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# SESSION Weekly

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In this issue:

TRANSPORTATION FUNDING

K-12 FUNDING BILL, JUDICIARY PROVISIONS, AND MORE

HF2479-2497

# Session Weekly

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**On the cover:** A capacity crowd packs the House Health and Human Services Finance Committee April 25 as lobbyists listen to a discussion of the committee's omnibus finance bill. That day marked the deadline for committees to act favorably on omnibus finance bills.

—Photo by Andrew Von Bank

# A challenging test

Omnibus K-12 bill would provide targeted funding, while repealing the Profile and reinstating a state Board of Ed

BY THERESA STAHL

**A**dopting strong measures to repeal the Profile of Learning, reinstate the state Board of Education, and keep school districts financially accountable, the House K-12 Education Finance Committee approved its omnibus bill (HF82) April 25, sticking to a tight budget.

The House would allocate \$8.7 billion from the general fund in education spending for the 2002-03 biennium, up from \$7.9 billion in the 2000-01 biennium. Committee Chair Rep. Alice Seagren (R-Bloomington) sponsors the legislation.

Sharing the frustration of many teachers, students, and parents, Rep. Tony Kielkucki (R-Lester Prairie) sponsored a measure to abolish the Profile of Learning, part of Minnesota's graduation standards. The bill was chosen for the omnibus measure over another that would have established a task force to create new standards.

Kielkucki's provision (HF2057) would establish new state wide tests in third, fifth, and 10th grades. In a committee earlier this session, Kielkucki said the Legislature needs to let districts choose their own standards for their students.

HF82 recommends several new boards for the oversight of education in Minnesota.

Two years after the state Board of Education was abolished by the Legislature, the House proposes to reinstate the supervisory board.

The governor would appoint 10 members to the board, whose terms would be staggered. The commissioner of education would be chosen by the board. The measure (HF770) was sponsored by Reps. Lyndon Carlson (DFL-Crystal) and Mark Buesgens (R-Jordan).

A seven-member state board for

charter schools would be established to expand the list of accountability factors for charter schools, as well as administer state and federal start-up aid. The board, said Rep. Mindy Greiling (DFL-Roseville), sponsor of the original bill (HF1825), would not be necessary if the Board of Education was reinstated because the board could also oversee charter schools, and she proposed an amendment to remove the provision. However, the committee rejected that amendment before approving the bill.



PHOTO BY ANDREW VON BANK  
The House K-12 Education Finance Committee approved its omnibus bill April 25, which includes funding for classrooms, like this one at John A. Johnson Elementary in St. Paul.

Rep. Jerry Dempsey (R-Red Wing) proposed to create a Board of Educational Administrators, which would be responsible for licensing, as well as establishing preparation programs, rules for continuing education requirements, and a code of ethics, for school administrators.

Keeping schools financially accountable is the goal of another measure, (originally HF1470), which is sponsored by Buesgens. School districts would be prohibited from entering into contracts with teachers unless they are structurally balanced. This would be based on a three-year projection of revenues and expenditures.

A related provision would order an outside consultant to evaluate the financial and academic performance of Minnesota's schools for the benefit of taxpayers, educators, school board members, and state and local officials.

Majority Leader Tim Pawlenty (R-Eagan), sponsor of HF71, said the reason for the provision is because of numerous reports, surveys, and assessments on Minnesota's education system, there is not one that objectively and comprehensively evaluates schools. The measure, which would cost \$2.5 million, was the target of several DFLers who proposed several unsuccessful amendments before the committee to use its funding for different initiatives.

Enthusiasm for assessment carried over to a plan that would evaluate teacher effectiveness by using a "Value-Added System," an analytical procedure developed at the University of Tennessee. The system follows students individually from grade to grade, evaluating their progress. Measures of student learning would estimate teacher, school, and school district statistical distributions, the bill says.

Besides analyzing teacher performance, the bill would offer a comprehensive plan to transform compensation and help retain teachers. Seagren proposed the measure to try to recruit teachers and retain them, she said.

Advanced placement and international baccalaureate teachers and

students would receive support from another Seagren bill (HF1862) included in the omnibus measure. Since 1992, the state has assisted with teacher training and students testing fees for the programs except during the current biennium. Seagren is hoping to regain \$2 million in each year of the 2002-03 biennium.

Supporting student literacy, Seagren also proposes to continue a successful pilot program for reading competency in schools throughout the state. The measure, originally in HF1136, would award \$2 million in grants in each year of the 2002-03 biennium to three districts that could distribute funds to at least 50 sites, a portion of which must have one-fourth of students in kindergarten through third grade eligible for free or reduced-price lunch.

The committee included in the bill several measures addressing health and mental health issues in children.

Rep. Barb Sykora (R-Excelsior) sponsored HF478 that would require parents, education providers, and health care professionals to first evaluate alternatives to prescription drugs when a child has been diagnosed with attention deficit disorder (ADD) or attention deficit hyperactivity disorder (ADHD). An elementary school teacher testified to the committee earlier in the session, saying she has seen it misused in her classroom.

An interagency committee to coordinate state efforts to advocate for children with autism would be formed under the bill. Sponsored by Rep. Jim Abeler (R-Anoka), the coordinating committee would recommend to the Legislature a plan for improving the educational experience for young children with autism.

The bill includes a note about special education: "All colleges and universities ... must include in their teacher preparation programs information on special education laws, teaching strategies, and positive behavior interventions."

Flexibility in school plans might help aid districts in parts of the state where monies are

Continued on page 31

## Correction

A story in the April 20 issue of *Session Weekly* about the succession of power when the governor can no longer serve misstated the seat Gov. Wendell Anderson was appointed to in 1976. Anderson was appointed U.S. Senator in place of Walter Mondale, who was elected vice president under President Jimmy Carter.

In addition, the story misstated U.S. Senator Hubert Humphrey's death, which occurred in 1978.

We regret the error.



## Immigration assistance

Report shows ways Minnesota could better market itself to outsiders

Give us your tired, your poor, your hungry, and we'll make them productive Minnesotans, Gov. J.A.O. Preus was told in a 1921 report from the State Board of Immigration.

Because the state lacked the welcoming, torch-bearing hand of New York's Statue of Liberty, the report makes a case that Minnesota should make a concerted, not merely symbolic, effort in lending a hand to the burgeoning immigration population in order to better the agricultural and manufacturing sectors.

The report proposed expanding the state Board of Immigration by adding "field men," who would meet settlers as they arrived in the state, accompany them to their land, and stay with them until they became settled into their new homes.

"In the past Minnesota has confined its efforts along immigration lines to inducing a man to locate within the state, and as soon as this has been accomplished, the settler has been completely ignored and left to shift for himself, a stranger in a strange land. No welcoming hand was there to greet him, nothing was done toward getting him started. ... This policy is wrong," the report states.

The state's population at the time was nearing 3 million people. Though many of these people may have initially come from other countries, the report identifies many of the "immigrants" coming here from Iowa, Wisconsin, and Illinois.

Farming was rapidly growing in the state not only in the number of farmers, but also in the economic importance of the industry. Between 1910 and 1920, 25 percent of all the new farms developed in the United States were in Minnesota.

The report includes a survey conducted in 1920 and 1921 that showed 4,421 new settlers arrived in Minnesota. The counties with the greatest gains were St. Louis with 364 new people and Beltrami with 308.

Among the board's recommendations to

Gov. Preus was for the state to conduct a detailed soil survey that would allow potential settlers to know the quality of land they were thinking of buying.

A detailed survey would curb a growing problem of "unscrupulous land dealers" who were selling poor and worthless land to unsuspecting buyers.

The board also urged policies that would encourage a faster development of

the state's agricultural land. The report says that of the state's more than 21.5 million acres of idle land, 12 million were suitable for agricultural purposes. With that rate of settlement, it was estimated to take 66 years in order to transform that idle

land into productive farms.

The report did not focus on farming alone, however. The board also called for greater collection of information on the state's manufacturing industries in order to provide potential businesses with necessary statistics for the purposes of locating in Minnesota.

Though the report warned of losing population to neighboring states, it also made a case for what Minnesota had to offer.

"Minnesota has a distinct advantage over all other states and countries that are bidding for the surplus population of the more heavily peopled states," the report said. "We have the most productive soil. We have the best agricultural climate. We have plenty of rainfall, plenty of sunshine, abundance of pure water, fine lakes and rivers, good railroads and transportation facilities, excellent markets, the finest public school system in the world. We are just constructing one of the greatest systems of trunk highways in the United States — we have everything that the prospective settler can ask for or desire — everything necessary to a contented, prosperous, and progressive commonwealth."

(D. MAEDA)



Descendants of Norwegian immigrants posed by the sloop on which their ancestors came to America.



## ★ AGRICULTURE

### Funding favors some

The House Agriculture and Rural Development Committee's omnibus finance bill features good news for ethanol producers and dairy farmers, while not providing full funding for at least three programs.

The bill (HF1266), sponsored by Rep. Bob Ness (R-Dassel), was taken up on the House floor April 26, after this edition of *Session Weekly* went to press.

The bill approved by the committee would directly appropriate \$67.6 million of general fund dollars during the upcoming biennium, about \$7.8 million more than Gov. Jesse Ventura recommended in his budget. That is about \$4 million more of general fund revenue than is being spent in the current biennium.

An additional \$70.9 million would be made available for funding to "second generation" ethanol producers. That money would be available to makers planning to continue production after the expiration of the original 10-year period for direct subsidy. The first generation of ethanol producers are now reaching that initial time limit.

Including appropriation of revenue from other funds, the bill totals \$194.2 million.

Ness said the committee focused on the state dairy industry, which is facing the lowest income levels in decades and a resulting decline in dairy herd numbers. In addition to bolstering dairy farmers, the bill also focuses on expanding markets for Minnesota producers, preventing disease outbreaks, and supporting organic and sustainable agriculture initiatives.

In a later interview, Ness said about 50 farmers per month abandon the dairy industry, reflecting lean profit margins in a sector accounting for about one-third of an \$8 billion statewide agricultural economy.

To counter that trend, HF1266 would appropriate \$3.5 million during the next two years to assist feedlot operators in upgrading their facilities. The Ways and Means committee adopted an amendment making that money available to any type of animal feedlots and not just those used for cows, an amendment Ness said, "We can live with."

The bill would also allocate \$2.4 million to the Dairy Development and Profitability Enhancement Program, formerly known as the Dairy Diagnostic Program. The program helps farmers assess their businesses and make long-term economic plans.

HF1266 also would restore some funding cut by Ventura's proposed budget. For example, the bill would ensure funding for programs supporting organic agriculture, such as \$100,000 for organic cost share grants.

The bill includes language tweaking a \$230,000 appropriation to the Duluth Seaway Port Authority that has been in place since 1963. The new language would require the money be used to directly assist shippers, producers, and agricultural cooperatives.

In terms of health, the bill would more than triple funding for research in John's disease, a bacterial infection among hoofed animals, to \$280,000. However, the omnibus bill falls below the governor's recommended funding for other programs.

For example, the Horticulture Society would receive only one-half of the governor's recommended \$164,000 biennial funding, the Animal Health Board would receive \$6.2 million of a proposed \$7.1 million appropriation, and the Agriculture Utilization Institute would get \$400,000 less than Ventura's recommended \$8.7 million.

Once passed by the House, the bill might find its funds in competition with planned environmental spending, which Ness said the Senate could combine with its omnibus agriculture spending bill.

## ★ BONDING

### Natural resources projects

"Today we're going to build an emergency bonding bill," announced Rep. Tom Hackbarth (R-Cedar) to the House Environment and Natural Resources Finance Committee April 23. The result of their deliberations was a \$139 million bonding proposal to be sent to the House Capital Investment Committee.

Much of the committee's discussion centered on bills that deal with grants for flood prevention and mitigation — HF1771, HF793, and HF1989.

"Flood control is the biggest issue in my community," said Rep. Rob Leighton (DFL-Austin), sponsor of HF793. "Nothing would be appreciated more by people in southeastern Minnesota than the passage of this bill."

The committee discussed the need for flood prevention and mitigation, as well as the need for repairing damage from previous flooding.

"I'm a little uneasy that current flood needs

will get muddled together with past flood needs," said Rep. Tim Finseth (R-Angus).

Committee Chair Mark Holsten (R-Stillwater) suggested making the flooding appropriation generic until projects could be discussed in detail, probably "sometime next week," he said.

Among other projects in the committee's bonding recommendation is a provision for funding the Minnesota River Conservation Reserve Enhancement Program (CREP).

Requested in HF532, sponsored by Rep. Elaine Harder (R-Jackson), this appropriation must take place this year in order for the state to fully leverage federal funds. The Minnesota River project is likely to have some preventive effect on flooding as it involves restoring wetlands, a buffer to flooding, along the river.

The committee put its bonding recommendations in the form of a spreadsheet, rather than a bill. They are as follows:

- Conservation Reserve Easement Program and implementation, \$49.9 million;
- Pollution Control Agency landfill abatement reauthorization, \$56.2 million;
- Department of Natural Resources parks acquisition, \$2 million;
- DNR statewide asset preservation, \$2 million; and
- Statewide flood mitigation, \$30 million.

The Capital Investment Committee did not act on the proposal before the committee deadline April 25.

## ★ BUSINESS

### Controlling the sale

The House unanimously passed a bill April 19 defining unfair trade practices by an automobile manufacturer, distributor, or factory branch.

HF779, sponsored by Rep. Dan McElroy (R-Burnsville), defines as unfair the practice of refusing to allow a dealer to transfer a dealership to a qualified transferee of the dealer's own choosing. The final vote was 132-0.

McElroy told the House that "under current law, manufacturers can exercise a first right of refusal and essentially take away a transaction from a willing buyer and a willing seller."

He added that the bill was amended in committee and described its final version as non-controversial. However, Rep. Michael Paymar (DFL-St. Paul) mentioned that the Ford

Motor Company previously opposed the bill. McElroy explained that Rep. Steve Smith (R-Mound) helped forge a compromise agreement among manufacturers and dealers.

The new provision would allow manufacturers to prohibit the sale of a dealership if the transferee is "not a person of good moral character" or doesn't meet the manufacturer's existing standards. Manufacturers could not exercise their right to refuse a deal if the ownership transfer were proposed among family members or involved a dealership manager with at least four years experience.

Under the bill, denials of requests to transfer ownership must be delivered to the dealer within 60 days after the manufacturer receives an application requesting an ownership transfer. McElroy said the time requirement reflects concern for a particular auto dealer in Rep. Tom Bakk's (DFL-Cook) district that was denied permission to sell a dealership for more than one year and eventually had to go out of business.

McElroy, responding to a question posed by Rep. Al Juhnke (DFL-Willmar), said he would support a similar law for farm implement dealers.

The Senate version, sponsored by Sen. Don Betzold (DFL-Fridley), awaits action on the Senate floor.

### Halal protection

By a vote of 132-1, the House passed a bill April 23 that would create the same protection for food prepared according to Islamic law as currently exists for kosher foods.

HF149, sponsored by House Majority Leader Tim Pawlenty (R-Eagan), forbids the serving, selling, or exposing for sale of food falsely represented as "halal," or prepared in accordance with Islamic law, known as "sharia." The bill's prohibitions are identical to the provisions protecting the Jewish community from food falsely labeled or improperly prepared as kosher.

The Senate passed the bill by a 61-0 vote April 18.

Matthew Ramadan, an Islamic authority known as an Imam, explained to the House Agriculture Policy Committee earlier this session that "Halal is basically a word that means lawful or legal." He said Muslims are required to humanely treat animals intended for human consumption.

The Senate amended the bill to clarify the definition of humane methods indicating the animals feel no pain prior to being slaughtered.

In his previous testimony, Ramadan said other examples include: animals are not to be kept in a place where they can observe other livestock being slaughtered, butchers must

### RIP IT OUT



PHOTO BY TOM OLMSCHIED

Traci Hinderscheid, a sophomore at Braham High School, struggles to turn over her card as 200 teens from across the state assembled on the State Capitol steps April 24 to display a large mural made up of 12,000 tobacco ads. The mural was made from tobacco ads torn from magazines during the past several weeks as part of a campaign called "Rip It Out," which is designed to show teens how the tobacco industry targets teens via advertising.

insure animals not see the knife with which they are to be slain, and animal caretakers are required to provide water and other comforts for animals before slaughter.

Before now, Ramadan says that Minnesota Muslims have had to rely on organic or kosher foods, a substitution that sharia permits when truly halal food is unavailable. He estimates the Minnesota Muslim population numbers about 100,000 people, and that food prepared according to halal standards will remain in high demand.

The bill's sponsors say halal requirements are determined at the local level by Muslim authorities, and are commonly enforced in other major American cities.

The floor vote was identical to the Feb. 15 vote. Rep. Philip Krinkle (R-Shoreview), the single opposition both times, explained earlier that he characterized the measure as "another form of excessive government regulation."

HF149 now awaits Gov. Jesse Ventura's signature.

### ★ CHILDREN

#### Community ed, childcare funded

The House Family and Early Childhood Education Finance Committee passed its \$544 million omnibus bill (HF1515) April 23. The vote was 6-4 along party lines.

The appropriation comes from the general fund and another \$9 million would come from federal Temporary Assistance for Needy Families (TANF) funds.

The bill, sponsored by Rep. Barb Sykora (R-Excelsior), will next go to the House Taxes Committee, followed by the House Ways and Means Committee.

"This bill does not address the responsibilities we as a state have toward our children," said Rep. Mary Jo McGuire (DFL-Falcon Heights). "We keep hearing we don't have any money. That's completely false. This state does have money."

Rep. Bill Haas (R-Champlin) differed. "If we take money from the surplus, we will violate the balanced budget," he said. "It's a prudent budget we can live with."

About two-thirds of the bill's proposed funding — \$373 million — would go to children and family support services, including early childhood education programs and childcare support. The funding for these programs prompted a number of amendments and drew fire from DFL members.

"You will hear throughout this process our concerns that Head Start is under-funded," said Rep. Gregory Gray (DFL-Mpls), who protested the bill's provision to take 15 percent of Head Start funding and use it to provide grants to other agencies.

"This bill would put a program similar to Head Start in areas that are currently under-served," said Sykora.

Gray's Head Start amendments and others were overruled because they would have caused the finance bill to exceed the target established by the House Ways and Means Committee.

The committee has wrestled with

consolidating childcare throughout the session. HF1515 would offer childcare assistance to qualifying families with an annual income at or below 250 percent of the federal poverty guidelines. (The 2000 federal poverty income level for a family of four was \$17,050.) The program, to be administered by the counties, would have a capped allocation.

Although she is an advocate of consolidated childcare, McGuire said she is opposed to a capped allocation. "I feel strongly about using a forecasted account," she said. "Some advocates have said not doing anything at all would be preferable to what is in the bill."

The second section of the bill, labeled "prevention," would be funded for a total of \$49 million.

Discussion about this section centered mostly on an amendment sponsored by Rep. Peggy Leppik (R-Golden Valley) that would take \$2.5 million per year from after-school enrichment grants and give it to community education programs.

"This goes against the grain of what these grants are meant to do, which is to help at-risk youth," said Rep. Dale Swapinski (DFL-Duluth).

Sykora said it was a matter of fairness. "We have few places to get a pot of money," she said. "It makes a lot of sense to give 'community eds' around the state a chance to use these grants."

Rep. Rob Eastlund (R-Isanti) said teachers in his district have told him they have increasing numbers of at-risk kids. "From a rural perspective this amendment makes sense," he said.

Community education has not received a funding increase in 14 years. "We're trying to make up for lost time and lost funding for community ed," Leppik said. Her amendment passed on a voice vote.

The third section, "self-sufficiency and lifelong learning," received a total appropriation of \$99 million, close to what Gov. Jesse Ventura proposed, and a small increase over the previous biennium. Adult basic education, food shelf programs, and emergency shelters all fall into this category.

Finally, libraries would receive about \$23 million from the bill, about \$160,000 less than the governor recommended.

The bill included no funding for the Minnesota Coalition for the Homeless.

#### FYI

House Index in the Chief Clerk's Office has an area at its front desk, Room 211 Capitol, for anyone in an electric or standard wheel chair to access the legislative Web site. The desk can be raised or lowered by pushbuttons for users to search for the status of bills.

## VICTIMS' RIGHTS ADVOCATES



PHOTO BY TOM OLMSCHIED

Patty Wetterling, whose son Jacob was abducted at age 11 in 1989, talks about the continued services and support needed for crime victims during an April 23 awards ceremony at the State Capitol as part of the 21st Anniversary of National Crime Victims' Rights Week. Patty and her husband, Jerry, were among 21 crime victims and crime victim advocates who received plaques from House Speaker Steve Sviggum, Senate Majority Leader Roger Moe and Attorney General Mike Hatch for their efforts in increasing awareness of victims' rights.

## CRIME



### 0.08 limit revived

Saying he felt tougher seatbelt laws and blood alcohol levels go hand-in-hand to make Minnesota roads safer, Rep. Rich Stanek (R-Maple Grove) revived a measure to lower the blood-alcohol concentration from 0.10 percent to 0.08 percent.

Stanek, the chair of the House Judiciary Finance Committee, proposed a successful amendment to a bill regarding seatbelt regulations before his committee April 25.

The seatbelt bill (HF1314), sponsored by Rep. Tom Workman (R-Chanhassen), would require everyone under 18 in a vehicle to wear a seatbelt. Existing law only requires children 11 and under to do so.

In addition, under the bill, not wearing a seatbelt would be a primary offense for everyone under 18 in a vehicle, meaning law enforcement could stop any vehicle where they saw someone under 18 wasn't buckled up.

Stanek proposed amending the bill with the 0.08 blood-alcohol concentration language after concluding questions and testimony about the seatbelt provisions in the bill. He said the bill is expected to generate millions of dollars in revenue and recommended that it go to the House Ways and Means Committee to be reconciled with the omnibus judiciary finance bill.

The amendment succeeded and the committee approved the bill, sending it to Ways and Means.

The original 0.08 percent bill (HF51), sponsored by Rep. Kevin Goodno (R-Moorhead), was defeated in the Transportation Finance Committee earlier this session. Its Senate companion also failed to advance from committee.

The language would change the level for all drunken driving offenses currently using the legal blood alcohol concentration limit of 0.10 percent to 0.08 percent. Opponents suggest the move would target social drinkers, rather than the chronic drunken driving offender.

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

Stanek said he felt the measure is good public policy for the state and the full House should have the opportunity to vote on it.

Workman, concerned about the success of the seatbelt provision, opposed Stanek's measure.

"The seatbelt issue is a complicated and political enough issue without 0.08," Workman said. "You won't have seatbelt (changes) if this is amended to this bill."

Workman suggested any amended bill should be heard in the House Transportation Finance Committee, but that either way he would not be asking for a hearing.

"It probably won't matter, because I won't be requesting a hearing," Workman said. "I don't think the bill can stand the weight of both."

Stanek, who is a co-sponsor of the seatbelt measure, suggested that Workman could be removed as a bill sponsor to allow one of the others to carry the bill if he objected to the 0.08 language.

Workman reiterated that he feared his purpose for the seatbelt bill would now be lost.

"I brought this for the near adult children who say they don't have to wear a seatbelt because it's not the law, and they're absolutely correct," he said.

Replied Rep. John Tuma (R-Northfield), "0.08 is a far greater priority to the governor and this committee than seatbelts. ... We're sending the message that this issue must stay alive."

## Keg identification

The House passed a measure requiring off-sale alcohol retailers to label all kegs to aid law enforcement officials in identifying adults who provide beer to underage drinkers.

The bill (HF58), sponsored by Rep. Steve Dehler (R-St. Joseph), passed by a 114-20 vote on April 23. The companion version, SF389, sponsored by Sen. Don Betzold (DFL-Fridley), is awaiting action in the Senate Commerce Committee.

The bill requires off-sale retailers to record the name, address, and driver's license number or other government-issued number of a keg purchaser. That information, in addition to the date and time of purchase and the keg's individual identification number, would be recorded and kept by the liquor store for at least 90 days. A purchaser must also sign for the keg. Law enforcement officials would make the identities of purchasers available upon request.

Dehler said his hometown is especially affected by underage drinking. "It's a college community, and keggers and college communities often go hand-in-hand."

Rep. Mary Jo McGuire (DFL-Falcon Heights), co-sponsor of the bill, said it won the support of groups ranging from the Minnesota chapter of Mothers Against Drunk Driving to liquor industry associations.

Dehler told the House Civil Law Committee earlier this session that HF58 provides no additional punitive action against liquor stores and that existing criminal and civil laws place responsibility upon those who purchase alcohol. Store clerks are criminally liable only if they sell liquor to people younger than 21 years old.

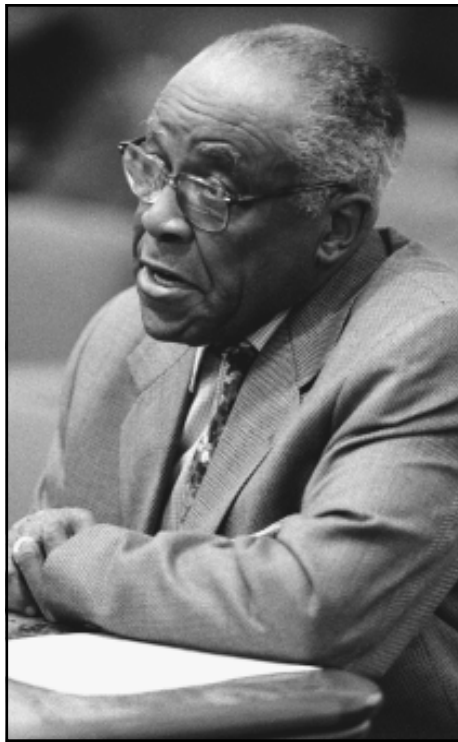
## ELECTIONS

### Redistricting debate

When Ora Lee Patterson was a little girl, she used to accompany her mother to downtown St. Paul, and as they drove past the State Capitol she would look in wonder at the "beautiful building."

She said when she asked her mother what went on under the gold dome she was told that was where "white people worked" and that the only African-American people in the building were the cleaning crew.

Patterson told the House Redistricting Committee April 20 that in her dreams and aspirations she never thought members of her community would become elected officials, and that she is pleased to see that the current Legislature has two African-American representatives.



**Matt Little, former president of the Minneapolis NAACP, tells the House Redistricting Committee April 20 he would not like to see a U.S. Congressional District that combines Minneapolis and St. Paul.**

"It is so good for me to see that. We are making headway here at the state," she said, although she noted all African-American legislators in the state's history have been from Minneapolis.

Patterson, vice president of the St. Paul chapter of the NAACP, said growing up in St. Paul's Rondo neighborhood she witnessed many changes in the state's African-American community. The famed neighborhood located between Dale Street and John Ireland Boulevard, once was the home to more than 50 African-American owned businesses.

"It hasn't been the same since the freeway (Interstate 94) divided it," she said. "We've lost a sense of community that we once had and I wish we could get it back."

Much of the committee's discussion was spent on whether minority communities in the Twin Cities metropolitan area would be best served by a congressional district containing both Minneapolis and St. Paul.

Frank Taylor, who twice ran unsuccessful congressional campaigns in the Fifth Congressional District that now encompasses all of Minneapolis, said the two core cities should be combined because they have more in common with each other than with surrounding suburbs.

"The time has come to combine the core cities and to recognize the demographic shift," Taylor said citing issues facing the city of

St. Paul, such as failing schools and crime, are more similar to the issues facing residents in north Minneapolis than those in North Oaks.

Matt Little, the former president of the Minneapolis NAACP, disagreed. He said consolidation of the black community of the Twin Cities would "dilute its effectiveness."

"I still like to believe that Minnesotans will elect a person of color based on their merits," he said.

The committee has not yet developed an overall redistricting plan.

### Smile for the ballot

Voters would be required to show picture identification at the polling place before being allowed to vote, under a measure passed by the House April 24.

The provision was included as an amendment to a bill that would allow identification cards issued by tribal governments to be an approved form of identification for Election Day registration purposes.

The bill passed by a 70-63 vote.

Rep. Sondra Erickson (R-Princeton), the sponsor of HF2263, said the bill would encourage more American Indians to participate in the election process.

Erickson offered the amendment to require all voters to present picture identifications. The amendment was identical to another bill, HF857 sponsored by Rep. Tony Kielkucki (R-Lester Prairie), scheduled to be heard before Erickson's bill but was continued on the calendar at the author's request.

Kielkucki said picture identification cards have become "a part of life" and pointed out that one is needed before boarding an airplane or cashing a check. He said requiring identification before voting would bring integrity into the process.

Rep. Carlos Mariani (DFL-St. Paul) said he opposed the amendment because the state has a long tradition of clean elections and electing strong candidates.

Mariani said there was no proof of election fraud in the state, and that he trusts the people of the state to abide by current election laws.

House Minority Leader Tom Pugh (DFL-South St. Paul) made a motion, which was ruled not in order, questioning the germaneness of the amendment. Pugh said the amendment was a "tremendous expansion" of the bill.

Rep. Karen Clark (DFL-Mpls) said the original bill was meant to encourage voter participation by increasing the number of acceptable forms of identification but the amendment was meant to restrict participation by creating a new requirement for voting.



Rep. Mike Osskopp (R-Lake City) said the right to vote was not as important as the right to vote in a clean election.

The bill would allow voters who do not have a form of identification to vote by signing an affidavit at the polling place.

Pugh later offered an unsuccessful amendment that would have restored the original language of the bill. He said most members supported the tribal identification provision but by adding the amendment it would limit the chance that the entire bill would be passed into law since the Senate has not yet heard a bill that would require picture identification before voting.

The Senate companion (SF2260), sponsored by Sen. Cal Larson (R-Fergus Falls), is awaiting a committee hearing.

### Overseas balloting

Military service personnel and others residing overseas would be allowed to submit an absentee ballot application by fax under a measure the House passed April 24.

HF901, sponsored by Rep. Bruce Anderson (R-Buffalo Township), would increase the likelihood that individuals overseas would get their ballots in on time.

The bill, which passed 72-61, also specifies that ballots for military and overseas voters must be prepared and furnished in accordance with federal law. In federal election law, there are particular dates by which the ballot must be prepared and sent to allow those voters a chance to get their ballots back to the election officials.

Rep. Phyllis Kahn (DFL-Mpls) offered an unsuccessful amendment that would have allowed those voters to apply by e-mail as well as by fax. She said members from the military testified in favor of the measure in committee hearings.

Anderson said the secretary of state's office testified they would like to study the issue further before they could support it.

The amendment failed on a 67-66 vote.

Rep. Eric Lipman (R-Lake Elmo) offered a successful amendment he said would streamline Election Day registration by expanding the acceptable forms of identification that could be used. Under the amendment a valid photo identification issued by the Department of Health to medical assistance recipients would be acceptable for voter registration. Tribal government identification would also be allowed.

The amendment, which passed on a voice vote, would require all voters to present photo identification before being issued a ballot.

It also authorizes the secretary of state to

develop voting instructions in languages other than English to be posted and made available in polling places during elections, and to license a touch-sensitive voting system for experimental use at an election before its approval for general use to permit blind or visually impaired voters to cast a ballot independently.

A companion file, SF1454 sponsored by Sen. Roy Terwilliger (R-Edina), is awaiting Senate action.

### Housekeeping measures

The House passed a bill April 24 that would clarify some of the state's election laws in light of the numerous questions that arose nationally following the 2000 election.

The secretary of state's housekeeping bill passed by a 70-61 vote.

Rep. Eric Lipman (R-Lake Elmo), sponsor of HF1214, said the bill would delete confusing and unneeded language including references to the state's presidential primary that no longer exists.

Much of the floor debate was spent on amendments offered to the bill. Rep. Dennis Ozment (R-Rosemount) offered one that would allow 18-year-old students to take off time during a school day in order to vote.

Ozment said students should be afforded the same right to vote that currently applies to employees who are allowed time off work. He said the trend during the past few years is for fewer and fewer 18- to 25-year olds to participate in the election process and the amendment would encourage more young people to be involved.

Rep. Jerry Dempsey (R-Hastings) spoke against the amendment saying it was not in the best interests of young people to allow them to leave school.

The amendment was adopted by a 86-45 vote.

Rep. Len Biernat (DFL-Mpls) offered an amendment that would modify the secretary of state's role in elections. Part of his amendment, specifying that the secretary of state should not participate in recounts for which he or she is a candidate, was adopted.

The other portion of the amendment that would have prohibited the state's chief election official from serving on a principal campaign committee for another candidate whose name would appear on the primary or general election ballot. It failed by a 68-62 vote.

Biernat said Mary Kiffmeyer, the current secretary of state, should be given credit for deciding to not serve on campaigns, but that previous secretaries of state have participated politically on behalf of other candidates and

such actions blurred conflict of interest lines.

Rep. Marty Seifert (R-Marshall) said the state didn't need a blanket law and such activities should be left up to the discretion of the secretary of state.

A companion Senate bill (SF1353), sponsored by Sen. Mark Ourada (R-Buffalo) is awaiting a committee hearing.

## ★ ENVIRONMENT

### Difficult spending approved

The House Environment and Natural Resources Finance Committee approved a total spending package of \$746.2 million for the next biennium April 25.

Of this amount, \$349 million is from the general fund with the rest coming from a variety of other funds, such as the game and fish and the natural resources funds.

"This has been the most difficult legislation I have ever had to work on," said Committee Chair Rep. Mark Holsten (R-Stillwater), sponsor of HF766.

The final appropriations in the committee's omnibus bill represent a balancing act among competing interests.

The breakdown in funding by agency is as follows:

- Department of Natural Resources: \$466.9 million
- Pollution Control Agency: \$110.3 million
- Board of Water and Soil Resources: \$60.7 million
- Legislative Commission on Minnesota Resources: \$50.4 million
- Office of Environmental Assistance: \$21.9 million
- Minnesota Zoo: \$14.7 million
- Science Museum of Minnesota: \$2.3 million
- Other agencies: \$19 million.

The Minnesota River Conservation Reserve Enhancement Program would receive \$20.7 million in 2002. This program to improve water quality and reduce pollution in the Minnesota River basin must receive funding in fiscal year 2002 if it is to capture available funding from the federal government.

The Office of Environmental Assistance would receive funding for 2002, after which it would be abolished, with its duties being transferred to the Pollution Control Agency.

A Citizens Trust Fund Committee would be established to recommend projects for the Environment and Natural Resources Trust Fund. The committee would work with the Legislative Commission on Minnesota Resources (LCMR) to develop a strategic plan to guide trust fund expenditures. Under the new provisions, the LCMR would be reduced from 20 members to 10, and the citizens

committee would have nine members.

"There's been conflict, and there's been stress and tension," Holsten said. "But I feel very good about what we've accomplished."

### Funding frustration

The House Environment and Natural Resources Finance Committee heard testimony April 19 on the Legislative Commission on Minnesota Resources (LCMR) appropriations bill.

Gov. Jesse Ventura has proposed cutting nine of the projects recommended by the LCMR. Rep. Mark Holsten (R-Stillwater), sponsor of HF766 and chair of the committee, said he was frustrated by the apparent randomness of the cuts.

Spokespersons for eight of the nine groups whose projects are on the governor's cancellation list told lawmakers why they believed they should get funding.

The Big Rivers Partnership, a consortium of 13 organizations, has requested \$910,000 for a project that would help citizen volunteers restore local urban river habitats on a "landscape scale."

Rob Buffler, director of Great River Greening, the guiding partner of the group, said the project is consistent with the governor's Big Plan, the Department of Natural Resource's strategic plan, and the LCMR's strategic plan.

"If we hope to conserve Minnesota's world class resources, we need knowledgeable, dedicated volunteers to lead the way," Buffler said.

Another project, the production of an educational film series called "Uncommon Ground: Minnesota's Once and Future Landscapes," has a price tag of \$455,000. Barbara Coffin, project coordinator for the University of Minnesota project, said the five-part series, which is about one-half completed, meets the governor's vision "on all counts."

Other proposed cuts include park and trail facilities, a computer mapping project, an inner-city environmental project, and parts of the Metropolitan Council's request.

All but two of the contested projects made it into the committee's omnibus bill, including the Big Rivers Partnership and Uncommon Ground.

## GAMBLING

### Charitable deadline difference

A proposal that allows for a later date for charitable organizations to file reports with the state was signed into law by Gov. Jesse Ventura April 24.

Sponsored by Rep. Sondra Erickson (R-Princeton), the new law changes the deadline

for charitable organizations to file an annual report with the Attorney General's Office from June 30 to July 15 if the organization keeps records on a calendar year basis. For those that operate on a fiscal year basis, the law changes the deadline from six months after the close of the fiscal year to the 15<sup>th</sup> day of the seventh month after the end of the fiscal year.

Annual reports are required from charitable organizations that solicit contributions. The standard report filed with the attorney general includes the legal name of the organization, its form of organization, the address of its principal office, the names of officers, directors, trustees, and the name of the chief executive officer.

The annual report also includes a financial statement and a copy of tax returns.

Sen. Ann H. Rest (DFL-New Hope) sponsored the measure in the Senate.

The law is effective April 25.

HF2119\*/SF1915/CH45

## GOVERNMENT

### A broad array of funding

Cautioning state agencies early in the session with a bill that threatened to reduce millions of dollars in funding, Rep. Philip Krinkie (R-Shoreview), chair of the House State

Government Finance Committee, has allowed \$46 million more funding than originally slated.

The bill's original net funding totaled \$661 million for the 2002-03 biennium, but now totals \$707 million, just slightly less than Gov. Jesse Ventura's recommendation. The committee approved the bill (HF218) April 25.

It now moves to the House Ways and Means Committee.

In its final committee version, HF218 would trade several state boards and allocate only base funding to some agencies for new initiatives that would get their start under the bill.

HF218, sponsored by Krinkie, would eliminate funding for the Legislative Commission for Planning and Fiscal Policy and the Board of Government Innovation and Cooperation. The Commission on the Economic Status of Women would be moved to the state planning agency.

The bill would establish the Legislative Commission on Metropolitan Government, an initiative sponsored by Rep. Dan McElroy (R-Burnsville). The new commission would establish a legislative group to oversee the Metropolitan Council's operating and capital budgets and the work and capital improvement programs.

The Northern Technology Initiative, Inc., a regional economic initiative sponsored by Rep. Bill Hilty (DFL-Finlayson) that would be governed by a board of directors, also would be created under the bill. At a minimum, the project area would include the counties of Carlton, Chisago, Isanti, Kanabec, and Pine.

The Amateur Sports Commission would be funded at its base but is ordered to plan to become self-sufficient within five years. The bill would also fund a grant for a shooting facility and allocate \$1.25 million, plus it would redirect a \$1.5 million open appropriation for the Target Center to a bill (HF18) sponsored by Harry Mares (R-White Bear Lake) to develop soccer fields.

HF218 also would repeal after the 2002-03 biennium steady funding to the Target Center, which the state traded for use of the arena. Members have expressed concern that the state was being overcharged for its use. The House has approved bills in the past to repeal the funding, though none have become law. The allocations have no sunset date.

In public broadcasting, HF218 would allocate base funding for legislative television and for the Association of Minnesota Public Educational Radio Stations. Nearly \$21 million would be allocated for digital television conversion, a mandate by the federal government that promises to match state funds if the new signal is installed by May 2003. The digital tower must have sufficient capacity to provide space, at no cost, for public radio stations,

### BIODIESEL PROTEST



PHOTO BY ANDREW VON BANK

Truckers park big-rig trucks and other large vehicles in front of the Capitol April 25 in protest of a state mandate that would require 2 percent biodiesel content in diesel fuel.

according to the bill.

Public broadcasting stations receiving no funding are public television, which requested \$4.1 million in equipment and matching grants, and Minnesota Public Radio (MPR), which requested \$814,000 for a new generator and new tower.

When implementing electronic government services, state agencies would be required to use a common Web format, as approved by the commissioner of the Department of Administration. In addition, it would be necessary for all government units receiving state funds to post the individual salaries and benefits of all its employees.

Included in the bill is Krinkie's measure (HF111) to clarify that state employees, including executive officers such as the governor, receiving income from engaging in outside activities would be a conflict of interest, as determined by the chief administrative law judge.

The committee has also included HF2132, sponsored by Rep. Elaine Harder (R-Jackson), that would decrease the marriage license fee from \$70 to \$20 for couples who receive at least 12 hours of premarital education.

At the bill's final committee hearing, the committee adopted two additional allocations: a \$9 million appropriation for a technology enterprise fund, and a \$2 million voting equipment matching grant for the purchase of ballot tabulation equipment.

## HIGHER EDUCATION

### ★ Edvest passes House

A plan that would help with college expenses passed the House floor for a second time by a 130-2 vote April 24.

HF550, sponsored by Rep. Rob Eastlund (R-Isanti), extends the time for adopting rules for the Edvest savings program by nine months. The program cannot begin operation until the rules are adopted. It was originally passed by the House March 19.

The original 18-month provision for beginning the program expired in 1999 as officials from the Minnesota Higher Education Services Office were working on aspects of the program and overlooked the time enactment clause.

The Senate passed the bill April 20, with an amendment that states the assets in the fund are not part of the state's general fund and are not subject to state appropriation. Sen. John Hottinger (DFL-Mankato) sponsored the bill in the Senate.

The bill then returned to the House, which accepted the Senate amendments and re-passed the bill.

The program allows accounts to be created for a designated beneficiary who will attend college in the future. Families with \$80,000 or less are eligible to receive back up to 15 percent (maximum \$300) of their contribution in the form of a state grant.

In early February, Eastlund said more than 2,000 people had already expressed an interest in the program. It is anticipated the first appropriations will be made next year for people who enroll in the program by the end of 2001.

The bill now goes to Gov. Jesse Ventura for his signature.

## HUMAN SERVICES

### ★ Rights, responsibilities clarified

A bill to include social workers in a list of specified health professionals required by law to notify individuals of a specific threat of violence by a client against an identified individual was signed into law April 24 by Gov. Jesse Ventura.

The House passed SF1460 by a vote of 131-0 on April 18. Sponsored by Sen. John Marty (DFL-Roseville), it passed the Senate April 5.

The duty to warn was created in 1986 to specify that particular professionals have a duty to predict, warn of, or take reasonable precautions to provide protection from specific threats made by a client against a particular individual. Such professionals are required to contact the law enforcement agency nearest the potential victim or client. Social workers will now be among those professionals.

The law specifies that professionals under the law cannot be held liable, nor can they be sanctioned by a licensing board, for failing to discharge this duty. Additionally, the law does not require social workers or any other professional to disclose threats made against oneself.

SF1460 also puts social workers into a group of professionals who are authorized to create professional organizations. Other professionals include doctors, practitioners of chiropractic, nurses, psychologists, optometrists, dentists, pharmacists, and podiatrists.

The House version was sponsored by Rep. Tim Mahoney (DFL-St. Paul).

HF1634/SF1460\*/CH42

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## Privatizing guardianship

The House Health and Human Services Finance Committee considered a bill April 20 that would shift guardianship responsibilities for persons with developmental disabilities from public to private guardians.

"This bill is an attempt to get people off public guardianship," said Rep. Fran Bradley (R-Rochester), sponsor of HF1307. It was contained in the committee's omnibus bill (HF1832).

Public guardianship was first instituted in Minnesota in 1917, according to Ann Henry of the Minnesota Disability Law Center. At that time parents who had children with developmental disabilities had to give up guardianship of those children and make them wards of the state in order to get services for them.

Currently, approximately 3,800 people with developmental disabilities remain under public guardianship, according to Bradley. This is an aging population. Although there are still a few people each year who go on public guardianship, it is fairly rare because if an individual is not competent, parents and families usually retain guardianship.

Minnesota law gives the commissioner of human services the power to delegate guardianship authority to counties. Frequently, those selected to be guardians are also case managers for the same individual, and this sets up a conflict of interest in which the guardian is responsible both to the ward's best interests and the county's.

People under guardianship are very vulnerable. Their guardian is responsible for everything from basic needs — housing, food, clothing, and medical care — to education and finances.

"Private sector entities can provide more personalized help," said Tom Jolicoeur, director of disability services for Hennepin County, at a March hearing of the Health and Human Services Policy Committee. "Public guardianship should be the guardianship of last resort"

HF1307 would require counties to develop proposals for finding family members of those under public guardianship and ask if they would be willing to become guardians. If family members are not found or cannot provide the service, the bill would allow the county to contract with a private guardianship service.

The bill would also appropriate money to the commissioner to provide county agencies with incentives for providing alternatives to public guardianship. The fiscal impact of the bill is estimated at \$6.4 million for the biennium, although Bradley said he thought that figure was high. "We're challenging some of these figures from the department," he said.

## Helping others

The House Health and Human Services Finance Committee considered a bill April 19 that would provide increased medical assistance reimbursement rates for mental health services provided by the Courage Center in Golden Valley.

"Many of our clients have acquired disabilities, such as spinal cord or traumatic brain injury," said John Tschida, director of public policy and research for the Courage Center. "Adjusting to the dramatic change in lifestyle and functional ability often requires professional help."

HF1863, sponsored by Rep. Peggy Leppik (R-Golden Valley), proposes a 38 percent rate increase for medical assistance reimbursement to the center, an appropriation of \$59,000 in 2002 and \$78,000 in 2003.

Rep. Fran Bradley (R-Rochester) asked about the justification for more expensive mental health services at the center.

Tschida said their clients have very expensive and complex problems. He said it was appropriate that they receive help for issues that arise from their disability at the same center where they receive services for physical, occupational, and speech therapy.

"People are not at the Courage Center for their mental health problems," Leppik said.



John Tschida, director of public policy and research for the Courage Center, testifies before the House Health and Human Services Finance Committee April 19 in support of HF1863, a bill that would increase medical assistance reimbursement rates for the center's mental health service.

"Their mental health problems are a byproduct of their physical problems."

A former patient at Courage Center, Susan Galegher from St. Paul, wrote to the committee about her experiences after a catastrophic brain injury sustained in a car accident.

"I felt my life was over," she wrote. "I was overwhelmed by depression from physical and mental limitations. I couldn't comprehend the permanency of this injury."

Twelve years after the injury, she commended Courage Center's expertise in helping her to "renegotiate the world as a new person who happens to have a permanent disability."

Last year the Courage Center sustained losses exceeding \$500,000, according to Tschida. He said the rate increase would not solve their deficit problems but would help preserve "an essential component of our rehabilitation services."

HF1863 was included in the committee's omnibus bill (HF1832).

## ★ IMMIGRATION

### Population increase

As the face of Minnesota gradually changes, so too does the diversity within some of the state's minority communities.

The House Redistricting Committee heard a presentation April 19 from one of the state's rapidly growing and changing minority communities — the Asian-American community.

Ilean Her, executive director of the Council on Asian Pacific Minnesotans, said for the first time the 2000 census had two different single race categories for Asian Americans — Asian and Native Hawaiian and other Pacific Islander.

Her said there are essentially three groups of Asian Americans in Minnesota. The first group, which includes the Chinese, Japanese, and Korean communities, is well established — the Chinese first immigrated to the state in the 1870s.

The second group that began arriving in the state in the 1960s includes professional and high-tech employees from such countries as Bangladesh, Sri Lanka and India.

The third group consists of recent immigrants from Southeast Asia, including the Vietnamese and Hmong.

Her said the state has attracted many recent immigrants because of its strong economy and numerous job opportunities. She said the strong education system is attractive to families, as is the low crime rate in Greater Minnesota.

Statewide the 2000 Census indicates there are around 144,000 Asian Americans in

Minnesota. But Her said that number, particularly in Hennepin and Ramsey counties was undercounted. "I myself have heard from the community that many did not fill out the census form."

She said language barriers and distrust of government forms prevented many from being counted.

Tuan Pham, the owner of Capitol Markets, a grocery store near the State Capitol, said he arrived in the United States from Vietnam in 1980. He said there is a wide variety of Vietnamese businesses from dentists to bankers, restaurants to retail stores.

Pham said the difficulty in becoming a citizen prevents many recent immigrants from participating in the electoral system. He said most do not choose to belong to a specific political party but rather tend to support individual candidates who they feel will work for their interests.

### Increasing council membership

The State Council on Black Minnesotans will increase by two members following Gov. Jesse Ventura's signature of a bill April 24.

SF142, sponsored by Sen. Linda Higgins (DFL-Mpls), will expand the size of the council from its current 11 members to 13 members. Under the measure, the additional seats will be filled by one person whose ethnic heritage is from West Africa, and one member whose ethnic heritage is from East Africa.

The new law defines East Africa as the areas occupied by Burundi, Kenya, Rwanda, Tanzania, Uganda, and Somalia.

West Africa encompasses Mauritania, Senegal, The Gambia, Guinea-Bissau, Guinea, Sierra Leone, Liberia, Cote d'Ivoire, Ghana, Togo, Benin, Nigeria, Burkina Faso, and those parts of Mali and Niger south of the Sahara.

The Council on Black Minnesotans 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.

Rep. Neva Walker (DFL-Mpls), the bill's House sponsor, said the number of immigrants from Africa to Minnesota is increasing, and that by requiring representatives from West Africa and East Africa to serve on the council, issues crucial to those communities would be better addressed.

The law takes effect Aug. 1, 2001.

HF387/SF142\*/CH39

## ★ MILITARY

### Increasing tuition reimbursement

National guard members might receive full tuition and textbook reimbursement, a substantial increase from the current 75 percent reimbursement currently in law, under a bill being considered by the House.

Minnesota National Guard officials reported to the House State Government Finance Committee April 23 the average tuition reimbursement is presently about 50 percent due to lack of funding from the government. HF214 would provide enough money to fully support 100 percent reimbursement, not just a 25 percent increase.

The bill would cost \$3.6 million in 2002 and \$3.8 million in 2003. The amount is projected to grow by 3 percent every year to adjust to increases in tuition.

But with possible tuition hikes and no increased funding, officials said the compensation amount could drop to 40 percent next year. Sixty percent, said Col. Dennis Lord, is the maximum of what the state has paid.

In his budget, Gov. Jesse Ventura has recommended enough funding for 75 percent reimbursement.

Rep. Bruce Anderson (R-Buffalo Township), sponsor of HF214, presented materials that cited recent declining numbers of people entering military forces.

Lord explained that because Wisconsin offers 100 percent tuition reimbursement, some Minnesota residents living near the Minnesota-Wisconsin border have been motivated to join that state's National Guard. Other surrounding states do not offer 100 percent.

About 20 states reimburse 100 percent tuition costs, Lord said.

Under the law, Minnesota funds a maximum of 75 percent of tuition costs for lower division programs in the College of Liberal Arts at the Twin Cities campus of the University of Minnesota. The state also funds 50 percent of tuition costs for graduate or medical programs at public institutions inside or outside the state. Under HF214, that would also become 100 percent reimbursement.

The bill was included in the committee's omnibus bill, funded at \$2.25 million each year of the 2002-03 biennium. That bill now moves to the House Ways and Means Committee.

## ★ TAXES

### Take it to the polls

Voters could approve or overturn increases in sales and income taxes under a measure heard by the House Taxes Committee April 20.

HF577, sponsored by Rep. Ann Lenczewski (DFL-Bloomington), proposes a constitutional amendment that if approved, would establish the process where voters could petition for a reverse referendum when state income and sales tax revenues exceed the rate of inflation.

Lenczewski said the bill works in tandem with a measure (HF2160) offered by Rep. Bob Milbert (DFL-South St. Paul). That bill, which the committee previously heard, would allow voters to request a reverse referendum when a county or city adopts a property tax levy that

has increased over the certified levy amount for the previous year.

Lenczewski said it was "hypocritical" to hold local officials to a different standard in tax issues than state lawmakers. She said state spending has increased at a rate higher than local spending.

Rep. Ted Winter (DFL-Fulda) questioned why the bill was necessary because elected officials should be trusted to make budget decisions.

"I have a real problem with not having some level of confidence, hope and faith in someone to do a good job," Winter said.

Under the bill if the constitutional amendment were successful, the commissioner of finance would be required to annually prepare an estimate of the increase in individual income and sales tax revenues that will occur in the current and following fiscal years. If that estimate is higher than the rate of inflation and the percentage increase in the number of households in the state, the department would be required to publish the increase in the State Register.

A petition signed by 10 percent of the eligible voters in the state could then be filed with the secretary of state and a referendum would be voted upon in the next general election.

If voters disprove the increase, the increase would be available as an income tax credit divided by the estimated number of taxpayers in the state.

Rep. Irv Anderson (DFL-Int'l Falls) offered a successful amendment that changed the requirement from "eligible" voters to "registered" voters. Anderson said the amendment would make it easier for the secretary of state to verify the signatures on the petition since the office maintains the state's voter registration system.

The committee took further action on the bill. Rep. Ron Abrams (R-Minnetonka), the committee chair, said he would discuss with House leadership where the bill would go next and the House Taxes Committee would vote on the bill once that is determined.

### Teacher's aid

John Belpedio, a teacher in the Anoka-Hennepin school district, said one of the unintended consequences of tightening school budgets is that more teachers have to buy supplies for their students.

HF2247, sponsored by Rep. Connie Bernardy (DFL-Fridley), would allow educators to subtract up to \$500 for the purchase of classroom materials and supplies.

The House Taxes Committee Sales and Income Tax Division heard the bill April 19 but

## MUSLIM/ISLAMIC VISITORS



PHOTO BY SARA KIRK

Visitors peered over a stairwell during an April 19 tour given for Muslim/Islamic Day at the Capitol. The guests were also greeted by House Majority Leader Tim Pawlenty prior to the tour.



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

Belpedio said that in the past most people would not even question whether teachers should have the necessary supplies to teach their students.

"It's ironic we're even discussing the merits of this," he said.

Bernardy said studies have shown it is not unusual for teachers to spend \$500 to \$2,000 out of their own pockets to buy classroom supplies.

The Department of Revenue estimates the state's 65,000 teachers would claim an average subtraction of \$200 for their purchases.

Belpedio said students have traditionally bought items like pens and notebooks for their classes but more teachers rely on visual presentations to teach.

He said that he considers it part of his job to make sure there is a level playing field for all students and that he routinely purchases supplies for students from low-income families so they have the same materials as their classmates.

"We're teachers because we care about kids," he said.

He added the teachers who are hit hardest by having to provide supplies for their classes are new teachers with the lowest incomes.

### Light-rail operating costs

Officials estimate that the operating costs of the Hiawatha Corridor light-rail line will be \$8 million to \$15 million a year.

Rep. Mary Liz Holberg (R-Lakeville) is sponsoring a bill (HF1944) she said attempts to address the issue of where funding for those costs will come from.

Presenting her bill to the House Taxes Committee April 24, Holberg said it would require those who will benefit from the expected economic development caused by the line to pay the operating costs. The line will run from downtown Minneapolis to the Mall of America.

Under HF1944, the Metropolitan Council would be required to establish a special service tax district that would encompass all the commercial industrial property located within a one-half mile radius of the light rail stations.

During an April 25 House Taxes Committee hearing, the provision, which is included in the House Transportation Finance Committee's omnibus bill, was changed to exclude the Mall of America and the expansion around the mall, and the Minneapolis/St. Paul International Airport from the special taxing district.

## CYBER STUDY 101



PHOTO BY TOM OLMSCHIED

**Dr. Carolyn Louper-Morris from Cyber Study 101 Inc. in north Minneapolis testifies April 19 for a bill that would modify the education credit to make it possible for low income families to afford computers for their school age children. Jennifer Davis, left, a parent of a student who attends Cyber Study 101 also testified for the bill before the Sales and Income Tax Division of the House Taxes Committee.**

Rep. Ann Lenczewski (DFL-Bloomington) said April 24 that she "completely opposed" the bill because the district would include the area around the Mall of America even though she and the other elected officials representing the city didn't support the original legislation.

She offered three unsuccessful amendments that would have either allowed businesses to opt out or overturn the property tax increases, or would have applied the same type of funding mechanism to other transportation projects.

Lenczewski said that if paying for the operating costs on light-rail transit with property tax was a good idea, it should be applied to road and other rail projects as well.

Rep. Dan McElroy (R-Burnsville), the sponsor of a bill that would remove metropolitan transit funding from the property tax levy, said the history of the light-rail project makes HF1944 distinct from his proposal.

He said when the state was looking at projects to improve the Hiawatha corridor, one proposal was to establish a bus line. What

was eventually chosen was a "\$700 million solution to a \$220 million problem," he said.

Proponents of building a light-rail line pointed to its economic development potential that would not occur with a bus line, McElroy said. Thus it was appropriate for those who would benefit from the development to pay for the operating costs of light rail.

Lenczewski said she disagreed with the premise that businesses along the line will benefit and it was unfair for those properties to pay for a project they did not support.

A companion file (SF1922), sponsored by Sen. Dick Day (R-Owatonna), is awaiting Senate action.

### Lobbyist expenses

Taxpayers could become more aware of how much money their school district is spending on lobbying efforts, under a bill heard by the House Taxes Committee April 23.

HF2383, sponsored by Rep. Marty Seifert (R-Marshall), would require that school districts disclose in their truth-in-taxation newspaper advertisements the amount spent on lobbying efforts.

Under current law, local governments are required to report to the state auditor the estimated expenditures paid to lobbyists or to a staff person who spends more than 25 percent of their time on legislative matters.

The committee adopted an amendment supported by Seifert that removed a section of the bill that would have required districts publish a more itemized estimated account of lobbying expenditures including funds "used to transmit factual information in support or in opposition to government proposed initiatives."

Seifert said the amendment narrowed the scope of the bill and made it a more modest proposal. He said the bill was an attempt at providing more accountability for when tax dollars are spent on lobbying efforts.

Rep. Gene Pelowski, Jr. (DFL-Winona), a co-sponsor of the bill, said he has seen an "acceleration" of school districts and other local units of government who hire lobbyists rather than approaching elected officials to represent their cause at the Legislature.

"I'm not saying we should stop it (the hiring of lobbyists) but certainly the public ought to know," Pelowski said.

Rep. Tom Rukavina (DFL-Virginia) asked Seifert why not require that business lobbyists be subject to similar disclosure requirements, since the effects of property tax reductions, which they often lobby for, are often what the school district lobbyists are hired for.

Seifert said since lawmakers are "the

stewards of tax dollars” the bill is limited to the hiring of lobbyists with public money.

Pelowski said lobbyists for groups like chambers of commerce and labor unions that regularly have lobbyists speak on their behalf are funded by voluntary contributions.

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

### Property reform proposed

Much of the tax cutting focus the past few years both at the state and federal level has been on income taxes. But Rep. Ron Erhardt (R-Edina) said it is time to shift some of that relief to property taxes.

HF1402, sponsored by Erhardt, would exempt residential homestead and non-homestead, agricultural homestead and non-homestead, apartment, and seasonal recreational property from the state determined general education levy.

“Property values have been rising every year at a rate several times the rate of inflation,” Erhardt said April 19 before the House Taxes Committee Property Tax Division. He added the bill would bring “equity in the school aid system” by providing that only homeowners and apartment residents in the school districts are paying for the costs of approving a special operating referendum.

The bill also would establish a flat 1 percent class rate for all residential homestead property and would reduce the class rate for all other classes of property.

Erhardt said in order to lessen the shifting that would be caused by the rate compression, the bill provides for a new homestead credit program for residential homestead property and for the house, garage, and one-acre portion of agricultural homestead property.

Jack Horner, representing the Minnesota Multi-Housing Association, said property tax relief for apartments would help in building affordable housing in the state. He said it currently costs around \$1,200 per unit to build an apartment complex without government assistance and relief would help lower that amount.

Niles Zickman, the acting director of the Minnesota Seasonal Recreational Property Owners Coalition, said the bill addresses issues of fairness and equity for cabin owners. He said many of those owners don’t receive any services for their cabins yet end up paying increased property taxes.

Rep. Tom Rukavina (DFL-Virginia) said cabin owners use county roads to get to their cabins and said all residents benefit from an educated workforce.

“If you had a heart attack wouldn’t you want the guy in the ambulance to be able to read the defibrillator?” Rukavina asked.

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

## ★ TRANSPORTATION

### Taxes for transit

The House Transportation Finance committee approved a bill April 20 that would abolish the metropolitan transit property tax and the use of property tax dollars in Greater Minnesota to support transit projects.

HF2455, sponsored by Rep. Dan McElroy (R-Burnsville), would create a transit funding account that would receive 20.5 percent of the motor vehicle sales tax revenue. The bill moved to the House Taxes Committee where it was approved April 25 and now goes to the House Ways and Means Committee.

Of that deposited money, 95 percent would be devoted to transit projects in the Twin Cities metropolitan area and the remainder reserved for Greater Minnesota transit expenditures. Committee Chair Rep. Carol Molnau (R-Chaska) said “outstate will do

better under this bill” than with existing funding mechanisms.

Legislators from both parties praised the measure, reflecting the unpopularity of funding transit projects with property taxes, which Rep. Dan Larson (DFL-Bloomington) called “the least fair tax.”

The bill explicitly forbids the use of transit funding account monies for light-rail capital improvement or operating activities, a prohibition that provoked some attention. Said Rep. Mary Liz Holberg (R-Lakeville), “Many regions have seen bus systems cannibalized by rail.”

Larson concurred, but emphasized the danger of not funding light rail, which is already being constructed. He warned that starving rail now could encourage future legislatures to again dip into property tax revenue. “I don’t want to be the Legislature that some other Legislature points to and says ‘Don’t do it that way.’”

Mark Hoisser, president of the Minnesota Public Transit Association, said the bill would help provide “a stable and growing source of funding” for transit projects. The bill enjoys the support of the Metropolitan Council, which operates the state’s largest transit programs.

### TACONITE TESTIMONY



PHOTO BY TOM OLMSCHIED

Sam Ricker of Eveleth, *right*, testifies before the House Taxes Committee April 23 for a bill that would change the rates of the taconite production tax. Other union members who testified for the bill are Rich Rojeski, *center*, and Charles Olson.

# Judicious review

Felony DWI, racial profiling, and CriMNet survive, other programs die and budgets face cuts

By MICHELLE KIBIGER

**M**embers of the House Judiciary Finance Committee labored for several days over its omnibus bill, and though many members expressed dislike for its restrictive budget target, not one member uttered a vote against its advancement from committee April 24.

Rep. Rich Stanek (R-Maple Grove), chair of the committee, sponsors the measure (HF351).

The bill, which allocates \$1.3 billion from the general fund for criminal justice budgets and programs statewide during the 2002-03 biennium, next traveled to the House Ways and Means Committee where it was scheduled to be heard April 26, after this issue of *Session Weekly* went to press.

Along with the budget provisions in the bill are several significant policy-related provisions, including creation of a felony drunken driving penalty, a policy for avoiding racial profiling, and funding for the CriMNet statewide criminal justice information system.

The bill falls just slightly beneath the House budget target for the committee. It allocates more than \$25 million less than was recommended in Gov. Jesse Ventura's budget; however, it funds many things not recommended in the governor's budget, as well.

"We'll stand for criticism, and compliments as well, that we did the best we could with what we had," Stanek said.

## Felony DWI

The fourth drunken driving conviction within a 10-year period would be a felony, according to the bill. Such an offense would be deemed first-degree DWI.

Anyone convicted of a felony DWI would face up to seven years in prison and a \$14,000 fine.

The bill would also establish a mandatory prison sentence of at least three years, though a judge may stay the execution of a sentence, in which case offenders must serve at least 180 days in jail, and 150 days of home detention, unless that offender is sentenced to an intensive probation program.

If the court executes the sentence, the offender must serve at least one-third of the time in prison, but not more than two-thirds, provided he or she completes chemical dependency treatment.

Offenders would be subject to five years probation upon release.

The bill would appropriate \$3.35 million in 2003 for the plan, and would recommend funding of \$15.6 million in the 2004-05 biennium.

## Racial profiling

The bill incorporates the racial profiling provisions contained in HF505, sponsored by Stanek.

The provisions would require the Peace Officer Standards and Training Board to develop a model anti-racial profiling policy, and every law enforcement agency in the state

It would appropriate \$100,000 for a public awareness campaign to educate the public about racial profiling, how to file a complaint, and other recourse available.

In addition, the bill would provide \$400,000 to the POST Board for seminars to train officers regarding racial profiling.

## CriMNet

The plan to integrate the state's criminal justice information will be able to move forward with funds included in the bill.

About \$27 million in funds would be distributed throughout the Minnesota Supreme Court, Department of Corrections, and Bureau of Criminal Apprehension, under the bill.

The original bill (HF260), also sponsored by Stanek, contained \$41.5 million as recommended by a task force that studied system needs. Ventura recommended \$27 million in spending for the program.

Specific appropriations are targeted toward staff and infrastructure, as well as correcting the suspense file problem in the BCA that means several criminal histories cannot be matched with BCA fingerprints.

The bill would utilize about \$4 million in federal grants for CriMNet. Those funds, along with \$3 million from the general fund and a special contingency account, could be distributed via grants to local communities to help link into the system.

When completed, the system will integrate, track, and share criminal justice information

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*"We'll stand for criticism, and compliments as well, that we did the best we could with what we had."*

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—Rep. Rich Stanek

would be required to adopt a policy of its own.

It also defines racial profiling and the responsibility of law enforcement agencies regarding racial profiling allegations.

The bill would not mandate data collection or collection of badge numbers. However, each law enforcement agency would be required to submit a report to the POST Board identifying the number of racial profiling complaints within the year and the disposition of those complaints.

among law enforcement, courts, and other criminal justice agencies.

A separate provision in the bill would allow the Department of Public Safety to charge \$5 each time a member of the public accesses public criminal history data via the Internet. Law enforcement could access the data for free, as could the public via terminals at the BCA headquarters in St. Paul.



PHOTO BY ANDREW VON BANK

Cyndi Cook, representing the Minnesota Coalition for Battered Women, and Scott Moen, representing the Domestic Violence Legislative Alliance, testify before the House Judiciary Finance Committee April 24 for funding for per diem reimbursement to domestic abuse shelters.

### Salary/Benefit increases

The state court administrator, public defender and Department of Corrections all painted a dire picture of salary and benefit needs to the committee.

As a result, the omnibus bill would allocate money to all three to help aid their base budgets for salary and benefit increases, as well as individual projects to attract and retain employees.

However, they did not all receive their full requests.

The Supreme Court, which oversees state court administration, Court of Appeals, and Trial Courts would receive about \$18.7 million for those purposes.

In addition, the courts would receive about \$8.7 million for staff and other costs as a result of the state's takeover of all court administration from the counties and districts.

The bill did not include any increases for the public defense corporations, which serve as a public-private partnership to advocate for indigent clients.

Though the state court administrator requested nine additional judgeships statewide for the next biennium, the committee provided no funding.

### Shelter per diems

On April 20, the committee heard a bill (HF699) sponsored by Rep. Barb Sykora (R-Excelsior) that would have dedicated \$7.5 million for the biennium to the Department of Public Safety for shelter per diem costs.

According to advocates for domestic abuse victims and members of the committee, the domestic abuse shelter per diem program was transferred from the Department of Human Services to public safety sometime after the 1998 legislative session. During the transfer it went from an entitlement program, based on a funding formula, to a capped appropriation.

In the course, the appropriation was capped at about \$18 million even though costs would exceed \$20 million annually beginning in 2003.

Originally, the committee included \$1.1 million for the biennium in the omnibus bill. However, an amendment offered by Rep. Debra Hilstrom (DFL-Brooklyn Center) changed that.

The amendment, which was ultimately withdrawn, would have required the governor, speaker of the House, and commissioners of public safety and human services to come up with the remaining \$6.5 million in shortfall by the end of 2002, or the money would automatically come from the Public Safety Department's budget.

"We're not saying that public safety is responsible," said Rep. Mary Murphy (DFL-Hermantown). "But what we're saying is that we have confidence in the commissioner of public safety (and the other parties involved) to work this out. It's wrong for all our accounts to have to scrape. It's wrong to leave this hole."

Members worked out a compromise where \$2 million budgeted to the Department of Public Safety for 2003 would be reallocated to

the shelter per diems in 2002. That would give the administration time to remedy the problem and allocate further money for the programs.

### Cuts

While many programs didn't receive their full needs, other programs and offices would face cuts in funding under the bill.

The Ombudsman for Corrections office, which investigates allegations of misconduct by the department on the behalf of inmates would be abolished under the bill.

The Ombudsman for Crime Victims would face a base budget reduction of about 67 percent under the bill and would be moved to the Department of Public Safety.

The base budget for the Department of Human Rights would be cut by \$1 million during the biennium.

In addition, the bill would reduce funding for community services programs in the Department of Corrections by \$4.1 million over the biennium.

The bill also calls for the elimination of the Camp Ripley Weekend Camp for at-risk youth, a savings of \$1.25 million during the biennium.

### Other policy initiatives

Several other policy initiatives were included in the bill, including other domestic abuse provisions from HF699 and technical changes to drunken driving laws.

In addition, the bill incorporates the animal cruelty provisions from HF1330, sponsored by Rep. James Clark (R-New Ulm), particularly those involving service or companion animals. It creates a felony penalty for those who harm a service animal or otherwise torture a pet or companion animal.

Portions of the bill would also expand the crime of possessing shoplifting equipment and creates a felony for manufacturing false identification cards, as provided in HF2122, sponsored by Rep. Peggy Leppik (R-Golden Valley).

The bill would also increase felonies for possession of child pornography and authorizes electronic search warrants for such investigations, as contained in HF848, sponsored by Rep. Wes Skoglund (DFL-Mpls).

Several clarifications would be made to the predatory sex offender registration under the bill. It would also change the provisions for collecting DNA samples. These provisions were originally contained in HF1960, sponsored by Stanek. 🐾

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

## Prioritizing expenses

Affordable housing, employment support make final cut of jobs and economic development omnibus bill

BY THERESA STAHL

Left with the laborious task of selecting a few bills from a plethora of proposals, the House Jobs and Economic Development Finance Committee has chosen to fund those cited as highest priority, including affordable housing and employment initiatives.

The committee approved its omnibus bill (HF2486), sponsored by Committee Chair Rep. Dan McElroy (R-Burnsville), April 20 on a party-line vote.

But the job wasn't done, as the House spent about five hours debating the bill before passing it April 26 on a vote of 71-59.

The bill reflects a spending target of \$353 million for the biennium, considerably smaller than the most recent budgeting cycles. Budgets for 2000-01 were \$498 million and \$411 million in the 1998-99 biennium.

In the jobs committee, McElroy stood firm on his decision not to exceed budget targets. Rep. Michael Paymar (DFL-St. Paul), however, opposed the omnibus bill for "philosophical reasons," saying that with a strong economy and a budget surplus the government should be able to give more funding to agencies and organizations. "This, unfortunately, is the wrong way to go," he said.

Reps. Karen Clark (DFL-Mpls), Tony Sertich (DFL-Chisholm), and Paymar each offered amendments to the bill, but few were approved. The committee did vote to allocate small sums of money for several local projects in amendments by Sertich.

The committee voted against Paymar amendments to fund requests from organizations that encourage women to enter the trades, provide work experience for at-risk youth, and those that conduct entrepreneur training programs for Somalis and American Indians. McElroy said the organizations might be able to apply for other competitive grants.

Responding to a pressing statewide need for affordable housing, the committee included funding for the Minnesota Housing Finance Agency to receive its request for a \$24 million in one-time funding, which Gov. Jesse Ventura

also recommended. Earlier in the session, the committee heard a report from the Office of the Legislative Auditor on affordable housing that confirmed housing for Minnesota residents is expensive, apartment vacancy rates are low, and rents are high.

The bill also includes a provision to combine the Department of Economic Security and the Department of Trade and Economic Development into one department that would shift the focus from unemployment issues to the development of skilled workers. Reorganization of the state agencies was proposed by Ventura. The new approach would link workforce and economic development together, and aggressively develop partnerships with business, nonprofit, and education institutions.

The committee funded 100 percent of small agencies and funded salary requests from the Minnesota Historical Society. Most job-training programs and state housing programs would receive their base budget allocations.

Major bills that would be funded include \$1.5 million for competitive grants for displaced homemaker projects; \$262,500 for tornado relief for Granite Falls; and \$4 million for a loan-repayment program for teachers in the areas of science, math, industrial technology, and special education, and in rural areas.

McElroy acknowledged that the four-year teacher program is fairly expensive, but said it hopefully will help "a category of employees that is terribly important to our society."

Smaller projects making the final cut include \$75,000 for Rural Partners to be used as target funds for Rural Summit; \$35,000 for a Blue Earth Rural Business Facilitation program; and \$6,000 to fund two additional members on the Council on Black Minnesotans.

Several citizens groups voiced concerns to the committee about the bill on April 18.

Pat Begenstein of the League of Women Voters of Minnesota expressed her organization's concerns about housing for people with mental illness. The bill does not specifically target affordable housing funding toward the needs of the mentally ill.

"Your mental health dollars are going down the drain if you don't give them a stable place to stay," she said.

A bill (HF348), sponsored by Rep. Bob Gunther (R-Fairmont), to allocate \$1.45 million to the Minnesota Youth Intervention Program Association was not included in the omnibus bill. Scott Beaty, executive director of the association, said he was disappointed and that the program is "so effective" because of its two-to-one match that leverages state money and keeps children out of the juvenile justice system.

"We missed an opportunity here," he said.

James Rugg, representing Citizen Awareness of the Restructuring of Education, commented on the bill. He spoke specifically about the provision to reorganize the Department of Economic Security and the Department of Trade and Economic Development, and the way the governor and Legislature are attempting to accomplish that goal.

"You have to decide whether you want a free enterprise system or a quasi-socialist system," Rugg said.


Only four of the many proposed amendments to the bill were approved during the floor debate.

Rep. Jim Knoblach (R-St. Cloud) offered a successful amendment that would prohibit further state funding for the planning, pre design, and design of the new Roy Wilkins auditorium and exhibit hall. The bill provides a \$500,000 one-time grant to the city of St. Paul.

Majority Leader Tim Pawlenty (R-Eagan) offered an amendment that would allocate \$420,000 to a housing trust fund for grants and loans to assist in building and restoring housing to serve homeless veterans. The amendment was adopted by a 127-0 vote.

Rep. Ted Winter (DFL-Fulda) offered a successful amendment that would allow the Department of Trade and Economic Development to grant up to \$1 million to assist in the construction of a soybean oilseed processing facility outside of Brewster.

Neither the Pawlenty nor the Winter proposal add money to the bill because they involve funds already available.

The bill awaits action in the Senate. 

Writer David Maeda contributed to this report.



# Healthy choices

Health and human services omnibus bill offers assistance to young and old, homeless, and some welfare recipients

BY MARY KAY WATSON

**A**fter weeks of sometimes contentious, and at times tearful, hearings, the House Health and Human Services Finance Committee approved a \$6.5 billion omnibus bill April 25 on a vote of 6-4.

The bill now moves to the House Ways and Means Committee.

Before making their decision, committee members heard amendments to the 576-page finance bill (HF1832) in front of a packed hearing room.

"I know there have been controversies over this bill," said Committee Chair Rep. Kevin Goodno (R-Moorhead), the bill's sponsor. The room erupted with laughter, and he added wryly, "I guess that's an understatement."

It would not be an understatement to say the bill befits the term "omnibus." It is a huge compendium of proposals that have been grappled with and approved by the committee during the last four months. Despite what seems to be a very large sum of money, some tough choices were made, prompting a frequent lament heard in committee, "I wish there was more money."

The Human Services Department would receive the lion's share of the appropriation, with \$6.2 billion in general fund money for the biennium. Adding money from special funds and the federal government would bring the department's total appropriation to \$7.3 billion.

The Department of Health would receive \$173.8 million from the general fund, with special funds and federal money increasing that to \$277.5 million in total funding for the biennium.

Nearly one-half of the human services budget would be earmarked for continuing care and community support grants, a category that includes long-term care reform, a major issue before the committee this year. Most of these provisions come from HF1658, sponsored by Rep. Fran Bradley (R-Rochester), and HF1193, sponsored by Goodno.

Nursing home rate adjustments of

3 percent per year would be made available to help these facilities stay afloat in the face of a workforce crisis, decreasing income, and increasing costs.

With the goal of shifting long-term care from nursing homes to community based care, the bill would continue the moratorium on new nursing home beds. It would make grants available for strategic planning as facilities prepare to meet the changing needs of their communities for long-term care.



PHOTO BY ANDREW VON BANK

**Brenda Benshoof, a Project ReConnect social worker, testifies before the House Health and Human Services Finance Committee April 19 in support of a bill that would provide increased grants to Ramsey County to double the size and effect of Project ReConnect. The committee did not approve additional funding for the project.**

Consumer information and assistance would be expanded through the Minnesota Board on Aging. The SeniorLinkage Line would be available statewide as a toll-free number and through the Internet. It would expand its database to provide increased information about long-term care options and health care benefits, both public and private. The bill would also provide for long-term care consultation services at no charge to the consumer for the initial consultation and plan.

In the area of welfare, some people on public assistance are facing the 60-month limit on benefits from the Minnesota Family Investment Program. The bill would establish hardship extensions for certain participants, such as people who are ill, incapacitated, or hard to employ.

Chronic homelessness would be addressed by a \$7 million appropriation to a pilot project for supportive housing and managed care. The project, also supported by private and federal funding, is intended to help homeless individuals and families achieve stability.

The bill earmarks \$20 million for community clinics and rural hospital capital improvement grants. These health care safety net providers serve people who might not have access to health care without them, including uninsured, refugee, and rural populations.

HF1832 has a number of provisions that would improve access to mental health care for everyone. It would improve a child's chance of getting mental health care in the least restrictive and most appropriate setting at the first onset of illness, rather than having to wait for a crisis.

Gov. Jesse Ventura's suicide prevention initiative, also part of Bradley's mental health bill (HF812), would be funded for \$2.2 million. Suicide is the second leading cause of death in the state for people between the ages of 15 and 34.

The bill includes a requirement that health plans cover court-ordered mental health treatment and health care needs that result from suicide attempts.

While the bill would also appropriate the same amount as the governor proposed for teen pregnancy prevention — \$20 million — it would restrict how that money could be used. No funding would be provided to groups that directly or indirectly support abortion, which would keep it from most non-profit

Continued on page 28

## The great divide

Omnibus bill offers less than one-half what MnSCU, University of Minnesota officials sought; tobacco money included

BY MIKE COOK

Despite having one of the higher budget targets for the 2002-03 biennium, the omnibus bill approved by the House Higher Education Finance Committee April 24 provided only about half of what the major public colleges and universities in the state requested.

The vote was 6-4 as Republican members supported the bill (HF2489), sponsored by Committee Chair Rep. Peggy Leppik (R-Golden Valley), and DFLers opposed it.

Total money in the bill equals about \$2.83 billion, with the University of Minnesota to receive nearly \$1.27 billion, Minnesota State Colleges and Universities nearly \$1.24 billion, the Higher Education Service Office \$328.3 million, and the Mayo Foundation about \$3.27 million.

The bill proposes new spending of \$165 million from the general fund — \$93.9 million in funding to MnSCU, nearly \$64 million for the U of M, and \$7.1 million for the Higher Education Services Office. Additionally, the bill calls for the university to receive \$23.1 million for the Academic Health Center.

The proposal meets the target set by the House Ways and Means Committee, which approved the bill April 26.

A Senate proposal calls for \$138 million in new spending for the university and \$130 million for MnSCU.

MnSCU sought \$255.6 million in funding and the university \$221.5 million. MnSCU officials previously said the schools need \$153.3 million to cover inflationary increases in salaries and benefits. University officials said they need \$124.1 million.

"We've never funded their full request in at least the last 10 years," said Rep. Marty Seifert (R-Marshall). "This isn't what I want to see, but it's better than the governor recommended."

Gov. Jesse Ventura's budget proposal shows a net increase of \$99.2 million in new initiatives from the general fund and \$7 million from the workforce development fund. His

plan also calls for \$8 million to the university's Academic Health Center through the Department of Health.

Money from the earnings on investments of the two endowments established with funds from the state tobacco settlement (HF2381) would be appropriated in the bill. Approximately \$23 million of that money is directed to help fund the university's Academic Health Center.

Rep. Steve Dehler (R-St. Joseph) said, "This is a good bill except that it is about \$1 billion short and there is tobacco money involved." He said the inclusion of such funds could hurt the bill on the House floor as the "word out there is that thousands of kids will die because

\$2 million of the endowment fund in each year for health education programs at MnSCU institutions. It failed on a voice vote.

Both Morrie Anderson, chancellor of the MnSCU system, and Pfitzenreuter said tuition increases can be anticipated even with this bill.

Anderson said MnSCU students can expect a tuition increase of approximately 12.5 percent during the biennium if the organization opts to fund only inflationary increases and \$8 million required in previously negotiated contracts. To meet the full budget request would require 25 percent to 28 percent tuition increases in year one another 13 percent in year two, Anderson said.

At the university, Pfitzenreuter predicted an 11.5 percent increase each year for basic needs. If tuition were used to cover the entire difference between state money and the U of M's total request, students would face back-to-back increases of 19 percent, he said.

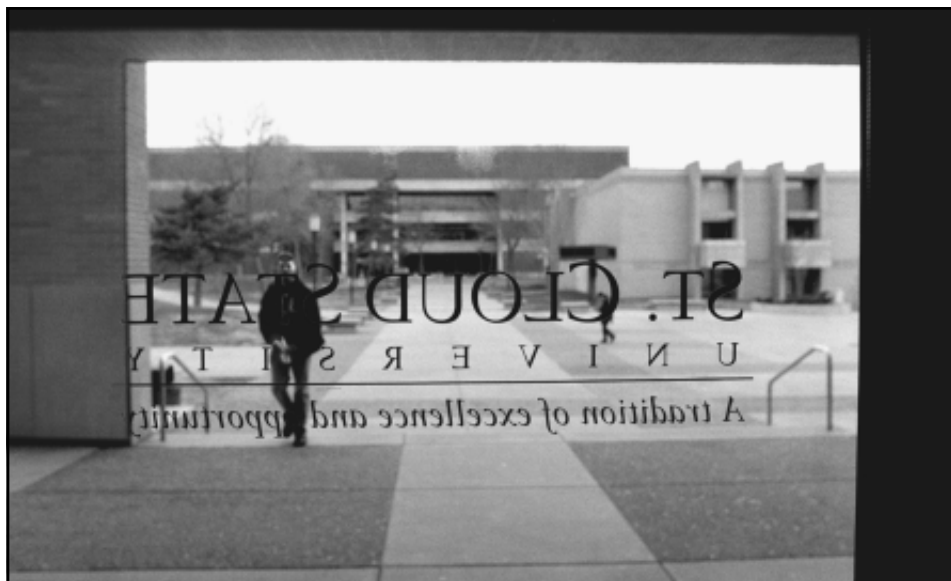


PHOTO BY TOM OLMSCHIED

A student enters Stewart Hall on the campus of St. Cloud State University. Officials from the Minnesota State Colleges and Universities and the University of Minnesota say students will face higher tuition rates as a result of the House Higher Education Finance Committee omnibus bill.

of this bill." He said he expects an amendment to be offered removing the funds.

Richard Pfitzenreuter, chief financial officer and treasurer for the U of M, said the university is not taking a position on where money for the health center comes from. "We view that as the Legislature's prerogative."

Rep. Joe Opatz (DFL-St. Cloud) offered an amendment that would have provided

Leppik asked how the state is expected to keep up with the dollars requested. "The state can maybe absorb this one time, but that is an enormous amount to fund over time," she said.

The state demands that MnSCU provide access for 400,000 students, be affordable, and play a role in economic development,

Continued on page 28

## Streamlined sales tax

Bill would allow the state to enter into an agreement that could improve collection of sales tax revenue

BY DAVID MAEDA

**T**he proliferation of consumers buying products over the Internet has exacerbated a tax concern that began years ago with the growth of catalog sales.

While consumers often purchase items through a catalog or online to avoid paying sales tax, in many instances it isn't a case of the tax not being owed, but rather the tax not being collected.

Current law provides that a business is required to collect sales tax from its customer purchases when the business has a physical presence (known in tax lingo as "nexus") in the state of the buyer. If the business does not have nexus in the state, the buyer is required to pay a use tax to their home state.

But a plan is moving through the Minnesota Legislature, and the legislatures in other states, to make it easier for states to collect sales tax on out-of-state sales.

Last year a multi-state effort known as the "Streamlined Sales Tax Project" began looking at ways of simplifying administration of the sales-and-use tax for sellers in the hope that a more universal system would mean higher compliance with existing laws.

The project was also meant to address concerns of "Main Street" business owners who sought to ensure that remote sellers don't have an unfair advantage because they aren't collecting and remitting sales taxes.

The 39 states participating in the project developed a standard act that provides model legislation and the provisions required for a state to enter into the agreement.

HF1416, sponsored by Rep. Ron Abrams (R-Minnetonka), would adopt into Minnesota law the provisions that would allow the state to enter into the agreement. The bill would implement the uniform definitions and standards developed by the project.

Abrams, the chair of the House Taxes Committee, said April 20 that with the increase in remote sales, more and more states are facing a threat to the stability of their sales tax base.

"This is an enormously important issue if



PHOTO BY TOM OLMSCHIED

**Rep. Ron Abrams, chair of the House Taxes Committee, presents his bill intended to collect sales tax from those who actually owe.**

we are going to protect our sales tax. It is an enormously complex issue," he said.

The committee took no action on the bill but Abrams said it would be considered for inclusion in the omnibus tax bill.

In Minnesota, use tax is not required on out-of-state purchases and remote sales less than \$770. However, once a consumer exceeds the \$770 threshold a use tax is due on the entire amount.

The sales-and-use tax is therefore complex not only because of the different rates that apply across the many taxing jurisdictions, but

also because taxed items are different and the requirements of who is responsible to remit the tax can often be unclear.

The goals of the project are to remove that uncertainty.

Jenny Engh, an assistant commissioner with the Department of Revenue, said it is estimated that Minnesota is losing around \$220 million a year in uncollected sales and use taxes mostly on business-to-business transactions.

While the agreement allows states to continue to decide what will be subject to a sales tax, the state must adopt the uniform standards and definitions of what falls under categories like food and clothing.

Because the state would be required to adopt the uniform definitions there would be a few quirky changes to some of what would get taxed that is currently exempt and some of what is currently taxed would be subject to an exemption.

For example items like snack foods sold in bars and restaurants, bottled water, and near beer are all currently taxed but would become exempt under the bill. Likewise beverages containing 15 percent to 50 percent juice are currently not taxed but would be under the bill.

Changes would also affect what falls under the definition of some clothing items. Hard hats and helmets are now exempt but would be taxed, while steel-toed shoes that are now taxed would become exempt.

The current exemption for clothing made from fur that could disappear under the agreement's definitions would perhaps be reinstated. That's because the bill contains a provision that requires the commissioner of revenue to request a uniform definition of fur clothing be developed and adopted into the standard agreement.

The bill also defines sourcing rules, or those defining to which state the tax is owed. Under the agreement, sales that do not occur at the seller's location are taxed to the destination site.

Rep. Irv Anderson (DFL-Int'l Falls) asked how the department was going to enforce the changes ensuring that more vendors comply with the law.

Larry Wilkie, a project manager of the Streamlined Sales Tax Project for the Department of Revenue, said sellers have argued the

**Continued on page 28**

## Work zone

Bill could bring significant changes to the way Minnesota funds transportation projects statewide

By JONAS M. WALKER

Constitutional amendments, spending restrictions, and “choose life” plates are among the measures included in the House Transportation Finance Committee’s omnibus finance bill.

HF2189, sponsored by Rep. Carol Molnau (R-Chaska), would spend almost \$3.6 billion during the next biennium and also make several significant policy changes, including two proposed constitutional amendments that could change the structure of state transportation funding.

Most of the funding under the bill comes from the highway user tax distribution fund.

The bill was approved by the House Transportation Finance Committee April 24 and the House Taxes Committee one day later. It awaits action by the House Ways and Means Committee.

HF2189 would appropriate more than \$3.2 billion to the Department of Transportation, a figure close to Gov. Jesse Ventura’s recommended level. The remaining money would be distributed to the Department of Public Safety (\$239 million), Metropolitan Council (\$113 million), Department of Finance (\$1.2 million) and other accounts (\$750,000).

The bill would place a number of restrictions on how that money would be spent. For example, regarding personal protection for Ventura and his family, HF2189 would forbid the Department of Public Safety to transfer money between accounts.

Elsewhere, it bars MnDOT and Metropolitan Council from spending state funds to study light rail or commuter

rail projects unless a law specifically identifies the route to be studied.

The bill would surpass Ventura’s suggested \$33 million for Greater Minnesota transit assistance by \$1 million, but fulfills only \$114 million of the proposed \$155 million biennial budget for Metro Transit. The bill also neglects funding Ventura’s proposed \$1 million for a new passenger rail office.

The bill required tax committee approval in part because of a proposed amendment that would create a special commercial property taxing district within a one-half mile radius of light-rail transit stations. The committee approved that measure, proposed by Rep. Mary Liz Holberg (R-Lakeville), to generate operating revenue for the Hiawatha Light Rail line.

“We have a \$700 million project and no way to pay the operating cost,” said Committee Chair Ron Abrams (R-Minnetonka).

Holberg said the Minneapolis-St. Paul International Airport and Mall of America would be exempt from the tax, as would school properties and projects planned before Jan. 1, 2000.

The bill would tax only those property value

increases beyond average property value increases in a given municipality.

“The state, having made the initial investment, should be able to share in the increased economic benefit,” said Holberg. Critics perceived the plan as inconsistent with other measures in the bill.

Rep. Dan Larson (DFL-Bloomington) described the measure as “punitive,” adding, “The whole premise is flawed.” Rep. Alice Hausman (DFL-St. Paul) said legislators from both caucuses supported a plan to remove property tax funding for transit.

As for four-wheeled transit, the bill would mandate a study proposed by Rep. Jeff Johnson (R-Plymouth) that would open Interstate 394 high-occupancy vehicle lanes to all traffic for an estimated six weeks. The lanes are designated for use only by vehicles carrying more than one passenger. The lanes connect downtown Minneapolis and western suburbs.

The two proposed constitutional amendments clarify where tax money goes to aid in highway projects.

One amendment would require at least 50 percent of revenue from the motor vehicle sales tax go to the highway user tax distribution fund “exclusively for highway purposes.” The remainder would be made available for transit programs including light rail, car pool, and park-and-ride projects. A similar proposal made by Rep. Tom Workman (R-Chanhassan) to dedi-

cate 75 percent of the sales tax revenue to the fund was met with approval by the House Transportation Finance Committee.

To cover highway construction costs until funding may be constitutionally guaranteed, the bill would statutorily dedicate 20.5 percent of revenue generated by the motor vehicle sales tax to the highway user tax distribution fund for FY2002. That ratio would increase to 32 percent for FY2003 and beyond.

A second amendment,



PHOTO BY TOM OLMSCHIED

The house transportation funding measure would change the way the state funds projects statewide, including improvements to roads and bridges.

Continued on page 28

# A diverse group

Various ages, backgrounds, interests draw House pages to the Capitol every year

BY NATALIE ELSE

**Y**ou've probably seen them on the sidelines at committee hearings, scampering feverishly throughout the House chamber, or in the basement of the State Office Building trying to catch their breath between errands.

For many of the pages this session, it is this hectic workday that makes them enjoy the experience.

But the pace is not the only thing that keeps the job interesting. Pages represent a very diverse group of interests, backgrounds and walks of life. Pages and others alike say it's very interesting to watch them learn the process and get the job done behind the scenes of each legislative session.

"The interests range from Scandinavian ethnic folk dancing to farming," said First Assistant Sergeant-At-Arms Andrew Carter, who oversees the pages. "It's really fun to watch them work in a group," he said.

Each year, Carter's office hires a new fleet of pages to handle some of the Legislature's more demanding, but largely thankless tasks. They're the ones who make sure each member has a copy of the order of business, they organize information for committee members and staff, and sometimes they serve as a

security force in the State Office Building and House Chamber.

Before hiring a page, Carter said several things are evaluated by looking at resumes and conducting interviews. "We look for someone who is responsible, timely, articulate, willing to work long hours, and has an interest in the legislative process."

Once hired, the pages began their jobs with a two-and-a-half day orientation, where they are taught how to use the audiovisual equipment, their specific responsibilities, and are also given a chamber orientation. This session's page class numbered about 35 during late-December training and continued to grow, reaching 40-45 members for the last six weeks of session.

Carter noted that not only does being a page provide many opportunities, but it can open up many doors because of connections made during session. "About a half-dozen end up working for lobbyists or state agencies when they are done," he said.

Ron Ranallo and his wife Diane, both second-year chamber pages, say their experiences are something they will always remember. Both retired, they thought this would provide them with the opportunity to do something new and exciting in their lives.

"We're always looking for new opportunities and learning experiences," she said. "And we like working together," he added.

Diane Ranallo explained their decision to come back into the workforce part-time, instead of simply enjoying retirement. "We're a generation you're going to see more of. You really miss being out in the world."

Carter agrees this experience is rewarding for people of all ages.

"It's a great job for retired people," said Carter. "It's a good opportunity for them to come and see how it all works. It also allows someone right out of school to see and learn what they want to get out of life."

Though pages often represent diverse backgrounds, this year's class covers an even bigger age range than usual. "Last year, most pages were between the ages of 23-27, whereas this year, age is a big difference," Carter said.

The Ranallos agree that this year's group represents almost every generation. "We're very diverse. We represent an age group from their 20s to their 70s. I don't know how you get a more diverse group than that," Diane Ranallo said.

According to Ron Ranallo, this year's group also has a more direct approach to things. "We have a mature force and a group that appears to interact well together right now."

Said first-year page Kay Smith, who enjoys quilting and being involved with the humane society, "It's like being on a shipwreck on a deserted island and you have all these personalities coming together."

Smith, a retiree who formerly worked for the state as a computer programmer, said this experience has taught her a lot about how government works.

"It has made me more aware of how things work," she said. "It's really amazing that when you bring all these people together, they are able to get something done."

In fact, the process intrigues her.

"There's a lot of protocol that goes on and also a lot of history attached to all of this," she said.

For the Ranallos, the knowledge that each day will bring something new, and the people they are able to interact with, has proved very rewarding.

"We've had people from all over the country at these doors," said Ron Ranallo referring to the doors of the House chamber. "We're treated with such dignity and respect. We've had other jobs where that really hasn't happened. We really just like seeing a lot of hardworking people trying to make it work. Sometimes citizens don't get involved enough. We can understand now how hard (legislators) work," he added.

But above all, pages like what they do.

"It's a real nice place to work and we're really having fun," Ron Ranallo said. 🐼

**Editor's Note:** Natalie Else was an intern in the House Public Information Office. She is a senior at Gustavus Adolphus College in St. Peter.



PHOTO BY SARA KIRK

Page Patrick Paray receives a newspaper article from Rep. Margaret Anderson Kelliher April 5 in the House chamber. Transporting documents during session is one of many duties that pages perform.



## Tracking new laws, vetoes

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

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

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

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

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

A two-thirds vote of the members in each house is needed to override a veto. But because only the governor can call a special session of

the Legislature, anything vetoed after the Legislature adjourns is history — at least until the next year.

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

**This information is also available on the governor's Web site ([www.governor.state.mn.us](http://www.governor.state.mn.us)). Select the "Legislative Initiatives" link, then click on "Legislative Log 2001."**

**Key:**

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

CH	HF	SF	Description	Signed	Vetoed
Res. 1	219	258*	Resolution requesting a ban on the importation of certain steel products.	3/15/01	
Res. 2	670	647*	Resolution memorializing the President and Congress to fund 40 percent of special education costs.	4/6/01	
Res. 3	1391*	1318	Resolution for postage stamp of Eric Enstrom's "Grace" photograph.	4/26/01	
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	

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

CH	HF	SF	Description	Signed	Vetoed
25	57*	27	Certain crimes against children named disqualifying offenses for school bus drivers' licenses.	4/13/01	
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	
31	116	274*	Respiratory care practitioner advisory council sunset delayed, and athletic trainer registration cancelled	4/24/01	
32	501	283*	Conservation officer enforcement activity comparison prevented from use in performance evaluation.	4/24/01	
33	1455	1435*	Designer selection board provisions modified.	4/24/01	
34	453	319*	Discharge of judgements against bankruptcy debtors regulated.	4/24/01	
35	424	456*	Mental retardation waiver recipients authorized access to respite care in certain facilities.	4/24/01	
36	275*	210	Nursing facilities closure medical assistance cost savings projection prohibition.	4/24/01	
37	125*	104	Dentist licensure requirements modified for applicants trained in a foreign country.	4/24/01	
38	949*	771	Allows for a smaller newspaper to serve as the qualified newspaper for smaller communities.	4/24/01	
39	387	142*	Increases the membership of the State Council on Black Minnesotans.	4/24/01	
40	828	741*	Hennepin County employees granted disaster volunteer leave.	4/24/01	
41	1747	1780*	Itasca County chemical dependency demonstration project rule exemption extended.	4/24/01	
42	1634	1460*	Duty to warn law applied to social workers, and social workers allowed to form professional firms.	4/24/01	
43	1404	1709*	Exempts towed implements of husbandry from tail lamp requirement.	4/24/01	
44	867*	646	Suburban Hennepin regional park district provisions modification and clarification.	4/24/01	
45	2119*	1915	Charitable organization report filing requirements modified	4/24/01	
46	253	249*	Repeals obsolete health and human rules.	4/26/01	
47	274*	70	Mercury thermometer sales restricted.	4/26/01	
48	323*	914	Motor vehicle fuel franchisees transfer rights provision expiration date removal.	4/26/01	
49	1160*	1127	Physician assistants prescribing medication review provisions modified.	4/26/01	
50	239*	170	Real estate provisions modifications.	4/26/01	
51	1260*	1332	Child support and custody provisions terminology neutralization.	4/26/01	
52	1467	1419*	Payment bonds claims notices requirements modification.	4/26/01	

## What's on the Web

### Streaming video on the Internet

If you happen to be halfway around the world and are dying to find out how a particular issue is being dealt with by the Minnesota Legislature, you can now keep informed first-hand.

That's because both the House and the Senate offer Internet streaming video of floor sessions and select committee hearings. The service, which began during the 2000 session, offers unedited, live, and recorded coverage of the Legislature.

The link to the House coverage can be found at <http://www.house.leg.state.mn.us/htv/liveweb.htm> and the Senate's coverage

can be accessed at <http://www.senate.leg.state.mn.us/general/avinfo.htm>. All that is needed to stay informed is access to the Internet and Windows Media Player, a free plug-in viewer.

The service is provided by House Television Services.

As of January 2001, the public can also access all the recorded coverage throughout the legislative session using an archive on the Web site.

The ultimate goal of the service is for each person to have access to the original

footage of committee and floor action so that when they see a news story about the event, they can find more information by viewing the event from start to finish.

The site will provide an index, making it easy for users to find the specific bill or topic they wish to view, without having to weed through hours and hours of coverage.

For more information, contact House Television Services at (651) 297-1338.



## Monday, April 23

### HF2479—Bakk (DFL)

#### Jobs & Economic Development Finance

Wastewater infrastructure funding limits removed for municipalities bordering Lake Superior.

### HF2480—Bakk (DFL)

#### K-12 Education Finance

Independent School District No. 381, Lake Superior, school building construction funded, bonds issued, and money appropriated.

### HF2481—Abrams (R)

#### Taxes

Electronic filing and payment of specified taxes provided.

### HF2482—Olson (R)

#### Local Government & Metropolitan Affairs

Annexation elections provided when initiated by resolution.

### HF2483—Solberg (DFL)

#### State Government Finance

Grand Rapids; Children's Discovery Museum funding provided, bonds issued, and money appropriated.

### HF2484—Larson (DFL)

#### Local Government & Metropolitan Affairs

Minneapolis-St. Paul International Airport parking facilities surcharge imposed, and airport impact mitigation account established in the general fund.

### HF2485—Larson (DFL)

#### Taxes

Parking tax imposed on large parking facilities.

### HF2486—McElroy (R)

#### Ways & Means

Omnibus jobs and economic development finance bill.

## Wednesday, April 25

### HF2487—Davids (R)

#### Taxes

Chatfield community building ambulance and police services expansion construction materials and equipment sales tax exemption provided.

### HF2488—Paulsen (R)

#### Redistricting

Resolution establishing redistricting principles for legislative and congressional plans.

### HF2489—Leppik (R)

#### Ways & Means

Omnibus higher education finance bill.

### HF2490—Biernat (DFL)

#### State Government Finance

Veterans' memorial on Mississippi riverbanks grant provided and money appropriated.

### HF2491—Kubly (DFL)

#### Environment &

#### Natural Resources Finance

Flood relief and mitigation funding provided for counties designated a major disaster area resulting from the spring floods of 2001, bonds issued, and money appropriated.

### HF2493—Davids (R)

#### Environment &

#### Natural Resources Policy

Ammunition requirement modified for big game hunting.

### HF2494—Mulder (R)

#### State Government Finance

Luverne; Carnegie Cultural Center improvements grant provided, bonds issued, and money appropriated.

### HF2495—Mulder (R)

#### Jobs & Economic

#### Development Finance

Pipestone County museum improvements grant provided, bonds issued, and money appropriated.

### HF2496—Mulder (R)

#### Jobs & Economic

#### Development Finance

Pipestone emergency medical services building construction grant provided, bonds issued, and money appropriated.

### HF2497—Hackbarth (R)

#### Transportation Finance

Anoka County park-and-ride lot construction provided, bonds issued, and money appropriated.

## Thursday, April 26

### HF2492—Davids (R)

#### Commerce, Jobs & Economic Development

Credit scoring; consumer credit information use prohibited for homeowner and auto insurance underwriting.

## 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 meeting 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.

### House Television Services

216C State Capitol (651) 297-1338

House Television Services is responsible for live coverage of House floor sessions and some committee hearings. Such coverage is aired in the Twin Cities area on KTCI-TV, Channel 17. The House also broadcasts via satellite statewide. Outstate residents should check with local cable operators for time and channel information or the office's Web site at: <http://www.house.leg.state.mn.us/htv/htv.ssi>

All televised floor sessions and committee hearings are close-captioned for people with hearing impairments.

### Senate Information Office

231 State Capitol (651) 296-0504

The Senate Information Office is responsible for all information about the Senate, including the committee schedule, bill status, legislator information, and the distribution of bill copies.

### Senate Media Services

B-44 State Capitol (651) 296-0264

Senate Media Services, a bipartisan office, produces television programs, multi-media productions, scriptwriting, photography and graphics. It offers live coverage of the Senate floor sessions and some committee hearings.

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](mailto: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 30

8 a.m.

### TAXES

Basement Hearing Room  
State Office Building  
Chr. Rep. Ron Abrams  
**Agenda:** Presentation of the Omnibus Tax Bill.  
**Note:** The committee is also scheduled to meet 15 minutes after session.

10 a.m.

THE HOUSE MEETS IN SESSION.

15 minutes after session

### TAXES

Basement Hearing Room  
State Office Building  
Chr. Rep. Ron Abrams  
**Agenda:** HF82 (Seagren) Omnibus K-12 Education Bill.  
HF1515 (Sykora) Omnibus Family and Early Childhood Finance Bill.

## WAYS & MEANS

200 State Office Building  
Chr. Rep. David Bishop  
**Agenda:** HF1832 (Goodno) Health and Human Services Finance Bill.  
HF560 (Goodno) Patient protection provisions modified.

## TUESDAY, May 1

7:30 a.m.

### TAXES

Basement Hearing Room  
State Office Building  
Chr. Rep. Ron Abrams  
**Agenda:** Testimony on the Omnibus Tax Bill.  
**Note:** The committee is also scheduled to meet 15 minutes after session for continued testimony, if needed.

8 a.m.

### Topic Selection Subcommittee/Legislative Audit Commission

229 State Capitol  
Chr. Rep. Ann H. Rest  
**Agenda:** Working session to review results of legislative survey and select topics to be presented for consideration by full Legislative Audit Commission.

9 a.m.

THE HOUSE MEETS IN SESSION.

15 minutes after session

### TAXES

Basement Hearing Room  
State Office Building  
Chr. Rep. Ron Abrams  
**Agenda:** Continuation of testimony on the Omnibus Tax Bill, if needed.

3 p.m.

### Joint House/Senate Subcommittee on Claims

118 State Capitol  
Chrs. Rep. Bill Haas, Sen. Randy Kelly  
**Agenda:** Claim against the Minnesota Department of Natural Resources.  
Claim against the Department of Public Safety.

## WEDNESDAY, May 2

8 a.m.

### TAXES

Basement Hearing Room  
State Office Building  
Chr. Rep. Ron Abrams  
**Agenda:** Mark-up of the Omnibus Tax Bill.

9:30 a.m.

THE HOUSE MEETS IN SESSION.

## THURSDAY, May 3

9 a.m.

THE HOUSE MEETS IN SESSION.

## FRIDAY, May 4

9 a.m.

THE HOUSE MEETS IN SESSION.

## Frequently called numbers

(Area code 651)

**Information, House**  
175 State Office Building ..... 296-2146  
**Chief Clerk of the House**  
211 Capitol ..... 296-2314  
**Index, House**  
211 Capitol ..... 296-6646

**TTY, House** ..... 296-9896  
**Toll free** ..... 1-800-657-3550  
**Information, Senate**  
231 Capitol ..... 296-0504  
**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

**Continued from page 19**

agencies currently offering family planning services. That restriction would be applied to all family planning grants.

Of money from the teen pregnancy prevention program, \$10 million would be directed toward reducing disparities between white teens, who have one of the lowest rates of pregnancy in the nation, and teens of color, who have one of the highest.

In addition, this bill would not allow a woman to have an abortion until she has waited 24 hours after receiving information prepared by the Department of Health and has had a chance to talk directly with the physician who would be doing the procedure.

"The issues we deal with here are very complex and often emotional," Goodno said. "But I think we've dealt with them in an honorable manner." 

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**Continued from page 20**

Anderson said. "We must have a quality, competitive product, and it takes lots of resources."

He said three ways to change that would be to reduce access, reduce quality, or change affordability. "We believe we have tightened the reins."

Noting the percent of the state budget going toward higher education has decreased by about 6 percent in the last decade, Pfutzenreuter said that could be one reason costs are higher. "Higher education is an investment. You need to look at it that way."

In terms of new programs, the bill would help fund two.

HF428, sponsored by Rep. Bob Gunther (R-Fairmont), would expand the Minnesota Talented Youth Math Project — operated by Minnesota State University, Mankato — from south-central Minnesota to one additional region. The program, which would receive \$40,000 for fiscal year 2002 to keep the program at current levels and \$110,000 in fiscal year 2003 to expand, teaches advanced skills via interactive television to top math students beginning in grade six.

The other benefited program is HF2226, sponsored by Rep. Alice Seagren (R-Bloomington), which would receive \$150,000 in fiscal year 2003 for a post-secondary grant program for high school students who achieve qualifying scores on a specified number of advanced placement or international baccalaureate tests.

Regarding financial aid, the bill would expand the eligibility for a state grant to a fifth year and increase the length and amount of childcare grants from a bill (HF342), sponsored by Dehler. It also would set aside a state


match for the Edvest program (HF550), sponsored by Rep. Rob Eastlund (R-Isanti), that allows accounts to be created for those who will attend college in the future.

On the border battle, an amendment offered by Opatz requiring out-of-state students to pay at least what Minnesota students now pay failed on a party line vote. He said of the 16,000 non-Minnesotans now attending a higher education institution, "more than 9,000 pay less than our students." His amendment would have prohibited negotiating a reciprocity agreement that allowed an out-of-state student to pay less than a Minnesotan.

Leppik said she is fearful the Opatz plan might tie the hands of the negotiator and the state may lose talented non-Minnesota students to other states.

"If Minnesota is where they want to come, they will still come," Opatz countered.

Furthermore, the bill calls for the creation of a Commission on University of Minnesota Excellence (HF2377), sponsored by House Majority Leader Tim Pawlenty (R-Eagan), to examine and make recommendations to the university.

A requirement that would affect both MnSCU and the U of M says any reallocation of state funding must be shared by administrative and central office services in proportion to their share of total expenses (HF1999), sponsored by Rep. Sheldon Johnson (DFL-St. Paul). 

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**Continued from page 21**

current low rate of compliance is rooted in the complex and burdensome administration of collecting and remitting the taxes. By simplifying the system, the argument becomes less valid.

An added benefit, Wilkie said, would be that the administration for Minnesota retailers would also become simpler.


Matt Lemke, representing the Minnesota Retailers Association, agreed with Wilkie. He said retailers are facing an increasing challenge collecting sales taxes due to complexity of the laws. "The streamline system is necessary so all retailers can compete on a level playing field."

Similar legislation is pending in many of the participating states, and bills have been signed into law in Kentucky, Utah, and Wyoming.

Because states don't want the federal government getting involved and mandating to states what to tax, Engh said a more uniform administration of the sales tax is necessary and in the states' best interests.

Court decisions have also driven the effort, according to Abrams. In 1992 the United States

Supreme Court affirmed in *Quill v. North Dakota* that the complexity of local and state taxing laws constituted an undue burden on remote sellers and thus restricted interstate commerce.

Abrams said it was likely a state that passes the model legislation into law will eventually bring a lawsuit against a remote seller to reaffirm the validity of the Streamlined Tax Project proposal and thereby establish that remote sellers are subject to collecting sales tax. 


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**Continued from page 22**

suggested by Holberg, would delete the requirement that state bonds sold for highway purposes be repayable only to the trunk highway fund. Currently, only trunk highway bonds repayable from the trunk highway fund may be issued for improvement projects. The constitution permits the state to undertake "public debt" to acquire and improve public land and building only if the Legislature chooses to do so by a three-fifths vote, a margin unaffected by the proposed amendment.

The bill also includes a provision suggested by Rep. Dennis Ozment (R-Rosemount) that would authorize cities, counties, and towns to establish "quiet zones" in which the sounding of railroad horns, whistles, and other audible warnings is regulated or prohibited. Such zones would have to be at least one-half mile long and conform to federal regulations.

Furthermore, the bill would raise vehicle transaction filing fees from \$3.50 to \$4.50 for registration renewals and \$7 for other transactions, an increase not suggested by Ventura. The increase is expected to raise nearly \$3 million during the biennium. In an effort to encourage less costly registration procedures, vehicle dealers would be allowed to retain \$2.50 of that filing fee if they submit the registration transaction.

The bill includes a provision creating "choose life" license plates as proposed by Rep. Ray Vandever (R-Forrest Lake). His plan would require drivers obtaining those plates to pay an extra fee to fund private groups supporting pregnant women who commit to placing their baby up for adoption. 

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Continued from page 4

strained and distances are growing, according to Abeler, sponsor of the bill. HF1850 would establish a three-year pilot project to allow schools to evaluate, plan, and use flexible learning year programs to meet the educational needs of their students, which may result in four-quarter plans, all-year plans, or four-day week plans.

Rep. Bob Ness (R-Dassel) sponsored a bill that would require transportation revenue to be used only for transportation purposes. It would allow excess funds, however, to be used for general education. Ness also proposed a transportation study to create a cost-based pupil transportation formula based on certain ridership categories. 🐼

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# Reflections

One of the surprising feats at the House of Representatives is how only eight people are able to direct the traffic of thousands of strangers who visit members and staff.

These are the dedicated receptionists who sit behind desks off each elevator bank on the second, third, fourth, and fifth floors in the State Office Building.

Their careers with the House of Representatives collectively cover some 110 years as legislative assistants, committee legislative assistants, committee administrators, and receptionists.

Judy Bernet has worked with the DFL Caucus for 16 years. She now sits at the second floor north desk where she fields some odd questions such as, "Am I on the second floor?" or "Is there a skyway to the Capitol building on this floor?"

Muffy Dickinson who works for the Republican Caucus, is the one who knows everyone by name when they stop or pass by her desk on the fourth floor. If the Twins or Vikings are playing at home, you can also get the latest game scores from her.

Dorothy Sawyer has worked in the House for 18 years — six years in House Public Information, 10 years for the DFL House Caucus, and two years in her present position.

Susan Witzke is a 10-year full-time staffer with the House and Republican Caucus. She makes sure that she takes her daily walk during break as she listens to her favorite songs.

Mary Krageland worked full-time with the Republican Caucus for 10 years and now is session-only. She enjoys her new position, and also voluntarily keeps the caucus in a never-ending supply of candies and delicious bread.

Joe Dodge returned to the House in

2001 as a session staffer, having spent nine previous years with the DFL Caucus. Dodge's second floor desk is one-stop shopping for visitors— coffee, Tums, Kleenex, hand lotion, Capitol hats, and even magic tricks for those who are too serious.

Cyndee Fields loves the staff and legislative community she works with in her second year as a session-only receptionist for the Republican Caucus.

Pat Engfer has worked for 27 years for the DFL Caucus, first as a legislative assistant for two years. But she likes her present session-only position much better.

All have different ways of keeping busy outside the office.

For example, Dickinson sings and plays the piano, Bernet sells expensive jewelry and loves to travel, and Fields is a member of the Eagan City Council.

Sawyer is the perennial jokester of the group, but one year she was the recipient of a prank at a mini-

session in Fergus Falls.

It was Sawyer's birthday, so the chief sergeant-at-arms transported a "gift" all the way from St. Paul to the mini-session. It was a blow-up doll named "Ramon" — a surprise for her from friends.

With the help of hotel management, the chief sergeant placed Ramon in her bed while she was with other staffers in the lounge. She agreed that for once, the joke on her was well-planned, for she had no clue about it.

True to her role as a jokester, Sawyer sums up one of the many important tasks of receptionists. "It's the best job I've ever had, because I can tell people where to go."

—LECLAIR GRIER LAMBERT



PHOTO BY TOM OLMSCHIED

Dorothy Sawyer works at her desk on the third floor of the State Office Building.

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MAJORITY LEADER: TIM PAWLENTY  
MINORITY LEADER: THOMAS W. PUGH

# MINNESOTA INDEX

## Minnesota Potpourri

State's length, in miles .....	406
Width, in miles .....	385
State size, in square miles .....	84,068
Rank among U.S. states .....	12
Land area, in square miles .....	79,289
Inland waters, in square miles .....	4,779
Length of Mississippi River, which begins at Lake Itasca (in miles) .....	2,552
Annual economic impact of domestic and international travel, in billions of dollars .....	9.1
Approximate number of pairs of bald eagles in Minnesota .....	550
Common loons .....	12,000
Timber wolves .....	1,600
Approximate percent of land covered by forest .....	33
Number of state forests .....	57
Number of national forests .....	2
Number of state parks .....	66
Number of national parks .....	1
Number of years ago humans made rock carvings of people, animals, and weapons that can be seen today at Jeffers Petroglyphs in southwestern Minnesota .....	5,000
Year Minnesota became a state .....	1858
Rank among the 50 states .....	32
Year waterskiing was invented in Minnesota .....	1922
Year first commercial snowmobiles were manufactured in northern Minnesota ..	1953
Percent of Minnesotans who own a snowmobile .....	5
Rank of Minneapolis-St. Paul International Airport among world's busiest .....	18
Year Northwest Airlines was started .....	1926
Approximate miles of active rail line .....	4,600
Miles of navigable waterways .....	231
Millions of tons of freight shipped by water annually .....	80
Percent of iron ore/taconite produced in the United States from Minnesota .....	70
Average height (in feet) of Norway Pine, the state tree .....	60-100
Tallest Norway Pine in the state (in feet) .....	320
Year that milk became the official state drink .....	1984
Pounds of milk produced in Minnesota annually, in billions .....	9.7
U.S. rank in dairy production .....	5
Year that blueberry became the official state muffin .....	1988

Sources: North Star — Minnesota Government and Information Services ([www.state.mn.us](http://www.state.mn.us)), Minnesota Department of Trade and Economic Development, and *Minnesota Legislative Manual 2001-2002 (for students)*, published by the Office of the Secretary of State.

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