001 296-6157
Allen Garber - Commissioner 296-2549

Pollution Control Agency

520 Lafayette Road N.,
St. Paul 55155 296-6300
Karen Studders -
Commissioner, Board Chair 296-7301

Public Safety

North Central Life Tower
445 Minnesota St., Suite 1000,
St. Paul 55101 296-6642
Charlie Weaver - Commissioner 296-6642

Revenue

600 N. Robert St., St. Paul 55146 296-3781
Matt Smith - Commissioner 296-3403

Trade & Economic Development

500 Metro Square
121 Seventh Place E.,
St. Paul 55101-2146 297-1291
Rebecca Yanisch -
Commissioner 296-6424
1-800-657-3858

Transportation

395 John Ireland Blvd., St. Paul 55155 296-3000
Elwyn Tinklenberg - Commissioner ... 296-3000

Veterans Affairs

Second Floor, Veterans Service Building
20 W. 12th St., St. Paul 55155 296-2562
Jeffrey L. Olson - Commissioner 296-2345

Boards & Agencies

Board of Pardons

Suite 200
1450 Energy Park Drive,
St. Paul 55108-5219 642-0284
Jeffrey Shorba - Secretary 642-0284

Campaign Finance & Public Disclosure Board

First Floor, Centennial Office Building
658 Cedar St., St. Paul 55155 296-5148
Jeanne Olson - Executive Director ... 296-1721

Capitol Area Architectural & Planning Board

204 Administration Building
50 Sherburne Ave., St. Paul 55155 296-7138
Nancy Stark - Executive Secretary ... 296-1162

Higher Education Services Office (HESO)

Suite 350
1450 Energy Park Drive
St. Paul 55108-5227
642-0533/1-800-657-3866
Robert Poch - Director 642-0502
Ronald McKinley - Co-Chair
Kathleen Vellenga - Co-Chair

Iron Range Resources & Rehabilitation Board

P.O. Box 441, Eveleth 55734 (218) 744-7400
1-800-765-5043

John Swift - Commissioner

Law Library

Ground Floor Judicial Center
25 Constitution Ave., St. Paul 55155 . 296-2775
Marvin Roger Anderson -
State Law Librarian 297-2084

Metropolitan Council

Mears Park Center
230 E. Fifth St., St. Paul 55101 602-1000
Ted Mondale - Chair 602-1414

Minnesota Historical Society

Minnesota History Center
345 Kellogg Blvd.W.,
St. Paul 55102-1906 296-6126
Nina M. Archabal - Director 296-2747

Minnesota State Colleges & Universities (MnSCU)

500 World Trade Center
30 E. Seventh St., St. Paul 55101 296-8012
Morrie Anderson - Chancellor 296-8012
Michael Vekich, St. Louis Park - Board Chair

Minnesota Tax Court

Minnesota Judicial Center
25 Constitution Ave., St. Paul 55155 296-2806
George W. Perez - Chief Judge

Minnesota Veterans Homes Board

122 Veterans Service Building
20 W. 12th St., St. Paul 55155 296-2073
Wayne Sletten - Chair

Office of Environmental Assistance

520 Lafayette Road, Second Floor,
St. Paul 55155 296-3417
Sherry A. Enzler - Director 215-0263

Public Utilities Commission

Metro Square Building, Suite 350
121 Seventh Place E., St. Paul 55101 296-7124
Burl Haar - Executive Secretary 296-7526
Greg Scott - Chair

University of Minnesota

100 Church St. S.E.
202 Morrill Hall,
Minneapolis 55455 (612) 625-5000
Mark Yudof - President (612) 626-1616
Patricia Spence, Rice - Board of Regents Chair

Workers' Compensation Court of Appeals

Minnesota Judicial Center, Suite 405
25 Constitution Ave., St. Paul 55155 296-6526
Steven D. Wheeler - Chief Judge 297-1594

All phone numbers area code 651 unless noted otherwise.

Frequently called numbers

(Area code 651)

Information, House

175 State Office Building 296-2146
Toll free 1-800-657-3550
TTY, House 296-9896
Toll free 1-800-657-3550
Chief Clerk of the House
211 Capitol 296-2314
Index, House
211 Capitol 296-6646
Sergeant at Arms, House
45 State Office Building 296-4860
Committee Hotline, House 296-9283

Information, Senate

231 Capitol 296-0504
Toll free 1-888-234-1112
TTY, Senate 296-0250
Toll free 1-888-234-1112
Secretary of the Senate
231 Capitol 296-2343
Voice mail/order bills 296-2343
Index, Senate
110 Capitol 296-5560
Sergeant at Arms, Senate
Senate Chamber 296-7514/296-1119

Committee Hotline, Senate 296-8088

Legislative Reference Library

645 State Office Building 296-3398
Governor's Office
130 Capitol 296-3391
Attorney General's Office
102 Capitol 296-6196
Secretary of State's Office
180 State Office Building 296-2803
Capitol Security
B-5 Capitol 296-6741
Emergency 296-2100

Tuesday, April 17

HF2454—Gunther (R)

Taxes

Lewisville wastewater treatment system construction materials and equipment sales tax exemption provided.

HF2455—McElroy (R)

Transportation Finance

Transit funding account established, property taxes prohibited as revenue source for transit services, motor vehicle sales tax revenue distribution modified, and money appropriated.

HF2456—Hilty (DFL)

Taxes

Corporate franchise tax minimum fee decreased.

HF2457—Abeler (R)

Health & Human Services Finance

Sales tax portion dedicated to human services purposes and constitutional amendment proposed.

HF2458—Kahn (DFL)

Governmental Operations & Veterans Affairs Policy

Public employee pension coverage provided for certain foreign citizens.

HF2459—Anderson, I. (DFL)

Higher Education Finance

Rainy River Community College microwave connection established with Confederation College in Ontario, and money appropriated.

HF2460—Sertich (DFL)

K-12 Education Finance

Independent School District No. 701, Hibbing, fund transfer authorized.

HF2461—Jennings (DFL)

Crime Prevention

Use of trained dogs in correctional facilities study required and reduction in use level prohibited.

HF2462—Skoglund (DFL)

Crime Prevention

Hennepin County chronic offender pilot project grant provided and money appropriated.

HF2463—Juhnke (DFL)

Jobs & Economic Development Finance

West central growth alliance regional marketing plan established and money appropriated.

HF2464—Hilty (DFL)

Taxes

Sales tax rebate provided payable in 2001, eligibility expanded for 2000 sales tax rebate, and money appropriated.

HF2465—Dawkins (DFL)

Taxes

City local government aid provisions modified, general education levy converted to a state tax, property tax class rates modified, district court takeover provided, and money appropriated.

Wednesday, April 18

HF2466—Wasiluk (DFL)

Transportation Finance

St. Paul grant provided to purchase the Union Depot and money appropriated.

HF2467—Mahoney (DFL)

Crime Prevention

Chronic offender mandatory consecutive sentences required, sentencing guidelines relating to offenses committed while on pretrial release modified, intensive supervision pilot project established, and money appropriated.

HF2468—Sertich (DFL)

Local Government & Metropolitan Affairs

Census figures increased by three percent margin of error to continue state aid to local governments.

Thursday, April 19

HF2469—Tuma (R)

Taxes

Montgomery wastewater treatment facility and public library construction materials and supplies sales tax exemption provided.

HF2470—Olson (R)

Environment & Natural Resources Policy

Landowners compensated for crops damaged or destroyed by protected wild animals within two miles of a game refuge.

HF2471—Howes (R)

Transportation Finance

Gasoline tax percentage derived from snowmobiles increased.

HF2472—Paulsen (R)

Redistricting

Local government redistricting deadlines extended, and districting principles modified.

HF2473—Kahn (DFL)

Civil Law

Organ donor designation on driver's license considered conclusive evidence of intent.

HF2474—Bishop (R)

State Government Finance

Governor's residence renovation funded, bonds issued, and money appropriated.

HF2475—Ness (R)

Agriculture Policy

Livestock development program established and money appropriated.

HF2476—Haas (R)

Commerce, Jobs & Economic Development

Owner definition expanded to include businesses relating to electrician licensure requirements.

HF2477—Tingelstad (R)

Environment & Natural Resources Policy

Oil sorbent materials placement in solid waste prohibited.

HF2478—Biernat (DFL)

Civil Law

Uniform Parentage Act (2000) adopted.

What's on the Web

Session Daily is the online companion to *Session Weekly* magazine, which is published by the nonpartisan House Public Information Office.

As the name suggests, the Web page offers news from the House on a daily basis, so you can stay on top of the major events at the Capitol. Brief but informative updates about

daily committee and floor action are posted before 8 a.m. Monday through Friday.

Now in its second year, Session Daily has been redesigned to be organized and archived by topic. That way, if you are following a particular issue or topic, you can go right to that link and view all the stories dealing with that topic from the entire session.

Session Daily offers links to useful resources, such as bill introductions and reports or documents from state government. Each day's version is also archived by date.

Be sure to bookmark Session Daily and check back regularly. To find the page, just go to the main Minnesota House of Representatives site

(www.house.leg.state.mn.us), then click on the link labeled "Session Daily."

Also, you can be notified via e-mail when the page has been posted for the day. Go to <http://www.house.leg.state.mn.us/listserv.htm> to sign up.



Schedule is subject to change.
For information updates, call House Calls at (651) 296-9283.

All meetings are open to the public.
Sign language interpreter services:
(651) 224-6548 v/tty.

To have the House committee schedule delivered to your e-mail address, send an e-mail message to join-houseschedule@ww3.house.leg.state.mn.us or direct your Web browser to <http://ww3.house.leg.state.mn.us/scripts/lyris.pl?join=houseschedule> and fill out the subscription form on the Legislature's Web site.

MONDAY, April 23

9 a.m.

HIGHER EDUCATION FINANCE

300S State Office Building
Chr. Rep. Peggy Leppik
Agenda: Omnibus Higher Education Finance Bill.

STATE GOVERNMENT FINANCE

300N State Office Building
Chr. Rep. Philip Krinkie
Agenda: To be announced.

10:15 a.m.

ENVIRONMENT & NATURAL RESOURCES FINANCE

Morning meeting: 10 State Office Building
Post-session: 5 State Office Building
Chr. Rep. Mark Holsten
Agenda: Mark-up of Environment and Natural Resources Omnibus Finance Bill.
Note: The committee is scheduled to meet from 10:15 a.m. to 12 noon and then again after session. Please note the room assignments.

K-12 EDUCATION FINANCE

5 State Office Building
Chr. Rep. Alice Seagren
Agenda: Re-referral of bills to the Capital Investment Committee:
HF448 (Hilty) Authorizing a facilities grant for Independent School District No. 2580, East Central; appropriating money.
HF449 (Hilty) Authorizing a capital loan for Independent School District No. 2580, East Central; appropriating money.
HF535 (Olson) Approving a maximum effort capital loan for Independent School District No. 727, Big Lake; authorizing state bonds; appropriating money.

HF748 (Dehler) Authorizing a cooperative facilities grant for the Swanville and Upsala school districts; increasing the maximum grant amount; authorizing the sale of bonds; appropriating money.

HF922 (Mares) Clarifying the relationship between Century College and Intermediate School District No. 916; authorizing a grant; appropriating money.

HF974 (Solberg) Authorizing a capital loan for Independent School District No. 698, Floodwood; appropriating money.

HF1079 (Slawik) Providing for a grant to School District No. 6067, Tri-District; authorizing state bonds; appropriating money.

HF1434, (Juhnke) Extending the Metropolitan Magnet School grant program statewide; appropriating money.

HF2079 (Lieder) Providing for a grant to Independent School District No. 600, Fisher; appropriating money.

HF2180 (Kielkucki) Authorizing a grant to Independent School District No. 2687, Howard Lake-Waverly-Winsted, for development of an agricultural high school; appropriating money.

HF2223 (Tuma) Appropriating money for a residential academy.

K-12 Education Finance Omnibus Bill.

Note: The committee will reconvene in 500S State Office Building after session, if needed.

TAXES

200 State Office Building
Chr. Rep. Ron Abrams
Agenda: To be announced.

3 p.m.

THE HOUSE MEETS IN SESSION.

4 p.m.

Joint House/Senate Subcommittee on Claims

500N State Office Building
Chrs. Rep. Bill Haas,
Sen. Randy Kelly
Agenda: Claim against Minnesota OSHA.
Claim against the Department of Natural Resources.
Claims against the Department of Transportation.
Claim against the Department of Public Safety.
Claim against the Department of Revenue.
Other business.

6:15 p.m.

WAYS & MEANS

200 State Office Building
Chr. Rep. David Bishop
Agenda: HFXXXX (McElroy) Omnibus Jobs and Economic Development Finance Bill.

TUESDAY, April 24

8:15 a.m.

HIGHER EDUCATION FINANCE

300S State Office Building
Chr. Rep. Peggy Leppik
Agenda: Omnibus Higher Education Finance Bill.

9 a.m.

STATE GOVERNMENT FINANCE

300N State Office Building
Chr. Rep. Philip Krinkie
Agenda: To be announced.

10:15 a.m.

ENVIRONMENT & NATURAL RESOURCES FINANCE

Morning meeting and post-session:
10 State Office Building
Chr. Rep. Mark Holsten
Agenda: Mark-up of Environment and Natural Resources Omnibus Finance Bill.
Note: The committee is scheduled to meet from 10:15 a.m. to 12 noon and then again after session. Please note the room assignments.

TAXES

200 State Office Building
Chr. Rep. Ron Abrams
Agenda: To be announced.

3 p.m.

THE HOUSE MEETS IN SESSION.

WEDNESDAY, April 25

8:15 a.m.

ENVIRONMENT & NATURAL RESOURCES POLICY

Basement Hearing Room
State Office Building
Chr. Rep. Dennis Ozment
Agenda: HF1393 (Workman) Waste management act modified to provide flexibility

to counties, SCORE fund redistribution provided, solid waste management plan requirements modified, and other solid waste statutes and rules clarified.

9 a.m.

STATE GOVERNMENT FINANCE

300N State Office Building

Chr. Rep. Philip Krinkie

Agenda: To be announced.

10:15 a.m.

ENVIRONMENT & NATURAL

RESOURCES FINANCE

Morning meeting and post-session: Basement Hearing Room, State Office Building

Chr. Rep. Mark Holsten

Agenda: Mark-up of Environment and Natural Resources Omnibus Finance Bill.

Note: The committee is scheduled to meet from 10:15 a.m. to 12 noon and then again after session. Please note the room assignments.

TAXES

200 State Office Building

Chr. Rep. Ron Abrams

Agenda: Presentation of Omnibus Tax Bill.

3 p.m.

THE HOUSE MEETS IN SESSION.

THURSDAY, April 26

8 a.m.

TAXES

Room to be announced

Chr. Rep. Ron Abrams

Agenda: To be announced.

Note: The tax committee is also scheduled to meet 30 minutes after session for testimony on the Omnibus Tax Bill.

10 a.m.

THE HOUSE MEETS IN SESSION.

30 minutes after session

TAXES

Room to be announced

Chr. Rep. Ron Abrams

Agenda: Testimony on the Omnibus Tax Bill.

FRIDAY, April 27

9 a.m.

THE HOUSE MEETS IN SESSION.

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Office at (651) 296-2146
or 1-800-657-3550



Fire-safe cigarettes

Approved in New York, some legislators want them required here

The state of New York passed a law in 2000 that requires only fire-retardant cigarettes to be sold by mid-2003.

The legislation is an effort to reduce the leading cause of fatal home fires in the United States: careless smoking. Failed attempts for a national standard have provoked some states — including Minnesota — to try to pass their own laws for standards on the cigarettes. Similar legislation has been voted down this session in Minnesota and several other states, including California and Massachusetts, but may be likely to rekindle soon.

The American Burn Association reports that every year between 900 and 1,000 people in the United States die from fires started by cigarettes, and an additional 2,500 to 3,000 are injured. The cost of human life and property damage exceeds \$6 billion annually.

Fire-safe cigarettes have been studied for years, namely since the Cigarette Safety Act passed in 1984, which assessed the technical, economic, and commercial likelihood of developing a fire-safe cigarette.

The New York law calls for a study to test the health risks of cigarettes that if not puffed, would put themselves out after a short time. Some lobbying groups question the cigarettes, saying that because they are made from special papers used to stop the cigarette from burning, they may contain harmful chemicals. The governor and Legislature in New York will receive a report on the findings before the sale of new cigarettes would be required.

The New York law says retailers who sell cigarettes that do not meet the safety standards will be subject to a \$500 fine, or

\$1,000 for a sale of five cartons or more of such cigarettes. A wholesale dealer could be fined up to \$10,000.

Although a bill to require the state fire marshal to adopt rules regarding fire retardant standards for cigarettes stalled in a Minnesota legislative committee earlier this session, legislators continue to push for a national standard. A resolution urging Congress to pass laws requiring only fire-safe cigarettes to be sold in the United States was recently approved by a House committee and is awaiting a hearing in a Senate committee.

(T. STAHL)

Continued from page 14

from countries affected by the recent outbreaks. Additionally, the importation of used farm equipment has been prohibited.

The United States Department of Agriculture (USDA) has stepped up preventive efforts at airports and seaports and has sent American scientists to assist Europeans in containing the outbreak.

Minnesota has taken the additional step of recommending farmers forbid visitors from Europe to enter their farms. Hugoson showed pictures of signs at the Minnesota Zoo imploring European visitors to delay visiting for at least five days after entering this country to ensure the virus has died.

Although the federal government has stepped up efforts to prevent the virus's entry into the United States, Hugoson said states have had to develop their own response plans in case of an outbreak. He estimated Minnesota is "probably farther ahead than other states."

Hugoson said his department is working with Gov. Jesse Ventura and Attorney General Mike Hatch to ensure that state agencies have the authority necessary to sufficiently address an outbreak.

Of particular concern, he said, is the principle that quarantines may only be legal to address human health issues. Since the disease raises primarily economic concerns as far as humans are concerned, the department may not have the legal authority to impose a quarantine. "We have to make sure the courts would be agreeable," said Hugoson.

Starkey said a quarantine should be imposed if even one animal tests positive for a Foot and Mouth Disease strain. In the United Kingdom, an infected farm is quarantined and all animals destroyed within 24 hours. All bordering farms are also quarantined, and must be depopulated within 48 hours.

During those periods, humans may not leave for any reason. Groceries are delivered to the ends of driveways of infected farms and national elections have been delayed to minimize travel in rural areas.

"Are we overreacting?" Hugoson asked rhetorically. "I hope so." 🐼

Continued from page 15

Because a governor is only allowed to line-item veto portions of budget bills that contain an appropriation, the only way to veto the portrait portion of the bill was to veto the entire appropriations bill.

At the unveiling Rukavina praised his fellow Iron Ranger's accomplishments. "To me this was a no-brainer. He was the longest serving governor in the state and I think he was the best governor in the state." 🐼

Reflections

A visit to the Legislature by entertainer and civil rights activist, Harry Belafonte on April 17 reminds us of how much Minnesota has always been at the forefront for equality and rights of its citizens.

Belafonte was in town to tout the rebuilding of the Roy Wilkins Auditorium at St. Paul's RiverCentre in memory of the friend he worked closely with on civil rights issues. He testified to a Senate committee and spoke to Gov. Jesse Ventura in support of the project.

Wilkins, who died in 1981, was a key advocate of the Civil Rights Act of 1965, along with Vice President Hubert H. Humphrey and others.

Minnesota's commitment to just causes, prompted by the vigor of some individuals goes back more than 150 years when the territory was founded based on a civil government.

Early in the 1850s, Scandinavians, Germans, British, and others from western Europe were encouraged to come cultivate farms and build towns. Among those offering encouragement were important public figures like Ignatius Donnelly, Archbishop John Ireland, and Hans Mattson, a Swedish immigrant who later headed the Legislature's Board of Immigration.

Others — native New Yorkers, those from northeastern states or southern towns along the Mississippi River — came seeking a more prosperous life, land, jobs, opportunities to start a business, religious freedom, or freedom from persecution.

These included Czechs, Poles and other eastern Europeans, Irish, Italians, a small number of Asians, freed slaves, free blacks, and Jews from Russia. During the next 100 years, Mexicans, Asians, Africans, and those from the Middle East came to experience the same.

And Minnesotans have always been willing to lend a hand when called upon to do so. Despite its infancy, Minnesota was the

first to volunteer for the Union Army in the Civil War in 1861.

At about the same time the abolishment of slavery was a hot topic. Two of the most outspoken Minnesotans on the issue were Jane Grey Swisshelm, editor of the *St. Cloud Democrat*, and the "Faribault Fire-eater" Orville Brown, owner of the *Central Republican* newspaper.

During the early 1860s, tensions grew among new immigrants and the Native Americans, resulting in the infamous Sioux Uprising.

Another early human rights advocate, Episcopal Bishop Henry Whipple warned

of impending trouble due to underhanded dealings by Indian agents, unfair treaties, and inhumane living conditions among the Indians. Whipple's warnings went unheeded, but his plea to President Lincoln on behalf of the Sioux resulted in condemning to death only 39 of the 300 Indians who participated in the



Early settlers built sod houses such as this when timber was scarce. Pieces of sod were stacked similarly to bricks, and were sometimes fastened together with a mortar of clay and buffalo grass.

bloody battle.

The Legislature passed a Negro Suffrage law for black men to vote in 1868. Women were able to vote in Hutchinson in 1855. They secured the right to vote for and serve on library boards in the state through a constitutional amendment in 1898. Nationally women didn't achieve the right to vote until 1920.

Three governors, Edward Thye, Luther Youngdahl, and C. Elmer Anderson helped to establish the Minnesota Interracial Commission in the late 1940s. Their beliefs are coined in the words of Thomas Jefferson, found in the House Chamber: "We hold these truths to be self-evident that all men (and women) are created equal."

—LECLAIR GRIER LAMBERT

Photo from the book *Minnesota Heritage, A Panoramic Narrative of the Historical Development of the North Star State*, published by T. S. Denison & Company, Minneapolis, and the Minnesota Historical Society.

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MINNESOTA INDEX

Childcare in Minnesota

Minnesota children age 14 and younger in the care of someone other than their parents at least once per week, as percent	68
Percent in care for 20 or more hours per week	35
Percentage of children younger than age 6 in the care of someone other than their parents for 20 or more hours per week	45
Percent cared for 35 or more hours per week	30
Among children of working parents, percent younger than age 6 in child care	82
Ages 6-14, as percent	71
Percentage of children younger than age 1 for whom relatives provide the most nonparental care (school year only)	46
Ages 1-2	24
Ages 3-5	14
Ages 6-9	31
Ages 10-12	34
Percentage of children age 14 and younger receiving childcare from a relative (most common)	29
In-home childcare facility	23
Center-based care	20
Informal home-care by nonrelative	11
Supervised activities	11
Children ages 10-14 who regularly care for themselves, as percent	28
Parents who believe neighborhoods are safe enough to let 10-year-olds care for themselves on a regular basis, as percent	19
13-year-olds	82
Households saying availability of childcare interfered with getting or keeping a job in the past year, as percent	21
Households with children age 14 or younger that have out-of-pocket childcare expenses, as percent	44
Average out-of-pocket expense per week	\$109
Federal benchmark for childcare affordability, as percent of household income	10
Approximate average percent of income put towards childcare for families making less than \$20,000	33
Those earning \$20,000 to \$44,999, as percent	10 to 23
Those earning \$45,000 or more	9
Percentage of low-income households aware that childcare assistance is available	57
Percentage receiving state childcare assistance	12
Percentage on waiting list	5
Percentage not on list, but would be if it weren't so long	14

Source: *Childcare use in Minnesota: Statewide survey of households*, Minnesota Department of Children, Families and Learning, January 2001.

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